



Submitting Organizations

This submission was prepared by the **Global Justice Clinic (GJC)** at New York University School of Law¹ based largely on contributions from Haitian social movements and organizations:

Action pour la Reforestation et la Defense de l'Environnement (Action for Reforestation and Defense of the Environment, **AREDE**)

- Contact: Castin Milostene, Coordinator +509-3275-8867; milocastin@yahoo.fr

Commission Épisiscopale Nationale Justice et Paix (National Episcopal Commission, Justice and Peace, **CE-JILAP**)

- Contact: Jocelyne Colas, Executive Director +509-3912-3292; colas_jocelyne@yahoo.com
- Written submission in the annex

Equal Health, Social Medicine Alumni (SMAH), Haiti

- Contact: Youri Louis, Co-Founder, SMAH; Leadership Committee Coordinator, Equal Health yourilouis@equalhealth.org
- Written submission in the annex

Kolektif Jistis Min (Justice Mining Collective, **KJM**)

- Contacts: Franndy Lesperance and Peterson Derolus, Coordinators
 - Franndy +509-4280-0933; franndylesperance@yahoo.fr

Peterson +509-4233-8277; pderolus@yahoo.fr

- Written submission in the annex

Konbit Ekolojis Sid (Working Together for Ecology, South, **KES**)

- Contact: Max Imbert-Marcelin ksid261@yahoo.com
- Written submission in the annex

Mouvman Fanm Mouvman Peyizan Papay (Women's Movement of the Peasants' Movement of Papay, **MPP**)

- Contact: Kettly Alexandre, +509 31 32 7817; kettlyalexandre@yahoo.fr
- Interview notes in the annex

¹ Statements of the Global Justice Clinic do not purport to represent the views of NYU, if any.

Sant Altènatif Kominote ak Lapè (Alternative Center for Community and Peace, **SAKALA**)

- Contact: Daniel Tillias +509-3649-1493; datillias@gmail.com

Sosyete Kiltirèl Jen Ayisyen (Haitian Youth Cultural Society, **SOKIJA**)

- Contact: Samuel Nesner +509-4354-5577; samuernesner537@gmail.com
- Written submission in the annex

GJC works with social movements and community partners to prevent, challenge, and redress human rights violations stemming from contemporary structures of global injustice. GJC has worked on human rights issues in Haiti since its founding, including on the extractives industry, environmental and climate justice, and migration.

Introduction

Haiti, the world's first Black republic, exemplifies the inextricable connection between racial injustice and climate injustice. Drawing on the perspectives of community organizers, advocates, and social movement leaders in Haiti (“contributing organizations”), this submission presents some of the ways Haitians are experiencing the climate crisis, and how racism profoundly shapes Haitians’ experience. Further, this submission suggests that Haitian migrants—in transit and in destination countries—continue to experience disproportionate climate harms due to racism.

Haiti’s climate crisis is not only a result of geography. Enslavement, colonization, and extractive economic development fueled the climate crisis and impoverished Haiti, structuring the country’s climate vulnerability and making it particularly challenging for Haiti to mitigate climate risks and adapt to its changing reality.

Haiti is One of the Countries Most Affected by the Climate Crisis

Haiti is consistently named as one of the five countries most affected by the climate crisis globally, despite having contributed 0.003% to global greenhouse gas emissions.² Already, the seasons are erratic and unpredictable.³ Droughts are increasing in intensity and length:⁴ contributing organizations describe rivers drying up and areas that seem “almost like deserts.”⁵ Climate change is predicted to eventually double the length of the dry season.⁶ Floods, which often cause landslides that threaten people’s lives and homes, are likely to increase,⁷ as is the intensity of deadly hurricanes.⁸

For Haitian people, these impacts are devastating. The climate crisis is already affecting the full spectrum of human rights. Contributing organizations underscore that the most marginalized – including *peyizan* (peasant farmers), rural women, and poor urban communities – are experiencing the worst impacts.

² Hannah Ritchie, *Who has contributed most to global CO2 Emissions?* OUR WORLD IN DATA (Oct. 1, 2019), <https://ourworldindata.org/contributed-most-global-co2>. Historical cumulative emissions in Hispaniola are around 823.94 million tons of CO2 (2020 figures) relative to over 1.5 trillion historical global emissions.

