



U.S. Citizenship  
and Immigration  
Services

## TPS CONSIDERATIONS: HAITI (DECEMBER 2016)

### BACKGROUND AND OVERVIEW

The January 12, 2010 earthquake that struck Haiti caused extensive damage to the country's physical infrastructure and public health, agricultural, housing, transportation, and educational facilities. Haitian government estimates of the death toll caused by the earthquake have ranged from 230,000 to as high as 316,000 people, though the accuracy of differing estimates is in dispute.<sup>1</sup> Estimates of people internally displaced range from approximately 1.5 million<sup>2</sup> to 2.3 million<sup>3</sup> at the peak of displacement. Destruction from the earthquake was compounded by Haiti's weak infrastructure, low levels of socio-economic development, and the government's inability to provide minimum basic services prior to the earthquake.

Nearly seven years later, Haiti continues to recover from the devastating 2010 earthquake. A coordinated international effort and strong partnership with the Haitian people resulted in emergency response activities that saved lives and laid a foundation for Haiti to rebuild. While Haiti continues to make progress in a variety of fields, the pace and scope of recovery has been uneven, and the country remains vulnerable to external shocks and internal fragility. Many of the conditions prompting the original January 2010 TPS designation persist, including a housing shortage, a cholera epidemic and limited access to medical care, damage to the economy (including extensive damage to Haiti's physical infrastructure), political instability, security risks, food insecurity, and environmental risks (as exemplified by the impact of Hurricane Matthew in October 2016).

### HOUSING SHORTAGE

While Haiti has made progress in finding temporary housing solutions for people internally displaced by the earthquake, significant challenges remain. Even before the 2010 earthquake,

<sup>1</sup> O'Conner, Maura R., *Two Years Later, Haitian Earthquake Death Toll in Dispute*, Columbia Journalism Review, Jan. 12, 2012.

<sup>2</sup> *Status of Post-Earthquake Recovery and Development Efforts in Haiti (December 2014)*, U.S. Department of State, Dec. 2014.

<sup>3</sup> *Key Statistics*, Office of the Secretary-General's Special Adviser on Community-Based Medicine & Lessons from Haiti, United Nations, 2012.

Haiti faced a substantial national housing deficit, estimated at 700,000 housing units.<sup>4</sup> With an estimated \$2.3 billion in damages—approximately 40% of the total—the housing sector was the most impacted by the earthquake.<sup>5</sup> The Haitian government estimates that 105,000 houses were destroyed and 188,383 houses collapsed or suffered considerable damage.<sup>6</sup> The International Organization for Migration (IOM) claims that 1.5 million Haitians were internally displaced and moved into internally displaced person (IDP) camps and other temporary sites following the disaster.<sup>7</sup>

While the number of IDP camps and displaced individuals from the 2010 earthquake has significantly declined, Haiti still faces considerable obstacles related to housing. According to the latest data from the International Organization for Migration (IOM), from July 2010 to September 2016, 96 percent of IDPs have left camps and temporary sites, and 98 percent of sites housing IDPs have closed.<sup>8</sup> However, many individuals who have left the camps have “moved back to unsafe houses or started building or reconstructing their houses, in most cases with no assistance or guidance, and often in informal settlements located in hazardous areas.”<sup>9</sup> Amnesty International has also claimed that over 60,000 IDPs have been forcibly evicted from camps since 2010 by private landowners, often with the assistance or implicit support of Haitian authorities.<sup>10</sup> In addition, 55,107 individuals (14,593 households) are still living in 31 displacement sites.<sup>11</sup> According to Amnesty International, living conditions in IDP camps have “progressively worsened as many humanitarian programmes have ended due to lack of funding and in line with the overall strategy of closing camps.”<sup>12</sup>

While IDP camps are closing, Haiti’s housing shortage remains far from resolved. The 2010 earthquake exacerbated the country’s pre-existing shortage of adequate and affordable housing.<sup>13</sup> The Government of Haiti has estimated that the country will need as many as 500,000 additional housing units to make up for its shortage prior to the earthquake, to replace housing lost as a

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<sup>4</sup> *Ten facts about Haiti's housing crisis*, Amnesty International, Jan. 12, 2015, <https://www.amnesty.org/en/articles/news/2015/01/ten-facts-about-haiti-s-housing-crisis/>, (last visited Mar. 16, 2015).

<sup>5</sup> *Ibid.*

<sup>6</sup> *Key Statistics*.

