

Bay Kou Bliye, Pote Mak Sonje: Climate Injustice in Haiti and the Case for Reparations



About the authors

The Global Justice Clinic (GJC) is part of the Center for Human Rights and Global Justice at NYU School of Law and collaborates with the Bernstein Institute for Human Rights at NYU School of Law. GJC works with social movements and community partners to prevent, challenge, and redress human rights violations stemming from economic, climate, and racial injustice. GJC challenges extractive economic systems and exploitative power relations, and engages with cross-border challenges that require transnational collaboration. Using a rights-based, legal empowerment approach, GJC works in solidarity with those most impacted by global injustice. For more than a decade GJC has collaborated with social movements resisting the extractives industry and organizing to protect rights to land and water in Haiti.

The Promise Institute for Human Rights at UCLA School of Law is the center of human rights education, research and advocacy at UCLA and around the region. The Promise Institute works to empower the next generation of human rights lawyers and leaders, generate new thinking on human rights, and engage students to drive positive real world impact. Through its Race & Human Rights Reimagined Initiative, from 2019 to 2024, The Promise Institute has been at the forefront of research and advocacy at the intersection of racial justice and critical approaches to human rights, including in the context of migration and climate justice. The Promise Institute also provided support to the mandate of former UCLA Law Professor E. Tendayi Achiume, the former U.N. Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance from 2017 to 2022.

The authors of this report, from both GJC and The Promise Institute, approach the question of climate injustice as human rights practitioners working to prevent, challenge, and redress rights violations inherent to systemic racism, exploitative capitalism, and environmental injustice.

Cover note: *Bay Kou Bliye, Pote Mak Sonje* is a Haitian proverb. It translates to “they who strike the blow forget; they who bear the scar remember.”

Cover photo: Public Beach, West Department, Haiti. **Credit:** Ellie Happel



Contents

Acknowledgments	6
Foreword	7
Executive Summary	9
Methodology	17
Introduction	23
Chapter I: Current and Projected Climate Harms	28
A. The Impact of Climate Disorder on Human Rights	29
B. Projected Climate Harms	33
1. Extreme Weather and Sea Level Rise	33
2. Health Impacts	36
3. Food and Livelihoods	38
4. Drought and Access to Water	40
C. Particularly Marginalized Groups: Migrants and Women	42
1. Forced Displacement and Migration	42
2. Women’s Rights and Gender Equality	46
D. Conclusion	47
Chapter II: The Roots of Haiti’s Climate Vulnerability	60
A. Colonization of Haiti: 1492–1803	62
B. Post-Independence Racial Exclusion and Impoverishment: 1804–1915	63
C. US Occupation and the Duvalier Dictatorship: 1915–1986	66
D. 20th-Century Neocolonialism: 1986–2000	70
E. Turn of the 21st Century and the Present Moment: Crisis and Foreign Intervention	71
F. Conclusion	73
Chapter III: Grappling with Climate Injustice	80
A. Haitian Government Action and Climate Disorder	82
B. Haitian Communities on the Frontlines	87
1. Community-Level Responses to Climate Disorder	88
2. Advocacy for Structural Change	92
3. Popular Education	98
C. Conclusion	99
Chapter IV: The Demand for Reparations	108
A. Reparations are Essential to Climate Justice	110
1. The Failures of International Climate Policy	110
2. Defining Reparations	114
3. What Might Reparations to Address Climate Injustice Entail?	115
B. Legal Rationales for Reparations to Haiti	119
1. Racism Contributed to Haiti’s Climate Vulnerability, Violating International Law	120
2. Haiti’s Unlawful Independence Ransom	122
3. Excess Emissions Violate International Law	123
C. The Path Forward	126
D. Conclusion	127
Haitian Organizations Consulted	136
Glossary: Key Terms	140

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Organizations Consulted: This report was informed by several Haitian organizations and social movements working with communities on the frontline of the climate crisis. Information about each organization with whom the authors engaged is available in the Methodology and in the Haitian Organizations Consulted glossary at the conclusion of the report.

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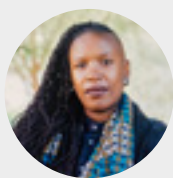
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Foreword



by Prof. E. Tendayi Achiume, former UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

As this report makes clear, the global ecological crisis is an existential threat for Haiti, and reparations are a necessary part of climate justice. Climate disorder, as Haitians aptly term climate change, is already destroying crops, flooding homes, increasing health problems, and making Haitian communities more likely to be struck by disastrous weather events. The human rights fallout of climate disorder is not hypothetical; the impacts are already affecting a range of human rights in Haiti, including those related to non-discrimination and equality; the right to life; rights related to the environment; and various social, economic, and cultural rights. Climate disorder is also forcing many Haitians to flee their homes and country to seek refuge elsewhere in the region, where they face racially discriminatory and xenophobic immigration laws, policies, and practices. As climate disorder worsens, its harmful impacts on Haitians are becoming more severe. By outlining the many intersecting harms Haitians face from climate disorder, this report makes an important contribution, bringing Haiti to the forefront of international discussions about addressing climate disorder and responding to its impacts.

This report highlights that the global ecological crisis is a racial justice crisis. As I emphasized to the United Nations, during my mandate as Special Rapporteur on racism, parts of Haiti, like parts of other Caribbean nations and small island developing states, can be understood as “racial sacrifice zones”—regions that environmental degradation has made dangerous or even uninhabitable for racially marginalized individuals. This report crucially explains Haiti’s current vulnerability to climate disorder as a legacy of its history of colonization, slavery, and different forms of racialized exploitation that persisted even after Haiti won independence from France. While Haiti’s geography contributes to its acute climate vulnerability, it does not tell the full story. Since its colonization, Haiti has suffered from economic, political, and social exploitation by countries and systems of the Global North, all of which has undermined its capacity to develop, respond to climate disorder, and protect its citizens from climate impacts.

Conventional responses to climate disorder often fail to draw connections between historic and contemporary injustices and between racial and climate justice today. An analysis of these connections is important, however, and grounds this report’s legal, political, and moral argument for reparations, for which Haiti is an exemplary case. Existing international (human rights) legal approaches are insufficient to grapple with the existential threat facing Haiti. Instead, what Haiti needs—and what many Haitians demand—are reparations that will transform the structures of oppression and subordination at the root of the climate crisis.

Perhaps the most exciting contribution of this report, however, is its documentation of a range of adaptation and resilience efforts being advanced by Haitian community organizations grappling with climate disorder. Although such local approaches are insufficient on their own to stop or even slow the climate crisis, global approaches must be shaped by and responsive to the expertise of people and groups on its front lines. This report is a crucial step in advocating for climate justice in Haiti and will undoubtedly spark more collaborations, research, and advocacy in pursuit of this goal.



Executive Summary

“

Many of the countries who are responsible [for the global climate crisis] have a colonizing past. And the countries who are suffering the most, are the former colonies ... It's a form of colonization that is continuing from a climate perspective—a climate colonization.”

Kettly Alexandre, Mouvman Peyizan Papay¹

“

We are living in a world that is all about exploitation of resources, land, people—can we not imagine another world? Can we imagine a world where people live in harmony and have good relationships with their neighbors, where we offer solidarity with one another, where we place care at the center of our relationships with one another and with the land?

Sabine Lamour, sociologist and coordinator of feminist organization Solidarite Fanm Ayisyèn²

Context

Haiti is one of the countries most harmed by climate disorder,³ despite having only marginally contributed to, and economically benefited from, the activities that created climate disorder. The country's vulnerability to heavy rains, drought, hurricanes, and other climate impacts is due not only to its location in the Caribbean but also, as this report shows, to its history of exploitation, originating in colonialism and slavery, and ongoing racist exploitation. Haiti illustrates how the climate crisis is a racial injustice crisis. Addressing these interlinked crises is urgent.

Climate Disorder

This report uses the term “climate disorder” in lieu of “climate change.” Haitian activists and organizations reject “climate change” as a passive and therefore misleading description of the environmental changes they experience. They favor “climate disorder” as a more effective description of the harmful impacts and the irrational, unpredictable nature of the problem.

There is little available research presenting and analyzing the current and projected impacts of climate disorder on the human rights of Haitian people. There is a similar lack of literature showing how Haitian people—who are forced to adjust in the context of increasing climate disorder today—adapt and survive. This report aims to fill the gaps and to link Haiti’s experience of severe climate harms today with its history of Global North plunder, exclusion, intervention, and racist exploitation. Climate disorder and climate injustice are, at least in part, present-day symptoms of historic wrongs. This report advances the case for reparations to Haiti and argues that reparations are essential to addressing climate injustice.

Report Objectives and Approach

A key goal of this report is to provide facts and analyses about Haitians’ experience of climate disorder and its root causes, including its harms to Haitians’ human rights and its disparate impacts on *peyizan*⁴ and urban poor communities. The purpose, too, is to inform and bolster arguments for reparations for Haiti—and, in turn, for other formerly colonized, Small Island Developing States.⁵ In addition, this report highlights the work of Haitian activists creating alternative livelihoods and organizing for climate justice in the context of climate disorder. This report also informs and engages those who seek to act in solidarity with Haitian people—particularly *peyizan*—and hopes to catalyze further discussion, research, and action for climate justice. The size of the problem requires collaboration across borders, disciplines, identities, and political viewpoints; this report thus seeks to reach a broad audience.

This report is the fruit of collaboration between human rights lawyers and Haitian activists and organizations. The Global Justice Clinic (GJC) has worked in solidarity with Haitian social movement actors for more than ten years; it is this history of collaboration that led the GJC and the Promise Institute for Human Rights at UCLA School of Law (the Promise Institute) to conduct the desk research and analysis that inform this report. GJC and the Promise Institute conducted dozens of interviews and small group discussions with contributing Haitian organizations. This report consolidates available information from a variety of sources relevant to climate disorder: legal, policy, scientific, historical, and economic. GJC and the Promise Institute also drew on the lens that Third World Approaches to International Law and Critical Race Theory scholarship offer to uncover the ways in which race and empire are central to, and perpetuated by, existing legal frameworks.

Chapter-by-Chapter Overview



Chapter I

Chapter I presents the gravity of the situation facing Haiti. Drawing on secondary research as well as interviews and conversations with Haitian activists and organizations, it summarizes the current and anticipated impacts of climate disorder on Haitian people, including on particularly marginalized groups. Chapter I presents some of the key ways that Haitian people experience climate disorder day to day and year to year: extreme weather events and sea level rise, negative consequences to human health, harms to agricultural production and livelihoods, and drought and lack of access to water.

Chapter I also identifies human rights that climate disorder violates, including rights related to life; equality and non-discrimination; land and housing; food, water, and the environment; and migration. It shows how underlying inequality and structural rights violations compound Haitians' experience of climate harms and includes a human rights analysis, while recognizing the limitations of human rights law in effectively addressing climate injustice. It is foreign actors—governments, companies, and institutions outside of Haiti—who could most meaningfully diminish human rights violations in Haiti, including by cutting greenhouse gas emissions and providing restitution and repair for past harms. Although the Haitian state bears the duty to respect, protect, and fulfill the rights of Haitian people, climate disorder is a transnational problem that must be dealt with on a global scale.

Chapter I is extensive; the authors erred on the side of inclusivity, hoping that this chapter, in particular, could serve as a reference for organizations and activists faced with a relative dearth of information in English on climate impacts in Haiti.



Jean-Jacques Dessalines Statue in front of Cathédrale Notre-Dame du Cap-Haitien;
Credit: Rotorhead 30A - stock.adobe.com

Chapter II

Chapter II illustrates how a history of racist foreign exploitation–colonialism, slavery, debt, occupation, and intervention–constructed Haiti’s climate vulnerability. Chapter II documents the racism that colonial and neocolonial powers have often used to justify economic exploitation and political domination. It provides a historical synopsis of the impoverishment of Haiti, exemplified by Haiti’s independence ransom (described below) and highlights the consequences on the country’s environment, governance, budget, and ability to develop the systems (e.g., sanitation, irrigation, road, healthcare) and critical infrastructure necessary for climate resilience.

Haiti is the world’s first Black republic and the only country in the world where the enslaved population overthrew its colonizers. Other countries politically shunned and economically punished Haiti for its bold rejection of slavery. In 1825, Haiti agreed to pay France an independence ransom, to compensate France’s material losses, including enslaved people, in exchange for political recognition. The following year, the Haitian government instituted the Rural Code, a set of oppressive laws that governed–if not outright controlled–peasants, creating the *peyizan* class that still stands today.⁶ Economists estimate that the independence ransom cost Haiti up to \$115 billion in present-day dollars. Although French colonialism, slavery, and the ransom are the most obvious examples of foreign extraction and exploitation, Chapter II also explores other, later, processes of impoverishment: the early 20th-century U.S. occupation of Haiti; 20th-century U.S. government support for kleptocratic dictators; late 20th-century neocolonial economics and politics, which included devastating structural adjustment policies; and the ongoing cycle of crisis and intervention.



Chapter III

Chapter III shifts to the local, providing examples of how Haitian communities grapple with and survive in climate disorder, innovating when the state is unable to adequately respond. Chapter III begins with an overview of the Haitian state’s (in)action and then presents local community adaptation and climate resilience strategies, including *peyizan* agroecology, *ekonomi solidè* (“solidarity economy”), and ecosystem protection. Chapter III also highlights prominent economic and political demands to challenge the systems that perpetuate and may worsen climate disorder. These demands include securing land rights, promoting rural Haitian livelihoods, and resisting large-scale industrial gold mining. The chapter ends with a discussion of popular education as an important practice to ensure inclusive progress.

Local-scale strategies are essential in Haiti and must be at the center of climate adaptation efforts and funding, just as Haitian people must be at the center of the movement for climate justice and for reparations. Yet they cannot prevail in these movements on their own; the root cause and scale of climate injustice demands transformative international action.



Chapter IV

Chapter IV argues that Haiti is an exemplary case for reparations. Reparations are defined as “the act or process of making amends for a wrong.”⁷ Haitians have long demanded reparations for slavery and colonization, including restitution of, and compensation from France for, the independence ransom. This chapter argues that reparations are necessary for climate justice. It also underscores that the unjust impacts of climate disorder are fundamentally connected to, and reinforce, existing demands for reparations for colonialism, slavery, and ongoing racial injustice.

After outlining the shortcomings of international climate negotiations, Chapter IV presents a “constructive” view of reparations, advancing an expansive view of what reparative justice might entail.⁸ It then outlines the different legal and moral rationales for reparations. Under international law, legal fault is the basis for reparations. There are at least three forms of legal fault at play in Haiti today: first, the historical and ongoing racism that have constructed Haiti’s climate vulnerability, violating the legal prohibition on racial discrimination; second, the independence ransom—a particularly egregious illustration of how racist foreign exploitation impoverished Haiti and made it more climate vulnerable, while unjustly enriching former colonial states; and, third, excess emissions by Global North states in violation of the “no harm” rule under international law. This third justification is distinct from reparations claims based on slavery and colonialism, but, as detailed in Chapter II, remains rooted in those histories, given that excess emissions result from colonial and post-colonial unequal accumulation of wealth.

Chapter IV suggests that a meaningful response to reparations demands will require not only compensation but also transformative economic and political change. Critically, a reparations agenda must be built through a participatory process that is led by Haitian people.

Endnotes

- 1 “Racism Causes Climate Vulnerability in Haiti,” CENTER FOR HUMAN RIGHTS AND GLOBAL JUSTICE (July 6, 2022). https://chrgj.org/wp-content/uploads/2022/07/Global-Justice-Clinic-Submission_Climate-Change-and-Racism_220620.pdf.
- 2 “Haitian Leaders Share Their Vision of a Mining Free Haiti,” MINING FREE HAITI (accessed Aug. 6, 2024). <https://en.ayitikanpemin.org/mining-free-haiti>.
- 3 “Least Responsible, Hardest Hit: New UNFPA Brief Explores Climate Change’s Disproportionate Harm of People of African Descent,” UNITED NATIONS POPULATION FUND (Mar. 24, 2023). <https://esaro.unfpa.org/en/news/least-responsible-hardest-hit-new-unfpa-brief-explores-climate-changes-disproportionate-harm>.
- 4 As described further in the introduction to this report, *peyizan* is a term specific to Haiti, denoting a cultural and political identity. *Peyizan* translates imperfectly to, but fits within the definition of, “peasant”—a person who engages or seeks to engage alone, or in association with others or as part of a community, in small-scale agricultural production for subsistence and/or for the market, and who relies significantly, though not necessarily exclusively, on family or household labor and other non-monetized ways of organizing labor. A peasant has a special relationship with and dependency on the land by virtue of working the land. See Human Rights Council Res., UN Doc. A/39/12, (Sept. 28, 2018).
- 5 “About Small Island Developing States,” UN-OHRLS, (accessed Aug. 6, 2024). <https://www.un.org/ohrlls/content/about-small-island-developing-states>.
- 6 See, e.g., JEAN CASIMIR, *THE HAITIANS: A DECOLONIAL HISTORY*, trans. Laurent Dubois (Chapel Hill: The University of North Carolina Press, 2020), 171.
- 7 “What are Reparations,” MOVEMENT FOR BLACK LIVES. <https://m4bl.org/wp-content/uploads/2020/11/defining-reparations.pdf>.
- 8 See OLÚFÉMI O. TÁÍWÒ, *RECONSIDERING REPARATIONS* (Oxford: Oxford University Press, 2022).



Methodology

Partner-Led Approach

The decision to write this report grew out of the Global Justice Clinic's (GJC) many years of solidarity with rural Haitian communities resisting gold mining and the shared recognition by GJC and the Promise Institute for Human Rights (the Promise Institute) of the racial injustice inherent in climate disorder.¹ Haitian communities and the grassroots organizations that accompany them have increasingly noted changes to agriculture and community livelihoods that they believe are primarily due to climate disorder. GJC's commitment to promoting the self-determination of Haitian communities informed the research questions and methods of this report. The Promise Institute's racial justice work and scholarship, through the Race & Human Rights Reimagined Initiative, enhanced the research and critical approach to human rights. GJC and the Promise Institute are both committed to challenging global racial and economic injustice and holding the Global North actors responsible for it to account.

Desktop Research and Legal Analysis

GJC and the Promise Institute conducted research in English, Haitian Creole, and French. This report consolidates available information from a variety of fields relevant to climate disorder, climate justice, and reparations, including legal, policy, scientific, historical, and economic sources. The researchers relied on articles from peer-reviewed journals, books, UN and other human rights reports, publications from in-country experts, news articles, and other relevant publicly available information. GJC and the Promise Institute also applied Third World Approaches to International Law and Critical Race Theory scholarship.

Testimonial and Investigative Methods

This report is informed by conversations and written exchanges with Haitian activists and organizations that took place between 2020 and 2024. GJC conducted small-group interviews and individual interviews and sought written feedback from partner organizations—organizations and movements with whom GJC has established relationships of collaboration beyond the scope of this report—as well as other organizations working on issues relevant to climate justice and reparations in Haiti. The report was also informed by the input and perspectives of Haitian organizations in the context of related opportunities for advocacy.

GJC held initial conversations with partner organizations in Haiti, most of whom operate in rural communities. These organizations work with *peyizan* and frontline communities affected by climate disorder, even if they may not use the term “climate” in reference to the changes to weather, agriculture, and livelihoods that they experience. These organizations document and challenge human rights abuses stemming from land grabs and have long resisted the extractive industry, particularly metal mining. Partner organizations in Haiti provided referrals for other organizations engaged with *peyizan* rights and environmental justice.

The primary goals of the interviews and written exchanges were to learn how organizations and individuals experience climate disorder; speak about climate disorder, including how they understand its causes; grapple with and work to address the impacts of climate disorder in their communities; and define and understand climate justice, including reparations.

The list of organizations which were consulted, or which informed the content of the report through related advocacy engagements, appears below. More information about each organization is available in the Haitian Organizations Consulted glossary at the conclusion of the report.

- Action pour la Reforestation et la Défense de l’Environnement (AREDE)
- Batay Ouvriye
- Centre de Formation pour l’Entraide et le Développement Communautaire (CEFEDDEC)
- Equal Health
- Fondation Connaissance et Liberté/ Fondasyon Konesans ak Libète (FOKAL)
- Groupe d’Action Francophone pour l’Environnement (GAFE)
- Groupe d’Appui aux Rapatriés et aux Réfugiés (GARR)
- Gwoup Konbit
- Commission Épiscopale Nationale Justice et Paix (CE-JILAP)
- Konbit Ekolojis Sid (KES)
- Kolektif Jistis Min (KJM)
- Ligue Alternative Justice (LAJ)
- Lite pou Demen Nou (LIDE-N)
- Mouvman Peyizan Akil di Nò (MPA)
- Sektè Fanm, Mouvman Peyizan Papay (MPP)
- Solidarite Fanm Ayisyèn (SOFA)
- Sosyete Kiltirèl Jèn Ayisyen (SOKIJA)
- Tèt Kole Ti Peyizan
- Union des Jeunes pour le Développement Social en Mission (UJDS-EM)

Existing networks guided which organizations GJC engaged with in the course of preparing the report. The list above is not a comprehensive account of all organizations working on issues relevant to climate justice in Haiti.

In addition, the authors spoke with subject matter experts outside of Haiti working on climate justice. The authors also attended national and regional conferences, forums, and meetings to gather background information about climate justice and to listen to testimonials from affected communities.

Advocacy and Popular Education

Research for this report coincided with related opportunities for human rights advocacy.² For example, in June 2022, GJC and seven Haitian organizations—all of whom contributed to this report—made a submission to the UN Special Rapporteur on racism to demonstrate how racism shapes Haitians’ experience of global climate disorder.³ The submission included many of the quotes and statements featured in this report. Separately, in July 2022, the Promise Institute and the then UN Special Rapporteur on racism held consultations with academic and civil society experts—including organizations who informed the content of this report—who shared oral and written testimony that informed the special rapporteur’s report on Ecological crisis, climate justice and racial justice, which was presented to the UN General Assembly in fall 2022.⁴ GJC and partner organizations also participated in consultations to inform the Special Rapporteur on climate change’s report on climate migration, which was presented to the UN Human Rights Council in summer 2023.⁵

In March 2023, the Promise Institute hosted experts from the UN, the Inter-American Commission on Human Rights (IACHR), and civil society from North America, Central America, and the Caribbean for a convening on “Setting Institutional Priorities on Climate Reparations & Racial Justice: Learning from Social Movements.”⁶ In December 2023, the Promise Institute made a submission, with and on behalf of the former UN Special Rapporteur on racism, to the Inter-American Court of Human Rights (IACtHR) for its forthcoming advisory opinion on the climate emergency and human rights, asking the court to consider the global ecological crisis as a racial justice crisis.⁷ GJC and partner organizations contributed to an amicus brief to the same IACtHR advisory opinion, focused on the rights of Haitian migrants and states’ duties to humans in mobility due to climate change.⁸ Most recently, in February 2024, the Promise Institute and GJC participated, along with over 25 other organizations, in a landmark thematic hearing on climate migration held by the IACHR.⁹

In addition to informing advocacy, GJC and partner organizations created legal empowerment and popular education materials to share information about climate injustice. GJC partner *Sosyete Kiltirèl Jen Ayisyen* created a short film that explains the root causes of climate disorder and presents the concept to those directly harmed by drought and changes in weather. GJC partner *Action pour la Reboisement et la Défense de l’Environnement (AREDE)* conducted a month of environmental popular education and legal empowerment about the right to a healthy environment, informed in part by research conducted for this report.

Review

With the support of Sharma Aurelien, a Haiti-based consultant, GJC and the Promise Institute conducted multiple rounds of review and feedback on the content of this report. In addition to seeking input from GJC partners, the consultant conducted phone calls and in-person meetings with a number of academic, humanitarian, and environmental and human rights organizations in Haiti. The consultant shared the objectives and arguments of the report and a summary of its contents in Haitian Creole.

The authors practiced informed consent. All individuals contacted for conversations were provided with information about GJC's past work and the advocacy aims of the project. Quotes in this report are included with the consent and approval of the interviewee(s).

Limits of Research and Investigation

This report consolidates insights gathered from organizations alongside publicly available information on climate science, climate justice, and reparations as applied to Haiti. It is intended to be neither a complete account of climate injustice in the country, nor a comprehensive study of the climate justice movement in Haiti or of demands for reparations. Climate justice is broad and intersects with a variety of social justice issues. The authors did not set out to speak with all, or even most, of the groups working on climate justice and environmental issues in the country; they were instead guided by GJC's existing relationships. This report seeks to inform an ongoing conversation and points to the need for further research to understand and respond effectively to the reality of climate disorder in Haiti, especially for the most marginalized.

Research for this report was limited by restrictions imposed as a consequence of the COVID-19 pandemic and the security situation in Haiti, which prevented the authors' travel. Further, although this report draws on interviews, quotes, and testimonies of Haitian organizations, it is largely based on existing secondary materials, which do not encompass the entire lived experience of climate disorder in Haiti.