³ BHAWAN SINGH & MARC COHEN, OXFAM, CLIMATE CHANGE RESILIENCE: THE CASE OF HAITI, OXFAM RESEARCH REPORT 10 (2014), <http://www.oxfam.org/sites/www.oxfam.org/files/rr-climate-change-resilience-haiti-260314-en.pdf>; UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP), BUREAU FOR CRISIS PREVENTION AND RECOVERY (BCPR), CLIMATE RISK MANAGEMENT FOR WATER AND AGRICULTURE IN THE DOMINICAN REPUBLIC: FOCUS ON THE YAQUE DEL SUR BASIN (2014), https://www.iisd.org/system/files/publications/crm_dom_republic.pdf.

⁴ ABEL CENTELLA ET AL., LA SEQUÍA METEOROLÓGICA Y AGRÍCOLA EN LA REPÚBLICA DE CUBA Y LA REPÚBLICA DOMINICANA 172 (2007), http://www.cu.undp.org/content/dam/cuba/docs/libro_sequia.pdf.

⁵ Interview with Kettly Alexander and Gislaine St Fleur, Mouvman Fanm MPP, annex.

⁶ MICHAEL A. TAYLOR ET AL., HAITI: HISTORICAL AND FUTURE CLIMATIC CHANGES 54 (2015), <https://publications.iadb.org/publications/english/document/Haiti-Historical-and-Future-Climate-Changes.pdf>.

⁷ Floods are a problem in almost all of Haiti’s 30 major watersheds. For reference, in five rural municipalities, more than 75% of the area is flood prone. See Maurizio Tiepolo & Maurizio Bacci, *Tracking climate change vulnerability at municipal level in rural Haiti using open data*, in RENEWING LOCAL PLANNING TO FACE CLIMATE CHANGE IN THE TROPICS 103–131, 6.3 (Maurizio Tiepolo, Alessandro Pezzoli, & Vieri Tarchiani eds., 2017).

⁸ Though there is no scientific consensus yet on whether climate disorder has affected the frequency of tropical cyclones, there is evidence that their destructive capacity is getting stronger. See Christina M. Patricola & Michael F. Wehner, *Anthropogenic influences on major tropical cyclone events*, 563 NATURE 339–346 (2018), <https://pubmed.ncbi.nlm.nih.gov/30429550/>.

Threats to Life and Property

Flooding, hurricanes, and sea level rise will lead to significant loss of life and injury, affecting major cities nestled along the coast, including Port-au-Prince and Cap-Haitien. Impoverished *bidonvil* slum communities are often seaside, and already suffer significant climate and weather-related harms.

“You look at the impact of flooding and hurricanes and it’s on the poorest. You don’t see the bourgeois affected by floods, it’s people in Cité Soleil.”⁹ It’s a social injustice, and it’s linked to other forms of social injustice.”¹⁰

The force and destructiveness of hurricanes is increasing. Hurricane Matthew, a Category 4 hurricane that hit southern Haiti in 2016, affected more than two million people, killed more than 500 people, and displaced 175,000.¹¹

Destruction of Rural Livelihoods

Contributing organizations stress that climate change is destroying agricultural livelihoods, undermining food sovereignty, and further impoverishing peasants. This occurs in the context of a hunger crisis: 45% of Haitian people face acute food insecurity.¹² Haitian people spend, on average, more than a third of their daily incomes on a plate of food¹³ and prices for staples are expected to rise by 120–180% by 2030.

“Today [peasants] are likely to get only sun or else too much rain, or else a hurricane that destroys everything in its path. [Climate change] 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.”¹⁴

“With the heat waves, there are more insects, and insects harm peoples’ plants. We can also no longer grow rice. There is not enough water.”¹⁵

⁹ See, e.g., *Petition to the Inter-American Commission on Human Rights Seeking to Redress Violations of the Rights of Children in Cité Soleil, Haiti*, CLIMATE CASE CHART (2021), <http://climatecasechart.com/non-us-case/petition-to-the-inter-american-commission-on-human-rights-seeking-to-redress-violations-of-the-rights-of-children-in-cite-soleil-haiti/>. Cité Soleil is an impoverished coastside commune in Port-au-Prince.

