



# Security Council

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## United Nations Integrated Office in Haiti

### Report of the Secretary-General

#### I. Introduction

1. The present report is submitted pursuant to Security Council resolution [2645 \(2022\)](#), by which the Council decided to extend to 15 July 2023 the mandate of the United Nations Integrated Office in Haiti (BINUH), in accordance with resolution [2476 \(2019\)](#) establishing BINUH, and to adjust the reporting requirements from 120 days to 90 days. The report includes significant developments that have occurred since my previous report ([S/2023/41](#)) and provides an update on the implementation of the BINUH mandate.

#### II. Political issues and good governance

2. Progress was made in the implementation of the agreement known as the National Consensus for an Inclusive Transition and Transparent Elections, signed on 21 December 2022 (see [S/2023/41](#)). The installation of the High Transitional Council and the appointment of members of the Court of Cassation marked important steps in the path to restoring the country's democratic institutions. The expanding influence of armed gangs on security, however, remained at the forefront of the national debate.

3. According to an executive order issued on 17 January in the official gazette, *Le Moniteur*, the three members of the High Transitional Council are: Laurent Saint Cyr, selected by representatives of the economic sector; Calixte Fleuridor, selected by representatives of the social sector; and Mirlande Manigat, selected by representatives of the political sector. Mr. Saint Cyr is the President of the Chamber of Commerce and Industry of the West Department, while Mr. Fleuridor is the President of the Protestant Federation of Haiti. Ms. Manigat is a constitutional expert and a former first lady and was a presidential candidate in 2010. The Council was established to work jointly with the Government to implement the 21 December agreement, and its three members took office on 7 February.

4. During the installation ceremony, Ms. Manigat, who will serve as the President of the Council, recalled that the priority was to forge a wider consensus on the means to create the security and political conditions needed for the holding of elections. She called upon all national stakeholders, including those who had not signed the 21 December agreement, to constructively participate in an inclusive national dialogue on security, constitutional reform and elections. In parallel, she emphasized



the urgent need for the provision of robust international assistance to the Haitian National Police to help to restore peace and security in Haiti.

5. A number of signatories to the 21 December agreement, private sector groups and civil society platforms welcomed the establishment of the High Transitional Council as a key first step towards the restoration of democratically elected institutions. Other stakeholders were more cautious, noting that the Council needed to demonstrate concrete results within a defined time frame. On 30 January, the Montana agreement *Bureau de suivi* and a group of eight political organizations, including the former ruling party Parti haïtien Tèt Kale and the opposition group Pitit Desalin, issued a statement in which they conveyed their disagreement with the process, calling for the departure of the Prime Minister, Ariel Henry, and fresh negotiations for a more inclusive accord.

6. Following discussions on 8 February, the Council of Ministers announced that the High Transitional Council would hold a forum on national security with representatives from all relevant sectors, including non-signatories to the 21 December agreement, in order to forge a wider consensus on measures to address insecurity. In a letter dated 15 February to the independent facilitation committee, the High Transitional Council requested technical assistance, including the establishment of a secretariat.

7. On 17 February, a group of signatories to the 21 December agreement, including a group of former signatories to the Montana agreement and the political coalition known as “historic compromise”, announced the establishment of a monitoring committee to advocate the swift implementation of the 21 December agreement and relaunched efforts to further broaden the consensus. On 28 February, representatives of the political party Fanmi Lavalas issued a statement in which they suggested that national security should be the starting point in the dialogue to broaden consensus.

8. On 18 February, the independent facilitation committee initiated consultations with the High Transitional Council, BINUH, the Organization of American States (OAS), and the United Nations Development Programme (UNDP) to assess the technical and financial resources needed to establish a High Transitional Council secretariat. This support would entail work by funding experts to organize multi-stakeholder consultations on security and convene a round table to broaden consensus on the 21 December agreement. BINUH is coordinating with UNDP and other partners on possible ways to provide such support.

9. Several international partners welcomed the installation of the High Transitional Council as a crucial step in the path to restoring democratic order and improving security. On 10 February, the Permanent Council of OAS adopted a resolution in which it encouraged the implementation of the 21 December agreement and called upon the High Transitional Council to coordinate a political dialogue aimed at broadening consensus and ensuring that the agreement was as inclusive as possible. At the forty-fourth regular meeting of the Conference of Heads of Government of the Caribbean Community (CARICOM), the Heads of Government acknowledged the agreement as a positive step forward, while emphasizing the need for the agreement to be more inclusive. They also expressed a commitment to build international partnerships to support the country’s return to peace and stability as the necessary precursor to free, fair and credible elections.

10. In view of the current constitutional vacuum and the lack of quorum preventing the Court of Cassation from functioning, consultations between the Government, the High Transitional Council and the Superior Council of the Judiciary culminated in the appointment on 26 February of eight judges to fill vacancies. The new judges, including three women justices, were sworn in during a ceremony held in Port-au-Prince on 7 March. While three magistrates’ associations and other judicial

stakeholders welcomed the appointment of the judges as a necessary measure to facilitate the administration of justice, the decision also drew some criticism. Several political figures asserted that the ad hoc procedure adopted for the appointment of the judges violated article 175 of the amended 1987 Constitution, which confers the authority to the President to appoint magistrates to the Court from a list of three candidates per seat submitted by the Senate.