Endnotes

- 1 As described further in the Introduction, this report uses the term “climate disorder” rather than “climate change,” which Haitian activists and organizations critique as a passive and misleading description of the environmental changes they experience.
- 2 In addition, in November 2022, GJC submitted a formal communication to the UN Special Rapporteur on human rights defenders, presenting threats that Milostène Castin, GJC colleague and coordinator of *Action pour la Replantation et la Défense de l'Environnement*, received against his life as a result of his activism and solidarity with peasants. See *Protect Human Rights Defenders and Peasants Facing Land Grabs*, CEN. FOR HUM. RTS. & GLOB. JUST., NYC LAW (Nov. 21, 2022), <https://chrgj.org/2022/11/21/protect-human-rights-defenders-and-peasants-facing-land-grabs-haitian-human-rights-defender-milostene-castin-submits-communication-to-un-special-rapporteur-on-human-rights-defenders/>.
- 3 GJC et al., *Racism Causes Climate Vulnerability in Haiti: Collaborative Submission to the UN Special Rapporteur on Contemporary Forms of Racism*, CEN. FOR HUM. RTS. & GLOB. JUST., NYU LAW (June 20, 2022), <https://drive.google.com/file/d/1k5qZTY5HMPkuopTSGOhZPGUK3ZdNCLw/view>.
- 4 E. Tendayi Achiume (Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance), *Ecological crisis, climate justice and racial justice*, UN Doc. A/77/549 (Oct. 25, 2022).
- 5 Ian Fry (Special Rapporteur on the promotion and protection of human rights in the context of climate change), *Providing legal options to protect the human rights of persons displaced across international borders due to climate change*, U.N. Doc. A/HRC/53/34 (Apr. 18, 2023).
- 6 The Promise Institute, *Setting Institutional Priorities on Climate Reparations & Racial Justice: Learning from Social Movements*, UCLA Law (Mar. 11, 2023), <https://promiseinstitute.law.ucla.edu/wp-content/uploads/2023/09/Setting-Institutional-Priorities-on-Climate-Reparations-and-Racial-Justice.pdf>.
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- 8 Brief for Coalition of Caribbean Civil Society Organisations et al. as Amici Curiae Supporting Applicants, Request for an advisory opinion on the Climate Emergency and Human Rights submitted to the Inter-American Court of Human Rights by the Republic of Colombia and the Republic of Chile (2023), https://corteidh.or.cr/sitios/observaciones/OC-32/8_caribbean_civil.pdf.
- 9 Comisión Interamericana de Derechos Humanos, 14-Regional: *Derechos humanos de personas en movilidad humana por efectos del cambio climático*, YOUTUBE (Feb. 29, 2024), <https://www.youtube.com/watch?v=jsRZtk2rl0k>.



Introduction

Haiti is often cited as one of the countries most harmed by, and vulnerable to, climate disorder,¹ despite bearing next to no responsibility for the global climate crisis. Haitians are already living on the frontlines of climate disorder and experiencing the devastating impacts of changing seasons and extreme weather events, including more frequent and intense heat waves, droughts, floods, and hurricanes.

Climate Disorder

This report uses the term “climate disorder” in lieu of “climate change.” Haitian activists and organizations critique “climate change” as a passive and misleading description of the environmental changes they experience. They favor “climate disorder” to describe the harmful impacts of the climate crisis on life in Haiti. This report adopts the term “climate change” when quoting from, or directly referring to, work that uses that term.

Climate disorder has a disproportionate impact on some Haitian communities, such as *peyizan* farmers who have lost their livelihoods and been forced to abandon their land, fueling migration to urban areas and out of the country. The situation in Haiti will only worsen as climate disorder becomes more severe.

Peyizan

Peyizan, which translates imperfectly to “peasant,” is a term specific to Haiti and represents a cultural and political identity. After the successful revolt of enslaved people that created Haiti, the first Black republic, the majority of the newly freed became *peyizan*. They were landless or owned small plots of land. Historian Jean Casimir details how the *peyizan* class emerged in opposition to the small ruling oligarchy who controlled the land and monopolized political power. *Peyizan* created a social structure that existed outside of the state.²

Haiti's vulnerability to climate disorder is not just a product of its geography—it is also the result of centuries of injustice. This report outlines different aspects of this climate injustice and the ways they interrelate. Chapter I describes the principal current and projected climate harms that Haiti faces and their impact on the human rights of Haitian people, particularly the most marginalized. It underscores that climate vulnerability is shaped by underlying inequality: climate impacts are more destructive in Haiti than in countries with stronger infrastructure and government institutions, and more inclusive economies. Chapter II situates Haiti's climate vulnerability within its history of exploitation, beginning with colonization. This ongoing exploitation occurred at the hands of colonial powers, the US government and corporate interests, global financial institutions, and Haitian elites who advanced their own interests at the expense of the majority. Throughout Haiti's history, this colonial and neocolonial exploitation has degraded the environment, impoverished the country, and impeded the state's capacity to build climate resilience or adapt to climate disorder.

Despite this state incapacity, as discussed in Chapter III, Haitian communities are developing their own strategies to cope with climate impacts at the local level, while making demands to transform political, social, and economic structures that perpetuate, or risk worsening, Haiti's vulnerability to climate disorder. These local strategies are essential, yet cannot replace transformative international action. Recognizing the global scale of the climate injustice facing Haiti, Chapter IV presents the most transformative demand of all: reparations.

“

Enough is enough! It is time to face reality to assess, show our will, and be aware of the harm we have done to 'mother earth,' to determine: who is guilty, and who is most guilty? Who are the victims, and who are most victimized? Who should pay, and who should pay the most for the harm they've done?"

Commission Épiscope Nationale Justice et Paix (National Episcopal Commission, Justice and Peace, CE-JILAP)³

Haitians have long demanded reparations for slavery and colonialism, including compensation from France for the “independence ransom” Haiti was forced to pay after it won its independence through a successful revolt of enslaved people and captives.⁴ Increasingly, Haitians are also demanding reparations for the harms they experience due to climate disorder and for the inequity at the root of the climate crisis. Chapter IV outlines the different legal and moral rationales for reparations, highlighting the connections between colonial exploitation, persistent racial injustice, and climate injustice. As the chapter argues, Haiti’s climate vulnerability is a result of the racial injustice and exploitation that have shaped the country’s history. The impacts of climate disorder reinforce existing arguments for reparations for slavery, colonialism, and ongoing racial injustice, and create stand-alone rationales for reparations for climate injustice. The reality of climate disorder also makes struggles for reparations all the more necessary and urgent. Chapter IV makes clear that a meaningful response to reparations demands will require not only compensation but also transformative social change. A reparations agenda must be built inclusively, driven by Haitian civil society and the communities most impacted by climate disorder.

Haiti’s future will be shaped by the strength of local and transnational movements and strategies to confront climate disorder and pursue climate justice. This report is a contribution to the efforts already underway: it presents available climate research on Haiti, charts the ways in which Haiti’s history has shaped its climate vulnerability, documents some of the strategies being used by Haitian civil society to respond to climate disorder, and begins to make the case for reparations. It neither gives the definitive account of climate injustice in Haiti nor prescribes a specific path forward. Instead, this report is intended as a catalyst to open new spaces for discussion, strategizing, and connection and to seed further research and advocacy. With a narrowing window of time to avert the worst harms of climate disorder, this work has never been more urgent.

Endnotes

- 1 See DAVID ECKSTEIN, VERA KÜNZEL, LAURA SCHÄFER, GLOBAL CLIMATE RISK INDEX 2021, GERMANWATCH (2021); HAITI, ND-GAIN COUNTRY INDEX, UNIVERSITY OF NOTRE DAME, <https://gain-new.crc.nd.edu/country/haiti> (last visited Sept. 13, 2024); *Documents on the environmental and social standards of the Enhanced Resilience to Climate Change of the Trois-Rivières*, UNDP (June 11, 2023), <https://www.undp.org/fr/haiti/publications/documents-environmental-and-social-standards-enhanced-resilience-climate-change-trois-rivieres-watershed-haiti-through-integrated>.
- 2 See JEAN CASIMIR, *THE HAITIANS: A DECOLONIAL HISTORY* (2020) 102, 120, 126, 398; see also Franklin Midy, *Les paysans: 'tout moun se moun'*, *RELATIONS* (Feb. 2, 2011), <https://cjf.qc.ca/revue-relations/publication/article/les-paysans-tout-moun-se-moun>.
- 3 Ce-JILAP, Annex to Submission to the UN Special Rapporteur on contemporary forms of racism 6 (June 20, 2022), https://chrgi.org/wp-content/uploads/2022/07/Combined-Annexes-_ENG-Final.pdf (last visited July 15, 2024).
- 4 Jean Casimir notes that the majority of the enslaved population in Saint Domingue had been born on the African continent and was subsequently trafficked to the island. He rejects the term “slave,” preferring the more descriptive “captive.” JEAN CASIMIR, *THE HAITIANS: A DECOLONIAL HISTORY* (2020) 19.



CHAPTER I:

Current and Projected Climate Harms



“

Long ago, when the planting season came around, people knew there would be rain, so they could plant their crops without anxiety. Now you're more likely to get only sun or too much rain, or a hurricane that destroys everything in its path ... The situation has caused the loss of many agricultural fields, the soil can't produce the same amount which means people have less to eat, more people suffering from hunger, more people in need of water to drink. Many animals go thirsty, and many animals die of hunger or they die from the heat.”

Kolektif Jistis Min (Justice Mining Collective, KJM)¹

This chapter presents the gravity of the situation facing Haiti. It summarizes what is known about the present and anticipated impacts of climate disorder on the life and well-being of Haitian people, including particularly marginalized groups.² It also highlights the ways that structural rights violations in Haiti compound climate harms. Additionally, it identifies some of the key human rights affected by climate disorder in Haiti—including the rights to life, equality, and nondiscrimination; land and housing; food, clean water, a livable environment; and rights related to migration.³ The current situation in Haiti underscores how climate vulnerability is shaped by underlying inequality. It shows, too, how global climate disorder disproportionately impacts Black and brown people and nations.⁴

A. The Impact of Climate Disorder on Human Rights

This report includes human rights analysis to illustrate the scope of climate disorder impacts in Haiti and to better serve as a tool for advocacy and transnational solidarity. Human rights law sets out frameworks and legal obligations to guide more just and equitable responses to climate harms. It draws attention to the inherently discriminatory nature of climate disorder, which disproportionately harms those who have contributed least to the problem.⁵ Human rights law establishes key protections for individuals whose rights are affected by climate disorder⁶ and obliges states and other duty bearers to respect, protect, and fulfill all human rights in the context of climate disorder. These obligations include regulating businesses under their jurisdiction, cooperating internationally with other states, and ensuring that all responses to climate disorder respect human rights, including the rights to participation and information; transparency; accountability; and nondiscrimination and equality.⁷ Human rights law has played an important role in climate litigation aimed at holding states accountable to their climate targets.⁸

Procedural Rights

Communities in Haiti and worldwide must have access to information, the right to participation, and access to justice concerning the environment and climate disorder they experience, in order to protect and advocate for their broader human rights. These procedural rights, a pillar of “environmental democracy,” are an essential component of the right to a clean, healthy, and sustainable environment.⁹

States bear the duty to ensure that their populations can access the rights to information and participation. The UN Framework Convention on Climate Change obligates states to facilitate public participation in addressing climate change and promote access to information about climate change, including through public awareness campaigns.¹⁰ Several special rapporteurs, including the current Special Rapporteur on freedom of opinion and expression, the former Special Rapporteur on climate change, and the former Special Rapporteur on human rights and the environment, have stressed similar state obligations.¹¹

To fulfill these obligations, states must build the capacity of the public to understand environmental challenges and policies; understand environmental information, including assessments of environmental impacts; participate in decision-making; and, where appropriate, seek remedies for violations of their rights.¹² Marginalized peoples must have the same access as others to information about environmental matters and to participation in environmental decision-making.¹³ Despite these legal obligations, states too often fail to protect environmental defenders and environmental rights activists, hundreds of whom are murdered for their activism each year.¹⁴

In recent years, states have collaborated to strengthen these rights, as exemplified by the Escazú Agreement, a legally binding regional treaty in Latin America and the Caribbean that has been signed but not ratified by Haiti.¹⁵ Under the Escazú Agreement, Haitian communities have the rights to live in a healthy community, to access environmental information and justice in environmental matters, and to openly and inclusively participate in environmental decision-making processes, including permitting processes that may significantly impact the environment.¹⁶

At the same time, international law has been criticized for its role in perpetuating the same global systems of racial and colonial subordination at the root of global climate disorder.¹⁷ International human rights law, specifically, has been criticized for failing to adequately rise to the challenge of climate disorder. The fact that human rights law establishes that the state is the primary duty bearer to its people is a significant limitation to using human rights law to confront global climate injustice.

Haiti presents a clear illustration of this limitation. The Haitian state's contributions to global greenhouse gas emissions are negligible; it is governments, companies, and institutions outside of Haiti that are most responsible for the human rights violations in Haiti caused by climate disorder—and that, by radically cutting their greenhouse gas emissions, could make the largest difference in minimizing these violations. Because of its relative lack of geopolitical and economic power, the Haitian state has little ability to influence these outside actors or to ensure that global responses—for example, those negotiated under the UN Framework Convention on Climate Change—are robust enough to protect the rights of Haitian people.¹⁸ Yet human rights law provides a limited framework for imposing duties on external actors toward Haitian people. The Haitian state is unable not only to decrease global greenhouse gas emissions but also to prevent and redress the climate harms that excess emissions cause. Haiti's government lacks the capacity and resources to effectively address and adapt to climate impacts. As explored in Chapter II of this report, this state weakness has itself been shaped by exploitation from external, Global North powers.

This report therefore does not suggest that human rights frameworks alone, at least as they function today, are sufficient to respond justly to climate disorder in Haiti. Rather, as many experts, scholars, and advocates have argued, human rights bodies and practitioners should do more to wield human rights for transformative ends, including by further identifying the necessary remedies for climate-related human rights violations¹⁹ and, as discussed in Chapter IV, advancing the case for reparations under international human rights law.²⁰



Racial Discrimination and Equality

The global climate crisis is a racial justice crisis.²¹ Climate disorder is the product of centuries of greenhouse gas emissions from industrialization and economic development, which racist systems of slavery and colonialism advanced. This historical injustice has shaped the vast contemporary global inequality between Global North and Global South states.

Today it is predominantly Black and brown people residing in “racial sacrifice zones” who bear the brunt of climate disorder. These regions, which environmental degradation and climate impacts have rendered hazardous or even uninhabitable, are primarily in the Global South and “include the ancestral lands of Indigenous Peoples, territories of the small island developing States, racially segregated neighborhoods in the Global North and occupied territories facing drought and environmental devastation.”²² Black and brown people face disproportionate harms from climate disorder. They may also experience climate disorder in qualitatively different ways than other groups. For instance, climate disorder may cause rights violations that are specific to Indigenous peoples, such as the degradation of traditional land, imperiling rights to culture and freedom of religion and undermining the transmission of important cultural knowledge.

International human rights law prohibits discrimination, including on the basis of race, and provides that all persons are equal under the law and entitled to equal protection of the law without discrimination.²³ Human rights law requires that states address not only explicit racism and intolerance but also disproportionately harmful impacts, such as indirect and structural forms of discrimination.²⁴ Indirect discrimination refers to seemingly neutral laws, policies, or practices that disproportionately disadvantage a particular group.²⁵ Structural discrimination describes the systemic inequities that force a particular group into subordinated social positions.²⁶ States have obligations to protect against, cease, and remedy racial discrimination, including as it relates to the racially discriminatory impacts of climate disorder.²⁷ They must adopt an intersectional approach that accounts for how race, gender, and other aspects of identity may interact and produce distinct forms of discrimination.²⁸



Cap-Haitien, Haiti. Credit: Sasha Kramer

B. Projected Climate Harms

1. Extreme Weather and Sea Level Rise

Extreme weather events²⁹ and sea level rise³⁰ are likely to cause increasing injury and loss of human life in Haiti.³¹ Rising waters could drown parts of major cities, many of which are coastal and at approximately sea level,³² and make smaller islands off Haiti's coast uninhabitable.³³ Marginalized communities are most exposed: whereas wealthier communities, such as the Port-au-Prince suburb Pétion-Ville, are often at higher elevations, *katye popilè* (working-class neighborhoods or slums), such as Cité Soleil, are often along the shoreline.³⁴

Floods are expected to increase,³⁵ aggravating a problem that already exists in almost all of Haiti's major watersheds.³⁶ In April and May 2024, flooding killed at least seventeen people and damaged nearly 5,000 homes.³⁷ The floods affected both Port-au-Prince and Cap-Haitien, leaving many roads in Haiti's two largest cities impassable.

Hurricanes are likely to intensify and become more destructive³⁸—and they already harm Haiti significantly. Hurricane Matthew, for example, a Category 4 storm that hit the south of Haiti in 2016, killed an estimated 500 to 900 people, displaced 175,000 more, and caused extensive agricultural and economic harm—losses and damages amounting to between 22 and 32 percent of the country's GDP.³⁹

Extreme weather events and other climate harms could have grave economic consequences. Responding to damage related to climate disorder can sap government budgets, deepen national debt, and cause underinvestment in other areas, including basic rights such as education and health care.⁴⁰ It has been projected that failing to take timely action on climate disorder would lead by 2050 to climate harm remediation costs amounting to at least 61.2 percent of Haiti's 2004 GDP.⁴¹

“

The office of Haitian Civil Protection announced the arrival of the disaster and asked people who lived near rivers and the sea to move ... Since I live in the mountains, I did not move. It was only when it was raining, when big winds were blowing and we heard the roof of the house flying off that we woke up. The sheet metal from the roof came off and fell into a school near the house and the house was shaking around us. We had to break down the door with a hammer to save our lives. We lost the whole banana garden that was next to the house and the livestock we had ... State authorities did nothing to help us.”

Marie Françoise Inocent, departmental delegate for SOFA in Grand-Anse, describing Hurricane Matthew⁴²

Extreme weather events are more destructive in Haiti than in other Caribbean countries due to underlying structural vulnerabilities. Insufficient road infrastructure, for example, restricts communities' ability to flee disaster: only 39 percent of Haitians live within two kilometers of a road that is passable in all seasons,⁴³ and marginalized communities often have nowhere to go during flooding. Inadequate drainage systems compound the problems of flooding: in urban areas, in particular, poorly constructed housing and lack of sanitation infrastructure result in sewage and trash entering homes during heavy rains.⁴⁴ Port-au-Prince is one of the largest cities in the world without a centralized sewage system.⁴⁵ The poorest residents also have limited access to life-saving healthcare when disaster strikes.



“

When it rains, our problems get worse. Trash and waste gets into water sources that people use and dirty the water. In addition, people do not have access to treated water. Since there is no sewage system, when there are heavy rains or cyclones, the rivers flood and the whole area is inundated by water. People's houses become filled with mud. In those moments, people are forced to flee to take shelter elsewhere. Today because of insecurity in the area, people can no longer take refuge in the communal high school as they used to, they have to flee outside the commune.

Cinéa Exilus, General Coordinator, Union des Jeunes pour le Développement Social en Mission (Youth Union for Social Development in Mission, UJDS-EM)⁴⁶

Rights to Life, Housing, and Land

Right to Life

The UN Human Rights Committee, the body that monitors implementation of the International Covenant on Civil and Political Rights,⁴⁷ has recognized that environmental degradation and climate disorder pose some of the most significant threats to the enjoyment of the right to life.⁴⁸ The right to life requires states to protect people from “foreseeable threats and life threatening situations that can result in loss of life”⁴⁹ and to take “appropriate measures” to address conditions in society, including environmental degradation and adverse climate impacts, that may give rise to threats to life.⁵⁰ Protection of the right to life therefore means states should ensure sustainable use of natural resources, implement environmental standards, conduct environmental impact assessments, cooperate with other states on environmental issues and responses to natural disasters, take proactive steps to prevent environmental degradation,⁵¹ and adopt climate adaptation measures.⁵²

Rights to Housing, Home, and Land

Climate disorder poses one of the greatest global threats to the right to housing and land access and use.⁵³ The UN Special Rapporteur on the right to adequate housing has outlined that states are required to ensure that responses to the climate crisis respect the right to housing, that adaptation measures for particularly vulnerable communities (for example, those on shorelines) be geared toward protecting existing communities, that unavoidable climate-related relocations comply with human rights, and that states work to ensure an environmentally sustainable housing sector.⁵⁴ In addition, the Declaration on the Rights of Peasants protects peasants’ right to conserve and protect their land; enjoy a healthy, nonhazardous environment; and participate in climate change policies.⁵⁵ It affirms that peasants have the right to be protected against displacement and to return to their land after a natural disaster.⁵⁶ The Human Rights Committee has concluded that state failure to take adequate climate adaptation measures may also constitute a violation of the right to home, privacy, and family.⁵⁷



Bean crops, Northwest Haiti; Credit: Ellie Happel

2. Health Impacts

“

It barely rains, and rivers and springs have dried up, affecting agriculture. And all these factors put together have a huge impact on the health of these people who live off agriculture. There are more diseases such as malnutrition, dehydration, anemia, [and] depression.”

Equal Health⁵⁸

While there is limited publicly available data on the links between human health and climate in Haiti,⁵⁹ climate disorder has and will continue to have negative effects on health.⁶⁰ Heavy rains will lead to an increase in instances of malaria and other waterborne infectious diseases.⁶¹ Increased flooding will cause more trash and sewage contamination in urban areas, making water toxic.⁶² Rising temperatures will increase heat-related illnesses.⁶³ Disruptions in food production will likely fuel malnutrition, and foodborne diseases are likely to proliferate.⁶⁴ Negative health impacts will also likely strain already inadequate health services, particularly for those who are most marginalized. Haiti’s health sector is one of the least prepared to confront and adapt to climate harms.⁶⁵

Climate disorder also has severe mental health impacts.⁶⁶ A 2019 randomized study of Port-au-Prince residents found that exposure to disasters was correlated with greater severity of depression, post-traumatic stress disorder, anxiety, and functional impairment.⁶⁷ It also found that disaster exposure made residents less likely to prepare for future disasters if they did not have social support and access to care.⁶⁸ Researchers have coined the term “solastalgia” to describe the sense of desolation and suffering that results from environmental change in one’s home and territory.⁶⁹

Right to Health

Climate disorder poses “a grave threat to human health, including the social and environmental determinants of health, such as clean air, safe drinking water, sufficient food and secure shelter.”⁷⁰ The UN Office of the High Commissioner for Human Rights⁷¹ underscores that states have “clear obligations to take measures to prevent and remedy the negative impacts of climate change on the right to health, including with regard to the environmental and social determinants of health” through both individual action and international cooperation.⁷² Failure to “prevent foreseeable human rights harm caused by climate change, or at the very least to mobilize maximum available resources in an effort to do so, constitutes a breach of this obligation.”⁷³ In order to fulfill the right to health, “[G]overnments, civil society, the private sector, international partners and individuals must collaborate to protect the environment and achieve sustainable development.”⁷⁴



Walking to market, Furcy, Haiti; Credit: Ellie Happel

3. Food and Livelihoods



[S]everal kinds of impacts are visible to everyone, like how many springs are dry, rivers are dry, and the planting seasons have changed. [This] has resulted in farmers losing a lot of crops and the environment becoming more vulnerable because many of the remaining trees are dying. Unfortunately, despite this situation, lots of people in Haiti don't understand what's happening. Especially in the most remote communities, many people understand climate change as an act of so-called God."

Sosyete Kiltirèl Jèn Ayisyen (Haitian Youth Cultural Society, SOKIJA)⁷⁵

A farmer in Haiti asked how he is doing will often respond, "Waiting on the rain." Lack of irrigation infrastructure means that farmers depend largely on rain to nourish their crops. Yet, today, communities can no longer predict when the rains will come nor prepare adequately for their increased intensity.⁷⁶ Seasons are already increasingly erratic: rainfall is more variable, and the dry season runs too long.⁷⁷ In 2023, decreased rainfall in almost all of Haiti caused low agricultural production.⁷⁸

Rising temperatures, droughts, and erratic seasons undermine all aspects of rural livelihoods, such as crop yields and livestock productivity.⁷⁹ In turn, these environmental and climate harms contribute to increasing food prices, malnutrition and death rates, migration, displacement, and impoverishment. For example, households affected by floods in Cap-Haitien between 2015 and 2018 reported reducing their food consumption after flooding, many for an indefinite period of time.⁸⁰

Small-scale fishing faces similar challenges.⁸¹ Fish stocks are decreasing, in part due to ocean acidification⁸² and coral bleaching⁸³ caused by rising sea temperatures.⁸⁴ Without stronger action to address climate disorder, catch potential—the amount of fishing a given habitat can sustain—is expected to decrease by as much as 15 percent before 2050.⁸⁵

Only
10%
of all cultivated land in Haiti is irrigated, and there is no reliable early-warning system for drought



Cap-Haitien canal, North Haiti; Credit: Sasha Kramer

“

When compared to how it was long ago, farming and fishing activities have decreased for multiple reasons: lack of political leadership and investments from the government in the agricultural sector, lack of technical skills and financial support for breeders and fishermen, but also due to environmental degradation, for example climate change reduces the availability of food to feed livestock, warming sea temperatures affect the marine ecosystem which results in a decrease in the marine fish population available to fishermen.”