<sup>7</sup> *Five Years After 2010 Earthquake, Thousands of Haitians Remain Displaced*, International Organization for Migration, Jan. 9, 2015, <https://www.iom.int/news/five-years-after-2010-earthquake-thousands-haitians-remain-displaced>, (last visited Dec. 21, 2016).

<sup>8</sup> *Response to January 12th 2010 Earthquake - Displacement Tracking Matrix (DTM) Haiti Round 27 - Sept 2016*, International Organization for Migration, Government of Haiti, Haiti Shelter Cluster, CCCM Cluster, Sep. 25, 2016.

<sup>9</sup> *Haiti: internal displacement, forced evictions, statelessness - the catalogue to violations continue*, Amnesty International, p.6, Mar. 31, 2016.

<sup>10</sup> *"15 Minutes to Leave": Denial of the Right to Adequate Housing in Post-Quake Haiti*, Amnesty International, p.9, 21, Jan. 2015; *Haiti: internal displacement, forced evictions, statelessness - the catalogue to violations continue*.

<sup>11</sup> *Response to January 12th 2010 Earthquake - Displacement Tracking Matrix (DTM) Haiti Round 27 - Sept 2016*.

<sup>12</sup> *Haiti: internal displacement, forced evictions, statelessness - the catalogue to violations continue*, p.5.

<sup>13</sup> *Haiti - Housing and Settlements Fact Sheet (2016)*, U.S. Agency for International Development (USAID), p.1, Jan. 2016.

result of damage from the disaster, and to accommodate projected urban growth.<sup>14</sup> An unclear land tenure system, unplanned growth in urban areas, and a lack of government capacity represent other impediments to Haiti's ability to meet its housing needs.<sup>15</sup>

### CHOLERA EPIDEMIC AND HEALTHCARE

Haiti's longstanding public health challenges were exacerbated by the January 2010 earthquake and an ongoing cholera epidemic that started in October 2010. Prior to the earthquake, 40 percent of the population lacked access to basic health services.<sup>16</sup> Haiti also had the highest infant mortality rates, chronic malnutrition indicators, and tuberculosis rate in the Western Hemisphere, and the region's second highest HIV/AIDS prevalence rate.<sup>17</sup> According to the U.S. Department of State, the earthquake had a devastating impact on Haiti's health infrastructure, "destroying and damaging many clinics and hospitals, disabling thousands of people, and initially displacing 1.5 million to camps, with elevated risks of communicable diseases."<sup>18</sup>

While Haiti has made some progress in the health sector in recent years, significant challenges remain.<sup>19</sup> According to the United States Agency for International Development (USAID), Haiti "reports some of the world's worst health indicators."<sup>20</sup> Approximately 40 percent of the population still lacks access to fundamental health and nutrition services.<sup>21</sup> Public spending in the health sector is low, and the country has a limited number of health professionals and a deficit of health infrastructure.<sup>22</sup>

A cholera epidemic—reportedly the largest such epidemic ever registered—continues to place additional strains on Haiti's beleaguered public health system.<sup>23</sup> Since October 2010, close to 800,000 Haitians have reportedly contracted cholera, and nearly 10,000 people have been killed by the disease (which was allegedly introduced by UN peacekeepers).<sup>24</sup> While progress has been made in combatting cholera, the lack of access to safe drinking water and Haiti's weak sanitation infrastructure remain significant concerns.<sup>25</sup>

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<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> *Fast Facts on the U.S. Government's Work in Haiti: Global Health*, U.S. Department of State, Jul. 19, 2013.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> *Haiti - Health Fact Sheet (2016)*, U.S. Agency for International Development, Jan. 2016.

<sup>20</sup> Ibid p.1.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.

<sup>23</sup> *ECHO Factsheet - Haiti - June 2016*, European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations, p.1, Jun. 2016.

<sup>24</sup> *Hurricane Matthew: '1.4 million need help in Haiti'*, Al Jazeera, Oct. 11, 2016; Partlow, Joshua, *In the wake of Matthew, Haitian towns struggle with cholera*, Washington Post, Oct. 9, 2016; Zavis, Alexandra, *U.N. admits a role in deadly Haiti cholera epidemic*, Los Angeles Times, Aug. 18, 2016; Yakupitiyage, Tharanga, *UN "Profoundly Sorry" for Haiti Cholera Outbreak*, Inter Press Service, Dec. 2, 2016.

<sup>25</sup> *ECHO Factsheet - Haiti - June 2016*, p.1.

