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LABOR RIGHTS VIOLATIONS IN HAITI

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When the US Congress renewed the Generalized System of Preferences (GSP) in late 1984, it enacted important new guidelines to help insure that the system does not adversely affect the welfare of workers in the U.S. It also sought to provide inducements for beneficiary countries to upgrade their own labor conditions, so that these conditions do not by their inadequacy give the exports from these countries an unfair advantage in the American market.

Specifically, before the U.S. President declares a country eligible for GSP benefits, he must certify that it abides by the following internationally recognized rights of workers:

1. The right of association;
2. The right to organize and bargain collectively;
3. A prohibition on the use of any form of forced or compulsory labor;
4. A minimum age for the employment of children; and
5. Acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health.

This testimony presents evidence that the Government of Haiti does not meet the above standards and argues that it should therefore be suspended from eligibility for GSP benefits. We believe that it should never have received CBI benefits either, but that is not the subject of our testimony today.

The Government of Haiti has ratified 23 conventions of the International Labor Organization (ILO), including Convention #87, Freedom of Association and Protection of the Right to Organize. However, it has never paid more than lip service to the Conventions it has ratified, including #87. This Government is very nearly the most corrupt and repressive in the Western Hemisphere, although it will from time to time yield to outside pressure (usually in an effort to impress potential donors of aid) and make temporary and cosmetic changes in its practices.

In July 1982 the US Department of Labor reported on the trade union situation in Haiti as follows:

"The organized labor movement in Haiti is almost non-existent. All unions, except one which is directly controlled by the government, are outlawed. Little in the way of trade or collective bargaining exists and strikes are extremely rare. Unions must obtain recognition from the Ministry of Labor and conform to the labor code, which provides for a direct governmental role in labor disputes. There is a long history of government repression of the labor movement in Haiti."

The last independent trade union to exist for any period of time in Haiti was the Union Nationale d'Ouvriers d'Haiti (UNOH). The government of then dictator Francois "Papa Doc" Duvalier raided its headquarters and destroyed all records of the union in January 1958. Its General Secretary was imprisoned. UNOH was then converted into an official government union called Force Ouvriere et Paysanne d'Haiti (FOPH).

The independent labor union movement attempted to re-assert itself in 1959, with the establishment of the Federation Haitienne des Syndicats Chretiens (FHSC). ~~At this time,~~ a few unions and rural cooperatives were established before the leaders were exiled to Venezuela. Other attempts to organize trade unions in the 1960's resulted in the arrest and lengthy imprisonment of the organizers.

In the summer of 1979, an international delegation composed of trade union representatives from Venezuela, the Dominican Republic, and Canada visited Haiti to encourage the development of a labor movement. Through this encouragement, the Autonomous Confederation of Haitian Workers (CATH) was established. Taking advantage of a temporary relaxation of the dictatorship of Jean-Claude (Baby Doc) Duvalier (the successor to his father), CATH began to organize in the many assembly industries, mostly U.S. owned through Haitian partners, which had been established in the 1970's. In September 1980, workers called their first strike at four assembly plants. In November 1980, as part of a general crackdown on political dissidents, journalists, and other critics of the regime, the strike was crushed and the union disbanded. In this sweep, 60 trade union leaders were detained (many have not been seen since) and approximately 250 workers discharged.

In order to gain designation for benefits under the Caribbean Basin Initiative (CBI), the Government of Haiti had to agree to amend its labor code so that, on paper at least, it would accommodate

expanded labor rights. The authorities in fact agreed to modify their law or practices in twenty respects, including three relating to the conditions under which Haitians go seasonally to the Dominican Republic to cut sugar cane - conditions described in the past as bordering upon slavery.

Reporting to Congress on August 9, 1984, in his capacity as chairman of the Congressional Black Caucus Task Force on Haitian Refugees, Delegate Walter Fauntroy of the District of Columbia noted that the Haitian Government had, on paper, fulfilled a number of these agreements, but added:

"However, the test of a government is not what it says but what it does in practice. In practice, there are still no labor unions operating today in Haiti in the export-oriented assembly industry."

The Government did permit the founding, in January 1984, of the Federation of Union Workers, uniting nine small unions in the Port au Prince areas, with a membership totalling about 2500. Last summer the President of the Federation attended the annual ILO general meeting, the first time a labor leader had represented Haiti there for many years. As Delegate Fauntroy noted, however, none of these unions were in the export-oriented assembly industry. Overall, less than one per cent of Haitian workers are in unions of any kind.

A mission of three trade unionists sponsored by the ORIT/ICFTU visited Haiti in March 1985 and reported that "international pressure has... prompted the Duvalier dictatorship to nominally address gross violations of human and trade union rights," but added: "The mission observed little significant free trade union presence in the country and noted that a climate of fear continues to exist."

The mission urged "a concentrated campaign to condemn human and trade union rights violations in Haiti... Such a campaign should include vigorous action at all levels of international institutions and a major lobbying effort in those countries whose commercial sectors are co-operating with Haiti in its attempt to attract foreign investment."

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Effective trade union organization is certainly urgently needed. The Haitian government, encouraged by its CBI status, has embarked upon a major campaign to attract foreign investment, stressing its abundant supply of low-wage, unorganized labor. The current minimum wage is \$3.00 a day, lower than anywhere else in the Western hemisphere and lower than the cost of living. It is lower than anywhere else in the Western Hemisphere and lower than in Taiwan, Malaysia, or Singapore. The lack of labor and work-safety legislation means that Haitian workers, according to CBI officials, are not only cheaper than their East Asian counterparts, but 10% more productive. In addition, experience over the years has shown that the government is prepared to break any strike by force.

The U.S. government takes action against subsidized exports. It is the suffering of the Haitian workers which is subsidizing that Country's exports to the United States. Accordingly, GSP concessions should be suspended until the Government of Haiti moves to establish basic and permanent improvement in the status of its workers, rather than transparently temporary and cosmetic ones.