Commission Épisopale Nationale Justice et Paix (National Episcopal Commission, Justice and Peace, CE-JILAP)⁸⁶

The impacts of climate disorder on agricultural livelihood and access to food are worsened by underlying structural problems. Haiti already faces significant food insecurity and challenges to food sovereignty, with as much as half of the population currently facing acute food insecurity.⁸⁷ Peasants receive limited—if any—governmental support to withstand climate-related shocks and to build resilient farming practices.⁸⁸ Additionally, only 10 percent of all cultivated land in Haiti is irrigated,⁸⁹ and there is no reliable early-warning system for drought,⁹⁰ which makes it difficult for farmers to anticipate disasters.⁹¹ Fishers also have very limited support to adapt to changes. By one assessment, only Djibouti and Iraq have a lower capacity than Haiti to adapt to changes in their fisheries.⁹²

Right to Food

Climate disorder and related natural disasters are threatening global food systems and the right to food.⁹³ The right to food requires that states take measures to progressively increase people’s access to adequate food⁹⁴ and ensure that businesses and other third parties are not depriving people of access to food.⁹⁵ It also establishes an obligation of international cooperation, requiring states to respect and protect the enjoyment of the right to food in other countries, facilitate access to food, and provide necessary aid to those countries in need.⁹⁶ The Declaration on the Rights of Peasants provides that peasants have the right to their own food and agricultural systems.⁹⁷ States also have an obligation to prevent domestic and international policies and actions from interfering with enjoyment of the right to food, including in relation to agriculture, energy, and climate change.⁹⁸ Relatedly, the UN Special Rapporteur on the right to food has warned that realizing the right to food in the Global South requires addressing “inequities in the rules governing international trade, ill-advised economic reforms imposed by international financial institutions, [and] financial speculation on global commodity markets.”⁹⁹

4. Drought and Access to Water

Freshwater systems on small islands are some of the most threatened on the planet.¹⁰⁰ Today, organizations in Haiti describe the drying up of rivers and the near desertification of various areas of the country.¹⁰¹ A 2022 study concluded that over 64 percent of the country was experiencing moderate to very high drought risk conditions.¹⁰² Between 2013 and 2016, the Caribbean faced its most severe and widespread drought since the 1950s.¹⁰³ In Haiti, 3 million people were affected by the 2014–16 droughts.¹⁰⁴ Climate disorder is predicted to make droughts more frequent and, in Haiti, eventually double the length of the dry season.¹⁰⁵ Climate impacts also risk destroying and contaminating freshwater supplies.

A 2022 study concluded

64%

of the country was experiencing moderate to very high drought risk conditions

As community organizers emphasize, water is life. The impacts of climate disorder on access to clean water will affect human health, agriculture, livelihoods, biodiversity, and more¹⁰⁶—all in the context of an underlying crisis in access to safe water in Haiti. Haiti’s water table is less stressed than that of many other Caribbean countries, but deforestation, overexploitation of coastal aquifers,¹⁰⁷ severe erosion, inadequate wastewater treatment, and lack of water monitoring and infrastructure leave Haitian people with the least access to safe water in the Americas.¹⁰⁸ As of 2022, 32.6 percent of the population—including 57 percent of rural inhabitants—did not have access to safe, clean water sources.¹⁰⁹ In Port-au-Prince, the private sector has become the main provider of water.¹¹⁰ According to Haiti’s Draft National Policy on Climate Change, “[C]ommericalized water ... is expensive and of variable quality ... The water supply can represent 10 percent of the family budget.”¹¹¹

Rights to Water and a Healthy Environment

Right to Water

Climate disorder undermines enjoyment of the right to water.¹¹² Climate disorder may also worsen the impacts of megaprojects, such as those engineered by extractive industries, on the environment and water.¹¹³ The Special Rapporteur on the rights to water and sanitation has noted that in the context of climate disorder, guaranteeing the right to water—particularly for the most impoverished—requires establishing and funding participatory adaptation and resilience strategies, adapting infrastructure to deal with climate risks, avoiding false green solutions that further undermine the right to water, and ensuring that water is not considered a commodity.¹¹⁴

Right to a Healthy Environment

Climate disorder fundamentally threatens enjoyment of the right to a healthy environment.¹¹⁵ The right to a healthy environment encompasses the right to live in a safe climate, with clean air, clean water, and adequate sanitation; the right to healthy and sustainably produced food; and the right to live in a nontoxic environment and with healthy biodiversity and ecosystems.¹¹⁶ The Inter-American System for the protection of human rights has held that the right to a healthy environment also compels states to protect nature, independent of impacts on human life.¹¹⁷

As noted by the Special Rapporteur on human rights and the environment, the right to a healthy environment obliges states to “not violate the right to a safe climate through their own actions; [to] protect that right from being violated by third parties, especially businesses; and [to] establish, implement and enforce laws, policies and programmes to fulfill that right.”¹¹⁸ Procedurally, the right to a healthy environment protects access to environmental information, public participation in environmental decision-making, and access to remedies for violations of rights related to the environment.¹¹⁹ States and other duty bearers should also protect rights to freedom of expression, association, and assembly on environmental issues; protect environmental defenders; and provide for environmental education.¹²⁰

The Special Rapporteur on human rights and the environment has stated that the right to a healthy environment also requires “[s]tates to work together to address transboundary and global environmental threats to human rights,” including the climate crisis.¹²¹ State failure to “take adequate steps to address climate change can constitute a violation of the right to a healthy environment.”¹²² The Inter-American Commission on Human Rights has likewise underscored that the right to a healthy environment obliges states to cooperate in good faith to prevent pollution, reduce emissions, implement adaptation measures, and remedy climate-related damages.¹²³ States must also take measures to ensure that the climate crisis does not undermine the rights of peasant and Afro-descendant communities.¹²⁴

C. Particularly Marginalized Groups: Migrants and Women

1. Forced Displacement and Migration

Climate disorder will increasingly force Haitian people to migrate. Some climate impacts, such as sea level rise, directly cause displacement. Other climate impacts, such as the destruction of agricultural livelihoods, make it more difficult for people to meet their families' needs—often to the extent that they must abandon their homes. With changing seasons, organizations in Haiti report increasing numbers of peasants leaving rural communities for urban areas or other countries.

“

My fear is that more and more young people will leave the country. They can't work the land anymore, people can't manage, they get discouraged and they will leave the country.”

Sektè Famn, Mouvman Peyizan Papay (MPP)¹²⁵

Migrants often face rights violations while in transit or in receiving countries.¹²⁶ Migration may also increase their climate vulnerability: they may lose community, loved ones, possessions, ancestral lands, and livelihoods; and they may end up in *katye popilè*, poor neighborhoods and informal settlements.¹²⁷ Internally displaced people and migrants to urban areas are often extremely vulnerable to violence, including sexual violence;¹²⁸ women face heightened vulnerability, poverty, and gender-based discrimination.¹²⁹

Racism and xenophobia shape the journey of Haitians migrating through the Americas and increase the likelihood that they continue to face climate harms even after leaving Haiti.¹³⁰ Haitian migrants in the Bahamas, for example, disproportionately live in “informal shantytowns” that were hit particularly hard by Hurricane Dorian.¹³¹ In the aftermath of Dorian, xenophobia towards Haitians became more acute, and the Bahamian government prioritized deportations to Haiti.¹³² Several years later, the remaining residents of these shantytowns continue to be targeted, as the Bahamian government has started bulldozing the shantytowns, fulfilling its vow in February 2023 to “root out unauthorized shantytowns and deport more undocumented immigrants.”¹³³ Racialized border and migration policies can create significant obstacles to dignified migration and even “forced immobility” that prevents those hoping to migrate from doing so.¹³⁴



Climate Migration under International Law

Climate migration is defined by the International Organization of Migration as the movement of people forced or choosing to leave their homes temporarily or permanently, predominantly because of sudden or progressive environmental degradation caused by climate change.¹³⁵ Climate migration may be internal or across international borders.¹³⁶ The only hard statistics available on movement as a result of natural disasters pertain to internally displaced persons, people forced to flee their homes but who remain within their country's borders. There are “no global and only few national statistics on cross-border movements” driven by climate disorder.¹³⁷ However, by 2015, at least 50 countries had experienced migrants crossing into their countries due to natural disasters.¹³⁸

As of 2024, there is no specific international legal framework for climate migrants but rather a patchwork of different relevant international legal protections.¹³⁹ The most inclusive frameworks are found in regional instruments: the Organization of African Unity 1969 Refugee Convention and the Organization of American States 1984 Cartagena Declaration on Refugees. Both frameworks include provisions to grant refugee status and related protection to those forcibly displaced by “events seriously disturbing public order”¹⁴⁰ or “circumstances which have seriously disturbed public order,”¹⁴¹ respectively. When (and where) natural disasters or climate impacts constitute a disturbance of public order remains debated.¹⁴² Nevertheless, such instruments have already been used to grant refugee status to some migrants affected by natural disasters, including Haitians in Mexico after the 2010 earthquake in Haiti.¹⁴³

Advocates are using these frameworks to push for greater protections for climate migrants. The Inter-American Court of Human Rights (IACtHR) is preparing to issue an advisory opinion about the human rights implications of climate disorder, clarifying governments' obligations.¹⁴⁴ In December 2023, several refugee and human rights advocates filed an amicus brief requesting that the IACtHR explicitly address states' obligations to consider and include climate events in their assessment of asylum claims and requesting that all states incorporate the Cartagena Declaration into their domestic law and policy.¹⁴⁵

The UN system is increasingly focusing on climate migration as well. In October 2020 the United Nations High Commissioner for Refugees issued legal advice outlining several situations of climate-induced migration in which international refugee law and complementary human rights protections may apply.¹⁴⁶ Recently, it launched its Strategic Plan for Climate Action 2024–2030, setting out a global roadmap for accelerated climate action.¹⁴⁷ In January 2021, the UN Human Rights Committee issued a landmark ruling holding that countries may not deport those whose right to life would be violated by climate disorder-induced conditions in their country of origin (though

declining to grant protection in the particular case).¹⁴⁸ In 2022, the Global Forum on Migration and Development chose “The impact of climate change on human mobility” as one of its priority work areas, providing potential for collaboration and development on new international and regional protection frameworks.¹⁴⁹ In July 2023, the UN Special Rapporteur on climate change released a report on international, regional, and national legal and policy approaches to address people displaced across international borders due to climate change and stressed the need for unified international response commensurate with the enormity of the issue.¹⁵⁰

Though there are serious concerns about political feasibility, many scholars and advocates argue that the 1951 Refugee Convention categories should be expanded to include cross-border climate migrants.¹⁵¹ Creating an official “climate refugee” category could ensure legal services, planned relocation, and non-refoulement protection for those displaced by climate disorder.¹⁵² It would also more concretely put the protection of climate migrants within the mandate of the UNHCR, which is responsible for protecting asylum seekers and refugees under the 1951 Refugee Convention, thereby clarifying which international organizations have responsibility.¹⁵³

Given that forced climate migration primarily impacts Global South countries as a direct result of the activities of Global North countries, other scholars argue that it is insufficient to expand existing frameworks and that all efforts must adopt a climate justice lens.¹⁵⁴ In this context and as discussed in Chapter IV, climate migration may be viewed as an element—and necessary form—of reparations.¹⁵⁵

2. Women’s Rights and Gender Equality

The impacts of climate disorder pose unique challenges for women and girls¹⁵⁶ and compound existing gender inequalities.¹⁵⁷ Women often bear the primary responsibility for gendered activities such as feeding their family, fetching water, and taking care of children.¹⁵⁸ Women in Haiti also play a key role in ensuring national food supply.¹⁵⁹ *Madan sara*, or small-scale women merchants, are the primary players who buy, sell, and distribute food—linking rural producers to urban consumers—and play a key role in maintaining the informal economy.¹⁶⁰ Haitian women may therefore be the first to experience and be burdened by the negative impacts of climate disorder on water and food access and crop yields and by extreme weather events disrupting the informal economy. Failing crops, unpredictable seasons, and other climate disruptions disproportionately impact women who are single parents.¹⁶¹ Rural women, in particular, face financial insecurity; rural female-headed households are poorer than rural male-headed households.¹⁶² Climate disorder also contributes to increases in gender- and sexual-based violence, including in situations of climate-induced displacement.¹⁶³ It may also have particular negative impacts on the health of pregnant women and birthing people and on fetal and neonatal health.¹⁶⁴

Gender, Human Rights, and Climate Action

The gender differentiated impacts of global climate disorder are well recognized internationally.¹⁶⁵ The Office of the UN High Commissioner for Human Rights has underscored that states have “legal obligations to implement gender-responsive climate policies that empower women, protect their rights, and address the gendered impacts of climate change,” including through equal participation in decision-making related to climate disorder.¹⁶⁶ The Committee on the Elimination of Discrimination against Women, which monitors implementation of the Convention on the Elimination of All Forms of Discrimination against Women, has noted that states and other actors are obliged to take “specific steps to address discrimination against women in the fields of disaster risk reduction and climate change, through the adoption of targeted laws, policies, mitigation and adaptation strategies, budgets and other measures.”¹⁶⁷ It has also stated that “climate change initiatives that provide for the full and effective participation of women can advance substantive gender equality and women’s empowerment, while ensuring ... sustainable development.”¹⁶⁸



River houses in Cap-Haïtien, Haiti. Credit: Marta - stock.adobe.com

D. Conclusion

This chapter provides an overview of the current and anticipated consequences of climate disorder on life and human rights in Haiti. Climate disorder also affects people in ways that resist easy measurement, impacting family bonds, culture, community, and learning. More research is needed, particularly participatory and community-owned research, to better understand the local level impacts of climate disorder and Haitian communities' lived experiences. One goal of this report is to encourage such research.

What is all too clear is that the prognosis is grave. Climate disorder threatens the enjoyment of a wide array of human rights. It will continue to negatively affect all aspects of life for Haitian people, particularly the most marginalized. As the next chapter underscores, this reality should be understood as a crisis of injustice: a product of Haiti's history of suffering racist oppression and its ongoing exploitation by the Global North.

Endnotes

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CHAPTER II:

The Roots of Haiti's Climate Vulnerability



Jean-Jacques Dessalines Statue in front of Cathédrale Notre-Dame du Cap-Haïtien; Credit: Rotorhead 30A - stock.adobe.com

“

Many of the countries who are responsible [for the global climate crisis] have a colonizing past. And the countries who are suffering the most, are the former colonies ... It's a form of colonization that is continuing from a climate perspective—a climate colonization.”

Kettly Alexandre, Mouvman Peyizan Papay (MPP)¹

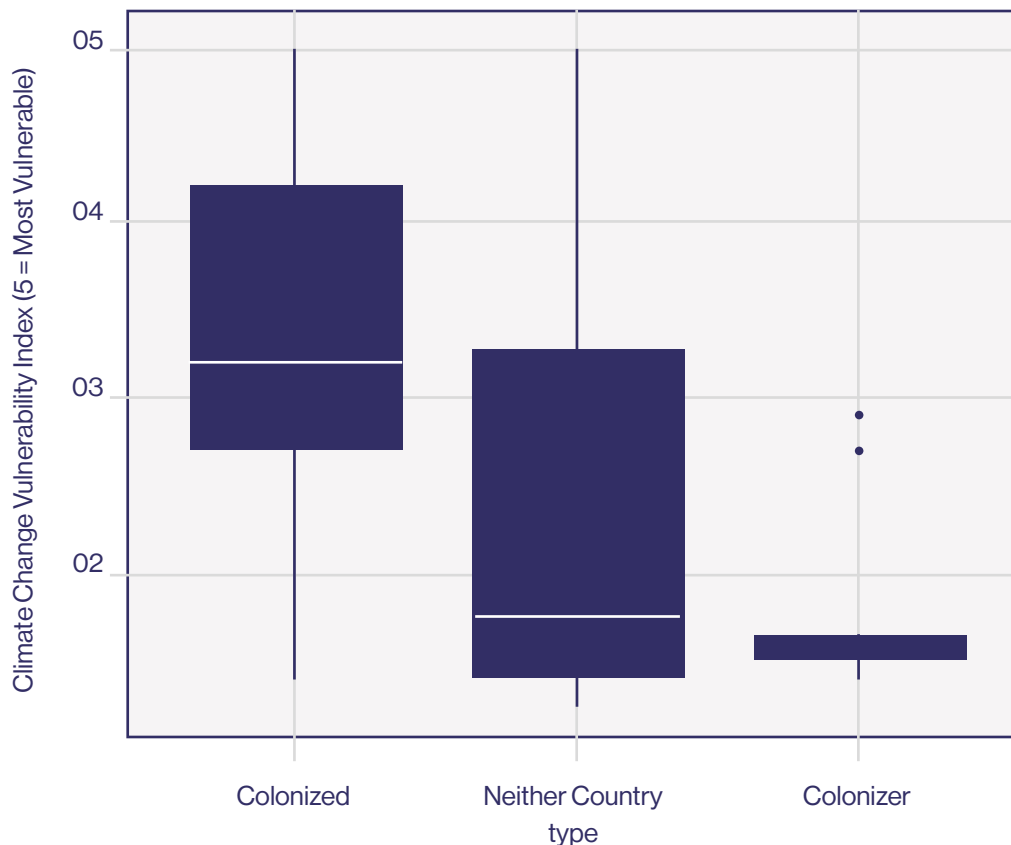
This chapter presents the economic and sociopolitical reasons why climate disorder is—and will be—so severe in Haiti. Though Haiti's geography is a significant factor, so too is its history. Haiti, the world's first Black republic, illustrates how colonialism, slavery, neocolonial interference, and persistent racial injustice create climate vulnerability.

Many of the countries most vulnerable to climate impacts share two traits: they are former colonies, and they have contributed the least to the crisis.² The countries most responsible for global climate disorder—in particular, the United States and various European nations—have a history of colonization. Colonialism fueled the Industrial Revolution, and with it the capitalist model and excess greenhouse emissions that created climate disorder. And while it enriched the colonizers, it impoverished the colonized.

The impoverishment of Haiti, through the processes and interventions discussed in this chapter, has made Haitian communities more vulnerable to climate impacts and prevented critical national development that could build climate resilience.³ Colonization, foreign occupation and intervention, and ongoing exploitation have impoverished Haiti, degraded its environment, and weakened its sovereignty and institutions, disabling the state from providing for its people. Economic, political, and social exploitation have collectively undermined Haiti's ability to cope and adapt to climate disorder and to recover from the damage caused by climate events.

Racial Capitalism

Racial capitalism posits that capitalism emerged as a racial—and racist—regime.⁴ Here, race refers not only to identity but also to power.⁵ Cedric Robinson, credited for coining the term “racial capitalism,” built on the work of scholars and activists such as W. E. B. DuBois and C. L. R. James, who established colonialism and slavery as the foundations of capitalism, showing how European powers used racism to justify exploitation, extraction, and domination. Robinson emphasized that racialism had already permeated European society. James, author of *The Black Jacobins*, a historical account of the Haitian revolution, is one of many scholars who presents Haiti as a product of racial capitalism.⁶



Olúfémí O. Taíwò, *Reconsidering Reparations 171* (2022) (correlating experiences of colonization with present day climate vulnerability, reproduced with permission).

A. Colonization of Haiti: 1492–1803

Colonialism and slavery established a racialized system of economic and political domination⁷ on Hispaniola, the island now shared by Haiti and the Dominican Republic. Prior to colonization, an estimated several hundred thousand native Taíno people lived on the island.⁸ Upon Christopher Columbus' arrival in 1492, the Spanish enslaved the Indigenous population, forcing them to mine alluvial gold deposits. Within 25 years, enslavement and disease had killed off the majority of the Taíno population.⁹

Haiti was under French rule for much of the 17th and all the 18th centuries. In 1659, the French established a post in present-day Haiti. Less than 40 years later, the Spanish ceded the western third of the island to the French, naming it French Saint Domingue. French colonizers implemented a plantation-based agricultural economy that relied on the labor of more than 800,000 enslaved African captives¹⁰ brought to the island between 1680 and 1776.¹¹ The particular slavery in French Saint Domingue was one of the most violent recorded. Approximately half of all African captives who arrived on the island died within a few years.¹² At the time, French Saint Domingue was France's most profitable colony: by the late 1700s, it grew more than half the world's coffee and was the world's largest producer of sugar.¹³ The colonial system there led to deforestation and other ecological damage, and as early as the beginning of the nineteenth century, observers outlined concerns about the impact of intensive plantation agriculture.¹⁴ Today, deforestation and other forms of environmental degradation significantly worsen climate impacts in Haiti, particularly from hurricanes and floods.



Sans Souci Palace, North Haiti. Credit: YiannisMantas - stock.adobe.com

B. Post-Independence Racial Exclusion and Impoverishment: 1804–1915

Haiti claimed its independence on January 1, 1804, becoming the only country in the world born of a successful revolution of enslaved people¹⁵ and the world’s first Black republic.¹⁶

For more than a century following its independence, Haiti was diplomatically and economically punished by France, the United States, and other Global North states out of fear that it would inspire revolts by enslaved people in other countries.¹⁷ In 1825, Haiti agreed to pay France an “independence ransom” to compensate France’s “material losses”—including the ownership of enslaved people—in return for diplomatic recognition. This ransom ultimately cost Haiti at least \$21 billion in today’s dollars.¹⁸ Some economists even peg this figure as high as \$115 billion, accounting for interest on loans to finance the debt, lost revenue, and lost opportunity for economic growth.¹⁹ To put the enormity of this sum in context, Haiti’s total GDP in 2022 was \$20.25 billion.²⁰ The ransom, which Haiti finished paying only in 1947, strangled the country’s economic growth and inhibited investment in infrastructure essential to climate resilience, such as sewage and water systems.²¹ Ransom payments also contributed to deforestation, as Haiti chopped down and exported for sale some of its most valuable trees, including mahogany.²²

The independence ransom contributed to the ongoing exploitation of *peyizan*, entrenching divisions between the oligarchs and the rural peasants who worked the land.²³ The ruling elites wanted to increase export production to pay off the ransom and attempted to do so by reinventing the colonial-era division—between masters and the enslaved— as a postcolonial division between landowners and “cultivators,” the formerly enslaved *peyizan*.²⁴ This long established disregard for and exploitation of the *peyizan* class is one reason that Haitian leadership has not invested in the well-being of rural communities, compounding their vulnerability to climate impacts.

Scholars have analyzed the way in which the interests of the oligarchic elite and of foreign powers aligned, positing that the Haitian state was never intended to serve the majority.²⁵ The rural peasant population—the majority of Haiti’s people—were not invited to participate in the political project of independence; they became *moun andeyò*, literally “people outside.” The Rural Code required that birth certificates of those born in rural areas be marked *paysannes* (French for “peasant”); *peyizan* had to receive permission to travel into cities.²⁶ The Haitian elite created a predatory state that contributed to the impoverishment of the masses.²⁷ The oppression has continued for centuries. It was not until the 1990s that the government ceased to indicate *paysannes* on birth certificates.²⁸

Despite the material and political challenges that rural people faced, the lives of the *moun andeyò* were not defined by poverty or exclusion; rather, the *moun andeyò* lived in solidarity with one another, creating a flourishing society outside of the presence of the state.²⁹



The Coloniality of Climate Disorder

The project of European colonization viewed nature as a commodity to be exploited and “civilization” as the representation of society’s capacity to dominate nature.³⁰ Colonization involved the appropriation of vast amounts of land, extraction of resources, and exploitation of labor. It made Western Europe and the United States rich, paving the way for industrialization, capital accumulation and, as a consequence, climate disorder, through the emission of excess greenhouse gas emissions. Colonial processes also impoverished and devastated the environments of colonized territories. According to Walter Rodney, colonization’s “essential purpose was to repatriate the profits to the so-called mother country”; the development of Europe necessarily came at the expense of—and through what he described as the “underdevelopment” and impoverishment of—colonized territories.³¹

The logic of colonial extraction and domination depended on racial hierarchies: colonizing states legitimized violent theft of land and enslavement by constructing non-European peoples as biologically inferior. Those racial hierarchies persist today, stratifying access to economic and political power globally. Climate impacts compound this inequality, as formerly colonizing countries are now “much less vulnerable to climate change than the regions they colonized.”³²

C. US Occupation and the Duvalier Dictatorship: 1915–1986

20th-century Haiti continued to be defined by extractive development and foreign domination. The United States formally recognized Haiti's nationhood only when slavery ended on US soil, in 1862. Haiti then spent more than half of the 20th century under occupation, dictatorship, or de facto external rule, leaving it further impoverished, as the occupation and US-supported dictatorships benefited the US economy at the expense of Haiti's sustainable development. The effects were political as well as economic: foreign control followed by foreign interference impeded democracy.