## DAMAGE TO ECONOMY

Haiti is the poorest country in the Western Hemisphere, with poverty, corruption, vulnerability to natural disasters, and low levels of education serving as significant obstacles to sustained economic development.<sup>26</sup> Haiti's weak infrastructure limits investment, and the country remains vulnerable to natural disasters and dependent on foreign aid for more than 20% of its annual budget.<sup>27</sup> The 2010 earthquake caused \$7.8 billion in damages and losses to the country's economy—"equivalent to more than 120 percent of Haiti's 2009 gross domestic product (GDP)"<sup>28</sup>—and destroyed over 90 percent of buildings in Port-au-Prince, Haiti's capital, including hospitals, schools, physical infrastructure, and transportation facilities.<sup>29</sup> Although Haiti's economy started to recover from the earthquake in 2011—with economic growth at 5.5%—growth slowed to 2% in 2015 as a result of political uncertainty, drought, and currency depreciation.<sup>30</sup>

While Haiti has made slight improvements in reducing poverty levels and increasing access to education and sanitation since 2000, a 2014 World Bank report notes that the "wealth generated in the country is largely inadequate to meet the needs of the people."<sup>31</sup> Close to 6.3 million people (58.7 percent of the population) are living in poverty and unable to meet their basic needs; 2.5 million people (23.9 percent) are living in extreme poverty and cannot cover their basic food needs.<sup>32</sup> An additional one million people are at risk of falling into poverty following an external shock, such as a natural disaster.<sup>33</sup> High unemployment (approximately 40% of the population is unemployed), a dependence on subsistence agriculture, recurring natural disasters, and a largely informal economy represent additional challenges to sustained economic growth.<sup>34</sup>

## POLITICAL INSTABILITY

Even before the earthquake, the Haitian government "could not or would not deliver core functions to the majority of its people."<sup>35</sup> The January 2010 earthquake had an immediate impact on governance and the rule of law in Haiti, killing an estimated 18 percent of the country's civil service and destroying key government infrastructure, including the National Palace, 28 of 29 government ministry buildings, the National Police headquarters, and various

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<sup>26</sup> *The World Factbook: Haiti*, CIA, Nov. 21, 2016, <https://www.cia.gov/library/publications/the-world-factbook/geos/ha.html>, (last visited Dec. 19, 2016).

<sup>27</sup> *Ibid.*

<sup>28</sup> *Key Statistics*.

<sup>29</sup> *Haiti: Infrastructure*, IHS Jane's Sentinel Security Assessment - Central America and the Caribbean, Nov. 21, 2016.

<sup>30</sup> *The World Factbook: Haiti*.

<sup>31</sup> *Poverty and Inclusion in Haiti: Social gains at timid pace*, The World Bank Group, p.1-2, 2014.

<sup>32</sup> *Ibid.*, p.2

<sup>33</sup> *Ibid.*, p.4

<sup>34</sup> *Haiti - Economic Growth and Agricultural Development Fact Sheet*, U.S. Agency for International Development (USAID), Jan. 2016.

<sup>35</sup> *Haiti - Democracy, Human Rights & Governance Fact Sheet*, U.S. Agency for International Development (USAID), p.1, Mar. 2016.

judicial facilities.<sup>36</sup> Due in part to concerns about corruption and obstructionism—including reports that government officials demanded large fees to allow humanitarian assistance into the country—less than 10 percent of recovery and relief spending was channeled through government agencies.<sup>37</sup> As of January 2016, many government buildings had not yet been rebuilt.<sup>38</sup>

According to USAID, Haiti lacks fully-functioning governance institutions, enforceable legal norms, and qualified and trained government staff—all of which contribute to low levels of faith in government among the Haitian people.<sup>39</sup> Political instability and repeatedly delayed elections have undermined reconstruction efforts in Haiti.<sup>40</sup> The first round of the most recent presidential election in Haiti was held on October 25, 2015.<sup>41</sup> However, opposition candidates and human rights and religious groups expressed allegations of fraud, which contributed to violent protests.<sup>42</sup> The second-round of the election did not occur as scheduled prior to the end of President Michel Martelly's term on February 7, 2016, leaving Haiti without an elected president.<sup>43</sup> Jocelerme Privert, who was president of Haiti's Senate, took over as interim president; however, a new election did not occur before his mandate ended on June 15, 2016.<sup>44</sup> On November 20, 2016, Jovenel Moïse, a banana plantation owner, was elected president with enough votes to avoid a run-off.<sup>45</sup>