11. The new electoral councillors have not yet been nominated as required by the 21 December agreement. Meanwhile, BINUH and UNDP continued to support capacity-building for the secretariat of the Provisional Electoral Council. In addition, discussions on strategies to prevent electoral violence were held among representatives of electoral and local institutions, civil society, the private sector, religious groups, the media and the cultural sector, in the South-East, Centre and Artibonite Departments. The Ministry of Finance ordered the payment of several months' worth of salary arrears to electoral staff, enabling the resumption of core electoral activities, including the updating of the voter database. Meanwhile, the Office of National Identification reported a significant increase in new citizen registrations since early January, reaching 2,000 registrations a day. As at 6 April, some 5.356 million people of voting age had registered, of whom 2.788 million were women.

12. In early February, a civil society organization called the Diagnostic and Development Group and a private sector group called the Alliance pour la gestion des risques et la continuité des activités presented the results of a survey on the security situation based on interviews with over 1,300 people (45 per cent of whom were women). According to the results, 79 per cent of respondents favoured assistance in the form of an international armed force to help the national police. Furthermore, 80 per cent of respondents also favoured the mobilization of the national army as an option to support the police in the fight against gangs.

13. The country's political leadership continued to advocate the immediate deployment of an international specialized armed force. The Prime Minister and the Minister for Foreign Affairs and Worship reiterated their call at the meeting of the Permanent Council of OAS on 18 January and at the seventh Summit of the Heads of State and Government of the Community of Latin American and Caribbean States (CELAC), held in Argentina on 24 January. On the same day, in a declaration issued in Buenos Aires, the Heads of State and Government of CELAC encouraged member States to consider participating in the specialized multinational force requested by Haiti. At the forty-fourth regular meeting of the Conference of Heads of Government of CARICOM, the Prime Minister emphasized the importance of providing international armed support to the national police in order to create an enabling security environment for the holding of free, transparent and credible elections.

14. A high-level delegation from CARICOM subsequently visited Haiti on 27 February to assess the situation on the ground and hold consultations on the political and security situation. The delegation met with government officials, the High Transitional Council, police leadership and representatives from political groups, civil society, human rights organizations and the private sector to hear views on Haitian-led solutions and to demonstrate the organization's solidarity. Following meetings with the CARICOM delegation, two Haitian civil society groups issued statements in which they urged countries of the region to assist the police in the fight against gangs and reiterated their call for the deployment of international forces.

15. On 5 March, the Heads of Government of CARICOM issued a statement in which they indicated their intention to convene a follow-up meeting with Haitian stakeholders and reiterated their willingness to support the national police, including through training. In addition, on 15 March, a working group on Haiti of the Permanent

Council of OAS held a session with States members and permanent observers of OAS, the Government of Haiti, the High Transitional Council, the United Nations and other stakeholders to identify priority areas for security assistance. During the session, the Minister for Foreign Affairs and Worship reiterated the Government's request for the deployment of a specialized international force to assist the police. In Port-au-Prince, during a visit to the headquarters of the Haitian Armed Forces, the Prime Minister called for the mobilization of all national security forces, including the national army, to help the police to combat escalating gang violence.

### III. Violence reduction

16. Widespread insecurity and extreme violence continued to be at the forefront of the public debate as the Haitian people faced escalating levels of kidnapping and violent crimes perpetrated by gangs, including the use of rape as a weapon. Gangs continued to compete to expand their territorial control throughout the Port-au-Prince metropolitan area, spreading to previously unaffected neighbourhoods, as well as to several municipalities in the Artibonite Department. Clashes among armed gangs and with the police have become more violent and more frequent, claiming many civilian lives, destroying property, displacing civilians from their homes and increasing vulnerability and the need for humanitarian assistance.

17. Reported homicides increased by 21 per cent, with 815 cases between 1 January and 31 March, compared with 673 recorded during the last quarter of 2022. Of all homicide cases, 80 per cent were recorded in the West Department. Furthermore, 637 kidnappings were recorded during the first quarter of 2023, an increase of 63 per cent, compared with 391 in the last three months of 2022.

18. Civil unrest erupted between 25 January and 3 February in Port-au-Prince (West Department), Gonaïves (Artibonite Department), Les Cayes (South Department) and Cap-Haïtien (North Department) after 11 police officers were killed in two separate incidents involving armed gangs, on 20 January in Pétionville (West Department) and on 25 January in Liancourt (Artibonite Department). A number of protesters instigated violent demonstrations, often accompanied by gunfire, roadblocks and burning barricades. The demonstrations brought much of the country to a standstill, leading to the closure of businesses and schools. On 26 January, dozens of armed individuals, some dressed in police uniforms, set up barricades throughout Port-au-Prince. A group of protesters assembled outside the Prime Minister's official residence, although the protesters were unable to breach the inner perimeter. Later that day, a group of protesters forced its way inside Toussaint Louverture International Airport, where the Prime Minister had just landed. The Prime Minister remained stranded inside the airport for several hours and was subsequently evacuated to a safe location.

19. Following a meeting of the Council of Ministers and the Superior Council of the National Police, the national police announced on 29 January the deployment of specialized units to fight against armed gangs as part of "Operation Tornado 1" in several communes in the West and Artibonite Departments. The results have been mixed or have not been evident. While the police operations seem to momentarily disrupt gang activities, often merely displacing the gangs to new areas, the national police remain too overstretched and underresourced to consolidate these small security gains, and armed gangs continue to expand their criminal enterprise.

#### *Community violence reduction programmes*

20. Despite worrisome trends, local initiatives to help to reduce violence have yielded some results. Commercial and social activities have resumed to a limited degree in Martissant after two years of blockade by armed gangs, although roads to

the southern departments still remain mostly blocked to commercial traffic. Community-based organizations and civil society groups called upon the authorities to sustain local initiatives aimed at reducing violence.