The United States occupied Haiti from 1915 to 1934.³³ The United States seized assets in Haiti's national bank, assumed control of the country's finances, with significant profits going to US banks, and rewrote Haiti's Constitution to allow foreigners to own land.³⁴ The US occupation further opened the economy to foreign investment.³⁵ US agroindustrial companies farmed sugar—known today for its significant negative environmental impacts—as well as bananas and rubber.³⁶ This plantation-based farming, which operated from the early 1900s until 1945, destroyed forests and further harmed Haiti's environment.³⁷ By 1945, only an estimated 21 percent of the country's territory was covered by forests.³⁸



Foreign actors profited from Haiti's inability to pay its debts.³⁹ Due to its massive independence ransom, the government of Haiti was chronically insolvent. Between 1825 and 1957, "[I]nternational debt drained an average of 19 percent of the country's annual revenue, and in some years ate up more than 40 percent."⁴⁰ In the early 20th century, over 80 percent of Haiti's tax revenue from coffee—its most important export—went to paying the independence ransom debt.⁴¹ What is now Citigroup assumed control of most of Haiti's external debt.⁴² Debt payments enriched the French state, private banks, and formerly slaveholding families.⁴³ Some economists estimate that if this capital had remained in Haiti, the country would have grown economically at a rate comparable to that of neighboring countries in Latin America.⁴⁴ Further, the systematic impoverishment of Haiti has environmental consequences, as it contributes to the government's inability to lessen the impacts of climate disorder and to the population's struggle to adequately adapt to a changing climate.⁴⁵

Policy priorities during the occupation further contributed to rural decline and environmental degradation. The United States encouraged the migration of Haitian laborers to the Dominican Republic—which was also under US occupation from 1916 to 1924—praising the economic benefits of “cheap land in Santo-Domingo and cheap labor in Haiti.”⁴⁶ Haitian laborers worked in exploitative conditions on Dominican sugar plantations, including for the benefit of US companies. The United States also slashed trade tariffs and pushed for urbanization, which occasioned neglect of rural life and a decline in food production.⁴⁷

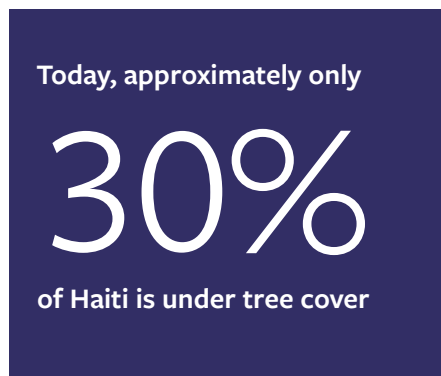
Extractivism's Colonial Roots⁴⁸

Extractivism “typically involves the removal of raw materials from territories that were previously colonized, and the processing, sale and consumption of those materials in a global economy that disproportionately benefits nations, transnational corporations and consumers in the Global North or so-called developed world.”⁴⁹ Extractivism was the economic engine of colonialism, benefiting European states and harming the majority Black, Indigenous, and brown populations of the Global South.⁵⁰ This colonial history still shapes the global extractivism economy today.⁵¹ Powerful states, transnational corporations, and financial actors establish the terms of the extractive economy.⁵²

The extractive economy includes the industries, actors, and processes involved in the global extraction of natural resources, including mineral extraction, fossil fuel exploitation, large-scale agricultural production, fisheries, and logging.⁵³ Many social movements in Haiti also situate low-wage manufacturing and “special economic zones” within an extractivist paradigm, due to their impacts on the environment and communities and the flow of profits from these industries to the Global North. In the case of manufacturing, human labor, rather than resources, is the subject of extraction or exploitation. Some organizations in Haiti note that the inability of state institutions to appropriately regulate these industries and ensure collection of taxes to benefit the population also contributes to their extractivist nature.⁵⁴ Tourism that degrades the local environment and that benefits foreign-owned hotels and resorts rather than local people—for example, proposed resorts in Haiti’s Ile-a-Vache⁵⁵—may also be considered part of the extractive economy.⁵⁶

During the second half of the 20th century, Haiti found itself under brutal dictatorship. In 1957, Dr. François Duvalier, known as “Papa Doc,” became president. He controlled Haiti until his death in 1971, when his son Jean-Claude Duvalier, called “Baby Doc,” took over, at the age of 18. Baby Doc ruled until he was deposed and exiled in 1986.⁵⁷ Largely due to their anti-communist stance, Papa Doc and Baby Doc benefited from consistent political support and economic aid from the US government. Many viewed the Duvalier dictatorship as a form of continued foreign dominance.⁵⁸

Historians consider the rule of Haiti by the Duvaliers to have been an economic, political, social, and moral disaster.⁵⁹ The regime was labeled a kleptocracy—the Duvaliers and their cronies enriched themselves at the expense of the masses,⁶⁰ partly by siphoning off aid money from the United States and the International Monetary Fund (IMF).⁶¹ US corporations installed operations in Port-au-Prince to take advantage of the cheap labor supply.⁶² Manufacturing fueled urban growth, and the population of the capital more than tripled.⁶³ This growth included the construction and rapid expansion of Cité Soleil, today Haiti’s largest *katye popilè*. Densely populated, located near sea level in Port-au-Prince, and lacking government investment, social services, and infrastructure, Cité Soleil is acutely vulnerable to climate harms.⁶⁴



The Duvalier father-son dictatorship, propped up by the United States and other powers, further impoverished and degraded Haiti’s environment. It failed to build the infrastructure and public institutions needed to protect Haitian people and their environment.

Deforestation Over Time:

Trees and forests are important for environmental health and climate resilience. Deforestation worsens the impact of extreme weather events, as trees help minimize the damage from flooding, landslides, and mudslides. Deforestation also causes soil erosion and depletion, making it harder to grow crops.⁶⁵

Foreign actors have played a role in accelerating deforestation in Haiti. The widespread cutting down of Haiti’s trees began under French colonization. To create plantations, colonizers logged Haiti’s forests and cleared land for intense cultivation. This continued after independence, as Haiti chopped down and exported some of its most economically valuable trees to pay its “independence ransom”⁶⁶ and to maintain the plantations of the ruling elite.⁶⁷ Under US occupation in the early 20th century, the Haitian economy opened to foreign investment.⁶⁸ Large-scale sugar farming in Haiti, primarily by US sugar companies, caused further deforestation.⁶⁹ Later in the 20th century, when Haiti fell under four decades of US-supported dictatorship, the Duvaliers continued to cut down Haiti’s trees, fearing “that wooded areas could harbor insurgents” and thus permitting political allies to log them.⁷⁰ Today, approximately only 30 percent of Haiti is under tree cover.⁷¹ Haiti is continuing to lose trees—to extreme weather events, agriculture, and charcoal production.⁷² Mangrove forests, which mitigate storm surges, have also been significantly degraded in Haiti, though conservation efforts may lead to ecosystem recovery.⁷³



D. 20th-Century Neocolonialism: 1986–2000

Late-20th-century Haiti was characterized by rural neglect and unplanned urban growth. Although rural Haitians did not receive government support, agricultural production in the mid-20th century had been strong. In the 1970s, Haiti was largely self-sustaining in key food staples, including poultry and rice, and earned income from agricultural exports.⁷⁴ Beginning in the early 1980s, neoliberal economic interventions had severe consequences on food production. The IMF, established after World War II to reconstruct the international monetary system, began imposing “structural adjustment programmes” on less developed countries: conditioning loans with reduced interest rates on government commitments to slash public spending and to open their economies to international trade and foreign investment.⁷⁵ In addition to imposing conditions that contributed to inequality, these programs mandated privatization and austerity measures, causing undue suffering to Haitian people.⁷⁶

At the same time, US policy toward Haiti effectively discouraged investment in agriculture, and the United States began to increase shipments of agricultural products to Haiti.⁷⁷ US foreign policy and IMF structural adjustment programs led the government of Haiti to slash tariffs on rice and other staples.⁷⁸ As rice tariffs plummeted from 50 percent to 3 percent, cheap US rice began flooding Haiti, devastating the domestic rice sector. In a now-famous apology in 2010, Former US president Bill Clinton stated that pressure on Haiti to lower its tariffs “was a mistake ... I have to live every day with the consequences of the lost capacity to produce a rice crop in Haiti to feed those people, because of what I did.”⁷⁹ Slashed tariffs and other neoliberal trade and financial policies undermined food sovereignty, making Haiti reliant on fluctuating global food markets.⁸⁰ Today, Haiti is the United States’ third-largest rice export market.⁸¹ More than 50 percent of the country’s food staples are imported,⁸² and Haiti is one of the most food-insecure countries in the world.⁸³

Decline in agricultural production further fueled rural migration to poor, urban neighborhoods. The population of Port-au-Prince increased from around 500,000 in the early 1970s to nearly three million in 2022.⁸⁴ Many inhabitants live in poorly constructed housing, with nonexistent or underdeveloped waste management, in areas prone to flooding, which increases their vulnerability to climate harms.⁸⁵

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An Aerial View of the Seaport at Cap-Haitien, Haiti just after Sunrise Credit: Rotorhead 30A - stock.adobe.com

E. Turn of the 21st Century and the Present Moment: Crisis and Foreign Intervention

Cycles of crisis and intervention have further hampered Haiti's economic growth and interrupted its attempts at political sovereignty from the late 20th century to today. Conditions of neocolonial political interference and instability weaken the Haitian government's ability to mitigate and adapt to climate disorder and undermine its accountability to the Haitian people.⁸⁶

In the four years after Baby Doc's departure, three presidents ruled Haiti, one of whom, Henri Namphy, took and lost power twice.⁸⁷ In 1990, Jean-Bertrand Aristide became Haiti's first democratically elected president. He was driven out by a coup d'état seven months later.⁸⁸ President Aristide returned from exile in 1994 and served as president through 1996.⁸⁹ But his return was contingent on agreeing to World Bank and IMF structural adjustment policies that contributed to making Haiti dependent on foreign aid and impeded social and economic development.⁹⁰ Aristide was elected again in 2000 but was ousted in a second coup four years later, with credible evidence of CIA involvement.⁹¹

One of the world's most destructive natural disasters brought abnormally severe consequences to Haiti.⁹² On January 12, 2010, the country was struck by an earthquake that killed hundreds of thousands of Haitian people and ravaged the already limited government infrastructure.⁹³ Influxes of foreign aid after the earthquake largely bypassed the Haitian government and Haitian civil society organizations⁹⁴—of the more than \$1.5 billion that the United States Agency for International Development spent in Haiti during the first five years after the earthquake, for instance, less than

one penny of every dollar went directly to a Haitian organization.⁹⁵ Foreign aid and investment also focused on extractivist development that threatens rural livelihoods and the environment, including the development of the gold mining industry and of special economic zones, such as the Caracol Industrial Park, which displaced hundreds of farmers from their land and has polluted the surrounding environment.⁹⁶ In sum, the patchwork of internationally run projects after the earthquake has both failed to meet the social needs of Haiti's people and undermined the Haitian government's capacity to do so.⁹⁷

In retrospect, the sequence of post-earthquake events marked a downward turn in Haiti's already unsteady trajectory. In the aftermath of the earthquake, foreign actors encouraged elections, which many Haitians stated were inappropriate and rushed.⁹⁸ The elections went forward in what, retrospectively, was a pivotal moment. Marred by allegations of fraud, low voter turnout, and credible evidence of interference by the Organization of American States and the US State Department,⁹⁹ the elections ushered in the Parti Haïtien Tèt Kale (PHTK), which continues to control Haiti's government today.¹⁰⁰

Successive PHTK administrations have overseen severe economic decline, the destruction of political institutions, and a rise in violence that prevents Haitian people from going about their daily lives. Political leadership since the earthquake has been plagued by allegations of fraud and corruption, including misappropriation and theft of more than \$2 billion from PetroCaribe, the Venezuelan-backed subsidized oil program.¹⁰¹ The fund—which provided oil to Haiti at a very low interest rate—was intended to support social programs and development projects that could have supported climate resilience.¹⁰² PHTK presidents Michel Martelly and Jovenel Moïse slid into corruption and authoritarianism, undermining democratic institutions and centralizing power in the executive. President Moïse's administration ended abruptly on July 7, 2021, when he was assassinated in his bedroom.¹⁰³

In 2022 and 2023, the PHTK continued to rule as de facto authorities, despite lacking popular legitimacy,¹⁰⁴ and violence increased significantly. In 2023, there were more killings in Haiti than in Ukraine.¹⁰⁵

As of August 2024, no elected officials remained in the country, and currently Haiti is in a state of crisis. The government is barely functional, while gang violence, kidnapping, and general insecurity make it extremely challenging for Haitian people to go about their daily lives—let alone prepare for and respond to a changing climate reality.¹⁰⁶



Cathédrale Notre-Dame de L'Assomption, Port-au-Prince, Haiti Credit: airmaria - stock.adobe.com

F. Conclusion

Haiti's history of colonial exploitation, the independence ransom, occupation, dictatorship, and neocolonial foreign intervention have impoverished its people, degraded its environment, and impeded construction of basic infrastructure. Haiti's extreme poverty, environmental degradation, government dysfunction, and absence of basic services such as water, sanitation, and health, have made Haiti one of the world's most climate-vulnerable countries. The next chapter provides a glimpse into how Haitian people are making do and struggling to respond to climate disorder in their daily lives. It presents grassroots adaptation and resilience efforts and advocacy demands that aim to make the impacts of climate disorder less harmful. Chapter IV argues that any prospect of climate justice requires that these efforts be coupled with a massive redistribution of resources to Haiti; it argues also that the unjust historical construction of climate vulnerability in Haiti makes the country an exemplary case for reparations.

Endnotes

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- 29 JEAN CASIMIR, *THE HAITIANS: A DECOLONIAL HISTORY*, at 185-186 (Laurent Dubois trans., 2020).
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CHAPTER III:

Grappling with Climate Injustice



Sellers going to the market in Haiti, Dondon; Credit: Marta - stock.adobe.com

As the preceding two chapters have shown, despite contributing minimally to climate disorder, Haiti experiences significant climate harms, which are shaped by the country's history of foreign exploitation. Recognizing the enormity of the challenge, Chapter III presents a snapshot of how Haitian communities are getting by and grappling with climate disorder. Following an overview of government (in)action, this chapter presents different adaptation and resilience efforts community organizations advance at the local level. These include *peyizan* agroecology, *ekonomi solidè* (solidarity economy), and ecosystem protection. It then outlines environmental justice advocacy demands—specifically, securing *peyizan* land rights, resisting industrial gold mining, and demanding a broader shift in political economy. Fulfilling these demands would lessen the harms of climate disorder and improve communities' ability to live with a changing climate. Finally, this chapter discusses the importance of popular education by Haitian social movements to ensure progress is inclusive.

Climate Adaptation and Climate Resilience

Climate adaptation and climate resilience are distinct but interrelated terms. In global climate policy-making, climate resilience is defined as “the capacity to prepare for, respond to, and recover from” damaging climate events “while incurring minimal damage to societal wellbeing, the economy and the environment.”¹ Climate adaptation is defined as “adjustments in ecological, social or economic systems in response to actual or expected climatic ... effects.”² Adaptation can include everything from creating new early warning systems to planting more drought-resistant crops. Climate adaptation efforts should help build climate resilience. Climate resilience may also involve strategies beyond adaptation, including coping strategies and social transformation.³

A. Haitian Government Action and Climate Disorder

As Chapter II establishes, legacies of colonialism and imperialism and ongoing racism have weakened Haiti's capacity to adapt to climate disorder or lessen its impacts. Government efforts to build an institutional structure to address climate change have been stunted by lack of resources, ineffective coordination, and the absence of political will to prioritize the interests of the marginalized majority. In recent years, Haiti's political, economic, and social crises have only made the situation worse.⁴

Although climate disorder does not appear to be a Haitian government priority, multiple ministries nominally address climate harms, often at the prompting or contingency of foreign funding. The government's Climate Change Directorate⁵ sits within the Ministry of the Environment. In addition to the Ministry of the Environment, a number of government ministries and agencies constitute a working group titled the National Committee on Climate Change (NCC).⁶ Haiti has developed two Nationally Determined Contribution plans, as required as a member of the UN Framework Convention on Climate Change (UNFCCC).⁷ In December 2022, the government of Haiti also launched its National Adaptation Plan (NAP)⁸ and published a brief on the roles of stakeholders in supporting the country to adapt to climate harms through the year 2030. The NCC is tasked with implementing the NAP.

UNFCCC and the Pillars of Global Climate Policymaking

The United Nations Framework Convention on Climate Change (UNFCCC) is an environmental treaty. It is the primary international treaty developed by UN member states to respond to climate disorder. Ratifying countries are called parties to the convention and annual COPs refer to the Conference of the Parties—annual meetings during which countries carry out negotiations. The UNFCCC aims to curb greenhouse gas emissions in order to maintain their atmospheric concentration “at a level that would prevent dangerous anthropogenic [or human-made] interference with the climate system.”⁹

The Paris Agreement emerged from the 2015 COP.¹⁰ It is a legally binding international treaty with the primary goal of keeping warming “well below two degrees Celsius above pre-industrial levels.”¹¹ Although the Paris Agreement lacks an enforcement mechanism and thus provides no consequences for failing to comply, signatory countries meet regularly and submit reports on their plans to reduce greenhouse gas emissions and adapt to the impacts of climate disorder.¹² These progress reports are called nationally determined contributions, or NDCs.¹³

The efforts to address climate change through the UNFCCC and the COP negotiation process fall into three categories: mitigation, adaptation, and loss and damage.



Cap-Haitien after heavy rain. Credit: Sasha Kramer.

Mitigation

Mitigation refers to efforts to limit the rise in global temperatures, primarily by reducing the amount of greenhouse gas emissions, most of which are from fossil fuels. Increasing “carbon sinks” that can remove greenhouse gases from the atmosphere (by planting more forests, for example) can also mitigate climate disorder.¹⁴ As determined in the Paris Agreement, mitigation efforts aim to keep global temperature increases to “well below” 2 degrees Celsius above pre-industrial levels, while “pursuing efforts” to limit the temperature increase to 1.5 degrees Celsius.¹⁵ Small Island Developing States (SIDS) have long warned that warming above 1.5 degrees Celsius is a death sentence.



Adaptation

Adaptation recognizes that communities worldwide are experiencing, and will continue to experience, the impacts of climate disorder. Adaptation refers to efforts to make changes to countries’ environmental, social, and economic systems to better anticipate and respond to climate impacts.¹⁶ Under the UNFCCC, developed countries are required to provide financial resources to developing countries to support both mitigation and adaptation.¹⁷



Loss and damage

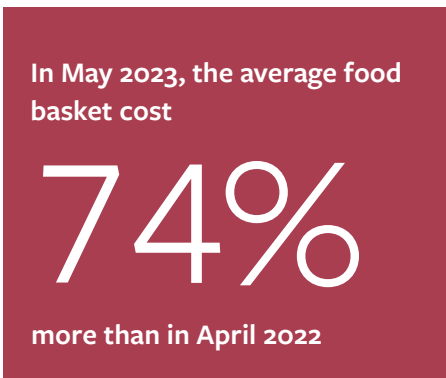
Loss and damage refers to the negative consequences of climate change that occur despite efforts to adapt to the changing reality. It encompasses economic and non-economic harms—for example, loss of crops and loss of cultural heritage.¹⁸ The Paris Agreement recognizes the necessity of “averting, minimizing and addressing loss and damage.”¹⁹ In November 2022, countries agreed to establish a “Loss and Damage Funding Facility” under the UNFCCC, after decades of effort led by SIDS and climate advocates.²⁰



As discussed in Chapter IV, the mitigation, adaptation, and loss and damage efforts adopted under the UNFCCC are falling far short of delivering climate justice.

Haitian government entities receive funding and support from foreign actors. Recent projects include incorporating climate disorder concerns into national development planning, financed by the Green Climate Fund and implemented by the United Nations Development Programme (UNDP).²¹ The United Nations Environment Programme (UNEP) has supported the Ministry of the Environment to access climate finance.²² The World Bank has supported the creation of an early warning system to alert people to the harms of hurricanes, floods, and tsunamis.²³ There are, thus, efforts to better adapt to climate disorder and to lessen its impacts, notably through government preparation. However, existing efforts are insufficient, lack effective coordination, and are too often centralized in Port-au-Prince.

In addition, the ability of government agencies to address climate disorder is severely hampered by Haiti's current political, economic, and social crises and pervasive insecurity. The humanitarian situation in Haiti is catastrophic.²⁴ The food crisis is among the most severe emergencies in the world, with almost 50 percent of the population in need of food assistance, and access to healthcare and education is limited and declining. Addressing climate disorder or preparing for its more severe consequences is not a government or donor priority.



Hunger in Haiti

Hunger and failure to produce food to meet the needs of its people are significant problems in Haiti. More than half of all food is imported,²⁵ despite the fact that 28.6 percent of all Haitians depend on the agricultural sector for subsistence farming and agriculture,²⁶ which accounts for about 18 percent of GDP.²⁷ Climate disorder is likely to further fuel reliance on imported food.²⁸ In 2020, Haitians spent on average more than a third of their daily incomes on a plate of food; since then inflation and the price of basic goods have soared.²⁹ In May 2023, the average food basket cost 74 percent more than in April 2022.³⁰

Pervasive violence creates additional obstacles to adapting to and addressing climate harms. In addition to creating a climate of fear, gangs control areas of environmental and strategic importance—including roads and ports, watersheds, basins, and reservoirs—blocking government, NGO, and community activities.³¹ The World Food Programme has established a link between the presence of armed gangs and abandoned farmland.³² Gang violence is named as one of the contributing factors to the resurgence of cholera in the country.³³

Generalized insecurity and the real threat of violence deter people from gathering and programs from operating and cripple the enjoyment of everyday life. Insecurity and violence have also reduced the number of UN, international NGO, and other foreign personnel in Haiti.³⁴ Although Haitian people and observers rightly criticize foreign actors for their role in undermining Haitian institutions and for failing to deliver aid and government support in an empowering and accountable way, foreign actors have long played a role in meeting the basic needs of the majority of Haiti's population.

Climate disorder also fuels and worsens insecurity. As discussed in prior chapters, the challenges *peyizan* face in rural communities harmed by changing seasons, drought, and floods lead them to migrate to *katye popilè*—poor, marginalized urban communities where lack of work opportunities makes them vulnerable to being recruited into armed groups.

In this complicated and unjust context, the first responders to climate disorder and its impacts are most often Haitian people themselves.



B. Haitian Communities on the Frontlines

“

In Haiti climate change is a relatively new concept that several civil society organizations have only recently taken up in order to raise awareness among, inform, and train communities. However, this work requires lots of time, energy, will, and determination. As a result, not many people understand or are aware of climate change and its catastrophic consequences. But the whole Haitian population, the whole of society, every person, are already, in one way or another, victims of this phenomenon and will continue to be victims. But there is still hope because throughout the country, more civil society organizations have been created to bring awareness of this issue to more people.”

Commission Épisopale Nationale Justice et Paix (National Episcopal Commission, Justice and Peace, CE-JILAP)³⁵

Though Haitian communities are aware that the environment around them is changing, the majority of Haitian people do not have the information to identify climate disorder as the cause. Yet as communities on the frontline of climate impacts, they experiment with ways to respond, to improve their lives and livelihoods. While migration out of Haiti is one response, most people remain. *Peyizan* groups, neighborhood associations, community organizations, and their allies are, on the smallest scale, finding ways to cope and adapt to climate disorder. They are also advocating for system change that they view as necessary to protect the environment and improve their chances of surviving and thriving in a changing climate reality.

The following sections present a handful of examples from Haitian communities. The efforts to grapple with climate disorder presented below demonstrate ingenuity, commitment, and possibility. A productive challenge for those seeking to work in solidarity with the most affected people in Haiti is how to support, amplify, and resource—both financially and through research and other technical support—their efforts.