### SECURITY RISKS

By creating new security vulnerabilities and stimulating an increase in crime, the 2010 earthquake had a deleterious impact on public security in Haiti.<sup>46</sup> The escape of thousands of prisoners and the diffusion of gangs throughout Port-au-Prince in the aftermath of the earthquake overwhelmed Haiti's historically weak justice system and police.<sup>47</sup> An overall climate of insecurity in IDP camps left many IDPs vulnerable to violence and crime, including gender-based violence, theft, and domestic violence.<sup>48</sup>

<sup>36</sup> *Fast Facts on the U.S. Government's Work in Haiti: Governance, Rule of Law, and Security*, U.S. Department of State, Dec. 31, 2014.

<sup>37</sup> *A march around the institutions: Lessons from Haiti's earthquake*, The Economist, Jan. 17, 2015.

<sup>38</sup> Moloney, Anastasia, *Factbox: Haiti six years after the quake - What's changed?*, Thomson Reuters Foundation, Jan. 12, 2016.

<sup>39</sup> *Haiti - Democracy, Human Rights & Governance Fact Sheet*, p.1.

<sup>40</sup> Moloney; Charles, Jacqueline, *Haiti's hurricane-delayed elections now set for Nov. 20*, Miami Herald, Oct. 14, 2016.

<sup>41</sup> Hersher, Rebecca, *Haiti's Presidential Election Delayed In Wake Of Hurricane*, NPR, Oct. 5, 2016.

<sup>42</sup> Charles, Jacqueline, *Banana farmer wins Haiti presidency, according to preliminary results*, Miami Herald, Nov. 28, 2016.

<sup>43</sup> Hersher.

<sup>44</sup> *Ibid.*

<sup>45</sup> Charles, *Banana farmer wins Haiti presidency, according to preliminary results*.

<sup>46</sup> Berg, Louis-Alexandre, *Crime, Politics and Violence in Post-Earthquake Haiti*, United States Institute of Peace, p.1-2, Sep. 28, 2010.

<sup>47</sup> *Ibid.*

<sup>48</sup> *Ibid.*

In August 2016, the United Nations Secretary General reported that the security situation in Haiti remained “relatively calm but fragile,” due to political uncertainty; a number of cases of political violence and an increase in the number of demonstrations, sit-ins, and strikes were reported in the months prior to the publication of the aforementioned report.<sup>49</sup> The U.S. Department of State’s Bureau of Diplomatic Security has reported that homicide, armed robberies, and crimes against persons (including gender-based violence) remain major concerns in Haiti.<sup>50</sup> In general, Haitians “lack basic policing services,” and criminals are able to operate without fear of the police.<sup>51</sup> In October 2016, the United Nations Security Council extended the mandate of the United Nations peacekeeping mission in Haiti (MINUSTAH) until mid-April 2017.<sup>52</sup>

### FOOD SECURITY

Damage from the 2010 earthquake exacerbated Haiti’s historic food security challenges. The earthquake displaced over 600,000 people from urban to rural areas, and caused significant damage to physical infrastructure; these factors contributed to a sharp decline in income, crop production, and food availability, as well as an increase in the price of food in the aftermath of the earthquake.<sup>53</sup> While the international community provided emergency food assistance and support for the agricultural sector to help avert a post-earthquake food crisis, food security remains a significant challenge for Haiti.<sup>54</sup> In recent years, food and nutritional security have gradually deteriorated due to the impact of Tropical Storm Isaac and Hurricane Sandy in 2012, “followed by recurring episodes of severe drought recently exacerbated by the impact of El Niño.”<sup>55</sup> In September 2016, an estimated 3.2 million people were food insecure.<sup>56</sup>

### ENVIRONMENTAL RISK

Haiti is one of the most vulnerable countries in the world to environmental hazards.<sup>57</sup> According to the World Bank and the Government of Haiti, “over 93 percent of Haiti’s surface and more than 96 percent of its population are at risk of exposure to two or more hazards,” making Haiti the world’s fifth most at risk country to multiple hazards.<sup>58</sup> Haiti is located at the intersection of

<sup>49</sup> *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti*, United Nations Security Council, p.3, Aug. 31, 2016.

<sup>50</sup> *Haiti 2016 Crime & Safety Report*, U.S. Department of State, Mar. 1, 2016.