¹⁰ Interview with Kettly Alexander and Gislaine St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5, 2022

¹¹ Angela Colbert, *A Force of Nature: Hurricanes in a Changing Climate*, NASA (June 1, 2022), <https://climate.nasa.gov/news/3184/a-force-of-nature-hurricanes-in-a-changing-climate/#:~:text=As%20the%20air%20continues%20to,increase%20in%20hurricane%20wind%20intensity.https://www.worldbank.org/en/results/2017/10/20/rapidly-assessing-the-impact-of-hurricane-matthew-in-haiti#:~:text=The%20disaster%20affected%20over%202,destruction%20of%20infrastructure%20and%20livelihoods>.

¹² *Haiti: UN Agencies Warn of ‘Unabated’ Rise in Hunger*, UN NEWS (Mar. 22, 2022), <https://news.un.org/en/story/2022/03/1114422>.

¹³ *The Cost of a Plate of Food*, UN WORLD FOOD PROGRAMME (2020), <https://cdn.wfp.org/2020/plate-of-food>.

¹⁴ Kolektif Jistis Min submission, annex.

¹⁵ Recorded conversation among AREDE members. May 28, 2022.

“Many things that we used to produce are now imported from elsewhere, which raises the cost of living. Inflation has reached an all-time peak, the population finds it very difficult to eat every day.”¹⁶

Peasants in Haiti are particularly vulnerable to climate impacts. Since Haiti claimed its independence, rural peasants are often referred to as “*moun andeyo*,” literally “people outside” – excluded from the state and from access to government support that could help them to withstand climate related shocks.¹⁷

“My fear is that because climate change hits the most vulnerable, and that is peasants, I fear the peasant class will disappear... I’m scared our economy – our food – will entirely depend on other countries. We already depend so much.”¹⁸

Compounding Gender Inequality

The climate crisis compounds gender inequalities.¹⁹ Failing crops and other climate disruptions disproportionately burden women, particularly single female-headed households.²⁰

“I worry for peasant women who are suffering so much. They are adapting themselves; they are resilient. But resilience after a certain moment isn’t good. You can’t adapt to all situations.”²¹

“Women are the main people who use water in their families, they are most negatively affected by the reduction in water quantity.”²²

Harm to Health and Community

There is little publicly available data on the impact of climate change on the mental and physical health of Haitian people, yet there is no doubt climate change has—and will—harm the public’s health. More extreme weather events and floods will increase infectious waterborne and parasitic diseases.²³ Rising temperatures will

¹⁶ Equal Health/SMAH submission, annex.

¹⁷ *Economic Growth & Agricultural Development Fact Sheet*, USAID (2017), https://www.usaid.gov/sites/default/files/documents/1862/FINAL_EGAD_Fact_Sheet_March_2017.pdf.

¹⁸ Interview with Kettly Alexander and Gislane St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5, 2022.

¹⁹ Anik Gevers, Tina Musuya & Paul Bukuluki, *Why Climate Change Fuels Violence Against Women*, UNITED NATIONS DEVELOPMENT PROGRAMME (Jan. 28, 2020), <https://www.undp.org/blog/why-climate-change-fuels-violence-against-women>; VALUE FOR WOMEN, UNI STUDY OF THE IMPACTS OF CLIMATE CHANGE ON THE WOMEN AND MEN OF THE CARIBBEAN. PILOT PROGRAMME FOR CLIMATE RESILIENCE COUNTRIES, INTER-AMERICAN DEVELOPMENT BANK (2020), 10, 35, https://www.climateinvestmentfunds.org/sites/cif_enc/files/knowledge-documents/study-of-the-impacts-of-climate-change-on-the-women-and-men-in-the-caribbean-pilot-programme-for-climate-resilience-countries.pdf. The language of disparate impacts of climate change on women and girls is itself exclusionary toward trans and nonbinary people. In focusing part of its analysis of the gendered impacts of climate disorder, this submission does not intend to reify an inflexible gender binary. Rather, it strives to recognize the differentiated impacts on those socially constructed as women.

²⁰ Mar Llorente-Marrón et al., *Social Vulnerability, Gender and Disasters. The Case of Haiti in 2010*, 12 SUSTAINABILITY 3574 (2020), <https://www.mdpi.com/2071-1050/12/9/3574>. Rural women in Haiti face extreme financial insecurity, with rural female-headed households substantially poorer than male-headed households.

²¹ Interview with Kettly Alexander and Gislane St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5.

²² SOKIJA submission, annex.