21. As part of a community violence reduction project supported by the Peacebuilding Fund, the interministerial task force on disarmament, dismantlement and reintegration and community violence reduction held a series of consultations with communities in each of the 10 administrative departments of Haiti to build support for the national action plan on community violence reduction. These consultations supported the creation of new departmental platforms to provide space for discussions on security, justice, community recovery, youth skills, protection and sexual and gender-based violence, enabling long-term ownership of the national action plan. BINUH, with support from the Peacebuilding Support Office and the Office of the Rule of Law and Security Institutions, facilitated a consultation on innovative approaches to violence reduction from 28 February to 2 March in Port-au-Prince, with the participation of the United Nations country team, the World Bank and the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean.

#### *Illicit weapons and financing*

22. As part of the efforts to combat the proliferation of illicit arms and ammunition, in February, the Prime Minister signed the national action plan to implement the Road Map for Implementing the Caribbean Priority Actions on the Illicit Proliferation of Firearms and Ammunition across the Caribbean in a Sustainable Manner by 2030. The plan contains an outline of the priorities for combating illicit trafficking in firearms and ammunition and will serve as a monitoring tool to inform international partners' decisions regarding the provision of support. In addition, in January, the revision of the draft law on weapons and ammunition management was completed by a working group of the interministerial task force, with support from UNDP and BINUH. The draft law will be submitted to the Government in the near future.

23. The United Nations Office on Drugs and Crime (UNODC) continues to support the customs authorities in strengthening national capacity in border management to combat illicit trafficking and transnational organized crime. Among other efforts, UNODC is completing its assessment of the country's border control points, while also supporting the training of newly established inter-agency teams comprising customs, police, port and airport authorities to target, screen and inspect containers and cargo.

24. On 3 March, UNODC issued a report entitled "Haiti's criminal markets: mapping trends in firearms and drug trafficking". Although constrained by scant data, the study sheds some light on illicit trafficking flows that enable gangs and other criminal networks to fuel violence in Haiti through an increasingly sophisticated market of high-calibre firearms and ammunition, along with drug smuggling. In the report, UNODC provides an overview of international, regional and national efforts to increase support for law enforcement and border management in the country and highlights the need for comprehensive approaches encompassing additional investments in community policing, criminal justice reform and anti-corruption initiatives.

## IV. Security and the rule of law

### *Police*

25. The high rate of attrition in the national police continues to be a concern. Increasing attacks on the police have resulted in growing rates of post abandonment, absenteeism, retirement and, more recently, applications to humanitarian parole programmes in the United States of America. Since the beginning of 2023, 22 police officers have been killed by gangs. These trends are expected to accelerate, unless efforts are redoubled to urgently equip and train police, recruit new officers and improve working conditions to retain existing personnel.

26. As at 31 March, the total number of police officers nationwide stood at 14,772, including 714 officers from the most recent police training class, with 1,733 women (11.7 per cent), corresponding to a ratio of 1.2 police officers for every 1,000 inhabitants. According to the national police administrative department, when accounting for desertions, temporary suspensions due to administrative investigations, and other absences, the actual operational strength is about 13,200 personnel available to perform as active-duty officers. Despite security and logistical challenges, efforts are under way to conduct written examinations for some 7,000 candidates of the thirty-third class of recruits, of whom about 20 per cent are women applicants. BINUH will continue to assist throughout the different stages of the recruitment process, until cadets are ready to begin seven months of basic training in the coming months.

27. The gaps in policing capacities, against the backdrop of increasing gang violence and expansion of territorial control and in particular the increased use of guerrilla-type combat tactics by gangs, represent a source of great concern. The national police estimate that significant areas of the capital are experiencing increased gang violence to varying degrees, of which Port-au-Prince, Cité Soleil, Croix-des-Bouquets, Delmas, Pétionville and Tabarre remain the most affected. Rough estimates by the national police indicate that there are currently seven major gang coalitions and approximately 200 affiliated groups. Gangs ambushed and attacked national police infrastructure, causing serious damage to several police facilities and burning others to the ground. Other gang tactics include spreading terror by indiscriminately shooting at passengers on public transport and rape. Most of the gangs operate in and around the metropolitan area of Port-au-Prince and in the Artibonite Department, using a variety of heavy armaments, including handguns and assault weapons. Recent gang offensives have also involved the use of counterfeit police uniforms and high-calibre weapons capable of destroying armoured vehicles.

28. Following the conclusion of a government procurement process initiated in 2022, the national police received 11 of 18 armoured vehicles that had been commercially ordered, in addition to personal protective equipment, weapons and other materiel. These resources need to be supplemented to improve the surveillance and operational capacities of the police, such as with night vision equipment. Using this equipment, the police carried out least 150 operations throughout the country during the reporting period, resulting in the arrest of some 1,500 suspects and the seizure of dozens of weapons and approximately 70 kg of marijuana and cocaine.

29. The basket fund managed by UNDP to support the professionalization of the national police has received \$14.9 million of an estimated budget of \$28 million, with \$3 million pledged but not yet received. The fund provides support for the construction and refurbishment of national police premises and supports efforts to improve asset management and supply police with equipment, including vehicles and communication and surveillance systems. During the reporting period, the support was focused on enhancing police intelligence capacities and establishing a vetting

system. Efforts to enhance the vetting process, by strengthening the capacity of both the General Inspectorate of the Haitian National Police and the recruitment service of the national police, continued to be impeded by events in the country.