<sup>51</sup> *Ibid.*

<sup>52</sup> *Security Council extends UN peacekeeping mission in Haiti for six months*, UN News Centre, Oct. 13, 2016.

<sup>53</sup> *Special Report: FAO/WFP Crop and Food Security Assessment Mission to Haiti*, Food and Agriculture Organization of the United Nations & The World Food Programme, Sep. 21, 2010, <http://www.fao.org/docrep/012/ak353e/ak353e00.htm>, (last visited Dec. 21, 2016).

<sup>54</sup> *Haiti: six months on, agriculture needs more support*, Food and Agriculture Organization of the United Nations, Jul. 15, 2010, <http://www.fao.org/emergencies/fao-in-action/stories/stories-detail/en/c/147984/>, (last visited Mar. 18, 2015).

<sup>55</sup> *ECHO Factsheet – Haiti – June 2016*, p.2.

<sup>56</sup> *Haiti: Humanitarian Snapshot*, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), Sep. 26, 2016.

<sup>57</sup> *Investing in people to fight poverty in Haiti: Reflections for evidence-based policy making*, The World Bank Group, p.135, 2014.

<sup>58</sup> *Ibid.*

clashing tectonic plates, which—as the 2010 earthquake demonstrated—places it at high risk of seismic activity.<sup>59</sup> Haiti's location in the middle of the “hurricane belt” exposes the country to severe hurricanes and tropical storms every June to October.<sup>60</sup> Haiti also suffers from floods, landslides, and droughts.<sup>61</sup> Extensive deforestation has left Haiti with less than two percent forest cover,<sup>62</sup> aggravating flash floods that cause erosion and wash away large amounts of topsoil.<sup>63</sup>

### HURRICANE MATTHEW

The strongest storm to hit Haiti in more than 50 years and the most powerful Atlantic storm since 2007, Hurricane Matthew made landfall in southwestern Haiti as a Category 4 hurricane on October 4, 2016.<sup>64</sup> With 145-mile-an-hour winds and torrential rains,<sup>65</sup> Hurricane Matthew “violently struck south-western Haiti...causing widespread damage, flooding and displacement.”<sup>66</sup> Heavy flooding occurred in the most affected departments,<sup>67</sup> including Grand’Anse, South, Nippes and South East departments.<sup>68</sup> Per the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), the impact of the hurricane occurred “at a time when the country is already facing an increase in the number of cholera cases and severe food insecurity and malnutrition.”<sup>69</sup>

Hurricane Matthew caused significant damage in Haiti, including by destroying or damaging homes and schools, killing livestock, contaminating water sources, and destroying crops and food reserves.<sup>70</sup> In the aftermath of the storm, towns along the southwest coast of Haiti were described as in a state of “near total destruction,”<sup>71</sup> with some towns and villages “almost wiped off the map.”<sup>72</sup> A United Nations official stated that the hurricane had caused the worst

<sup>59</sup> *Haiti: Executive Summary*, IHS Jane's Sentinel Security Assessment - Central America and the Caribbean, May 23, 2014.

<sup>60</sup> *Ibid.*

<sup>61</sup> *2014 Periodic Monitoring Report, January-December 2014, Haiti*, The United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.2, Jan. 2015.

<sup>62</sup> *Key Statistics*.

<sup>63</sup> *Haiti: Executive Summary*.

<sup>64</sup> *Hurricane Matthew: '1.4 million need help in Haiti'*, *Haiti: Hurricane Matthew Emergency Appeal n° MDRHT012*, International Federation of Red Cross and Red Crescent Societies, p.1, Oct. 6, 2016.

<sup>65</sup> Beaubien, Jason, *How Many Houses Did Hurricane Leave Standing In Port Salut, Haiti?*, NPR Morning Edition, Oct. 11, 2016; Guyler Delva, Joseph, *Hurricane Matthew toll in Haiti rises to 1,000, dead buried in mass graves*, Reuters, Oct. 10, 2016.

<sup>66</sup> *Haiti: Hurricane Matthew – Situation Report No.6*, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1-4, Oct. 10, 2016.

<sup>67</sup> Haiti is divided administratively into 10 departments. See *The World Factbook – Haiti*

<sup>68</sup> *Haiti: Hurricane Matthew – Situation Report No.6*, p.1-4.

<sup>69</sup> *Ibid.*, p.4.

<sup>70</sup> *Hurricane Matthew: '1.4 million need help in Haiti'*, *Haiti: Hurricane Matthew – Situation Report No.6*, p.3.