1. Community-Level Responses to Climate Disorder

Agroecology

Agroecology is an alternative approach to food production that promotes harmonious relationships with the land through farming and centers the livelihoods of small-scale farmers. It is sometimes defined as the application of the science of ecology to agriculture.³⁶ Agroecology is both a practice and a political vision, focused on local production, distribution, and consumption that centers the rights of peasant communities.³⁷ Agroecology is a key tenet of La Vía Campesina, the global peasant movement with membership in more than 80 countries. La Vía Campesina members, including in Haiti, denounce policies from international financial institutions such as the International Monetary Fund or World Bank that may undermine local production and deepen reliance on imported food.³⁸

As the climate and environmental impacts of industrial agriculture have become increasingly impossible to ignore, and as climate disorder, along with other factors, has worsened global food insecurity, there has been increasing focus on small-scale agriculture and agroecology in particular as a climate solution.³⁹

Small-scale farming has long been a core element of Haitian society: after the Haitian revolution, freed Haitian people wanted to own a plot of land—however small—and to consume the food that they produced. In the past twenty years, Haitian organizations and *peyizan* groups, including several that are part of La Vía Campesina, have increasingly incorporated agroecological practices into their farming. Agroecology often includes intercropping, or the planting of varied crops to manage soil fertility over the course of the growing season, which contributes to biodiversity. The *Partenariat du Développement Local* (Local Development Partnership, PDL), an NGO that works in the north of Haiti, has used agroecology to increase farmers' production and decrease food insecurity.⁴⁰ The *Mouvman Peyizan Papay* (Peasants' Movement of Papay, MPP) and *Tèt Kole Ti Peyizan Ayisyen* (Heads Together Small Producers of Haiti, TK) train peasants in agroecological methods.⁴¹ MPP and *Solidarite Fanm Ayisyèn* (Haitian Women's Solidarity, SOFA⁴²), operate agroecology training programs and schools to support *peyizan* women to generate income and build sustainable livelihoods. The programs include planting climate-resilient crops, composting, using natural pesticides, and employing alternative farming techniques.⁴³

“

It is true that the country is deforested. It is true that there is less and less rain every year. But for those farmers that adopt some key agro-ecological principles, they are better off than the rest of the population.”

Cantave Jean Baptiste, Director of PDL⁴⁴

Haitian organizations frequently note the need for more training to allow farmers to adapt and build greater resilience in the face of climate disorder.⁴⁵ Studies show that agroecological farming in Haiti leads to an increase in productivity and, in turn, profitability.⁴⁶ In addition, agroecological practices help combat climate change: they increase water retention and carbon sequestration in the soil and decrease the risk of mudslides.⁴⁷ In the words of La Vía Campesina, agroecology “cools the earth.”⁴⁸

In August 2023, more than 1,000 Haitian farmers and allies from seven foreign countries gathered at MPP’s agricultural center for its 50th annual congress. MPP launched two projects: one to plant 50 million fruit and forest trees “within the framework of a peasant and agroforestry agroecological system;” the other to establish a peasant university with an agroecology faculty “that will guarantee food sovereignty so that Haiti can regain control of its food security.”⁴⁹ In its Final Declaration at the Congress’s conclusion, MPP called for a “Haiti based on Peasant Civilization”:

“

Yes to peasant agroecology, food sovereignty, and reforesting the country. Yes to the fight against multinational corporations that destroy the environment, that cause the planet’s destruction and climate change. Yes to peasant seeds, natural fertilizers, and natural pesticides. Yes to the organization and training of youth, women, and the peasant population. Yes to internationalism and solidarity among peoples.”⁵⁰

MPP, TK, PDL, SOFA, and other organizations promote development that protects small-scale farmers, *a la Ayisyen*. They farm, educate, and advocate in a way that centers *peyizan* and is in harmony with the environment. These efforts are often hampered by lack of access to loans or other forms of capital. Haitian *peyizan* and others respond to this reality by building what they call *ekonomi solidè*—their own solidarity economy.

***Ekonomi Solidè*—Solidarity Economy**

“Solidarity economy,” which has a long history in Haiti, refers to activities that prioritize social and environmental wellbeing in addition to financial profits. It is a form of resistance to extractivism and capitalism⁵¹ and is frequently referenced today as a form of disaster response, including to climate-created disasters.⁵² Although most who participate in solidarity economy activities in Haiti would not use these terms, solidarity economy is effectively a climate resilience or adaptation strategy.

Solidarity economy activities take many forms, including the *lakou* and *konbit* labor.⁵³ Almost all homes in rural Haiti have a *lakou*, a backyard or courtyard where people gather to share meals, worship, celebrate, and pray.⁵⁴ It is a place of shared pleasure. The *lakou* is one place where solidarity economy is performed—where people share what they have. As the Haitian proverb goes, “*Manje kwit pa gen mèt*—Cooked food has no owner.”

Konbit, meaning communal or collective labor, emerged from the practice of neighbors working each other’s plots of land in alternation. Today, Haitians create *konbits* for all different types of labor, not only farming. *Konbit Ekolojis Sid* (Working Together for the Solidarity Economy, KES),

for example, advocates protecting marine and freshwater resources—rivers and springs—and other parts of the environment.⁵⁵ As KES describes it, all people have a right to a healthy environment—we must work in *konbit* to protect it.

One social movement promoting the spirit of *konbit* is *Gwoup Konbit*,⁵⁶ an organization and platform with reach throughout Haiti. *Gwoup Konbit* grew out of *Konbit Solèy Leve* (Konbit the Sun Rises) in Cité Soleil, whose residents are among those most harmed by climate disorder in Haiti. *Konbit Solèy Leve* was a process to build and highlight positive leadership among students, professionals, and unarmed citizens who were largely ignored within a society that gave visibility and support to young armed groups. In 2011, social leaders from the 34 neighborhoods of Cité Soleil came together to develop alternatives to the earthquake response dominated by foreign NGOs. *Konbit Solèy Leve* promoted mutual assistance and reciprocity by first acknowledging the local resources that existed within Cité Soleil. In 2022, *Konbit Solèy Leve* became *Gwoup Konbit*, a national movement promoting the principles and values of *konbit*.

Ultimately, *konbit* is about pooling community assets for social change. The spirit of *konbit* and the principles of solidarity economy—radical inclusion, measuring success not only by profit but also by peace and well-being—keep Haitian people afloat as they live and struggle in the face of climate disorder.

“

Today, we can say that nature has revolted against us. Looking at peasants, most of whom live in rural areas, it is clear that they need support. We cannot afford to cross our arms and wait. We must look at what can be profitable. We must ask ourselves what activities we can carry out with the little money that we have that can also help people.”

Marie-Ange Noël, member of Fanm Deside (Women Decide)⁵⁷

Ecosystem protection

Many Haitian organizations take steps to protect forests and other key ecosystems.⁵⁸ Currently, deforestation, overexploitation of mangrove forests,⁵⁹ overfishing, and declining health of the coral reefs off of Haiti’s coast contribute to many environmental problems that risk aggravating the impacts of climate disorder, including soil erosion, more severe flooding, and loss of biodiversity.⁶⁰

Haitian organizations are mobilizing for reforestation and protection of freshwater resources. In the Northwest Department, *Kòdinasyon Peyizan Ba Basanble* (Peasants’ Group of Bassin Bleu, KOPBB) is a platform of *peyizan* groups that have committed to planting 10,000 trees every year to protect flora and vulnerable areas such as springs. KOPBB also conducts agroecology training for *peyizan* and teaches their members about the role that roots and trees play in soil health.⁶¹ KES works to protect water resources. KES and others also connect the natural world with vodou spirituality, which valorizes nature, including trees, water sources, and the sea, as sacred.⁶²

In the hills behind Port-au-Prince, the Wynne Farm Ecological Reserve⁶³ conducts environmental education and protects a watershed where the headwaters of three major rivers are located.⁶⁴ Wynne Farm receives thousands of visitors every year and became part of a broader protected area, the *Parc National Naturel des Sourçailles*, in 2021. Although the government of Haiti does not have a strong record of adequately preserving its protected areas, the status as protected land is a victory for the Wynne Farm team in its effort to promote environmental stewardship.

Another notable example of ecosystem protection is the *Fondation Pour La Protection de La Biodiversité Marine* (FoProBiM), a Haitian conservation nonprofit that works with community organizations and school children in coastal communities to improve the relationship between humans and marine and coastal ecosystems.⁶⁵ The director of FoProBiM, Jean Wiener, was awarded the Goldman Environmental Prize in 2015 for his effort to establish marine protected areas.⁶⁶ Wiener's work includes creating the country's first protected marine areas, including the Three Bays National Park.⁶⁷

This community-level work is essential. Adaptation efforts must begin here, in the frontline communities that are already, in myriad ways and with minimal resources, grappling with climate disorder.



“

[T]hanks to some civil society organizations that collaborate with many peasant associations, many [people] are beginning to understand the reality of climate change and have begun to find ways to adapt. They have begun to see what alternatives they can adopt in response to this new reality, following to what modifications climate change brings, seeing what they can plant that will be most resistant...”

Kolektif Jistis Min (Justice Mining Collective, KJM)⁶⁸

2. Advocacy for Structural Change

“

Even though it appears to be difficult, there is hope that climate change can be reduced or solved. This hope is based on the willpower, determination, and capacity of the population [of Haiti] to fight to live, and live well, in a healthy environment, a balanced natural ecosystem, and a healthy planet where the system of domination and exploitation has ended and life has a chance to flourish everywhere on earth.”

Commission Épisopale Nationale Justice et Paix (National Episcopal Commission, Justice and Peace, CE-JILAP)⁶⁹

Haitian organizations recognize that alleviating climate disorder requires structural change that advances environmental and economic justice. Securing *peyizan* land rights, keeping Haiti mining-free, and reorienting the political economy are three key demands.

Less than

5%

of Haiti's territory is in the national property register

Securing *Peyizan* Land Rights

Haitian people experience climate disorder in a context of land insecurity. Haitian law does not require landowners to register their land with the national office;⁷⁰ less than 5 percent of Haiti's territory is in the national property register, and up to two thirds of rural land has no formal property title.⁷¹ Since Haiti's independence, powerful families have expropriated land,⁷² and the lack of a system to reliably record land ownership⁷³ increases the vulnerability of citizens to land appropriation by the government or powerful private actors.

The absence of land rights and the risk of land-grabbing add precarity to the lives of Haitian people. It makes it more difficult for *peyizan* and those occupying and working the land to safeguard their environment and to invest sustainably in the land, including in ways that support climate adaptation. Land-grabbing can also further degrade the environment: in many cases, land used for *peyizan* farming is converted to monoculture agriculture or other industrial use. Insecure land rights can deepen the harm that climate events inflict, by making it harder, for example, for Haitians to recover land after being displaced by an extreme weather event.

In recent years, land-grabbing has increased in rural Haitian communities. An uptick was noted after the devastating 2010 earthquake and during the administration of President Jovenel Moïse.⁷⁴ Rural communities and their allies report that corrupt politicians often facilitate land grabs and that land is frequently granted to the benefit of foreign companies.⁷⁵ Globally, climate disorder may also be increasing the risk of land-grabbing.⁷⁶ The case study below is emblematic of land-grabbing and its impacts on Haitian *peyizan* and organizations.



Water testing in Grand Rivier du Nord, North Haiti. Credit: Ellie Happel.

Savane Diane Land Grab

In 2020, land used by Haitian feminist organization Solidarite Fanm Ayisyèn (SOFA) to operate a feminist agroecology school was violently seized to make way for an agribusiness firm. The school's agricultural land was in Savane Diane, an important fertile agricultural and biodiversity zone that spans three of Haiti's ten geographic departments.⁷⁷ SOFA transformed the land, experimenting by planting crops,⁷⁸ and trained 300 farmers, the majority of whom were women. These farmers learned about land rights, food sovereignty, and agricultural practices for climate resilience.⁷⁹

SOFA appeared to have sound legal title to operate agroecological activities in Savane Diane.⁸⁰ However, in 2020, SOFA and its members were forcibly displaced from their land⁸¹ and learned that an agribusiness company, Stevia Agro Industries S.A. ("Stevia Industries"), was asserting title to it. Stevia Industries, which produces the sweetener stevia for export to companies such as Coca-Cola,⁸² is controlled by André Apaid, one of Haiti's most powerful businessmen.⁸³

At the end of 2020, the minister of agriculture suspended the protocol that confirmed SOFA's rights to the land.⁸⁴ In February 2021, former president Jovenel Moïse declared Savane Diane an agro-industrial free trade zone (ZFASD) to the benefit of Stevia Industries.⁸⁵ According to local residents, the 8,600-hectare free trade zone includes three large water reservoirs identified by the national water authority, DINEPA, as drinking water for local residents during drought.⁸⁶ Residents and Haitian civil society underscore that the Savane Diane industrial development is leading to further impoverishment and food insecurity.⁸⁷

Against this background, Haitian *peyizan* and social movements are organizing to protect land rights,⁸⁸ including preventing, resisting, and responding to land-grabbing. One example is the *Obsevatwa Dwa Latè*—the Land Rights Observatory (*Obsevatwa*), organized by *Action pour la Reforestation et la Défense de l'Environnement* (Action for Reforestation and Defense of the Environment, AREDE). AREDE is a community-based organization working to promote environmental justice, inclusive development, and farmers' rights in the northeast of Haiti.⁸⁹

The *Obsevatwa* is working with communities under mining permit and at risk of land-grabbing to map community assets—for example, water points, sacred sites, and other places of value—and to organize community members to document land ownership, land use, and perceptions of land value. The primary goal is to gather evidence to assert community ownership of the area and to discourage land-grabbing. If, in fact, a land grab occurs, the data will substantiate demands for restitution. In addition, the *Obsevatwa* is gathering data about rainfall and plans to monitor localized impacts and harms of climate disorder.

A Mining-Free Haiti



In the context of climate justice it is incoherent to imagine the development of the mining industry, which is a destroyer of water and of the environment.”⁹⁰

Haitian community organizer Samuel Nesner

It is well established that Haiti’s mountains contain metals and other minerals. There is no industrial metal mining in Haiti today. The Dominican Republic, however, situated on the other side of Hispaniola, is home to one of the most productive gold mines in the world.⁹¹ After the 2010 earthquake in Haiti, the government identified the mining sector as key to the country’s economic future and subsequently granted three mining exploitation permits that could lead to the first modern industrial mines in Haiti.⁹² In response, Haitian peasant, environmental, and human rights organizations created *Kolektif Jistis Min* (Justice Mining Collective, KJM), a coalition to monitor the mining industry and interrogate the possible benefits and risks of mining in Haiti.

In the past ten years, KJM and allies have built and maintained a call for a mining-free Haiti, organizing at the local level and advocating before national and international decision-makers.⁹³ KJM established coordinating bodies in each department of Haiti where companies hold mining permits and conducted South-South exchanges, hosting activists and advocates from mining-affected communities in Central America and Africa.⁹⁴ KJM and allies have presented their position in the Haitian⁹⁵ and international press,⁹⁶ testified before the Inter-American Commission on Human Rights on violations of the right to information,⁹⁷ and, with the GJC and the human rights organization Accountability Counsel, brought a complaint against the World Bank for violations of its environmental and social policies in its technical assistance to the redrafting of Haiti’s mining law.⁹⁸

The movement to keep Haiti free of industrial metal mining is about land rights, peasants’ rights, and Haitian self-determination. It is also about protecting the environment. KJM and other organizations highlight the negative environmental and human consequences of mining to argue that mining is not an appropriate economic activity in Haiti and point to the bans on metal mining in Costa Rica,⁹⁹ El Salvador,¹⁰⁰ and Honduras.¹⁰¹ These Central American countries prohibited mining due to concerns about environmental degradation, lack of access to clean water, population density, and competing economic sectors, primarily tourism and agriculture. As noted by KJM, these arguments apply with equal if not greater force in Haiti, which is, by most any measure, the most environmentally degraded country in the Western hemisphere and among the most densely populated. Mining risks exacerbating Haiti’s climate vulnerability: industrial mining requires massive amounts of land, damages ecosystems, and depletes and pollutes water.¹⁰² Mining also risks displacing *peyizan* and rural communities. Further, severe weather events such as flooding and hurricanes increase the risk of mine disasters, including breach of the walls of tailings dams, the structures within which toxic byproducts of mining sit.¹⁰³

Mining Contributes to Climate Disorder

Mining is a significant contributor to climate disorder. Globally, the metal mining sector is responsible for approximately 10 percent of greenhouse gas emissions,¹⁰⁴ with open-pit gold mines estimated to emit an average of almost one ton of greenhouse gases per ounce of gold produced.¹⁰⁵

The absence of mining in Haiti underscores that while climate disorder is grave, its impacts could be worse. Resistance to mining aims to protect alternative ways of being and sustainable livelihoods, such as ecotourism and agroecology-based agriculture, that are made more difficult or even foreclosed by industrial mining.

Shifting the Political Economy

The movement to keep Haiti mining-free is part of a broader vision advanced by many Haitian organizations to shift Haiti's political economy away from extractivism. As discussed in Chapter II, Haiti's national economy has, since colonization, often relied on extractivism that has exploited its people and deepened climate vulnerability, even as some *peyizan* have built alternative models of communal solidarity and small-scale agriculture. The demand to shift the political economy involves rejecting extractive or exploitative projects, securing *peyizan* land rights, proposing agrarian reforms, and seeking structural change toward a government that represents the interests of the masses rather than those of a subset of Haitian elites.

For instance, in addition to mounting a movement against metal mining, *peyizan* from Ile-à-Vache, an island south of the mainland, have resisted a plan for large-scale tourism.¹⁰⁶ In 2013, then President Michel Martelly declared Ile-à-Vache a "public utility," paving the way for expropriation and displacement.¹⁰⁷ Development plans included an international airport, hotels, and a golf course.¹⁰⁸ Residents said that the government never consulted them and that they learned of the project on the Ministry of Tourism webpage.¹⁰⁹ When residents learned that they would be displaced without compensation from their homes and land, they and their allies protested.¹¹⁰ Years later, small-scale ecotourism sustains some Ile-à-Vache families, and the movement to protect the island from mass expropriation persists.¹¹¹

One proposal for reorienting Haiti's political economy is the *Kaye Nasyonal Revandikasyon Òganizasyon Peyizan ak Peyizán Ayisyen yo* (Haitian Peasant Organizations' National Demands Plan, *Kaye Nasyonal*).¹¹² The culmination of a ten-year process that consulted 153 organizations in all ten departments of Haiti,¹¹³ the *Kaye Nasyonal* is a plan that lays out an extensive set of political, economic, social, and environmental demands from Haiti's *peyizan* that envision a transformation of the national economic model. Contributors to the *Kaye Nasyonal* call for elaboration of and

Globally, the metal mining sector is responsible for approximately

10%

of greenhouse gas emissions

shifts in government policy to uphold the rights of *peyizan*, agrarian reform, investment in rural areas, and environmental protection and rehabilitation—reflecting many of the priorities discussed in this chapter. Implicit in the alternative political economic model the *Kaye* promotes is environmental harmony and climate justice.

Key Environmental Demands in the *Kaye Nasyonal*¹¹⁴

Stronger measures to confront climate disorder, encourage agroecology, and support *peyizan* as they adapt to climate disorder.

- Development of an environmental policy that provides for community control of natural resources, and land use planning that promotes food sovereignty and protects key natural resources, including remaining forests
- Rehabilitation of key watersheds and water sources, including through ecologically appropriate reforestation that can increase biodiversity, and protection and rehabilitation of mangroves
- Working with *peyizan* to develop agricultural methods that are more environmentally friendly
- Environmental education, both in schools and in popular education
- Protection of endangered species and efforts to increase biodiversity
- Structural change to, and decentralization of, the Ministry of the Environment

“

We are living in a world that is all about exploitation of resources, land, people—can we not imagine another world? Can we imagine a world where people live in harmony and have good relationships with their neighbors, where we offer solidarity with one another, where we place care at the center of our relationships with one another and with the land?”

Sabine Lamour, Sociologist and coordinator of SOFA¹⁵

3. Popular Education

As Haitian social movements advocate for progress *à la Ayisyen*, they also stress the importance of building community knowledge to support broad, inclusive mobilization. Any project or program for climate justice in Haiti must center Haitian people.

Haitian organizations that are informed about the causes of climate disorder emphasize the need for popular education; more Haitian people must be made aware of the root causes of climate disorder and what they can do to adapt. Popular education is a concept and practice often attributed to the Brazilian writer and educator Paulo Freire, who emphasized the importance of critical consciousness.¹⁶ Popular education is about teaching and learning through local experience and vernacular, adding knowledge to that which people already possess. One common popular education tool that social movement organizations in Haiti use is the spiral method, which encourages inclusive participation across a range of education levels and life experiences.¹⁷ South-South exchanges of lessons and strategies for resistance and change, between groups in Haiti and organizations and communities facing similar challenges elsewhere in the Global South, have also been a powerful tool. Community popular education supports Haitian people’s rights to information and participation,¹⁸ by facilitating access to information, public awareness, and informed participation with respect to environmental impacts and climate disorder.

Many organizations are already doing this grassroots work, reaching communities who have had little or no access to information about climate disorder, through conferences, debates, radio spots, and other popular education materials and organizing efforts. Local organizations and movements who are embedded in and with communities are uniquely positioned to do this work. Climate justice must be built from the ground up.



Popular education film, Central Plateau, Haiti. Credit: Ellie Happel.

C. Conclusion

Haitian people and Haitian organizations are key actors in efforts to grapple with, become more resilient to, and adapt to climate disorder. Their work and insights must be amplified, resourced, and put at the center of climate adaptation and resilience efforts in Haiti. However, even the most remarkable grassroots efforts to adapt to and cope with climate disorder at the local level are not sufficient on their own. The scale of the injustice facing Haiti requires significant global redistribution of resources, including toward grassroots efforts. It also requires a shift in economic and political systems to repair past harms and minimize ongoing harms. This chapter has presented some of the ways that Haitian people adapt to and live with climate disorder. The following chapter engages with the systemic change necessary for justice, arguing that Haiti is due reparations.

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CHAPTER IV:

The Demand for Reparations



Port-au-Prince protest. Credit: Ellie Happel.

“

In our era, climate justice and reparations are the same project: climate crisis arises from the same political history as racial injustice and presents a challenge of the same scale and scope. The transformations we succeed or fail to make in the face of the climate crisis will be decisive for the project of racial justice, and vice versa.”¹

Olúfémi Táíwò

This chapter presents Haiti as an exemplary case for reparations. It argues that reparations are necessary for climate justice. It also underscores that the unjust impacts of climate disorder are fundamentally connected to, and reinforce, existing demands for reparations for colonialism, slavery, and ongoing racial injustice. There are longstanding demands in Haiti for restitution of the “independence ransom” paid to France between 1825 and 1947.² Increasingly, Haitian civil society and movement leaders, like other groups and states across the Global South, are naming the interconnection between climate and racial injustice and making demands for reparations to respond to both.³

This chapter first outlines why reparations are necessary to address climate injustice, discussing how international climate negotiations are failing to curb greenhouse gas emissions, address inequality, and tackle the root causes of climate disorder. Section one defines reparations—as a political, legal, and moral demand which includes but is not limited to monetary compensation. It then opens a discussion on what a “constructive” approach to reparations for climate injustice could entail, drawing on the proposals of scholars and advocates. Such an approach could include, for instance, technology transfers to support climate resilience, truth-telling and apologies, and changes to the institutions and structures responsible for the extractive and racially unjust political and economic systems that have created climate disorder. This discussion recognizes reparations as an expansive project and is intended to serve as an overture rather than a prescription.

Section two of the chapter hones in on reparations under international law, introducing some of the key legal rationales for reparations to Haiti. Legal pathways for reparations, however limited, are important. Even if a reparations claim is ultimately determined outside of court, legal arguments can help bolster movements and create political pressure. This part of the chapter outlines legal arguments for reparations for historical and persistent racial injustice that are bolstered by a climate injustice analysis. It also presents a distinct argument for reparations for excess greenhouse gas emissions.

Finally, this chapter engages with the path forward and the need for an inclusive, participatory process for advancing reparations demands. Haitian people must be the ones to develop and build consensus around a concrete reparations agenda.

A. Reparations are Essential to Climate Justice

Reparations: the process and outcome of making amends for a wrong.⁴

The demand for reparations to address climate injustice in Haiti is grounded in the unjust, racist, root causes of the climate harms that Haitian people experience and in the failure to address those harms. There are well established arguments for reparations to Haiti even absent climate disorder. The climate harms facing Haiti are, at least in part, a product of slavery, colonialism, occupation, neocolonial interference, and ongoing racial injustice. Climate harms are thus a form of evidence of the persistent impacts of racism, strengthening existing claims for reparations for racial injustice and making them more urgent. Climate disorder also creates new arguments for reparations, specifically related to greenhouse gas emissions. Reparations could alleviate some of the climate impacts Haitian people experience and hold Global North actors to account for their harmful actions. They could begin to address historic and contemporary injustice, including by dismantling and shifting the racially exploitative structures that create and perpetuate climate disorder.