²³ MINISTÈRE DE L’ENVIRONNEMENT RÉPUBLIQUE D’HAÏTI, UNDP, POLITIQUE NATIONALE SUR LES CHANGEMENTS CLIMATIQUES - DRAFT 14 (2016) [hereinafter Haiti Draft Climate Plan] (“The increase in global temperature leads to the proliferation of insects, which are mostly vectors for diseases and parasites. These include malaria, dengue fever, zika, chikungunya.”)

increase heat-related illnesses. Ailing agriculture will likely fuel malnutrition. Climate-related disasters have severe mental health impacts.²⁴

“It barely rains, and rivers and springs have dried up. 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.”²⁵

The climate crisis also erodes the social fabric in drastic ways, affecting culture and way of life.

“[Climate change] is undermining the peasant way of life. There are ... traditions that they are losing. There are sources of water and trees that don’t exist anymore that had spiritual significance. The drought has caused a lot of loss ... we have lost sacred sites for voodoo.”²⁶

Climate Change is Forcing Displacement and Migration

Contributing organizations note that climate change is increasing displacement and migration, to urban areas and out of Haiti.

“Many people who live in Cité Soleil come from areas where they could no longer work as peasants...it’s not their fault. It’s climate change. And now they can’t go anywhere—they can’t return to rural areas because they can’t get by anymore. They are stuck in Cité Soleil.”²⁷

“Climate change has affected the economic situation of farmers. Many of them have to leave the countryside to go to the capital in search of life, which causes the slums in the capital to grow. Others decide to leave the country and seek life abroad.”²⁸

“My fear is that more and more young people will leave the country. ...People can’t manage, get discouraged and they will leave.”²⁹

Organizations also identify a link between internal displacement and rising insecurity and violence in urban areas:

“Most people involved in violence and kidnapping in Port-au-Prince are children of peasants or former peasants [who moved to impoverished neighborhoods] ... so marginalized they don’t have a future. These are linked situations of social injustice. And who are the ones who are suffering the worst from insecurity? Those who are middle class or poorer. All these things are linked.”³⁰

²⁴ This is documented across many contexts. See AK Goenjian et al., *Posttraumatic Stress and Depressive Reactions among Nicaraguan Adolescents after Hurricane Mitch*, 158 AM. J. PSYCHIATRY 788 (2001), <https://ajp.psychiatryonline.org/doi/full/10.1176/appi.ajp.158.5.788>.

²⁵ Equal Health/SMAH submission, annex.

²⁶ Interview with Kettly Alexander and Gislaine St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5.

²⁷ Interview with Daniel Tillias (May 24, 2022) (on file with authors).

²⁸ Equal Health/SMAH submission, annex.

²⁹ Interview with Kettly Alexander and Gislaine St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5.

³⁰ Interview with Kettly Alexander and Gislaine St Fleur, Mouvman Fanm MPP, annex. June 1 and June 5.

Racism is a Root Cause of Climate Harm

Arguably no country in the world that has been more marginalized due to its blackness than Haiti. French colonization in Haiti was one of the deadliest systems of enslavement recorded and relied on intensive plantation agriculture.³¹ As early as the beginning of the nineteenth century, observers were concerned about the impact of plantation agriculture on the local ecology.³²

“It’s not a secret to anybody that the majority of Black countries are very vulnerable because they are victims of looting by imperialist countries, and these [victimized countries] are the countries that are most threatened by climate disorder.”³³

The only country in the world where the enslaved overthrew the colonizers to create a nation, Haiti was forced to pay France an independence ransom that economists estimate accounts for \$21 billion to \$115 billion dollars in lost revenue.³⁴ The ransom crippled Haiti’s ability to invest in infrastructure and fueled deforestation, as Haiti chopped and shipped important trees to Europe to pay its debts.³⁵

“I can say that Haiti has been a target country since it achieved its independence, and many powerful countries refused to recognize it. They made us pay money, borrow money at high interest rates, and put an embargo on the country. Today, Haiti is a fragile country.”³⁶

“One of the most important things is to recognize the debt... We want companies to recognize that they have destroyed our climate. We need a double repayment of sorts—jobs (and schools, and playgrounds)—and addressing the consequences. The consequences have been great — people have had to move and leave their communities, they have lost their jobs, lost their ability to get by day to day, and they’ve ended up joining gangs, going to prison... It is hard to overestimate the costs of climate harms.”³⁷

The United States similarly marginalized Haiti. The United States did not recognize Haiti’s sovereignty until after U.S. emancipation, limiting the new country’s economic prospects. Frederick Douglass, who served as U.S. minister to Haiti from 1889–1891, quit in protest, stating that the United States had not forgiven Haiti “for being Black.” The U.S. occupation of Haiti from 1915–1934 weakened Haitian institutions and concentrated resources in the capital, while subjecting Haitians to the racist *corvée* (forced labor) system.