<sup>71</sup> Hume, Tim, Sterling, Joe, Watson, Ivan, and Darlington, Shasta, *Haitian leader: Cholera kills 13 after Matthew*, CNN, Oct. 10, 2016.

<sup>72</sup> *Hurricane Matthew: '1.4 million need help in Haiti'*.

humanitarian crisis in Haiti since the 2010 earthquake.<sup>73</sup> Many individuals in affected areas lacked access to radio or television, and received “little to no warning from the Haitian government” about the potential severity of the storm.<sup>74</sup> According to UNOCHA, Hurricane Matthew affected an estimated 2.1 million people in Haiti (approximately 20% of the population).<sup>75</sup> Over 175,000 people were displaced, and at least 546 individuals have died.<sup>76</sup> By mid-December 2016, as many as 1.4 million people were in need of humanitarian assistance, while 806,000 people were severely food insecure.<sup>77</sup>

### SUMMARY

With the support of the international community, Haiti continues to rebuild following the 2010 earthquake. However, Haiti’s progress remains fragile and vulnerable, and the country faces serious challenges, including a housing shortage, a cholera epidemic and limited access to medical care, damage to the economy, political instability, security risks, food insecurity, and considerable environmental risk. The deleterious impact of Hurricane Matthew in October 2016 has further hindered Haiti’s ability to recover from the 2010 earthquake.

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<sup>73</sup> Ibid.

<sup>74</sup> *Fear of cholera epidemic grows in Haiti after Hurricane Matthew*, CBS News, Oct. 11, 2016.

<sup>75</sup> *Haiti: Hurricane Matthew – Situation Report No.14*, United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), p.1, Oct. 21, 2016; *Situation Update: 20% of Haitian population affected by Hurricane Matthew*, Agency for Technical Cooperation and Development, Oct. 10, 2016.

<sup>76</sup> *WFP Haiti - Situation Report #30*, World Food Programme, p.1, Dec. 15, 2016; Miroff, Nick, *A month after Hurricane Matthew, 800,000 Haitians urgently need food*, Washington Post, Nov. 3, 2016.

<sup>77</sup> *WFP Haiti - Situation Report #30*, p.1.



THE SECRETARY OF STATE  
WASHINGTON

December 12, 2016

The Honorable Jeh Johnson  
Secretary of the Department of Homeland Security  
Washington, DC 20528

Dear Secretary Johnson:

I recommend that you extend the designation of Temporary Protected Status (TPS) for Haiti upon expiration on July 22, 2017, because certain extraordinary and temporary conditions related to the 2010 earthquake continue to exist. I do not recommend that you re-designate Haiti for TPS based upon the impact of Hurricane Matthew on Haiti.

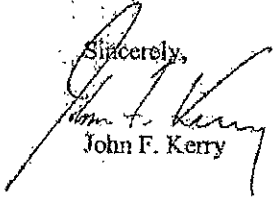
Haiti's current TPS designation ends July 22, 2017. To help inform your decision, the U.S. Department of State has assessed the country's current conditions. Specific lingering effects of the 2010 earthquake remain in infrastructure, health, sanitation services, and emergency response capacity.

For example, of the original two million people made homeless by the 2010 earthquake, approximately 55,000 remain in camps for internally displaced persons. Gender-based violence in these settlements continue to be a serious concern, and personal security continues to be a serious and pervasive issue. Some of those displaced have moved back to unsafe homes, begun reconstruction of damaged homes without assistance or guidance, or relocated to informal settlements located in hazardous areas. Despite efforts by Haitian authorities and the international community to address these concerns, infrastructure damage to housing in Haiti remain. For these reasons, Haiti lacks capacity to ensure the safe return of the 59,000 TPS beneficiaries residing in the United States. Therefore, I recommend an extension of TPS for Haiti upon its expiration.

At the same time, conditions in Haiti have improved since the earthquake, and Haiti has taken significant steps to improve the stability and the quality of life for its citizens.

For example, one hundred percent of the 10 million cubic meters of earthquake-related rubble has been cleared and there have been improvements to road conditions and infrastructure. Most government offices and ministries destroyed in the earthquake are now housed in temporary facilities, participation rates in primary education have risen from 79 to 90 percent, and tourism arrivals have increased by 10 percent annually from 2012-2015. The impact of Hurricane Matthew in October was limited to three of Haiti's 10 departments, and conditions in Port-au-Prince have returned to normal. For these reasons, the country now has the ability safely to receive traditional levels of returned Haitian nationals, and is currently doing so. Therefore, I do not recommend a re-designation of Haiti for TPS based upon damage from Hurricane Matthew.