### *Justice*

30. There were important developments in the justice sector, including the appointment of eight judges to the Court of Cassation. Measures were taken to strengthen judicial performance in an effort to reduce the rate of prolonged pretrial detention. BINUH supported efforts to increase the use of habeas corpus processes in three jurisdictions. Subsequently, a slight decrease of 683 persons in pretrial detention was observed between 3 November and 19 January, or a decrease from 83.94 per cent of detainees in pretrial detention to 83.15 per cent. On 23 January, the Ministry of Justice and Public Security issued a progress report on its new national quota system for evaluating prosecutors' performance, the first of its kind in Haiti. According to the Ministry, since 1 December, prosecutors across the country's 18 jurisdictions had issued 247 final indictments, carried out 162 visits to civilian prisons and sent 267 files to correctional courts for trial. On 24 February, the Ministry announced that prosecutors were required to report their progress before the end of each month and that those who had so far failed to report on time would need to provide an explanation, underscoring that the new quota system would be used to evaluate the prosecutors' performance.

31. On 16 January, the Superior Council of the Judiciary concluded a review in which it found that 28 of 69 judges and prosecutors vetted could not be certified on the grounds of moral integrity, including allegations related to the abuse of authority, the presentation of invalid credentials and the unlawful release of dangerous criminals. Nonetheless, the backlog of judiciary certifications remains significant, and some civil society organizations have expressed concern over procedural transparency. The National Ombudsman issued a statement on 11 February in which he urged the Superior Council to consider an appeal process in accordance with the fundamental right to defence, citing the American Convention on Human Rights. In the weeks following the review, several judges and prosecutors who had not been certified, including the Public Prosecutor of Port-au-Prince, nevertheless remained in office. On 23 February, the Superior Council issued a memorandum in which it instructed them to stop working immediately. The replacement of uncertified judicial actors is ongoing.

32. Efforts to bring the new penal and criminal procedure codes into force have not gained traction. While national authorities discussed ways to complete the review of the codes and extend the mandate of the commission appointed for their review, BINUH continued to encourage national stakeholders to engage in constructive dialogue on the gradual implementation of the penal reform that would allow for their entry into force.

33. On 28 February, the Anti-Corruption Unit launched a "national day for the declaration of assets", an initiative to strengthen transparency and revitalize efforts by all public officials to respect the obligation to declare their assets. Furthermore, on 3 March, the Unit filed investigation cases against seven former lawmakers, accusing them of having violated the obligation to declare their assets. The Unit has requested judicial authorities to adopt measures to prevent the seven former senators from taking part in public affairs, including suspending their rights to vote and to stand for election.

34. Also on 3 March, the Anti-Corruption Unit requested judicial authorities to prosecute a former President of the Senate for obstruction of justice and another former senator for the misappropriation of public resources. A similar request was

issued for the former Director of the General Customs Administration, who was accused of illicit enrichment, money-laundering and false declaration of assets.

### *Corrections*

35. Detention conditions continued to deteriorate across the country. Efforts to improve prison conditions were hampered by the high level of insecurity, preventing the rotation of corrections personnel and the delivery of supplies to prisons. As at 31 March, Haitian prisons housed 11,421 inmates, including 290 women, 238 boys and 12 girls, with an estimated overall occupation rate of 285 per cent, including 9,507 inmates (83.2 per cent) awaiting trial. Thus, each inmate is provided with only 0.35 m<sup>2</sup> of living space on average, which is a major factor in the spread of infection and disease. During the reporting period, 20 people died in detention, mainly owing to malnutrition and anaemia. As part of efforts to prevent the spread of cholera, BINUH, in coordination with the Pan American Health Organization and the Ministry of Public Health and Population, helped the penitentiary authority to implement a vaccination campaign for 3,733 inmates in three major prisons, providing cholera vaccines to 92 per cent of detainees.

36. On 26 January, the main police station of Gonaïves (Artibonite Department), which also serves as a detention centre for women and men, was twice attacked by discontented police officers and armed individuals, during which 14 inmates died, 10 inmates escaped and 17 women housed in the detention centre were allegedly raped. The General Inspectorate of the Haitian National Police is investigating possible complicity within the police in relation to the attacks.

## **V. Human rights**

### *Impact of violence and the rise in criminal activities on the population*

37. The human rights situation of those living in gang-controlled areas remains appallingly poor. Conditions in areas newly targeted by gangs have worsened significantly. Between 1 January and 15 March, at least 531 people were killed, 300 were injured and 277 were kidnapped in gang-related incidents, primarily in Port-au-Prince. The situation of the residents of the commune of Cité Soleil, as outlined in a report issued jointly by BINUH and the Office of the United Nations High Commissioner for Human Rights (OHCHR) on 10 February, is indicative of the abuses perpetrated against many Haitian people. Since July 2022, the residents of Cité Soleil have regularly been victims of killing, physical harm and sexual violence perpetrated by gang members. Snipers positioned on rooftops frequently fired at people in their residences or in the streets. Between 8 July and 31 December, in the Brooklyn neighbourhood of Cité Soleil, at least 263 people were killed, 285 were injured and 4 disappeared as a result of gang violence, which is caused by clashes among gangs driven by political, economic and personal interests. Police response and humanitarian aid have been limited, while public education, health and other social services are largely absent in the neighbourhood. According to the report, there has also been a lack of progress in investigations into abuses perpetrated by gangs against the population, which further undermines public confidence in State authority.

38. Gang activities have had a catastrophic impact on the human rights of children. While the monitoring of incidents remains challenging because of access constraints linked to insecurity, qualitative evidence shows that children are victims of the most serious and heinous crimes, including sexual violence and recruitment into the ranks of gangs. The gangs use children as street informants and errand runners, as well as during combat to transport ammunition and load weapons, even having them commit attacks themselves. Some schools were closed after teachers and students were hit by



stray bullets in classrooms, illustrating the indiscriminate character of gang attacks. The abduction of children and parents has often taken place in the vicinity of schools.