³¹ GLOBAL JUSTICE CLINIC & HAITI JUSTICE INITIATIVE, BYEN KONTE MAL KALKILE? HUMAN RIGHTS AND ENVIRONMENTAL RISKS OF GOLD MINING IN HAITI 24 (2015), <https://chrgi.org/wp-content/uploads/2016/09/byen-konte-mal-kalkile-human-rights-and-environmental-risks-of-gold-mining-in-haiti.pdf>; Sherry Baver & Lisa Paravisini-Gebert, *Hispaniola’s Environmental Story*, 37.3 *Callaloo* 648, 650 (2014), https://www-jstor-org.proxy.library.nyu.edu/stable/pdf/24265162.pdf?refreqid=excelsior%3A746d549fc351026ad0a31f2f40f65f6d&ab_segments=&origin=

³² *Hispaniola’s Environmental Story* at 650.

³³ SOKIJA submission, annex.

³⁴ Catherine Porter et al., *The Ransom, The Root of Haiti’s Misery: Reparations to Enslavers*, N.Y. TIMES, (May 20, 2022), <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html>.

³⁵ BYEN KONTE MAL KALKILE? at 33; *The Ransom*.

³⁶ Equal Health/SMAH submission, annex.

³⁷ Interview with Daniel Tillias (June 2, 2022) (on file with authors).

Damaging U.S., French, Canadian, and other Global North foreign policies throughout the 20th century – including the imposition of neo-liberal economic policies in the 1980s that decimated local agriculture – have worsened the environmental degradation, extreme inequality, and impoverishment that shapes Haiti’s climate vulnerability today.

“Racial discrimination and other kinds of discrimination, in ways that are more hidden today, continue to reinforce harmful political decisions, actions, and behavior that deplete, exploit, plunder, use, and waste life in general.”³⁸

“Everything we are facing is based on race. There is a category of rulers, oppressors, abusers, who are the colonists, the exploiters, [and] another category is the people who are subjected to those forces.... Spanish, French, and U.S. occupation depleted the country's environment by cutting down trees and installing manufacturing plants.”³⁹

Racism Means that Haitian People Cannot Escape Climate Harms

While Haiti the place exemplifies how racism causes climate harms, racism and xenophobia assure that Haitians experience disproportionate climate vulnerability and harms wherever they live—even beyond Haiti’s borders.

Racism limits Haitians’ freedom of movement, limiting their ability to escape climate harms through dignified migration. In the United States, Title 42 is used to detain and exclude Haitian migrants at the border. Racism explains how the U.S. government targets Haitians for deportation: at one point in May 2022, Haitians made up 6% of border crossings from Mexico, yet 60% of expulsion flights.⁴⁰ In the Dominican Republic the government has begun building a wall across its border with Haiti.⁴¹

When they do travel, Haitian migrants face anti-Black racism and experience severe rights violations. Racism and marginalization increase climate vulnerability.

- Haitians in the Dominican Republic face persistent, acute racism and xenophobia, and are among the poorest and most marginalized people in the country.⁴² Many work in exploitative export focused agriculture and live in sugar plantation *bateyes*, in destitution, or in impoverished urban areas.⁴³ These conditions leave them highly vulnerable to the impacts of climate change.

³⁸ CE-JILAP submission, annex.

³⁹ Konbit Ekolojis Sid submission, annex.

⁴⁰ Eileen Sullivan, *U.S. Accelerated Expulsions of Haitian Migrants in May*, N.Y. TIMES (June 9, 2022), <https://www.nytimes.com/2022/06/09/us/politics/haiti-migrants-biden.html>.

⁴¹ *Dominican Republic begins building border wall with Haiti*, AL JAZEERA (Feb. 21, 2022), <https://www.aljazeera.com/news/2022/2/21/dominican-republic-begins-building-border-wall-with-haiti>; *La verja fronteriza es corrupción, racismo y xenofobia*, MOVIMIENTO SOCIALISTA DE TRABAJADORAS Y TRABAJADORES DE LA REPÚBLICA DOMINICANA (Feb. 21, 2022), <https://mst-rd.org/2022/02/21/la-verja-fronteriza-es-corrupcion-racismo-y-xenofobia/>.