Sincerely,

  
John F. Kerry

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(SBU) DEPARTMENT OF STATE RECOMMENDATION REGARDING  
EXTENSION OF TEMPORARY PROTECTED STATUS (TPS)  
FOR HAITI (AS OF 11/9/2016)

I. (SBU) Statutory Basis for Designation

A. Armed conflict

1. Is the foreign state currently involved in an ongoing, internal, armed conflict?

(U) No.

a. If so, would the return of nationals of the foreign state to that state (or to the part of the state) pose a serious threat to their personal safety?

(U) N/A

B. Environmental Disaster

1. Has the foreign state in question experienced an earthquake, flood, drought, epidemic, or other environmental disaster?

(U) Yes. Hurricane Matthew made landfall in Haiti October 4, causing extensive damage to crops, houses, livestock, and infrastructure across Haiti's southern peninsula. As of October 13, the Government of Haiti confirmed 546 fatalities, and it was estimated that 13 percent of the country's populace was in need of post-hurricane humanitarian assistance (806,000 required food assistance and 175,509 remained in evacuation shelters). The number of individuals requiring assistance continues to drop as the Haitian government and international community work on reconstruction efforts.

a. If so, does there continue to be a substantial, but temporary, disruption of living conditions in the area affected?

(U) Yes, there was substantial but temporary disruption. The largely localized disruption of living conditions following Hurricane Matthew occurred in the Nippes, Grand'Anse, and Sud departments – three of Haiti's 10 departments. These areas are home to 1.4 million of Haiti's total population of 10.7 million. The hurricane otherwise inflicted minimal damage on the remainder of the country, including Port-au-Prince and the second largest city, Cap-Haitien.

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2. **Is the foreign state unable, temporarily, to handle adequately the return to the state of aliens who are nationals of the state?**

(U) No. Daily operations outside of the most affected areas and in Port-au-Prince have returned to normal.

3. **Has the foreign state officially requested TPS for its nationals in the United States?**

(U) No.

**C. Extraordinary and Temporary Conditions**

1. **Has the foreign state experienced extraordinary and temporary conditions that prevent aliens who are nationals of the state from returning to the state in safety?**

(SBU) Yes. Since the catastrophic January 12, 2010, magnitude 7.0 earthquake, which killed approximately 200,000 people and damaged critical infrastructure, country conditions and the Government of Haiti's capacity have improved sufficiently to absorb the return of a moderate flow of Haitian nationals. However, it still lacks the capacity to absorb the approximately 59,000 Haitians residing in the United States under TPS.

(U) While virtually all government offices and ministries were destroyed in downtown Port-au-Prince, most are now housed in temporary facilities. One hundred percent of the 10 million cubic meters of the earthquake-related rubble has been cleared and there have been improvements to road conditions and infrastructure. Furthermore Haiti averaged a 10 percent annual increase in tourism arrivals 2012 - 2015.

(U) There has also been improved access to primary education, resulting in a noticeable increase in participation rates of school-aged children from 79 to 90 percent. However, the quality of education remains a challenge, with only one-third of children aged 14 in the appropriate grade for their ages.

(SBU) While the institutional capacity of the Haitian government to respond adequately to the lingering effects of the earthquake remains weak, the U.S. government has actively worked toward strengthening the Haitian civil service and government service delivery.

(SBU) As of September, of the original two million people made homeless by the 2010 earthquake, approximately 55,000 remain in camps for IDPs.

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Gender-based violence in these settlement areas continues to be a serious concern, and personal security continues to be a serious and pervasive issue. Some of those who were displaced have moved back to unsafe homes, begun reconstruction of damaged homes without assistance or guidance, or relocated to informal settlements located in hazardous areas. Despite efforts by Haitian authorities and the international community to address these concerns, lingering effects of infrastructure damage to housing in Haiti remain as a result of the earthquake remain.

(SBU) The United States and our international partners continue to work to train and support the development and growth of the Haitian National Police (HNP), which has been increasingly perceived as professional and capable of providing security. The HNP is on track to meet its five-year development plan goal of 15,000 officers on the force, allowing it to assume a greater responsibility for security ahead of the drawdown and eventual withdrawal of the United Nations Stabilization Mission in Haiti (MINUSTAH) peacekeeping forces. However, the HNP remains highly concentrated in Port-au-Prince and susceptible to severe budgetary pressures, challenging its ability to guarantee the security of Haitian nationals throughout the country.