39. Gang expansion into areas previously considered safe, such as the Kenscoff and Pétionville communes and the Croix-des-Bouquets neighbourhood of Canaan, has been alarming. As a result, gangs have been tightening their grip around metropolitan Port-au-Prince, where no commune is now spared from gang-related turf wars. In January, gang violence spread to the neighbouring Artibonite Department, with major incidents in the municipalities of Liancourt, Petite Rivière de l'Artibonite, Verrettes and L'Estère.

40. Moreover, violence continued to displace large numbers of people, destroy property and curtail the economy, namely by restricting freedom of movement and access to basic goods and services, including food, water and health care. Trucks are frequently hijacked, and commuters are regularly victims of shootings, robbery and sexual violence and are forced to pay illegal tolls extorted by gangs. Attacks against medical personnel and infrastructure have led some institutions, including those run by international non-governmental organizations, to temporarily suspend or downsize their activities. The Albert Schweitzer hospital, which is located in Deschapelles, Verrettes, in the Artibonite Department, and serves an estimated 700,000 people, suspended services on 16 February owing to a high level of insecurity. Similarly, on 9 March, Médecins sans frontières temporarily closed its hospital in Cité Soleil. In late March, both institutions resumed emergency care activities only, while the rest of their services remain suspended.

41. As at 4 April, there were approximately 130,000 internally displaced persons scattered throughout the metropolitan area of Port-au-Prince. More than 38 per cent are living in 50 makeshift shelters, most of which are without access to basic services. Others live within host communities sharing already scarce resources. In many violence-affected areas, economic activity remains completely paralysed. At the same time, there has been an increase in the number of people leaving Haiti, both by sea and across the land border to the Dominican Republic.

42. Haitian authorities, assisted by the International Organization for Migration and other humanitarian organizations, continued to register high levels of Haitians repatriated from abroad, even as OHCHR, the Office of the United Nations High Commissioner for Refugees and other United Nations entities called for a halt to forced returns. Between January and March, at least 36,079 people of Haitian origin were repatriated. Of these, almost 90 per cent were deported from the Dominican Republic, including hundreds of pregnant and nursing women and thousands of unaccompanied children.

#### *Sexual violence*

43. In their pursuit of territorial expansion, armed gangs continued to use rape and other forms of sexual violence to instil fear and assert control over communities. Women and girls continued to be disproportionately affected, resulting in serious human rights and health consequences. During the reporting period, BINUH verified 12 incidents of rape, including group rape, affecting seven women and six girls between 14 and 16 years of age, in the commune of Port-au-Prince. In one incident, on 5 February, a 27-year-old woman was raped and killed by multiple gang members while returning home from the Croix-des-Bouquets market. In another incident, on 14 February, a 16-year-old girl was raped by multiple gang members in broad daylight. This is a worrisome trend: between July and December 2022, OHCHR documented 57 gang rapes of women and girls, as well as kidnappings and sexual

exploitation.<sup>1</sup> These incidents reflect the reality of many women and girls, who are targeted by gangs in their bid to expand territorial control and left extremely vulnerable as a result of inadequate protection and support services.

44. Sexual violence perpetrated by gangs is significantly underreported, particularly when compared with other types of violence. This is due to the risk of retaliation against victims and witnesses by perpetrators, the stigmatization of victims by families and communities, the limited availability of services, including those provided by international actors, and the lack of trust in the institutions in charge of upholding the rule of law. The underreporting of cases to the police, coupled with the inefficiencies of the justice system, have resulted in widespread impunity for sexual violence perpetrated by gangs.

45. United Nations entities and the Spotlight Initiative are helping to strengthen the provision of services to survivors of sexual and gender-based violence, including referral systems for medical care and psychosocial support, dignity kits and cash assistance. Limited access to gang-controlled areas also affects access to services for victims of sexual and gender-based violence. Shelter programmes that provide safe housing, as well as programmes to support victim reintegration and rehabilitation, remain rare.

#### *Situation of impunity*

46. The lack of accountability for human rights violations and abuses committed by State agents and gangs remains a major impediment to upholding the rule of law. No progress was made in the emblematic judicial cases. Investigations into the killings in Grand Ravine (2017) and Bel Air (2019) remain stalled, partly because of the non-certification by the Superior Council of the Judiciary of the judges in charge of the cases. In the Bel Air case, the assignment of the case to two judges resulted in a lack of clarity regarding the official in charge, causing further delays. The investigation into the 2020 assassination of the President of the Port-au-Prince Bar Association, Monferrier Dorval, has not progressed since the mandate of the judge in charge ended in June 2021, and the investigation into the massacre in La Saline (2018) has been delayed as the judge awaits a ruling by the Court of Cassation.

47. The investigation, led by the Haitian justice system, into the assassination of the former President, Jovenel Moïse, has not progressed despite several initial arrests by the national police. However, four persons detained in Haiti were extradited to the United States on 31 January on charges of conspiring to commit murder and kidnapping outside the United States and of providing material support and resources resulting in death. On 14 February, United States authorities also announced the arrest of four other suspects on charges of planning and financing the assassination of Mr. Moïse. These new arrests bring the total number of suspects incarcerated in the United States in connection with the investigation to 11.

#### *Implementation of the human rights mandate*

48. BINUH has continued to support the General Inspectorate of the Haitian National Police in investigating cases of human rights violations by police officers. Since 17 January, 37 investigations have been opened involving 44 police officers. Investigations into nine cases have been concluded, resulting in seven dismissals and nine suspensions, and recommendations have been forwarded to the Director General of the police. An additional five cases have been sent to judicial authorities for criminal prosecution.

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<sup>1</sup> United Nations, OHCHR, “Haiti: rise in extreme gang violence makes for ‘living nightmare’ – Türk”, press release, 10 February 2023.

