



The Bridge

Haitian Bridge Alliance
Statement by Erik Crew, Staff Attorney
Thematic Discussion: Transnational Migration
Second session of the Permanent Forum on People of African Descent
31 May 2023

Our organization, the Haitian Bridge Alliance, fights alongside Black people in mobility and in migration to satisfy their human rights. We appreciate this opportunity and look to respond here to the Permanent Forum's request for recommendations.

Member States, especially in the Western Europe and Others Group (WEOG), including the United States, talk a lot about addressing root causes of migration. But, as they use mass expulsions and deportations, militarized borders, mandatory detentions in for-profit prisons, sea interdictions, and other human-rights-violating practices against Africans and people of African Descent, I have never heard them say that the lack of global reparatory justice is a root cause of migration.

We recommend that the Permanent Forum clearly state that the lack of global reparatory justice for colonialism, slavery, and neo-colonial imperialism is a root cause of the ongoing forced displacement of African peoples and people of African descent and that global reparatory justice, as articulated by former special rapporteur E. Tendayi Achime yesterday, is a central part to addressing the so-called migration crisis.

We recommend that the Permanent Forum clearly state that migration strategies based in "prevention through deterrence" are an ongoing violation of international law. We recommend that the Forum look to the egregious example of the "Haitian Deterrence Policy" as practiced by the United States, articulated in our ongoing federal civil rights lawsuit, *Haitian Bridge Alliance et al. v. Biden*,¹ a lawsuit seeking justice and reparation for Haitians brutalized in Del Rio, Texas in 2021.

We recommend the Permanent Forum amplify the Committee on the Elimination of Racial Discrimination's April 29 Statement made to the United States under the Committee's Early Action and Urgent Warning Procedure,² where the Committee called for the United States to, among other measures, immediately end all forced returns of Haitians to Haiti, all the deportations, collective expulsions, and returns by sea interdictions.

We recommend the Forum use CERD's Statement as a model for communications to all Member States calling on them to root out racism in their migration policies.

We recommend the Permanent Forum investigate the ongoing use of maritime interdictions by the WEOG States, as the US uses with Haitians and Europe uses with people from Africa, and to clearly state that this practice is an ongoing violation of international law, based in racism, and must end.



We recommend the Permanent Forum call on Member States to use all their powers to grant immediate protections and legal status to peoples of African Descent exercising their right to human mobility.

These States cannot continue to sit on wealth and power gained from the unaccounted for and unrepaired crimes and use that power to skirt international law and continue to brutalize Black people who are seeking the meaningful experience of freedom with their very bodies and exercising their rights to life, safety, dignity, and mobility. Thank you.

¹ See Complaint, *Haitian Bridge Alliance v. Biden*, No. 1:21-CV-03317 (D.D.C.) (filed Dec. 20, 2021), <https://int.nyt.com/data/documenttools/hba-v-biden/a8106eacd7c45afe/full.pdf>.

² CERD, *Situation of migrants, asylum seekers and refugees of Haitian origin in the Americas region* (Apr. 28, 2023), available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCERD%2FSWA%2F9755&Lang=en.