1. The Failures of International Climate Policy

Prevailing climate policy and funding structures have failed to respond to climate injustice; underscoring the need for reparations. The United Nations Framework Convention on Climate Change (UNFCCC), the Paris Agreement,⁵ and annual international climate negotiations have so far been unable to deliver global redistribution. They have also not held accountable those responsible for creating climate disorder and its unequal impacts. Global North countries have failed to sufficiently decrease emissions. They have also failed to provide funding to support adaptation and to address the damage done to date. While the establishment of a loss-and-damage funding facility is an important victory, this facility is not designed to remedy historic harms and will fall short of the transformative shift that reparations can deliver.⁶

The UNFCCC enshrines the principle of “common but differentiated responsibility,” which recognizes that “industrialized”⁷ countries that have been the main source of greenhouse gas emissions have the greatest responsibility to curb climate disorder.⁸ Nevertheless, Global North countries have done almost nothing to account for their historic and ongoing responsibility for climate disorder. Negotiations under the UNFCCC, carried out through the annual “Conference of the Parties” (COP), replicate existing geopolitical inequalities. These negotiations have largely failed to challenge the economic and political systems that created climate disorder.⁹

Mitigation Failures

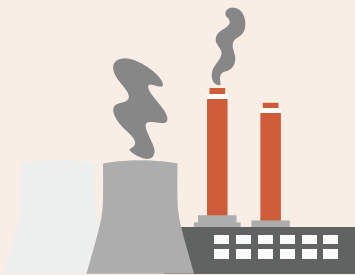
Efforts under the UNFCCC to mitigate climate disorder, primarily by reducing greenhouse gas emissions, have been insufficient. The amount of greenhouse gases in the atmosphere reached record highs in 2022,¹⁰ and average global temperatures were 1.2 degrees Celsius above pre-industrial levels in 2023.¹¹ Even if all countries achieved the targets for cutting emissions they set for themselves under the Paris Agreement, warming is projected to reach between 2.5 and 2.9 degrees Celsius by 2100,¹² a disaster for Small Island Developing States such as Haiti.¹³

Funding Shortfalls

Global North states have also failed to provide enough funding to climate-vulnerable countries, including Haiti, to adapt to climate disorder and lessen its consequences. Countries have pledged \$100 billion in climate funding per year,¹⁴ while the United Nations Environment Programme estimates the true costs of climate adaptation for “developing countries” will range from \$160 billion to \$340 billion annually by 2030 and will rise to between \$315 billion and \$565 billion by 2050.¹⁵ Even the limited amount pledged has not been fully delivered by “developed country” governments.¹⁶ Moreover, a significant portion of climate funding comes in the form of loans or other non-grant transfers¹⁷ that increase national debt.¹⁸ Climate funding may also reflect donor agendas more than the priorities of countries that receive the funding.¹⁹

2022

Record Greenhouse Gas Levels



The amount of greenhouse gasses in the atmosphere reached record highs in 2022

2023

Global Temperatures Soar



+1.2°C

Global temperatures were 1.2°C above pre-industrial levels

2050

Even with Paris Agreement Goals



2.9°C

Warming projected to reach 2.5–2.9°C by 2100

The Limits of Loss and Damage

The UNFCCC structure has not delivered a way to meaningfully repair countries and communities for the injustice of climate disorder. Loss and damage is sometimes dubbed “UN speak” for climate reparations. Climate campaigners and Global South countries fought hard for,²⁰ and rightly celebrated, the establishment of a loss-and-damage funding facility in 2022. Yet loss-and-damage funding is not equivalent to reparations. Loss-and-damage funding, at least as currently structured, is not grounded in liability or recognition of responsibility for past harms and does not aim to remedy wrongdoing or uphold the rights of those who were wronged.²¹ The facility does not seek

2023

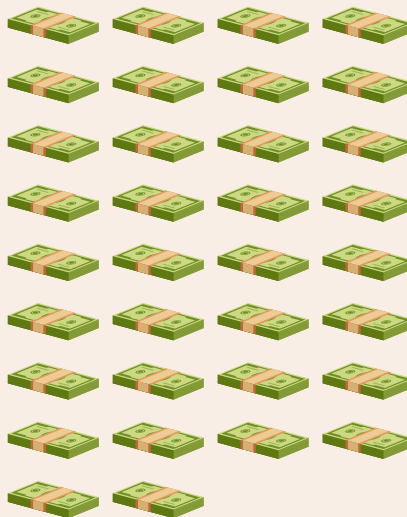
Pledged annually



\$100 billion

by 2030

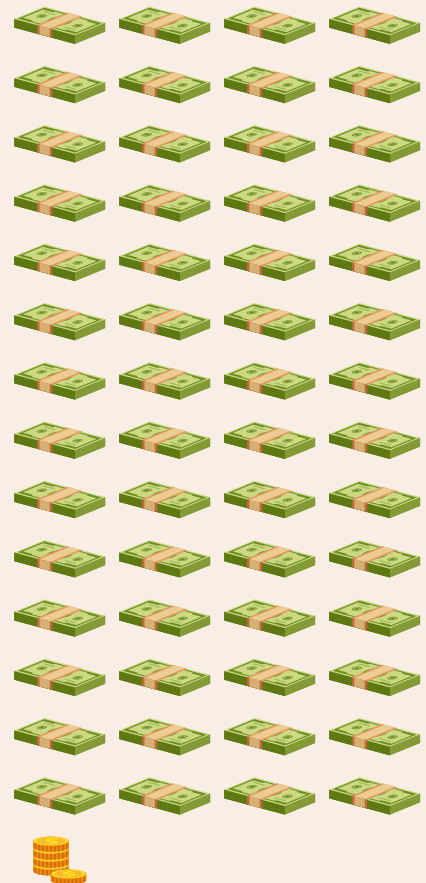
Actual needs annually



\$160 - \$340 billion

by 2050

Actual needs annually



\$315 - \$565 billion

to respond to the unjust root causes of climate disorder; rather, it is intended to provide funding only to address current climate impacts.²² Funding is also entirely voluntary: as of July 2024, \$679.7 million had been pledged to the fund,²³ while it is estimated that at least \$400 billion is needed per year to address loss and damage.²⁴

The profound injustice that climate disorder represents in Haiti and the failure of prevailing intergovernmental policy to confront that injustice make reparations to Haiti a necessary component of climate justice.

“

Globally, people are saying a lot of nice words, especially through COP which has made a lot of commitments especially in 2015 in Paris, but in reality there are a lot of words and very little action. One of the decisions was to lower greenhouse gas emissions before 2030. The countries pumping out CO2 have never respected those commitments, there is little will to improve the condition of the suffocating planet ... Industrialized countries have neither ethics or morals when it comes to climate degradation despite their promises to reduce the amount of pollution they emit.”

Kolektif Jistis Min (Justice Mining Collective, KJM)²⁵

2. Defining Reparations

The term “reparations” is used in diverse and intersecting ways, including to describe a legal right, a moral claim, and a political project grounded in principles of repair and redistribution. Reparations are traditionally understood as the duty of a wrongdoer either to return a victim to the situation they were in before they were injured or, where that is not possible, to compensate them for any injuries suffered.²⁶ Importantly, reparations go hand in hand with the obligation of the wrongdoer to cease the wrongful conduct.²⁷ The right to reparations is an important legal principle and key element of access to justice.²⁸ Many practitioners and scholars also argue that reparations should do more than restore the status quo: they should aim to transform relationships of injustice—including those that led to the wrongdoing—and improve victims’ lives into the future.²⁹ This framing allows for thinking about reparations as not only a legal principle but also a framework for a broader political project.

Human rights law has defined five key elements of reparations that can be helpful in understanding what reparations may look like in practice: restitution, compensation, rehabilitation, satisfaction, and guarantees of non-recurrence.³⁰ Reparations will generally include some combination of these five elements.³¹

- **Restitution** means returning the victim of wrongdoing to the situation they were in before the violation occurred—for example, returning something that was stolen or reinstating a person in a job from which they were wrongly removed. In many situations, full restitution will be impossible, and therefore other forms of reparation will be necessary.
- **Compensation** means, in short, payment. Compensation is provided for “economically assessable” damages that result from the violation—for example, physical or mental harm and economic losses.
- **Rehabilitation** is about providing healing services and “should include medical and psychological care as well as legal and social services” for victims.³²
- **Satisfaction** intends to restore the victim to their pre-injury state and is more focused on moral injury than economic harm.³³ Public apologies, measures to establish the true facts of the violation, and memorials to victims are examples of satisfaction. Satisfaction also includes measures to ensure continuing violations cease.³⁴
- **Guarantees of non-recurrence** are measures not only to ensure that the wrongful conduct stops but also to safeguard against the wrongdoing and harm reoccurring in the future. They “are most closely associated with the structural reform and strengthening of State institutions.”³⁵ Examples of guarantees of non-recurrence include changes to law and state institutions.

3. What Might Reparations to Address Climate Injustice Entail?

Olúfémí Táíwò has argued that any “politically serious reparations project” for historic racial injustice must focus on climate justice.³⁶ Reparations should be “constructive,” aiming not only to repair harm but also to transform conditions of injustice. Reparations should include change in “policies and institutions that have perpetuated harm,”³⁷ shifting the costs of building that better world to those who have “inherited the moral liabilities” of past injustices.³⁸

It is not possible to fully redress climate harms without recognizing the racial exploitation from which they stem. Maxine Burkett warns that addressing climate harms and not their historic causes—namely the racial exploitation of the Global South by the Global North—is like “prun[ing] the branches” when “the disorder can only be cured at the roots.”³⁹ Burkett defines climate reparations as “the effort to assess the harm caused by the past emissions... and to improve the lives of the climate vulnerable through direct programs, policies, and/or mechanisms for significant resource transfers, to assure the ability of the climate vulnerable to contemplate a better livelihood in light of future climate challenges.”⁴⁰ This definition reflects the vision of reparations as aiming not only to repair past harm but also to improve, going into the future, the lives of those who have been harmed.

What do these approaches mean for what reparations that seek to address climate injustice could involve in practice? Activists, scholars, and practitioners have diverse ideas and proposals that pull from the legal categories of restitution, compensation, rehabilitation, satisfaction, and guarantees of non-recurrence.

Compensation

Compensation remains central to reparations efforts, including to fund infrastructure, adaptation measures, and livelihoods that can lessen climate vulnerability. Compensation would require the transfer of economic resources to address historic, current, and future damages. Demands for compensation include transfers from Global North to Global South countries, from the governments and corporate actors most responsible for the crisis to the communities that are most affected by climate harms. Some advocates, Táíwò included, argue for Global South debt cancellation as an initial reparatory step.⁴¹

Debt Justice

Many activists and organizations argue for “debt justice,” which can include canceling the national debt of Global South countries, as a key element of climate justice.⁴² Some position it as an element of reparatory justice.⁴³ Many Global South countries have similarly called for reforming global financial structures and processes to strengthen countries’ ability to raise national revenue and to make debt more sustainable in the future.⁴⁴

National debts across the Global South make it harder for governments there to respect the human rights of their populations. Countries are forced to borrow by economic realities that result from legacies of colonialism, the global extractivist economy,⁴⁵ global financial rules,⁴⁶ damaging structural adjustment, austerity, and privatized development funding policies imposed by Global North-dominated international financial institutions.⁴⁷ In recent years, national debt has sharply increased, including due to the economic impacts of COVID-19.⁴⁸

High national debt can prevent countries from investing in climate adaptation and resilience. The Jubilee Debt Campaign estimates that “lower income countries” spend five times more on debt than addressing climate disorder.⁴⁹ Some loans, such as “resource backed loans,” can trap countries into continued mining and fossil fuel production in order to meet their debt obligations.⁵⁰ Climate disorder is also deepening national debt. A significant portion of climate finance comes in the form of loans that increase indebtedness, forcing countries into a “climate debt trap.”⁵¹ High climate vulnerability—which, as Haiti so compellingly demonstrates, is itself the result of global injustice—also leads to higher interest rates on loans, further deepening debt.⁵² Barbados Prime Minister Mia Mottley has stated that “tackling natural disasters, and protecting the environment are the single most significant causes for increases in our debt.”⁵³

There have been past national debt forgiveness efforts.⁵⁴ For instance, Haiti is one of 37 countries to have received debt forgiveness under the Heavily Indebted Poor Countries (HIPC) initiative, established by the World Bank, International Monetary Fund, and other creditors in 1996.⁵⁵ Debt forgiveness alleviated the economic shock of the 2010 earthquake in Haiti, and yet it did not go far enough.⁵⁶ Further, debt cancellation is often conditioned on adopting austerity measures that prevent governments from providing key social services, such as public health.⁵⁷

Today, Haiti is considered at high risk of external debt distress.⁵⁸ Government debt was equivalent to 25 percent of GDP in 2023.⁵⁹ Other countries in the region are even more indebted: government debt in Latin America and the Caribbean was an average of 73 percent of national GDP in 2023.⁶⁰

Satisfaction and Guarantees of Non-Recurrence

Satisfaction and guarantees of non-recurrence are also a significant focus for reparations advocates, even if that precise terminology is not used. Satisfaction for climate and racial injustice could, for example, include requiring those who owe reparations to share the truth about what governments and companies knew about the risks of climate harms and to make public apologies.⁶¹ It may also require sanctioning those who committed harm.

Non-recurrence is perhaps the most far-reaching form of reparation and the one that can most intuitively be understood as advancing a constructive reparations vision. It would require a structural shift in the exploitative systems that have created climate disorder and its inequalities, to ensure harm does not continue or recur. It could, for instance, involve changing laws, reforming global financial institutions and trade rules that perpetuate a racially unjust and extractivist global economy, and ensuring communities' ownership and control of economic resources. In this vein, Burkett stresses that in order to fully address climate disorder, reparations must involve aggressively cutting greenhouse gas emissions, including by changing the policies and practices that have created global climate disorder in the first place.⁶²



Climate Migration as Reparations

Climate disorder displaces more people each year.⁶³ The majority of climate migrants remain in their home country and are classified as internally displaced.⁶⁴ In 2022, at least 32.6 million people were internally displaced due to climate and environmental disasters.⁶⁵ Among those who depart across international borders, most remain in neighboring countries. As climate migration increases, people may attempt to move in greater numbers from the Global South to the Global North, which is better equipped to confront the crisis it has largely created.⁶⁶ But Global North states often deny entry to climate migrants, and, as outlined in Chapter I, international law does not currently recognize climate migrants as a distinct category for protection.⁶⁷

Scholars and activists increasingly identify migrant rights as a component of reparations. Carmen Gonzalez has identified three legal justifications for understanding migration as reparation. First, the right to self-determination supports subordinated peoples to determine their destiny, including by migrating.⁶⁸ Second, as discussed in the sections below, the customary international law obligation to refrain from causing transboundary environmental harm grounds a right to reparation—the harm in question being the Global North’s contribution to climate disorder and interventions that have undermined the Global South’s climate resilience and shaped the climate vulnerability of countries such as Haiti.⁶⁹ Third, migration as reparation is consistent with the international principle of common but differentiated responsibilities, which considers each state’s contribution to environmental problems and its ability to prevent or mitigate the harm.⁷⁰

Moreover, the right to migrate may be seen not only as a form of reparation but also as a necessary component of meaningful decolonization. E. Tendayi Achiume argues that former colonial states must admit “economic migrants” from their former colonies to compensate for their role in destabilizing and making the Global South dependent on the Global North from the colonial era onwards.⁷¹ As migration—including climate migration—is the practice of self-determination by formerly colonized peoples, it is effectively decolonization.⁷²

Scholars have offered creative proposals for advancing a reparative approach to climate migration—for example, Bayes Ahmed’s “climate refugee settlement model.”⁷³ The model’s four parameters include per capita CO₂ emissions, per capita gross national income, human development index, and per capita planet’s resource consumption.⁷⁴ These calculations would be used to determine the number of climate migrants that states responsible for climate disorder are responsible for absorbing and protecting.⁷⁵ Clare Heyward suggests a Passport for the Territorially Dispossessed⁷⁶, which would be distributed to those dislodged from their homes, particularly small island states, and which would obligate all states to accept and naturalize those in possession of it.⁷⁷

The ideas discussed in this section are, of course, not exhaustive or prescriptive. They represent some of the concrete interventions that reparations to respond to climate injustice could involve. The eventual content and form of reparations must be determined by the Haitian people. A reparations agenda for Haiti need not, and likely should not, be entirely focused on addressing climate injustice. Other harms flow from colonization, slavery, and ongoing racial injustice that ground distinct forms of reparation. There is no one formula for reparations; reparations may take multiple forms, emerging from the “recognition of everyone’s right to pursue the political programs that fit their situation, culture and values.”⁷⁸

B. Legal Rationales for Reparations to Haiti

As discussed in the section above, reparations are not only a legal demand but also a moral and political one. Outlining the legal arguments for reparations to Haiti does not necessarily tell us what the content of a reparations program should include. Further, legal strategies such as litigation may not always be the most appropriate tactics for advancing reparations. Yet, legal claims are important, and they can buttress political negotiations and popular movements. This section introduces key legal rationales for reparations to Haiti to address climate justice. It focuses on international law and, notably, omits claims litigated in domestic courts against corporations for historic emissions.⁷⁹

Under international law, breach of an international legal obligation is the basis for reparations. International law establishes that a party damaged by a legal violation is entitled to reparations and that the wrongdoer is responsible for providing that repair.⁸⁰ There are at least three forms of legal violation at play in Haiti’s experience of climate injustice that may ground reparations claims (the first two of which violations rely on arguments for reparations that exist even without the reality of climate disorder—but that are strengthened by an analysis of climate injustice). First, the historical and ongoing racism that has constructed Haiti’s climate vulnerability, violating the legal prohibition on racial discrimination and equality. Second, the particularly egregious way that racism impoverished Haiti and made it more climate vulnerable, while enriching former colonizers and financial institutions: the country’s payment of an unlawful independence ransom to France. Third, excess emissions by Global North states in violation of the “no harm” rule under international law. The following subsections examine each of these arguments in turn.

1. Racism Contributed to Haiti's Climate Vulnerability, Violating International Law

Haiti is due reparations because racist policies and actions by Global North powers, from colonization onwards, have played a significant role in creating and maintaining the country's climate vulnerability and, thus, the human rights violations Haitian people experience.

As discussed throughout this report, racism is a critical determinant of climate and environmental harms today.⁸¹ Black and brown people—who often live in racial sacrifice zones, as outlined in Chapter I—bear the brunt of pollution, biodiversity loss, and climate change. Systemic racism—including its manifestations in neocolonial interference and the global extractivist economy—denies Black and brown people their economic and social rights and makes them more vulnerable to climate harms. Importantly, as is recognized in international human rights law, these present-day racially discriminatory rights violations have roots in colonialism, slavery, and the racial inequities they entrenched.⁸² This context implicates Global North actors, particularly former colonial powers, who perpetuated these racist systems.

International Law Prohibits Racism

The prohibition on racial discrimination is a peremptory norm of human rights law, meaning that it cannot be deviated from in any circumstances.⁸³ It is also a norm of customary international law.⁸⁴ States breach this obligation when they take racially discriminatory actions and when they fail to adopt measures to prevent, diminish, and eliminate racial discrimination, including structural racial discrimination. States must take concrete measures to realize substantive racial equality.⁸⁵ Violation of these duties creates an obligation to provide reparations for harms suffered as a result.⁸⁶ Applying these obligations, the former UN Special Rapporteur on racism has argued that Global North states may owe reparations for the violations of international law inherent in colonialism and slavery and for racially discriminatory human rights violations stemming from global climate disorder that are rooted in colonialism, slavery, and other forms of historical racial subordination.⁸⁷

A Nation Limited by Racism

Haiti is the exemplary case for reparations on this basis, as its experience of climate disorder is defined by race—or, more precisely—racism. As discussed in Chapter II, Haiti is the only country in the world born of a successful revolution of enslaved and captive African people. Haiti's vulnerability to climate disorder results in part from racial oppression: colonialism, slavery, a century of post-independence diplomatic and economic marginalization, continuing extractivism, and political interference from the Global North.⁸⁸ The ways in which Haiti's climate vulnerability has been constructed by racism underscore the deep connection between the case for climate reparations and the case for reparations for colonialism, slavery, and their persistent impacts. Though this report focuses on Haiti, this argument may also support claims for reparations from other Caribbean and Global South states.

The Limits and Potential of Human Rights Law

Grounding a claim for reparations against Global North actors based on racial discrimination requires identifying discriminatory rights violations from climate disorder, linking them to constructed climate vulnerability, and identifying causal links between historically wrongful, racist actions perpetrated by Global North actors and the discriminatory impacts of climate disorder today.⁸⁹ This is a complex endeavor. Moreover, as discussed in Chapter I, human rights law predominantly establishes duties on states to their own populations, rather than on one state to the population of another, except in cases where a state exercises “effective control” over a population other than its own.⁹⁰ Arguments for reparations that rely on human rights law require stretching the human rights framework, which has not traditionally been oriented toward redressing transnational wrongdoing. Nonetheless, in Haiti’s case it is clear, as set out in Chapter II, that racist actions by (at a minimum) the governments of France and the United States when they exercised control over Haiti have concretely contributed to the country’s present climate vulnerability and the rights violations Haitian people experience.⁹¹

Overcoming Barriers in International Law

It is important to note another international legal barrier to securing reparations for Haiti: the principle of intertemporality. The intertemporal principle provides that states are responsible only for acts that were legally wrongful at the time that they were committed.⁹² Colonialism, slavery, and racial discrimination were not always illegal under international law at the time they were perpetrated by colonizing states. However, there are exceptions to the intertemporal principle, including, as stated by the former UN Special Rapporteur on racism, “when: (a) an act is ongoing and continues to a time when international law considered the act to be a violation; or (b) the direct ongoing consequences of the wrongful act extend to a time when the act and its consequences are considered internationally wrongful.”⁹³ In the case of Haiti, the direct and ongoing consequences of historical injustice—including systemic racial discrimination and other human rights violations that disproportionately harm Haitian people—have extended into a time when international law prohibits colonialism, slavery, and acts of racial subordination. The rights violations caused by climate and racial injustice today can, as discussed above, be understood at least in part as the continuation or direct consequence of historic violations, arguably satisfying an exception to the principle of intertemporality and creating the possibility of a path for reparations.⁹⁴

2. Haiti's Unlawful Independence Ransom

Haiti's independence ransom creates an additional, unique argument for reparations. As discussed in Chapter II, in 1825 France offered Haiti an exchange: in return for diplomatic recognition, the Haitian government would owe France a monetary debt. This independence ransom cost the country at minimum \$21 billion in present-day dollars and may have led to a loss of revenue of up to \$115 billion.⁹⁵ The ransom strangled the country's economy, contributing to Haiti's lack of capacity to lessen climate harms and adapt to climate disorder. In the late nineteenth and early twentieth centuries, while other countries in the region were investing in public works essential to climate resilience, including infrastructure and public health systems,⁹⁶ Haiti was using its tax revenue to pay down debt.⁹⁷

Unjust Enrichment

Haiti's independence ransom is a clear example of how the racist policies and interventions of Global North powers constructed climate vulnerability. In addition, the independence ransom may constitute illegal and unjust enrichment by France at Haiti's expense. The 1825 agreement imposed by France was an international agreement that was arguably illegal even under international law as it existed at the time.⁹⁸ The primary basis for this theory is that the agreement was signed in a context of threats and coercion by France,⁹⁹ notably the threat of re-invading Haiti for the purpose of re-establishing slavery.¹⁰⁰ The agreement was null and void because it was concluded in circumstances contrary to international "public order" or public morality of the time: namely, the threat of re-establishment of slavery in a sovereign country that had abolished it.¹⁰¹ On this basis, all payments made by Haiti under the agreement were illegal, and France has an obligation to reconstitute the amount paid and any benefits obtained as a result of the illegal agreement.¹⁰²

Advancing Claims for Restitution and Reparations

As with claims for reparations for slavery and colonialism, Haiti's claim for reparations on the basis of its independence ransom—including but not limited to restitution of the amount paid—stands alone and would exist regardless of the climate harms experienced by Haitian people. At the same time, the role of the independence ransom in constructing Haiti's present climate vulnerability supports the country's claim to reparations, and the transfer of resources that reparations would entail could help diminish the worst harms of climate disorder.

There were serious efforts to advance the case for restitution of the independence ransom under Haitian president Jean-Bertrand Aristide in 2003. Evidence suggests that these efforts may have contributed to the 2004 coup against him.¹⁰³ The claim for restitution of the independence ransom also faces legal questions—notably, which international or national court would have jurisdiction to hear it, and whether the substantial period of time elapsed since the wrongdoing would render it moot. However, Haiti's claim for restitution of the ransom is a powerful argument for reparations, legally and morally.