49. From 8 to 10 February, at the invitation of the Government of Haiti, the United Nations High Commissioner for Human Rights conducted his first official visit to Haiti to draw attention to the severity of the violence and human rights violations and abuses occurring in the country and the security and humanitarian impact on the people of Haiti. Key among the outcomes of the visit were favourable discussions with the Prime Minister for the establishment of an OHCHR office in Haiti and the reinstatement of an Independent Expert on the situation of human rights in Haiti, signalling the Government's openness to strengthening the United Nations presence in Haiti in the area of human rights. On 4 April, the Human Rights Council adopted resolution 52/39, entitled "Technical assistance and capacity-building to improve the human rights situation in Haiti, in connection with a request from the authorities of Haiti for coordinated and targeted international action". In the resolution, the Council requests OHCHR to cooperate with the Government of Haiti by providing technical assistance and support for capacity-building in the promotion and protection of human rights for the Haitian judiciary, security forces and prison administration, to enable it to pursue its strategy for combating the action of the armed gangs and restoring the rule of law and to promote the implementation of the recommendations made and accepted during the last universal periodic review cycle. The Council requests the United Nations High Commissioner for Human Rights to appoint a human rights expert tasked with monitoring, with the assistance of OHCHR and in collaboration with BINUH, the development of the human rights situation in Haiti, ensuring, in particular, the inclusion of a gender-based perspective and paying special attention to the situation of children and of human trafficking in all its work. The Council also requests the High Commissioner to provide it, within the framework of an interactive dialogue with the participation of the human rights expert, with an interim report on the situation of human rights in Haiti for its consideration at its fifty-fourth session and a comprehensive report on the subject for its consideration at its fifty-fifth session.

## **VI. Unemployment, youth and other vulnerable groups**

### *Overview of socioeconomic situation*

50. The near-term socioeconomic outlook for Haiti remains dire. Economic progress in the first quarter of the 2022/23 fiscal year was hampered by weak State institutions. According to the World Bank, real gross domestic product, which contracted by 1.7 per cent in the 2021/22 fiscal year, is expected to contract for the fifth consecutive year, by 1.1 per cent in 2022/23. Advancing reform, including fiscal reforms, is critical for strengthening governance and providing a foundation for sustainable and inclusive economic growth.

51. During the reporting period, the Government announced its budget for the 2022/23 fiscal year, which is focused on improving the mobilization of revenue. The Government expects to increase tax collection and social contributions, reaching a ratio of 6 per cent of total revenue in 2023, compared with an average of 23 per cent in Latin America and the Caribbean. Customs tariffs in the first quarter of the fiscal year nearly doubled, which could improve the Government's ability to fund social sectors.

52. The Government increased fivefold the 2022/23 budget for the Ministry of Social Affairs and Labour, reaching almost \$200 million, or 11.6 per cent of the total budget. The Government's ability to execute this budget will depend on the internal and external economic conjuncture. The next highest allocations of the total budget went to the Ministry of Education and Vocational Training (11.2 per cent) and the Ministry of Justice and Public Security (10.8 per cent), while the Ministry of Public

Health and Population continues to receive a small fraction of the budget (3.9 per cent). The budget allocated to the health and education ministries together is equal to the amount expected to be received in aid in the 2022/23 fiscal year, accounting for 15.1 per cent of the national budget revenue.

53. According to the quarterly note on monetary policy issued by the Central Bank of Haiti on 24 January, the transfer of remittances increased by 6.3 per cent in the last quarter of 2022, reversing the downward trend observed since the beginning of that year. In December, year-on-year inflation reached 48.3 per cent, its highest value of the year. The gourde further depreciated against the United States dollar, dropping from 117.7 gourdes to the dollar in September to 145.2 gourdes to the dollar in December, losing an additional 8 per cent of its value during that period.

54. According to the first review by the International Monetary Fund (IMF) of the staff-monitored program in Haiti, national authorities are making meaningful efforts to address the country's multiple challenges, by implementing policies aimed at restoring macroeconomic stability and growth, strengthening governance and providing relief to the most vulnerable households. Moreover, IMF considers that the implementation of the staff-monitored program has been broadly satisfactory. The authorities approved a new tax code in December 2022 and adopted customs and tax administration reforms. In particular, the tax code – the first in the country's history – is aimed at rationalizing and simplifying personal income tax and corporate income tax, including by broadening the tax base and eliminating many exemptions.

#### *Social protection and food security*

55. Advancing reforms is critical to reducing the already high level of poverty that has been further exacerbated by insecurity and an inability to address structural challenges to sustainable development. An insufficiently inclusive model of socioeconomic development has contributed to increasing economic inequalities and undermined efforts towards sustainable development and stability in Haiti. To help to build a more inclusive economic model that contributes to strengthening social cohesion, the United Nations country team, together with the Government, national and international partners, civil society, academia and the private sector, launched on 27 February a project entitled “National dialogue for an inclusive and peaceful economy”, financed by the Peacebuilding Fund.

56. Challenges to employment, social protection and food security remain daunting. As an example, 9,000 jobs may be cut in the garment industry by June 2023. The United Nations country team continued to support national institutions in addressing persistent development challenges. The country team supported efforts to increase the employability of women and vulnerable young people in cocoa and breadfruit production and to improve working conditions in the garment sector. Regarding the production of cocoa and breadfruit, the International Labour Organization supported 1,150 individuals, of whom 48 per cent were women, through the creation of 50 mutual benefit societies. In the garment sector, a total of 170 workers and employers, including 53 women, benefited from advisory services, audits and training sessions on workers' rights and responsibilities, workplace cooperation, communication and procurement practices.