⁴² WORLD BANK, *POVERTY IN A HIGH-GROWTH ECONOMY*, abstract, <https://openknowledge.worldbank.org/handle/10986/15412>; Solene Aubert, *Bitter-Tasting Sugar: the United States, Haiti and Racism in the Dominican Bateyes*, HARVARD INTERNATIONAL REVIEW, Nov. 27, 2020, <https://hir.harvard.edu/the-united-states-haiti-and-racism-in-dominican-bateyes/>.

⁴³ *Poverty in a High Growth Economy ; Bitter-Tasting Sugar*.

- In the Bahamas, Haitian migrants are economically marginalized. Many live in “informal shantytowns” that were particularly hard hit by Hurricane Dorian. In the aftermath of Dorian, xenophobia towards Haitians became more acute; Haitian people experienced grave rights violations, and the Bahamian Government prioritized deportations to Haiti.⁴⁴
- In Miami the “Little Haiti” neighborhood thrived for decades despite redlining and other policies of racial discrimination.⁴⁵ Today the Haitian community is suffering “climate gentrification:” the neighborhood’s relative elevation and distance from the coast has made it one of the city’s most rapidly gentrifying areas. Haitian community residents are being displaced.⁴⁶ Data suggests they will likely be forced into more climate exposed neighborhoods, increasing climate vulnerability.⁴⁷

International Climate Policy Frameworks Are Failing Haitians

The current international climate policy framework has failed to respond to the racial and climate injustice Haitians experience.

Frontline Haitian communities are excluded from climate discussions; contributing organizations state that many have no access to information about national or global climate programs or even what climate change is:

“Many people do not know what climate change is, they only notice these things and start to think that it is a degrading country, a damned country.”⁴⁸

“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 is already, in one way or another, victims of this phenomenon and will continue to be victims.”⁴⁹

⁴⁴ Rachel Knowles, *Haitian Migrants, Devastated by Dorian, Face Deportation from Bahamas*, N.Y. TIMES (Oct. 10, 2019) <https://www.nytimes.com/2019/10/10/world/americas/haiti-bahamas-dorian-deport.html>; Bertin M. Louis, Jr., *Haitian Migrants Face Deportation and Stigma in Hurricane-Ravaged Bahamas*, THE CONVERSATION (Dec. 3, 2019), <https://theconversation.com/haitian-migrants-face-deportation-and-stigma-in-hurricane-ravaged-bahamas-127008>.

⁴⁵ Elizabeth Santiago, *Weathering the Storm: Climate Gentrification in Miami’s Little Haiti*, U. MICH. SCH. PUB. HEALTH (Feb. 10, 2020), <https://sph.umich.edu/pursuit/2020posts/weathering-the-storm-climate-gentrification-in-miami.html>; *As Seas Rise, Miami’s Black Communities Fear Displacement from the High Ground*, WLRN NEWS (Nov. 4, 2019), <https://www.wlrn.org/news/2019-11-04/as-seas-rise-miamis-black-communities-fear-displacement-from-the-high-ground>; *Fighting for the Soul of Little Haiti*, GRIST (Mar. 20, 2020) <https://grist.org/Array/fighting-for-the-soul-of-little-haiti/>.

⁴⁶ *As Seas Rise, Miami’s Black Communities Fear Displacement from the High Ground*.

⁴⁷ Rebecca Page et al., *Potential Environmental and Social Costs of the Magic City Innovation District: Technical Summary*, EARTH ECONOMICS 14, 17 (2019), https://static1.squarespace.com/static/561dcde6e4b039470e9afc00/t/5d0abfe73cbc950001a596a8/1560985585232/CJP-LittleHaiti_EarthEconomics_0612-2.pdf; *As Seas Rise, Miami’s Black Communities Fear Displacement from the High Ground*; *Fighting for the Soul of Little Haiti*.

⁴⁸ Equal Health/SMAH submission, annex.

⁴⁹ CE-JILAP submission, annex.

