

## *Cover Note*

We write to call your attention, for future use, to a set of interventions engaging with the intersection of health justice and carceral practices. Responding to the resurgence of the imported cholera epidemic in 2022 in Haiti, we as a group of organizations worked together to file a petition to the Inter-American Commission on Human Rights (IACHR) in March 2023. The petition is available to read in: [Kreyòl](#), [French](#), and [English](#).

As we write this letter, we are aware that the crisis in Haiti is deepening and quickly shifting. Of particular relevance to the intervention, we note that both the National Penitentiary in Port-Au-Prince and the Croix des Bouquets prison (the two largest prisons in the country) were recently attacked, releasing over 4,000 people who had been detained. We are also aware of plans to intervene in Haiti, including a United Nations-sanctioned intervention carried out by Kenyan police officers, which has been labeled unconstitutional in Kenyan courts and which has sparked protest from Haitians around the world. The situation in Haiti is quickly shifting as Ariel Henry, the de facto Prime Minister, remains outside of Haiti and is coordinating the details of his resignation with CARICOM and the U.S.

Given the emergency nature of the ongoing crisis, part of our goal in circulating this information is to ensure that the failure of formal legal processes does not stop engagement, understanding and advocacy on the health justice violations.

Our focus was on the deadly cholera epidemic in Haiti's prisons, which was a result of pre-trial detention leading to overcrowding and a lack of services in prisons. Prisons are not separate spaces from community: our analyses focus on the way in which this was exacerbated as the sociopolitical situation in Haiti prevented the court system engaging in protecting Haitian's constitutional and human rights by reviewing and releasing pre-trial detainees, for example, or ensuring any sort of basic health in the prisons.

We sought to formulate a request to the IACHR that built on a 2022 request to the IACHR on similar issues made by Bureau des Droits Humains en Haïti ([BDHH](#)) and called for the precautionary measures summarized below. While our request to the IACHR was accepted, and prior to the current stage of unrest, we are still waiting to see whether any revisions, or new scope of precautionary measures will be granted.

The submitting organizations of the Petition were: Global Health Justice Partnership of the Yale Law School and Yale School of Public Health, Bureau des Droits Humains en Haïti, Réseau National de Défense des Droits de l'Homme, Institute for Justice & Democracy in Haiti, Alternative Chance/Chans Alternatif, Haitian Bridge Alliance, Miami Law Human Rights Clinic, and co-signing advocates and attorneys.

The petition called on the IACHR to use its mandated power to issue what are called 'precautionary measures': in order to:

1. protect people incarcerated in, working at, and visiting prisons from cholera;
2. radically reduce the number of people facing pretrial detention;

3. provide information and resources to address the spread of cholera with leadership and input from organizations with a proven track record;
4. return Haiti to a status of legal, constitutional order; and
5. support efforts calling on the United Nations to provide monetary reparations to those impacted by the 2010 cholera epidemic and provide funds to shore up Haiti's public health and sanitation systems.

We came to these demands in the petition through many conversations with advocates and experts in Haiti and the United States, specifically around incarceration and pretrial detention, as well as the incarceration of people deported from the United States to Haiti. Additionally, these demands reflect the analysis and input of Haitian organizations who work to foster democracy, stability, autonomy, and health justice in the nation.

As we engaged in conversations with legal and medical experts, as well as community advocates, we heard of the concerning prospect that other countries would use the political instability together with the humanitarian needs of the cholera epidemic as a pretext for intervention. Haiti has a long history of military intervention at the hands of the United States and other nations; equally pertinent, [the introduction of cholera to Haiti was a result of the United Nations intervention of 2010](#).

We are sending out this information more broadly, because we believe it has important information for people and organizations who focus on incarceration, public health, and/or Haitian democracy and sovereignty. We hope that by sharing this as a resource we are amplifying the concerns and visions of the members of the coalition whom we worked with, and offering research and recommendations which might be useful to other advocacy projects, especially as a efforts to restore order may be framed as 'law and order' and revert to overuse of incarceration.

If you have comments or questions, please write to Alice M. Miller, Co-Director, Global Health Justice Partnership, at [alice.miller@yale.edu](mailto:alice.miller@yale.edu)

With appreciation for your work,

Alice M. Miller