57. The United Nations country team continued to support national institutions in improving social protection, in particular the Government task force on the operationalization of the national policy for social protection and social progress under the leadership of the Ministry of Social Affairs and Labour. In the 2022/23 budget, the Government allocated \$27.6 million to support the implementation of the national policy.

58. The food security situation remains alarming. According to the most recent Integrated Food Security Phase Classification for the period March–June 2023, 4.9 million people are facing acute food insecurity and are in need of urgent humanitarian assistance (phase 3 and above). This represents 49 per cent of the population and is an increase of 200,000 people compared with the previous analysis. A total of 1.8 million people are in an emergency situation (phase 4). Of all households, 72 per cent consider food as their main priority need. In this context, support from the United Nations is critical. An assessment of interventions in Port-au-Prince in 2022, carried out by the World Food Programme (WFP), shows that assistance from WFP allowed households to increase their food consumption by 50 per cent. WFP, together with the Food and Agriculture Organization of the United Nations, are shifting the nationwide school feeding programme to focus on local production, providing a reliable intake of nutrition for children while also creating livelihoods and stimulating the local economy. Food insecurity and malnutrition lead to wasting among children, which has a lifelong effect. With support from the United Nations Children’s Fund (UNICEF), 30,033 children were admitted for treatment for wasting in 2022, including 12,605 for severe acute malnutrition.

59. The World Bank is also supporting the Ministry of Agriculture, Natural Resources and Rural Development to promote resilient, inclusive food production systems through the approval of an additional \$50 million of financing for a project entitled “Emergency resilient agriculture for food security”. IMF approved a disbursement of \$110.6 million to Haiti under the “Food shock window” of the Rapid Credit Facility, which will help to fill the gap in the balance of payments and support those most affected by rises in food prices through feeding programmes, cash and in-kind transfers and school fee waivers. To address the crisis, government budgetary resources will need to be allocated towards priority spending on food programmes and increasing social assistance for the most vulnerable.

## **VII. Basic social service delivery and resilience**

60. Insecurity continues to hamper basic social service delivery as humanitarian needs rise. In the humanitarian response plan for 2023, it is estimated that 5.2 million people require humanitarian assistance, a 15.6 per cent increase from 2021. The funding requirement for the plan in 2023 has increased by 92.3 per cent, from \$373.8 million in 2022 to \$719 million in 2023. Insecurity, challenges to humanitarian access and the rise in commodity prices have had a significant impact on the cost of operations. A total of 3 million people will be targeted in the 2023 plan, representing a 20 per cent increase from the 2.5 million people targeted in 2022.

61. More than 500,000 children living in gang-controlled neighbourhoods struggle to have access to education, which affects their right to education. Many schools have closed, and at least 11 schools in Port-au-Prince are currently being used as bases by gangs for launching attacks or detaining victims of kidnapping. While the use of school buildings as fortifications or bases for launching attacks is sporadic, some school buildings have been occupied since 2021. Despite the fact that some schools have reopened with support from UNICEF, circumstances suggest that not all children will be able to return to class. Moreover, attacks against schools are becoming more prevalent. In the first four months of the 2022/23 school year, of the schools assessed, 76 were occupied, 54 of which were occupied by armed gangs and 22 by displaced persons. WFP and partners have restarted school feeding programmes targeting 460,000 school children for the current school year, including in such gang-controlled communes as Cité Soleil.

62. The spread of cholera is slowly stabilizing in metropolitan Port-au-Prince, which has been the epicentre of the resurgence since October 2022. Most new cases are now concentrated in other regions, in particular in the Centre, North-West and Artibonite Departments. The number of suspected cases from the resurgence has risen to 38,086 and that of confirmed cases to 2,592, affecting 81 per cent of the 140 municipalities in the country. Of all confirmed cases, 38 per cent are children between 1 and 9 years of age. A total of 650 deaths due to cholera have been reported to date.

63. The United Nations country team has worked with government and local, national and international partners to contain the cholera outbreak, including through treatment, prevention and vaccination. With the support of United Nations entities, UNICEF and the World Health Organization, the Government rolled out a vaccination campaign through which 850,067 persons have received one dose of the cholera vaccine, including 92 per cent of a total of 3,297 persons detained in three prisons. Furthermore, 823,636 persons have benefited from efforts to improve sanitation and hygiene and access to water, and 637,025 persons have been reached as part of social and community engagement initiatives.

64. The humanitarian community is working to improve coordination and urgently scale up efforts to address cholera, food insecurity and protection concerns. This includes increasing its operational footprint at the departmental level, for example, in Cap-Haïtien and Les Cayes. The urgent provision of funds and unimpeded humanitarian access will be imperative to ensure a robust humanitarian response.

65. Humanitarian access has been maintained but remains a challenge, given its dependence on both resources and community engagement. In gang-controlled areas, such as the commune of Cité Soleil and the neighbourhood of Martissant, efforts continue to enable the delivery of life-saving assistance, including food, health care, water and activities to improve sanitation. During the reporting period, 40 missions were conducted in these areas. Access is possible in other departments, although travel by road remains difficult owing to the presence of armed gangs. A humanitarian access strategy has been developed to support a unified approach among all members of the humanitarian country team to safeguarding unimpeded humanitarian access and facilitating a comprehensive response.

66. In the context of volatile access and chronic underfunding, the United Nations country team and partners are working together to ensure a comprehensive response targeting the most vulnerable populations. For example, a task force on hard-to-reach areas, established in January, is bringing together humanitarian, development and peace actors to address root causes and promote sustainable results. The aim is to serve the population beyond emergency support by seeking synergies among humanitarian, development and other programmes, such as the Peacebuilding Fund and community violence reduction programmes.