(SBU) Overall, despite some improvements, as well as the work of international organizations, agencies, and local NGOs, Haiti continues to lack the adequate infrastructure, health, sanitation services, and emergency response capacity necessary to ensure the personal safety of a large number of TPS returnees in tandem with the resumption of noncriminal deportations.

(SBU) Haiti faces an uncertain security environment at least into early-2017 as a result of a political crisis over the prolonged delay in presidential elections; however, the first round of elections was held November 20, which provides optimism about progress within the country. The Government of Haiti has also indicated a willingness to handle a larger flow of deportations from the United States following the elections, though this is subject to change based on the new government's policy priorities. In the interim, the provisional government faces challenges to its legitimacy and there remains a risk of politically motivated violence.

(SBU) It is unlikely the Government of Haiti could adequately facilitate the simultaneous return and reintegration of the 59,000 nationals currently benefiting from TPS in the United States. In the past, with U.S. government,

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United Nations, International Organization for Migration (IOM), and NGO support, government agencies welcomed an average flow of 30 returnees per week and facilitated their reintegration with financial and logistical support. The Haitian government often experienced difficulties in providing such support and coordination in a timely and consistent manner, however, without support from international and NGO partners. The Government of Haiti would have serious problems shouldering the responsibility for facilitating the reintegration of approximately 59,000 Haitian nationals when the Haiti TPS program would otherwise expire in 2017.

(SBU) The largely localized disruption of living conditions following Hurricane Matthew impacted 13 percent of Haiti's population. Daily operations outside of the most affected areas and in Port-au-Prince have returned to normal. With U.S. government, United Nations, IOM, and NGO support, Haitian government agencies are able to welcome and facilitate the limited return of Haiti's citizens.

2. **Would permitting nationals of the foreign state to remain temporarily in the United States be contrary to the national interest of the United States?**

(SBU) No. While TPS is often conflated with the policy decision to suspend deportations of unauthorized Haitian migrants without U.S. criminal history, it is the latter that truly incentivizes Haitians to travel to the United States. Most are making the dangerous journey from Brazil due to the gradual decline in the availability of jobs in that country. This has resulted in an unprecedented surge of Haitians at the U.S.-Mexico border. In FY 2016, approximately 5,962 Haitians arrived at the U.S.-Mexico border (a 1,679 percent increase from FY 2015). In an effort to dissuade Haitian nationals from migrating to the United States, DHS issued a directive September 22 to resume regular removals of Haitians not covered under TPS. Extending the current TPS protection would only maintain the status quo. By contrast, re-designation of TPS would extend coverage to the many Haitians who entered after 2011 and send a signal that the arduous and dangerous journey to the United States, by land or sea, will eventually lead to regular status in the United States. A renewed surge in illegal migration attempts would also significantly overwhelm DHS' already constrained resources. Due to the current unprecedented surge, DHS has a large in-processing backlog, as well as overcrowding in its detention facilities.

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**II. Discretionary Factors**

1. **What, if any, additional information relevant to this decision should be brought to the attention of DHS?**

(SBU) Re-designation of TPS would have severe implications for our partners in Central America who have attempted to manage the thousands of Haitians in transit to the United States. Re-designation would further tax their scant resources as they work to detain and provide necessary humanitarian assistance to Haitians, and possibly undermine their willingness to remove migrants. An extension of TPS for only current beneficiaries, however, in conjunction with a regular, predictable program of deportations for irregular Haitian migrants, would best serve to disincentivize illegal migration.

**III. Recommendation for Extension and/or Re-designation**

(SBU) Based on the country conditions assessment, and in light of the resumption of noncriminal deportations, the Government of Haiti is unable to properly facilitate the reintegration and guarantee the safety of the approximately 59,000 Haitians who would return to Haiti following expiration of TPS in 2017. Thus, the Department recommends an extension of TPS for current beneficiaries.

(SBU) Furthermore, based on the country conditions assessment, the Department does not recommend a re-designation of TPS as a result of Hurricane Matthew. The Department assesses that Haiti maintains the ability to facilitate the resumption of modest and gradually increasing numbers of removals of unauthorized Haitian migrants without U.S. criminal history in addition to the ongoing deportations of criminal aliens from the United States.

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