3. Excess Emissions Violate International Law

The “No Harm” Rule and Climate Disorder

Haiti may also be eligible for reparations under the “no harm” rule of international law, which provides a rationale for reparations that is specific to climate disorder and grounded in countries’ responsibility for greenhouse gas emissions. While emitting dangerous levels of greenhouse gases is not illegal per se, countries that fail to take appropriate actions to limit greenhouse gas emissions may violate the “no harm” rule, which requires states to “take appropriate steps to prevent significant harm to other states and the global environment.”¹⁰⁴

In the context of climate disorder, states may have violated the “no harm” rule “if they failed to evaluate and minimize the risks of causing climate change in a manner reflecting the existential threat and their capacity to prevent it, at least from the time that harm from climate disorder was foreseeable.”¹⁰⁵ Each state that breaches its duty to prevent harm is obligated to repair that harm, by compensating injured parties, ceasing the act causing harm, and/or ensuring non-repetition of the harm.¹⁰⁶

Limitations of the “No Harm” Rule: Foreseeability and Reasonable Action

It is challenging to prove that the “no harm” rule has been violated. Actors must first show that the harm was foreseeable. Companies and governments debate at what moment climate harms became “foreseeable,” although it appears that as early as the 1970s scientists and corporate analysts warned of the risks of the planet warming.¹⁰⁷ As such, claims relying on the “no harm” rule are likely limited to harms that have occurred as a result of emissions since that time.¹⁰⁸ The narrowness of this time period grounds an argument for reparations that is not based on colonialism, slavery, and other historical racial injustice—although, as discussed, former colonial powers are often the states with the greatest emissions. What constitutes appropriate or reasonable action to “evaluate and minimize the risks” of climate disorder also depends on specific facts, including what capacity and resources a given country had to address climate disorder.¹⁰⁹

Scholars arguing for the application of the “no harm” rule as an avenue for reparations have underscored that it is an inadequate tool for fully repairing the harms of climate disorder and that it demonstrates the limits of current international law.¹¹⁰ At the same time, it is an entry point for establishing the legal obligation to make reparations¹¹¹ and creates a framework for allocating responsibility.¹¹² Though it is not grounded in responsibility for historical racial injustice, it is likely to establish obligations on Global North states most responsible for colonialism, slavery, and ongoing racial discrimination.

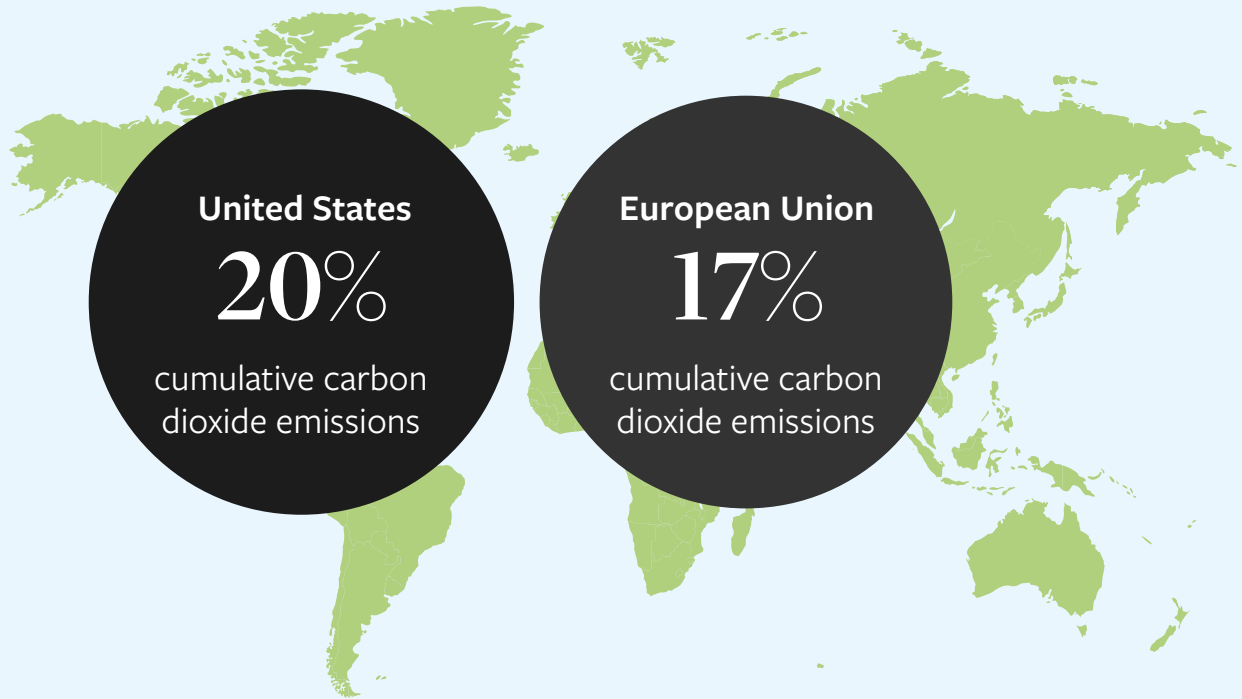
Applying the “No Harm” Rule

Applying the “no harm” rule, Global North states with the highest and most disproportionate emissions may owe reparations to other states, including Haiti.¹³ Global North states are principally responsible for CO₂ emissions over time: the United States is responsible for 20 percent of cumulative CO₂ emissions and the European Union for 17 percent. Ninety transnational corporations, most of which are headquartered in the Global North, are responsible for 63 percent of industrial emissions from 1751 to 2010.¹⁴ Though climate harm became “foreseeable” for different states at different times, Global North governments and companies have made climate disorder worse even since the harm became universally and irrefutably foreseeable. Global North countries continue to emit the majority of greenhouse gas emissions on a per capita basis.¹⁵ Any fair determination of which nations or peoples should receive reparations based on this argument would include Haiti, which is among the five countries most impacted by climate change and yet has contributed less than 0.01 percent to global greenhouse gas emissions.¹⁶



Who is most Responsible?

Global North states are principally responsible for carbon dioxide emissions over time



Ninety transnational corporations, most of which are headquartered in the Global North, are responsible for 63% of industrial emissions from 1751 to 2010.

C. The Path Forward

Haiti is due reparations, and each of the legal rationales presented above may contribute to the case. Each rationale also has legal weaknesses, some of which point to inequities reinforced by international law. Successful legal cases for reparations may require not only creatively applying but also profoundly reforming international law. As the former UN Special Rapporteur on racism has argued:

“

To the extent that contemporary international legal principles present barriers to historical responsibility for climate change, United Nations Member States must decolonize or transform this law in a manner that makes it capable of guaranteeing genuine equality and self-determination for all peoples. Reparations, which entail equitable international economic, political and legal frameworks, are a precondition for reorienting the global order away from ecological crisis.”¹¹⁷

Each rationale presented in this chapter highlights not only a legal argument but also the moral case for reparations to Haiti to address climate injustice and its fundamental ties to racial injustice. As discussed in the opening sections of this chapter, reparations are more than a legal demand. Reparations also provide “an overarching frame for an ethic, and practical measures” to address climate injustice.¹¹⁸ To increase the chance of securing reparations for Haiti, advocates will likely need to advance a number of frameworks and arguments, and highlight the urgent necessity of addressing and repairing climate injustice. Advocates, activists, and allies must encourage research, policy proposals, political negotiations, and litigation. Haitian activists and organizations engaged in efforts to advance reparations are already thinking along these lines, working to build networks with lawyers, racial justice movements, scholars, and advocates globally.

As discussed earlier in this chapter, it also seems clear that meaningful reparations must seek to transform the racially exploitative legal, economic, and political structures that have created climate disorder and shape how Haitian people experience climate harm. This transformation will involve going beyond what would traditionally be thought of as legal remedies to embrace a more expansive and, in Táíwò’s words, constructive vision of what reparations can entail.

Haitian people must lead efforts to develop a concrete reparations agenda and determine the inclusive process necessary to advance reparations demands. The perspectives in this chapter are intended to provide helpful starting points to think seriously and creatively about the importance of, and the case for, reparations to Haiti. Actors outside Haiti can, and should, offer solidarity but must not drive the strategy or timeline. Reparations are a process as well as an outcome, and developing and advancing a reparations agenda will require broad participation, debate, and mobilization. Inclusive progress is key. Reparations may provide an opportunity for those most affected by climate and racial injustice—people who have long been excluded from the decision-making that determines the global political, economic, and thus climate reality—to participate in a constructive project for change. Ultimately, it is Haitian people who will determine what reparations should concretely entail, identify appropriate strategies, and lead in advancing reparations demands.



Sunset, Northwest Haiti. Credit: Ellie Happel.

D. Conclusion

The climate injustice experienced by Haitian people is extreme, and efforts to confront it are urgent. As this report has argued, confronting climate injustice—including Haiti’s climate vulnerability, the human rights violations that Haitian people experience from climate disorder, and the reality of climate disorder itself—requires grappling with the racism at its core.

Effectively responding to this reality will require committed, persistent, and creative efforts at the local, national, and transnational levels. Haitian communities, social movements, and organizations have begun this work: experimenting with strategies to live with and adapt to climate disorder; demanding systemic change to advance self-determination and environmental and economic justice; and, increasingly, organizing for reparations. This report aims to provide information that will be useful to their work, while encouraging actors outside of Haiti, including climate researchers, campaigners, and funders, to prioritize and support local efforts to define and pursue climate justice. Haitian movements must inform and guide what is, necessarily, a global effort. As this report emphasizes, the actors most responsible for and best able to redress climate injustice are outside of Haiti.

Critically, this report also intends to catalyze debate on, and support the case for, reparations to Haiti. It hopes to underscore that Haiti is an exemplary case and that advancing reparations for Haiti can contribute to, and build momentum for, growing global efforts toward climate justice and reparations across the Caribbean and Global South more broadly. It is a stepping stone for deeper collaboration and action, always in solidarity with the Haitian communities and organizations who must be the ones to lead the way forward.

Endnotes

- 1 OLÚFÉMI O. TÁÍWÒ, RECONSIDERING REPARATIONS 147 (2022).
- 2 Marlene Daut, *When France extorted Haiti—the greatest heist in history*, THE CONVERSATION (June 30, 2020, 8:18 AM), <https://theconversation.com/when-france-extorted-haiti-the-greatest-heist-in-history-137949>.
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- 6 See discussion of the Loss and Damage Fund in Chapter III: Grappling with Climate Injustice at pp. 84; the Loss and Damage Fund originated through decisions 2/CP.27 and 2/CMA.4, made by the COP and the COP serving as the Meeting of the Parties to the Paris Agreement (CMA), which established new funding arrangements for assisting developing countries that are particularly vulnerable to the adverse effects of climate change and responding to the loss and damage they face. See UNFCCC COP, *Report of the Conference of the Parties on its twenty-seventh session, held in Sharm el-Sheikh from 6 to 20 November 2022. Addendum. Part two: Action taken by the Conference of the Parties at its twenty-seventh session*, Dec. 2/CP.27, UN Doc. FCCC/CP/2022/10/Add.1 (Mar. 17, 2023); UNFCCC CMA, *Report of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on its fourth session, held in Sharm el-Sheikh from 6 to 20 November 2022. Addendum. Part two: Action taken by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fourth session*, Dec. 2/CMA.4, FCCC/PA/CMA/2022/10/Add.1 (Mar. 17, 2023).
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- 8 UNFCCC Art. 3, May 9, 1992, S. Treaty Doc No. 102-38, 1771 UNTS 107.
- 9 This is not to diminish the vital resistance and contestation of climate injustice that occurs at COP, within the negotiations and from global civil society. This work has led to essential yet insufficient gains. See e.g., Nick Robins, *COP28: The irresistible rise of the just transition*, LSE (Dec. 19, 2023), <https://www.lse.ac.uk/granthaminstitute/news/cop28-the-irresistible-rise-of-the-just-transition/>.
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- 11 Roxana Bardan, *NASA Analysis Confirms 2023 as Warmest Year on Record*, NASA, (Jan. 12, 2024), <https://www.nasa.gov/news-release/nasa-analysis-confirms-2023-as-warmest-year-on-record/>.
- 12 Press Release, UN Environment Programme, *Nations must go further than current Paris pledges or face global warming of 2.5-2.9°C*, (Nov. 20, 2023), <https://www.unep.org/news-and-stories/press-release/nations-must-go-further-current-paris-pledges-or-face-global-warming>.
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- 19 *Id.*, at 14-15; see Kelly Sims Gallagher, *Analysis of International Funding for Haiti’s Climate Change Priorities*, SSRN ELEC. JOUR., Jan. 29, 2019, at 1, 11-13, https://www.researchgate.net/profile/Mieke-Van-Der-Wansem/publication/331493051_Analysis_of_International_Funding_for_Haiti’s_Climate_Change_Priorities/links/5dc06d7c299bfa47b153d64/Analysis-of-International-Funding-for-Haitis-Climate-Change-Priorities.pdf (discussing Haiti’s funding instruments and issues meeting priorities due to international donor preferences).
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- 87 *Id.*, 52-60, <https://promiseinstitute.law.ucla.edu/wp-content/uploads/2024/02/IACtHR-Climate-Emergency-Amicus-Brief.pdf>; E. Tendayi Achiume (Special Rapporteur on racism), *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance*, UN Doc A/74/321 (Aug. 21, 2019), 22-23, <https://documents.un.org/doc/undoc/gen/m19/259/38/pdf/m1925938.pdf>.
- 88 See the discussion of Haiti’s relevant history and continued extractivism and interference in Chapter II.
- 89 The Intergovernmental Panel on Climate Change refers to adaptive capacity as “the potential or ability of a system, region, or community to adapt to the effects or impacts of climate change.” See Barry Smit et al., *Adaptation to Climate Change in the Context of Sustainable Development and Equity*, in *CLIMATE CHANGE 2001: IMPACTS, ADAPTATION, AND VULNERABILITY* 881-882 (James J. McCarthy et al., 2001), <https://archive.ipcc.ch/ipccreports/tar/wg2/pdf/wg2TAR-chap18.pdf>; Olúfémi O. Táíwò & Beba Cibralic, *The Case for Climate Reparations*, FOREIGN POL’Y, (Oct. 10, 2020), <https://foreignpolicy.com/2020/10/10/case-for-climate-reparations-crisis-migration-refugees-inequality/>.
- 90 See UN Hum. Rts. Comm., General Comm. No. 36, CCPR/C/GC/36, ¶¶ 22, 63 (Sept. 3, 2019); see also Lea Raible, *Between facts and principles: jurisdiction in international human rights law*, 13 JURIS. 52, 53 (2021), <https://www.tandfonline.com/doi/epdf/10.1080/20403313.2021.1990597>.
- 91 An analog can arguably be found in Nauru’s arguments before the International Court of Justice in *Certain Phosphate Lands in Nauru (Nauru v. Australia)*, arguing that Australia had breached general principles of international law, including the right to self-determination, during the time it “administered” Nauru under the UN Trusteeship system, in particular by failing to rehabilitate lands exploited for phosphate mining. See *Certain Phosphate Lands in Nauru (Nauru v. Aus.)*, 1989 ICJ Pleadings 80, ¶ 30 (May 19), <https://www.icj-cij.org/sites/default/files/case-related/80/6653.pdf>.
- 92 E. Tendayi Achiume (Special Rapporteur on racism), *Report on the Ecological Crisis, Climate Justice and Racial Justice*, ¶¶ 75-82, UN Doc A/77/549 (Oct. 25, 2022); see also E. Tendayi Achiume (Special Rapporteur on racism), *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance*, ¶ 13, 19, UN Doc A/74/321 (Aug. 21, 2019), <https://documents.un.org/doc/undoc/gen/m19/259/38/pdf/m1925938.pdf>.
- 93 E. Tendayi Achiume (Special Rapporteur on racism), *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance*, ¶ 32, UN Doc A/74/321 (Aug. 21, 2019), <https://documents.un.org/doc/undoc/gen/m19/259/38/pdf/m1925938.pdf>. This approach to intertemporality has been relied on by, *inter alia*, the Permanent Mission of the Republic of Sierra Leone to the United Nations in its submission to the UN General Assembly for the proposition that UN Member States must “do more to explore the application of the intertemporal principle’s exceptions, especially as a mechanism for overcoming overstated legal hurdles to the pursuit of racial justice” (citing A/74/321); see Permanent Rep. of Sierra Leone to the UN, Statement dated April 13, 2023 from the Permanent Rep. of Sierra Leone to the United Nations ¶¶ 13-18 (Apr. 13, 2023), https://www.un.org/en/ga/sixth/77/pdfs/statements/cah/44mtg_sierraleone_5.pdf. Regarding ongoing wrongful acts, Judge Patrick Robinson has argued that chattel slavery constitutes a continuing wrongful act because “the discriminatory practices that characterised chattelization continued after the formal termination of transatlantic chattel slavery ... what has continued is the wrongful act of discriminatory treatment against Black people, and not merely the effects or consequences of such an act.” See Coleman D. Bazelon et al., *Report on Reparations for Transatlantic Chattel Slavery in the Americas and the Caribbean*, BRATTLE, 10-11 (June 8, 2023), <https://www.brattle.com/wp-content/uploads/2023/07/Report-on-Reparations-for-Transatlantic-Chattel-Slavery-in-the-Americas-and-the-Caribbean.pdf>.
- 94 E. Tendayi Achiume (Special Rapporteur on racism), *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance*, UN Doc A/74/321 (Aug. 21, 2019), ¶¶ 32, 49-50, <https://documents.un.org/doc/undoc/gen/m19/259/38/pdf/m1925938.pdf>; World Conference Against Racism, Racial Discrimination, Xenophobia and Related Violence, *Durban Declaration and Plan of Action* ¶¶ 57, 122 (Sept. 8, 2001).
- 95 Catherine Portal et al., *The Root of Haiti’s Misery: Reparations to Enslavers*, N.Y. TIMES (Nov. 16, 2022), <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html>.
- 96 Matt Apuzzo et al., *How a French Bank Captured Haiti*, N.Y. TIMES (May 26, 2022), <https://www.nytimes.com/2022/05/20/world/french-banks-haiti-cic.html>.

- 97 At the time, coffee was Haiti's most important export; 80 percent of Haiti's tax revenue from coffee went to paying the debt. See Catherine Porter et al., *The Root of Haiti's Misery: Reparations to Enslavers*, N.Y. TIMES (Nov. 16, 2022), <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html>; Catherine Porter et al., *The Ransom: A Look under the Hood*, N.Y. TIMES (May 22, 2022), <https://www.nytimes.com/2022/05/20/world/americas/haiti-bibliography.html>.
- 98 Günther Handl, *Redress for Historical Injustices: Haiti's Claim for the Restitution of post-Independence Payments to France*, 55 UNIV. MIAMI INTER-AM. L. REV. 48 (2023), 53-57, and generally, <https://repository.law.miami.edu/cgi/viewcontent.cgi?article=2672&context=umialr>.
- 99 Some scholars provide that the ruling elite in Haiti, including President Boyer, identified self-interest in the debt. See reference in Günther Handl, *Redress for Historical Injustices: Haiti's Claim for the Restitution of post-Independence Payments to France*, 55 UNIV. MIAMI INTER-AM. L. REV. 48 (2023), 55, <https://repository.law.miami.edu/cgi/viewcontent.cgi?article=2672&context=umialr> and in detail in ALEX DUPUY, *RETHINKING THE HAITIAN REVOLUTION: SLAVERY, INDEPENDENCE, AND THE STRUGGLE FOR RECOGNITION* (2019), 95-97 130-131.
- 100 See remarks by Günther Handl, see University of Miami Inter-American Law Review, *Haiti: Reparations & Restitution, Panel II: Legal Claims & Economic Remedies*, ECHO360 at 22:00 (March 24, 2003), <https://echo360.org/media/df600a1f-2144-4ba5-a9b1-17f2b4694c5b/public>.
- 101 See Günther Handl, *Redress for Historical Injustices: Haiti's Claim for the Restitution of post-Independence Payments to France*, 55 UNIV. MIAMI INTER-AM. L. REV. 48 (2023), 54-64, <https://repository.law.miami.edu/cgi/viewcontent.cgi?article=2672&context=umialr>.
- 102 See remarks by Günther Handl, see University of Miami Inter-American Law Review, *Haiti: Reparations & Restitution, Panel II: Legal Claims & Economic Remedies*, ECHO360 at 22:00 (March 24, 2003), <https://echo360.org/media/df600a1f-2144-4ba5-a9b1-17f2b4694c5b/public>; Günther Handl, *Redress for Historical Injustices: Haiti's Claim for the Restitution of post-Independence Payments to France*, 55 UNIV. MIAMI INTER-AM. L. REV. 48, 64-66 (2023), <https://repository.law.miami.edu/cgi/viewcontent.cgi?article=2672&context=umialr>.
- 103 Catherine Porter et al., *The Root of Haiti's Misery: Reparations to Enslavers*, N.Y. TIMES (Nov. 16, 2022), <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html>.
- 104 Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in *DEBATING CLIMATE LAW* 170, 178 (Benoît Mayer & Alexander Zahar eds., 2021).
- 105 *Id.*; see also Sandra Maljean Dubois, *The No Harm Principle as the Foundation of International Climate Law*, in *DEBATING CLIMATE LAW*, 15 (Benoît Mayer & Alexander Zahar eds., 2021).
- The treaties that aim to regulate climate change do not preclude the application of general principles of international law to state responsibility for climate disorder.
- 106 While it is likely not necessary to show that a particular country's actions directly caused a climate impact to show a violation of the "no harm" rule, what remedies a claimant can concretely secure using the "no harm" rule will require showing that the particular harm they suffered was the result of climate disorder and that the relevant country's actions contributed to climate disorder. See Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in *DEBATING CLIMATE LAW* 170, 180-181 (Benoît Mayer & Alexander Zahar eds., 2021); Sandra Maljean Dubois, *The No Harm Principle as the Foundation of International Climate Law*, in *DEBATING CLIMATE LAW* 15 (Benoît Mayer & Alexander Zahar eds., 2021).
- Determining that climate disorder is the cause of specific weather events and harms is challenging, though advances in climate and source attribution may help overcome some of these challenges. See Jacqueline Peel, Chapter 3: Unpacking the elements of a state responsibility claim for transboundary pollution, in *TRANSBOUNDARY POLLUTION* 51, 58 (S. Jayakumar et al., 2015); *Yale Experts Explain Climate Lawsuits*, YALE SUSTAINABILITY (Aug. 16, 2023), <https://sustainability.yale.edu/explainers/yale-experts-explain-climate-lawsuits> (defining climate attribution as the extent to which we can link climate impact to human-caused greenhouse gas emissions and source attribution as the extent to which we can link climate impact to a specific party—i.e., a government, company, or individual).
- 107 Alice McCarthy, *Exxon disputed climate findings for years. Its scientists knew better*, THE HARVARD GAZETTE (Jan. 12, 2023), <https://news.harvard.edu/gazette/story/2023/01/harvard-led-analysis-finds-exxonmobil-internal-research-accurately-predicted-climate-change/>.
- 108 Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in *DEBATING CLIMATE LAW* 170, 186 (Benoît Mayer & Alexander Zahar eds., 2021); MARGARETHA WEWERINKE-SINGH, *STATE RESPONSIBILITY FOR HUMAN RIGHTS VIOLATIONS ASSOCIATED WITH CLIMATE CHANGE*, 11 (2019).
- 109 Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in *DEBATING CLIMATE LAW* 170, 179 (Benoît Mayer & Alexander Zahar eds., 2021).
- 110 *Id.* generally.

- 111 *Id.* at 182-184.
- 112 See generally Maxine Burkett, *Climate Reparations*, 10 MEL. J. INT'L L. 509 (2009).
- 113 Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in DEBATING CLIMATE LAW 170, 178 (Benoît Mayer & Alexander Zahar eds., 2021).
- 114 E. Tendayi Achiume (Special Rapporteur on racism), *Report on the Ecological Crisis, Climate Justice and Racial Justice*, ¶¶ 4-5, UN Doc A/77/549 (Oct. 25, 2022). The “no harm” rule also requires states to regulate the conduct of private actors under their control or jurisdiction; see ¶ 44.
- 115 Recent research has concluded that the Global North has already overshoot its “collective fair share of the [remaining] 1.5°C “carbon budget” 2.5 times and may increase its overshoot to 4 times over its fair share by 2050 [absent ambitious mitigation]”; see Andrew L. Fanning & Jason Hickel, *Compensation for atmospheric appropriation*, 6 NAT SUSTAINABILITY 1077, 1079 (2023).
- 116 Hannah Ritchie & Max Roser, *Haiti: CO2 Country Profile*, OUR WORLD IN DATA (2020), <https://ourworldindata.org/co2/country/haiti>.
- 117 E. Tendayi Achiume (Special Rapporteur on racism), *Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance*, ¶ 50, UN Doc A/74/321 (Aug. 21, 2019), <https://documents.un.org/doc/undoc/gen/n19/259/38/pdf/n1925938.pdf>; Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in DEBATING CLIMATE LAW 170, 186 (Benoît Mayer & Alexander Zahar eds., 2021).
- 118 Sarah Mason-Case & Julia Dehm, *Redressing Historical Responsibility for the Unjust Precarities of Climate Change in the Present*, in DEBATING CLIMATE LAW 170, 187 (Benoît Mayer & Alexander Zahar eds., 2021).