## **VIII. Sexual exploitation and abuse**

67. BINUH registered one allegation of sexual exploitation, which included a paternity and child support claim, involving personnel from a previous mission. Sexual abuse and exploitation in Haiti, because of the current security and humanitarian situation, continues to be a risk. The United Nations in Haiti is alert to the heightened risk of sexual exploitation and abuse and is taking steps to address the issue.

68. Under the guidance of the Deputy Special Representative of the Secretary-General, Resident Coordinator and Humanitarian Coordinator, the United Nations country team and humanitarian country team in Haiti strengthened their commitment

to prevent and respond to sexual exploitation and abuse, signing an inter-agency joint statement of commitment. The inter-agency network for the prevention of sexual exploitation and abuse and the Senior Victims' Rights Officer continued to work together to ensure that standardized mechanisms are in place for addressing allegations and that referral paths are established to ensure the provision of quality care to victims.

69. A new project aimed primarily at providing support to mothers and children born of sexual exploitation and abuse by former personnel of the United Nations Stabilization Mission in Haiti has been proposed under the trust fund in support of victims of sexual exploitation and abuse and is pending approval. It is envisaged that the project will be implemented by the International Organization for Migration and will commence in June 2023. In the interim, and within the constraints imposed by the worsening situation in Haiti, the Senior Victims' Rights Officer, with support from the Office of the Victims' Rights Advocate, BINUH and the United Nations country team, continued to address the needs of these mothers and children.

## IX. Observations

70. The violence in Haiti continues to escalate, and State authorities have been unable to respond adequately. Gangs are targeting attacks on the police and police infrastructure. The police remain underresourced and face overwhelming odds in their struggle to keep gangs from tightening their grip on the country. I am concerned that gangs are targeting children as well, notably through the recruitment of minors. A large number of Haitians are leaving the country, and growing insecurity continues to trigger population movements within Haiti. Humanitarian access and access to basic services, such as education and health, continue to be restricted, including outside the capital, in particular in the Artibonite Department. Food insecurity is at an all-time high, with 4.9 million people considered to be in phases 3 and 4 of the Integrated Food Security Phase Classification, which is four times more than in 2017. These are clear signs that, if not adequately addressed, the crisis of violence will continue to deepen, with consequences that could last for generations. It is of paramount importance that medical, educational and humanitarian actors and their institutions, together with vulnerable populations, including women and children, be protected and respected by all.

71. I commend efforts at the international level to address the escalation of violence, including sexual violence. While public opinion has been broadly welcoming of the progress made on targeted sanctions measures decided by the Security Council, the restoration of the rule of law is crucial for the people of Haiti to exercise their political and civil rights.

72. Solutions to the crisis must be owned and led by the people of Haiti, but the scale of the problems is such that they require the international community's immediate response and support. I reiterate the urgent need for the deployment of an international specialized armed force, as articulated in my letter dated 8 October 2022 to the President of the Security Council ([S/2022/747](#)). Alongside the strategic and advisory support provided by BINUH to strengthen police capacities, the deployment of such a force remains crucial to the efforts of national authorities to stem the violence and human rights abuses committed against the Haitian people, restore the rule of law and create conditions conducive to credible elections. Such international efforts to deter gang violence and re-establish security should be focused on accountability, prevention and protection in order to be sustainable and ultimately successful, which is why having an effective criminal justice system is so important.

73. Action to address gang violence must be accompanied by concrete steps to resolve the political crisis, lest the country's institutions continue to erode and the Haitian people endure more suffering. Efforts to forge the broadest possible consensus and define a nationally owned road map to create the security and political conditions for the holding of elections and to restore democratically elected institutions remain essential. It is hoped that the installation of the High Transitional Council will help to generate the consensus required to find a way out of the political crisis.

74. The people of Haiti continue to suffer one of the worst human rights crises in decades and a major humanitarian emergency. With the high number of fatalities and increasing areas under the control of armed gangs, insecurity in the capital has reached levels comparable to countries in armed conflict. The visit of the United Nations High Commissioner for Human Rights to Haiti highlighted the extent of the suffering caused by the high level of armed gang violence that has resulted in gross human rights abuses, exacerbated economic hardships and food insecurity, increased internal displacement and restricted freedom of movement and access to basic needs.

75. In tandem with efforts to strengthen the police, the strengthening of the judicial system must also be afforded a higher priority. The continued occupation since June 2022 of the Court of First Instance in Port-au-Prince is an unacceptable symbol of the fundamental dysfunctions in the judicial sector. To fight impunity, there must be special protection for those dealing with serious crimes, including prosecutors, judges and witnesses. An effective justice system is essential to address the corruption and impunity that feed the cycle of violence. Those responsible, including those providing support and financing to the gangs, must be held accountable under the law. The recent appointment of judges to fill vacant seats in the Court of Cassation enables the judiciary to remain operational during this period of institutional instability. However, these extraconstitutional appointments highlight the urgent need to restore democratic functioning.

76. I continue to stand with the people of Haiti during these extremely difficult times. I recognize the courageous efforts of national and international partners who, in the face of increasing insecurity and rampant violent crime, continue to work to alleviate the suffering of vulnerable communities. I remain hopeful that, with unity of purpose, solidarity and urgency, there can be positive change and sustainable reform in Haiti in the near future.

77. I acknowledge the continuing efforts and dedication of United Nations personnel in Haiti, under the leadership of my Special Representative and Deputy Special Representative. I am grateful to my former Special Representative, Helen Meagher La Lime, for her dedicated service to Haiti, and I welcome María Isabel Salvador as she assumes her functions as my new Special Representative for Haiti and Head of BINUH.