Among other shortfalls, the COP architecture has sidelined redistributive justice demands that are central to addressing climate and racial injustice in Haiti. Discussion of climate liability and debt have been blocked⁵⁰ and Europe and the United States have impeded substantive progress on “loss and damage” under the Warsaw International Mechanism (WIM).⁵¹ A global response ensuring dignified climate migration – an arguably necessary element of climate reparations – is likewise elusive, and COP 26 failed to address climate related displacement in any meaningful way.⁵² Where government level discussions on climate migration do occur, a national security lens is often dominant – stoking racism and xenophobia, and encouraging militarization of borders.⁵³

“Many of the commitments and decisions made in several COPs are false solutions that are simply not working. They are created with a system of capitalist-extractivist domination in mind. These solutions always go against the majority of the world population.”⁵⁴

“Globally, people are saying a lot of nice words, especially through COP ... but in reality there are a lot of words and very little action... Industrialized countries have neither ethics nor morals when it comes to climate degradation despite their promises ... they are never satisfied so they produce what they don't need.”⁵⁵

“Countries that contribute most to climate change should contribute to supporting low-income countries such as Haiti. Set up a climate justice commission that works directly with people in remote areas who rely on agriculture. More direct assistance in case of natural disasters.”⁵⁶

⁵⁰ For instance, while Article 8 of the Paris Agreement recognizes “the importance of averting, minimizing and addressing loss and damage”, it makes no explicit mention of historical responsibility. Paris Agreement to the United Nations Framework Convention on Climate Change art. 8, Dec. 12, 2015, T.I.A.S. No. 16-1104. Moreover, paragraph 51 of the COP21 decision to adopt the Paris Agreement expressly provides that “Article 8 ... does not involve or provide a basis for any liability or compensation.” Conference of Parties, Rep. of the Conference of the Parties on its twenty-first session, held in Paris from 30 November to 13 December 2015. Addendum. Part two: Action taken by the Conference of the Parties at its twenty-first session, ¶51, U.N. Doc. FCCC/CP/2015/10/Add.1. (Jan. 29, 2016)

⁵¹ Saleemul Huq, *Why COP26 failed to address loss and damage from climate change*, OECD DEVELOPMENT MATTERS (Jan. 25, 2022), <https://oecd-development-matters.org/2022/01/25/why-cop26-failed-to-address-loss-and-damage-from-climate-change/>; Matt McGrath, *Climate change: Bonn talks end in acrimony over compensation*, BBC NEWS (June 16, 2022), <https://www.bbc.com/news/science-environment-61819852>

⁵² See Minahil Mahmud, *The Issue that COP26 Overlooked: Climate Refugees*, UNA- USA (Dec. 14, 2021), <https://unausa.org/the-issue-that-cop26-overlooked-climate-refugees>; Spyridoula Katsoni, *The Future of “Climate Refugees” in International Law*, VOELKERRECHTSBLOG (May 6, 2021), <https://voelkerrechtsblog.org/the-future-of-climate-refugees-in-international-law/>; <https://voelkerrechtsblog.org/the-future-of-climate-refugees-in-international-law/>; Carmen G. Gonzalez, *Racial capitalism, climate justice, and climate displacement* 11 OÑATI SOCIO-LEGAL SERIES: CLIMATE JUST. ANTHROPOCENE 108, 121 (2021)

⁵³ *Id.* at 122-124; Betsy Hartmann, *Rethinking Climate Refugees and Climate Conflict: Rhetoric, Reality and the Politics of Policy Discourse*, 22 J. of Int'l Dev.: The J. Dev. Stud. Ass'n 233-246 (2010); Robert McLeman, *International Migration and Climate Adaptation in an Era of Hardening Borders*, 9 Nat. Climate Change 911-918 (2019)

⁵⁴ CE-JILAP submission, annex.

⁵⁵ Kolektif Jistis Min submission, annex.

⁵⁶ Equal Health/SMAH submission, annex.

Conclusion

Racial capitalism fueled the climate crisis. Racism is the root cause of economic marginalization historically and today in Haiti; it is also a root cause of climate injustice. An inclusive roadmap for climate justice in Haiti will require public education campaigns, truth telling, space for collective reflection, and addressing questions of reparations and redistributive justice. Contributing organizations have begun to do the grassroots work. Those most responsible for climate induced harms that Haitian people suffer must grapple with their historical debts, and with how they continue to condone economic systems and politics that perpetuate environmental and climate racism.

“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?”⁵⁷

⁵⁷ CE-JILAP submission, annex.