Haitian Organizations Consulted

Action pour la Reforestation et la Défense de l'Environnement: *Action pour la Reforestation et la Défense de l'Environnement* (Action for Reforestation and Defense of the Environment – AREDE) is a community-based organization in the Northeast Department of Haiti focused on environmental justice, inclusive development, and peasants' rights.¹

Batay Ouvriye: *Batay Ouvriye* (Workers' Struggle) is a Haitian labor movement made up of peasant and working class unions and people. Batay Ouvriye supports workers and peasants to organize and demand respect for their rights.

Centre de Formation pour l'Entraide et le Développement Communautaire: *Centre de Formation pour l'Entraide et le Développement Communautaire* (Training Center for Mutual Aid and Community Development – CEFEDDEC) is a training center with nearly 100 members throughout Haiti. Members include teachers, farmers, economists, and activists. CEFEDDEC conducts education campaigns about climate change and agroecology.

Commission Épiscopale Nationale Justice et Paix: *Commission Épiscopale Nationale Justice et Paix* (National Episcopal Commission, Justice and Peace – CE-JILAP) is part of the Catholic Church, and works to promote and defend human dignity and human rights, and build peace in Haiti.²

Equal Health: Equal Health is a global community of health professionals, educators, and activists fighting for health justice. The Social Medicine Alumni Haiti (SMAH) is a Haitian organization part of Equal Health working toward health equity. Equal Health is grounded in social medicine, an approach to health that tackles the socioeconomic and political issues connected to illness and healing. Equal Health's Social Medicine Course brings together Haitian medical staff dedicated to building an efficient, just, and fair health system for all Haitians.³

Fondation Connaissance et Liberté/Fondasyon Konesans ak Libète: *Fondation Connaissance et Liberté* (Foundation for Knowledge and Liberty – FOKAL) supports leaders, projects, and communities to foster enduring transformation and construct a prosperous future for Haiti. Their programs include and promote art, culture, and environmental justice and well-being. FOKAL's project work includes climate justice and reparations.

Groupe d'Action Francophone pour l'Environnement: *Groupe d'Action Francophone pour l'Environnement* (Francophone Group of Action for the Environment – GAFE-Haiti) advocates for local development and environmental education in Haiti, social and ecological transformation, and local governance to ensure that communities are able to manage their own development. GAFE is committed to climate protection through the citizen movement *Alternatiba Haiti*, which brings together more than 34 local groups in various regions of Haiti to engage in “citizen actions” for the climate, for example through education. In 2019, GAFE published the *Pacte pour la Transition*

Écologique et Sociale (Pact for a Social and Ecological Transition), along with other civil society actors. This document is intended to serve as a guide for the next local elections in Haiti,

Groupe d'Appui aux Rapatriés et aux Réfugiés: The *Groupe d'Appui aux Rapatriés et aux Réfugiés* (Support Group for Returnees and Refugees – GARR) is a platform of Haitian civil society organizations working on migration. Established in 1991, GARR works to accompany and reintegrate Haitian people expelled from other countries, in particular the Dominican Republic, and engages in advocacy and efforts towards durable solutions. GARR also works with the internally displaced in Haiti.

Gwoup Konbit: *Gwoup Konbit*⁴ (Group Cooperative) is a national movement promoting the principles and spirit of *konbit*. *Gwoup Konbit* grew out of *Konbit Soley Leve*, born in Cité Soleil, Port-au-Prince.

Konbit Ekolojis Sid: *Konbit Ekolojis Sid* (Working Together for Ecology, South – KES) is an environmental rights organization based in Les Cayes, Haiti.⁵ KES is discouraging extractive activity in fertile areas in the south of Haiti.

Kolektif Jistis Min: *Kolektif Jistis Min* (Justice Mining Collective – KJM) is a Haitian social movement made up of dozens of peasant, human rights, and environmental rights organizations. Since 2012 KJM has been pushing for transparency and environmental justice in confronting international interests in Haiti's mining sector. KJM aims to educate communities on the impacts of mining on the environment, water, work, agriculture, and land.⁶

Ligue Alternative Justice: *Ligue Alternative Justice* (Alternative Justice League – LAJ) is a civil society organization that works on human rights, with a particular focus on the environment and the solidarity economy. LAJ was founded in 2020. Its strategic interventions include providing training and technical accompaniment for organizational capacity building, and engaging in mutual aid and solidarity activities.

Lite pou Demen Nou: *Lite pou Demen Nou* (Struggle for our Future – LIDE-N) is a youth organization that works to contribute to rural communities' self-determination. Through partnerships with youth and women's organizations and a focus on "Environment, Agriculture, Health" as one of its lines of intervention, LIDE-N promotes a model of agriculture that contributes to the protection of biodiversity and the renewal of natural resources, inspired by a vision of social and solidarity economy, and to strategies for mitigating and adapting to the consequences of climate change. In this context, they focus on crops with nutritional value, that support biodiversity, and that are appropriate to Haiti's agriculture.

Mouvman Peyizan Akil di Nò: *Mouvman Peyizan Akil di Nò* (Peasants' Movement of Akil di Nò – MPA) has worked with *peyizan* in the Akil di Nò commune since 1984. In 1992 MPA created a women's movement to defend women's rights in the context of rights violations and unequal access to natural resources, and in 1993 created a youth movement to defend young peoples' rights. Collectively these three entities make up MPA. MPA is a founding member organization of the *Mouvman Peyizan Nasyonal Kongre Papay* (MPNKP) and, through MPNKP, a member of the global Via Campesina movement.

Sektè Fanm, Mouvman Peyizan Papay: *Sektè Fanm, Mouvman Peyizan Papay* (Women’s Sector, Peasants’ Movement of Papaye – MPP) has been fighting to unite Haitian peasants in collective action for food sovereignty, social change, comprehensive agrarian reform, climate justice, and gender equality for nearly 50 years. MPP trains peasants, both men and women, to learn and use agroecological methods, preventative and natural community healthcare, and provides them with skills in climate change adaptation and community leadership.⁷

Solidarite Fanm Ayisyèn: *Solidarite Fanm Ayisyèn* (Haitian Women’s Solidarity – SOFA) is a Haitian feminist organization of approximately 10,000 members nationwide, 80% of whom are peasant women. For 38 years SOFA has addressed gender-based violence, women’s participation in decision making bodies, women’s health rights and the fight against the feminization of poverty (empowerment), including environmental questions from the perspective of equality and the protection and respect of women’s rights.⁸

Sosyete Kiltirèl Jèn Ayisyen: *Sosyete Kiltirèl Jèn Ayisyen* (Haitian Youth Cultural Society – SOKIJA) promotes the value of Haitian culture. SOKIJA includes musicians, actors, and other artists who use art and performance for social change. SOKIJA develops multimedia popular education materials on the impacts of mining and climate change, and the importance of food sovereignty.⁹

Tèt Kole Ti Peyizan: *Tèt Kole Ti Peyizan* or *Tèt Kole* (Haitian Peasants’ Heads Together - TK) is a national *peyizan* movement with presence throughout Haiti, primarily in rural areas. TK promotes sustainable agriculture, land rights, and peasant self-determination. TK was founded in 1986.

Union des Jeunes pour le Développement Social en Mission: *Union des Jeunes pour le Développement Social en Mission* (Union of Youth for Social Development in Mission-UJDS-EM) promotes children’s and youth rights in the municipality of Cité Soleil through education, awareness-raising activities, and advocacy with local authorities. UJDS-EM’s work focuses on sexual and reproductive health, gender-based violence, access to water, and environmental issues.

Endnotes

- 1 *Action pour la Reforestation et la Défense de l'Environnement (AREDE)*, NAMATI, <https://namati.org/network/organization/action-pour-la-reforestation-et-la-defense-de-lenvironnement-arede/> (last visited Dec. 2, 2024); see also Glob. Just. Clinic et al., *Collaborative Submission to the UN Special Rapporteur on Contemporary Forms of Racism*, CEN. FOR HUM. RTS. & GLOB. JUST., NYU LAW (June 20, 2022), <https://drive.google.com/file/d/1k5qZTY5HMPkuopTSGOhHZP-GUK3ZdNClw/view> [hereinafter Glob. Just. Clinic, *Submission to the Special Rapporteur on Racism*].
- 2 JUSTICE ET PAIX, <http://www.justicepaixhaiti.org.ht/> (last visited Jan. 20, 2023); see also Glob. Just. Clinic, *Submission to the Special Rapporteur on Racism*, 1.
- 3 *Our Partners: Social Medicine Alumni of Haiti*, EQUAL HEALTH, <https://www.equalhealth.org/our-partners> (last visited Dec. 2, 2024); see also Glob. Just. Clinic, *Submission to the Special Rapporteur on Racism*, 1.
- 4 Roots of Development Gwoup Konbit, <https://rootsofdevelopment.org/gwoup-konbit/> (last visited Dec. 2, 2024).
- 5 See also Glob. Just. Clinic, *Submission to the Special Rapporteur on Racism*, 1.
- 6 *The Kolektif Jistis Min*, HAITI MINING, <http://haitimining.weebly.com/about-kjm.html> (last visited Jan. 20, 2023); see also Glob. Just. Clinic, *Submission to the UN Special Rapporteur on Racism*, 1.
- 7 MOUVMAN PEYIZAN PAPAY, <https://www.mpphaiti.org/?lang=en> (last visited Jan. 20, 2023); see also Glob. Just. Clinic, *Submission to the UN Special Rapporteur on Racism*, 1.
- 8 SOLIDARITE FANM AYISYÈN, <https://sofahaiti.org/> (last visited Feb. 1, 2023).
- 9 See also Glob. Just. Clinic, *Submission to the UN Special Rapporteur on Racism*, 2.

Glossary: Key Terms

Agroecology: Agroecology encompasses an alternative approach to food production and harmonious relationship with the land, through sustainable farming that works with nature and alternative economic systems.¹ Agroecology is sometimes defined as the application of the science of ecology to agriculture.² Politically and ideologically, agroecological approaches are opposed to large-scale industrial farming and envisage leadership by farmers.³ Agroecology as “a science, a set of practices and a social movement” attempts to harmonize the interactions between living beings and address the importance of socially equitable food systems that prioritize quality and choice over production and consumption.⁴ The global climate crisis and growing food insecurity have renewed focus on agroecology as a solution.⁵

Adaptation: Under the United Nations Framework Convention on Climate Change (defined below), “adaptation refers to adjustments in ecological, social, or economic systems in response to actual or expected climatic stimuli and their effects or impacts.”⁶ Examples of adaptation solutions include constructing flood defenses, implementing drought-resistant crops, and establishing early warning systems for hurricanes.⁷ Local communities are often best positioned to know their own needs and the solutions that will help them adapt to the effects of the climate crisis.⁸

Conference of the Parties (COP): The COP is the annual meeting and ultimate decision-making body for parties to the United Nations Framework Convention on Climate Change (defined below).⁹ At COPs, countries assess implementation of measures and adopt decisions “necessary to promote the effective implementation of the Convention.”¹⁰

Climate disorder: Climate disorder is the English translation of *dezòd klimatik* in Haitian Creole. An alternative translation is climate chaos. Climate disorder and climate chaos emphasize the disarray and the damage that the changing climate is causing.

Climate justice: Climate justice is a concept and social movement that recognizes that the worst consequences of climate disorder are felt by the communities—often with histories of colonization and other forms of oppression—least responsible for causing the climate crisis.¹¹ Climate justice seeks accountability from the nations and companies most responsible for climate disorder and aims to radically transform the contemporary systems that enable the global ecological crisis and “distribute the suffering associated with this crisis on a racially discriminatory basis.”¹²

Climate resilience: In climate policymaking, climate resilience is defined as “the capacity to prepare for, respond to, and recover from” damaging climate events “while incurring minimal damage to societal wellbeing, the economy and the environment.”¹³

Climate vulnerability: Climate vulnerability assesses which communities face the greatest risks from the impacts of climate disorder. According to the Intergovernmental Panel on Climate Change (defined below), climate vulnerability is “the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes.”¹⁴

Disaster capitalism: Coined by activist and author Naomi Klein, disaster capitalism refers to efforts by governments and private actors to pass privatization and other pro-corporation policies in times of disaster. Klein describes how powerful actors take advantage of immense public suffering and the public's shock during and after a crisis to push through radical privatization measures and to privatize the disaster response itself (disaster aid, for example).¹⁵

Extractivism: Extractivism “typically involves the removal of raw materials from territories that were previously colonized, and the processing, sale and consumption of those materials in a global economy that disproportionately benefits nations, transnational corporations and consumers in the Global North or so-called developed world.”¹⁶ Many social movements in Haiti also define low-wage manufacturing and “special economic zones” as forms of extractivism, due to their impacts on the environment and communities and the flow of profits from these industries to the Global North.

Food security: Food security refers to “people hav[ing] physical and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”¹⁷

Food sovereignty: Food sovereignty encompasses the right to “healthy and culturally appropriate food produced through ecologically sound and sustainable methods” and, crucially, the right of people who produce, distribute, and consume food to “define their own food and agricultural systems.”¹⁸ Food sovereignty emphasizes valuing food providers, localizing food systems and control over them, building intergenerational knowledge and skills, and working with nature.¹⁹ The movement for food sovereignty resists the corporate dominance of global food systems.²⁰

Global North & Global South: Global North and Global South describe the “relative power and wealth of countries in distinct parts of the world.”²¹ Generally, wealthier countries are located in the Northern Hemisphere.²² The Global South is commonly used to refer to low- and middle-income countries, many of which are in the Southern Hemisphere. This grouping includes formerly colonized countries in Africa, Latin America, the Caribbean, the Middle East, and Asia that still experience the “repercussions of colonialism” after independence.²³ The Global North-Global South framework has been criticized as too general to be useful and as confusing, because some richer countries, such as Singapore, Japan, South Korea, Australia, and New Zealand, are in the Southern Hemisphere, while some impoverished countries—Haiti included—are in the Northern Hemisphere.²⁴ This report uses the terms Global North and Global South to describe the ongoing divide and exploitative relationships between wealthier countries and the countries they once colonized.²⁵

International Monetary Fund (IMF): Established in 1944, the IMF is an international institution whose mission is to support “economic policies that promote financial stability and monetary cooperation” and to “stabilize the international monetary system,” including through loans to member countries.²⁶ The IMF has received much criticism, including for giving loans conditioned on economic policies that can make economic crises worse and cause great human suffering, imposing policies that lack transparency and consultation with affected countries, and underrepresenting the Global South in its governance.²⁷

Intergovernmental Panel on Climate Change (IPCC): Part of the United Nations, the IPCC is charged with assessing climate disorder-related science.²⁸ The IPCC prepares different reports, the most prominent of which are comprehensive Assessment Reports that detail “the state of scientific, technical and socio-economic knowledge on climate change, its impacts and future risks, and options for reducing the rate at which climate change is taking place.”²⁹

Loss and damage: In the climate context, “loss and damage” refers to the negative consequences of climate disorder that occur in the absence of and/or despite efforts to adapt to climate disorder. Loss and damage refers to both economic harms, such as loss of crops, and non-economic harms, such as loss of cultural heritage.³⁰ The Paris Agreement (defined below) recognizes the necessity of “averting, minimizing and addressing loss and damage.”³¹ In November 2022, countries agreed to establish a Loss and Damage Funding Facility under the United Nations Framework Convention on Climate Change.³²

Mitigation: Mitigation is the effort to reduce or prevent greenhouse gas emissions that warm the planet. While adaptation demands altering our behavior and systems to better cope with climate disorder, mitigation requires reducing the raw volume of greenhouse gas emissions.³³ Mitigation efforts include steps to disincentivize greenhouse gas-intensive activities, such as mining coal and burning fossil fuels, and to incentivize clean energy,³⁴ via subsidies to solar energy, for example. Mitigation also encompasses efforts to promote the expansion of carbon “sinks,” such as forests, that remove greenhouse gasses from the atmosphere.³⁵

National debt: National debt refers to the total amount that a country’s government owes to other countries, banks, corporations, and international financial institutions.³⁶ Haiti is one of the many Global South countries that face both debt and climate crises

Nationally Determined Contributions (NDCs): NDCs are the national action plans of countries, which set out the actions the country will take to reduce greenhouse gas emissions and adapt to climate disorder. The Paris Agreement (defined below) requires all member countries to submit NDCs every five years.³⁷

Neocolonialism: Neocolonialism is a term first coined by Ghanaian political theorist and politician Kwame Nkrumah “to describe what he saw as the continuing exploitative economic relations between developed and less developed countries even after the achievement of political independence.”³⁸ It describes how former colonial powers or countries of the Global North continue to exert economic, political, and cultural influence over former colonies and countries of the Global South, despite the formal end of colonialism. This power is exerted through the continuation or renewal of institutions and structures rooted in colonialism, such as “international law, corporate property rights, and the power of major commercial banks,” with transnational corporations being among “the principal agents of contemporary neo-colonialism.”³⁹ In the context of Haiti, international interference in Haiti’s national governance and democratic processes is another commonly cited form of neocolonialism.⁴⁰

Neoliberalism: Neoliberalism is a term used to describe a set of economic policies that favor free-market capitalism and economic globalization. These “market-liberal economic policies” include “privatization and deregulation; trade and financial liberalization; shrinking the role of the state; [and] encouraging foreign direct investment.”⁴¹ They also include the “structural adjustment programmes” that were promoted across the Global South by institutions such as the World Bank, International Monetary Fund, and World Trade Organization.⁴² In order to borrow money through structural adjustment programmes, countries in the Global South had to agree to debt conditions that promoted smaller government, less government regulation, and other neoliberal economic policies.⁴³ These programs have produced economic growth in Global South countries but, at the same time, increased inequality and poverty, with benefits accruing primarily to elites.⁴⁴ Critics argue that neoliberal policies are a failure, noting that economic growth has slowed and the climate crisis has accelerated.⁴⁵

Paris Agreement: The Paris Agreement emerged from the 2015 Conference of the Parties (defined above), held under the United Nations Framework Convention on Climate Change (defined below).⁴⁶ It is a legally binding international treaty with the primary goal to keep warming “well below two degrees Celsius above pre-industrial levels.”⁴⁷ Although the Paris Agreement lacks an enforcement mechanism, meaning there are no consequences for failing to comply, signatory countries meet regularly and submit reports (Nationally Determined Contributions, defined above) on their plans to reduce greenhouse gas emissions and adapt to the impacts of climate disorder.⁴⁸

Peasant: A peasant is someone who has a special relationship with and dependency on the land by virtue of working the land, cultivating agricultural products (e.g., food, handcrafts), and caring for agroecological systems and who relies significantly on household, family, or other small-scale forms of labor.⁴⁹ Peasants’ rights are protected in the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas. The term peasant can include Indigenous people working on the land as well as the landless.⁵⁰

Political Economy: Broadly speaking, political economy describes the intersection of economics and politics, though its definition has shifted over time and across disciplines.⁵¹ Political economy can be understood as “investigating the relation of politics to the economy, understanding that the economy is always already political in both its origins and its consequences,” and attending to “the ways in which economic and political power are inextricably intertwined with racialized and gendered inequity and subordination.”⁵²

Popular Education: Popular education is a concept and practice often attributed to the Brazilian writer and educator Paulo Freire.⁵³ It is about teaching and learning through local experience and vernacular, adding knowledge to that which people already possess.

Peyizan: *Peyizan*, which translates imperfectly to “peasant,” is a term specific to Haiti that connotes a cultural and political identity. After enslaved people successfully revolted and created Haiti, the first Black republic, the majority of the newly freed became *peyizan*. They owned either small plots of land or no land at all. Historian Jean Casimir details how the *peyizan* class emerged in opposition to the small ruling oligarchy that controlled the land and monopolized political power, creating a social structure outside of the state.⁵⁴

Racial Capitalism: Racial capitalism describes how race and racism are interconnected with capitalism and its institutions.⁵⁵ Here, race refers not only to identity but also to power.⁵⁶ Cedric Robinson, credited with coining the term racial capitalism, built on the work of scholars and activists such as WEB DuBois and CLR. James, who established colonialism and slavery as the foundations of capitalism, showing how European powers used racism to justify exploitation, extraction, and domination. Robinson emphasized that racism already permeated European society. This term reflects how “capitalism emerged from a feudal order thoroughly infused with racial hierarchies, and then evolved into a world system that transforms regional and cultural differences into racial forms of domination, including slavery, imperialism and genocide.”⁵⁷

Racial Sacrifice Zones: Racial sacrifice zones are regions that have been made hazardous or even uninhabitable because of environmental degradation and climate impacts. These regions are primarily in the Global South and “include the ancestral lands of Indigenous Peoples, territories of the small island developing States, racially segregated neighborhoods in the global North and occupied territories facing drought and environmental devastation.”⁵⁸

Reparations: The term reparations refers to the act or process of providing repair to those to whom harm has been done, and, as such, concern both the past *and* the present.⁵⁹ Reparations can be standalone remedies or part of a comprehensive set of remedies and can, according to the UN Basic Principles on the Right to a Remedy and Reparation, take the form of restitution, compensation, rehabilitation, satisfaction, and/or guarantees of non-repetition.⁶⁰ Restitution implies restoring a victim to their original situation or condition before their human rights were violated⁶¹; the restoration of key rights or return of property and residence can fall under restitution.⁶² Compensation for damage is generally monetary and must be appropriate and proportional to the extent of the harm and violation.⁶³ Rehabilitation generally refers to processes and services to allow people to reconstruct their lives after experiencing harm⁶⁴; the provision of medical, psychological, legal, and social services all involve rehabilitation.⁶⁵ Satisfaction and guarantees of non-repetition are broader. A victim of a human rights violation might feel satisfied if there is public disclosure of the truth, a public apology, judicial decisions or statements sanctioning aggressors or restoring the victim’s reputation, or effective measures to cease violations.⁶⁶ Guarantees of non-repetition are focused on ensuring the same harm or violation is not repeated in the future, which often involves making structural changes—for example, reforming laws or institutions.⁶⁷ Though reparations are traditionally thought of as looking backward—focused on *repairing or restoring* those harmed to the situation before the harmful actions—many argue that reparations should also look forward and aim to transform the conditions that enabled or led to the harm in question.

Small Island Developing States (SIDS): SIDS refers to 39 States and 18 Associate Members of the United Nations Regional Commissions, located in the Caribbean; the Pacific; and the Atlantic, Indian Ocean, and South China Searegions.⁶⁸ The combined population of SIDS is less than 1 percent of the world’s population. At the 1992 UN Conference on Environment and Development, in Rio de Janeiro, SIDS were recognized as a special case due to the social, economic, and environmental vulnerability they uniquely face due to factors including their remote geography. Their geographic vulnerability to climate disorder is “compounded by limited institutional capacity, scarce financial resources and a high degree of vulnerability to systemic shocks.”⁶⁹

United Nations Framework Convention on Climate Change (UNFCCC): The UNFCCC is a multilateral environmental treaty.⁷⁰ It is the primary international treaty developed by UN Member States to respond to climate disorder. After opening for signature at the 1992 UN Conference on Environment and Development, in Rio de Janeiro, the treaty entered into force in 1994 and has near-universal ratification today, meaning that nearly all countries in the world have agreed to abide by it. Ratifying countries, called parties to the convention, attend an annual Conference of the Parties (defined above) to carry out negotiations. The UNFCCC aims to curb greenhouse gas emissions in order to maintain their atmospheric concentration “at a level that would prevent dangerous anthropogenic [human-made] interference with the climate system.”⁷¹ Importantly, the UNFCCC puts the onus on “industrialized” countries (called “Annex I countries”) to do the most to cut emissions, as they are the main sources of dangerous levels of greenhouse gases.⁷²

World Bank: Like the International Monetary Fund (defined above), the World Bank is an international institution created after WWII with the goal of stabilizing the global economic system. It works toward its stated mission to “end extreme poverty and boost shared prosperity”⁷³ by lending money, including directly to support development projects; providing budget support to governments; guaranteeing other development lending; and providing advice to governments.⁷⁴ The World Bank has received significant criticism, including for failing to respect human rights lending to projects that have had deleterious environmental and social consequences (for example, large hydropower dams that have caused significant displacement of local populations)—and failing to take accountability for those consequences, underrepresenting the Global South in its governance, and pushing neoliberal (defined above) economic policies on borrowing countries.⁷⁵

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