
Advance edited version

Distr.: General
26 September 2024

Original: English

Human Rights Council**Fifty-seventh session**

9 September–9 October 2024

Agenda items 2 and 10

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the High Commissioner
and the Secretary-General**

Technical assistance and capacity-building

Situation of human rights in Haiti**Interim report of the United Nations High Commissioner for Human
Rights****Summary*

In the present interim report, submitted pursuant to Human Rights Council resolution 55/24, the United Nations High Commissioner for Human Rights provides an update on the situation of human rights in Haiti. The High Commissioner focuses on the implementation of some of the recommendations formulated in his previous reports, submitted to the Council in accordance with its resolution 52/39. The report covers the period from 29 February to 1 July 2024.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

I. Introduction

1. In its resolution 55/24, the Human Rights Council requested the United Nations High Commissioner for Human Rights to provide it, within the framework of an interactive dialogue with the participation of the independent expert on the situation of human rights in Haiti, with an interim report on the situation of human rights in Haiti at its fifty-seventh session. In the present report, the High Commissioner provides an update on the subject since the submission of the last comprehensive report to the Council at its fifty-fifth session. The High Commissioner also analyses progress made in the implementation of recommendations from previous reports.¹

2. The Office of the United Nations High Commissioner for Human Rights (OHCHR) collected information from a wide range of sources, including government entities and officials, other United Nations entities, in particular findings from monitoring activities conducted by the Human Rights Service of the United Nations Integrated Office in Haiti (BINUH) from 29 February to 1 July 2024, non-governmental organizations, victims and witnesses. The High Commissioner also draws on findings of the appointed expert on the situation of human rights in Haiti and information from the United Nations country team in Haiti. All information was assessed and verified in accordance with the standard methodology of OHCHR.

II. Legal framework

3. The legal framework was described in a previous report.²

III. Impact of gang violence on human rights

A. Dynamics of armed violence by criminal gangs

4. According to OHCHR, January and February 2024 were the most violent months in Haiti for more than two years, due to intense clashes between gangs driven by the quest for territorial control and expansion.³ By the end of February, with the self-proclaimed intention of removing the Government from power, most of the capital's rival gangs shifted their strategies and joined a coalition known as "Viv Ansanm". That coalition has reduced the intensity of inter-gang fighting while allowing several heavily armed gangs to conduct coordinated attacks, mainly against key State institutions and strategic infrastructure in the capital.

5. At the beginning of March 2024, Toussaint Louverture International Airport, the National Port Authority (which hosts the largest container storage facilities in the country), the National Palace, the offices of the ministries and several police buildings were all targeted, some of them on multiple occasions. In total, according to OHCHR monitoring, between March and June 2024, at least 22 public institutions and 16 police stations and substations were attacked, set on fire or ransacked by gangs in the capital and the Artibonite Department. In March 2024, gangs also attacked two prisons in Port-au-Prince, one of which is the largest in the country, and more than 4,600 detainees escaped. Several of them joined the gangs or resumed their participation in the gangs.⁴ Against that backdrop, government authorities have

¹ [A/HRC/54/79](#) and [A/HRC/55/76](#).

² [A/HRC/55/76](#), paras. 4 and 5.

³ BINUH, "Quarterly report on the human rights situation in Haiti (January–March 2024)", 19 April 2024, available at https://binuh.unmissions.org/sites/default/files/2024_q1_human_rights_quarterly_report_en_19.04.2024.pdf.

⁴ Maria Abi-Habib, "Haiti's gangs grow stronger as Kenya-led force prepares to deploy", *The New York Times*, 21 May 2024.

been extending the state of emergency across the West Department, including a night-time curfew from 10 p.m. to 5 a.m. that has been in effect since 3 March 2024.

6. According to OHCHR monitoring, gangs continued their quest to expand their territorial control and increase illegal revenues during the reporting period. Gangs launched deadly attacks against Solino (Port-au-Prince commune), a strategic neighbourhood, which would give them access to new areas in which they could obtain further criminal forms of income. In the communes of Carrefour and Gressier, gangs tightened their grip on the main arteries connecting the capital to the southern regions. According to OHCHR, in that area, which had mostly been spared by the gang violence until late 2023, gangs have reportedly executed and mutilated residents, in broad daylight, in retaliation for their perceived collaboration with the police.

7. According to OHCHR, outside the capital, gang violence continued to increase, notably in the Artibonite Department, spreading to northern areas where such violence had previously been rare. That expansion was driven by the flight of residents from southern zones, where gang activities had become pervasive, thereby limiting the opportunities for gangs to generate illicit income through kidnapping, extortion and robbery. In the Artibonite Department, the country's largest agricultural region, gangs have extorted farmers cultivating their lands and have often descended on fields, armed with guns and machetes, to steal their crops and livestock. Those attacks on farmland and livelihoods have forced farmers to abandon more than 3,000 hectares of land and move to less fertile but safer areas, which has contributed to the food crisis.⁵

8. Although there are no gangs operating regularly in the Central Department, an increase in human rights abuses has been documented there, notably in the communes of Belladère, Hinche, Mirebalais and Saut d'Eau. That violence could, in new areas, create further opportunities to generate income through trafficking and to secure hideouts in case of police operations in urban areas. Since early March 2024, the local populations have demanded that the State increase the police presence to deter the growing insecurity in the area.

9. Gangs, who have benefited from the political instability and have been instrumental in the destabilization of the former government, are demanding political influence and amnesties, threatening to resort to heightened violence if their demands are not met. On 27 April 2024, Jimmy Chérizier, leader of the Delmas 6 gang and apparent spokesperson of the Viv Ansanm coalition of gangs, warned the authorities on social media "to prepare for an even more intense battle, and to reassess their actions in view of the arrival of the [Multinational Security Support Mission]". Some gangs, such as Village de Dieu and Kraze Baryè, have strengthened their strongholds in anticipation of police operations supported by the Multinational Security Support Mission.⁶ Following the deployment of the first contingent of 200 Kenyan police officers of the Multinational Security Support Mission on 25 June 2024, in a video posted on social media on 28 June 2024, Mr. Chérizier can be seen leading a military-style parade formed by several dozen armed men chanting that they are ready "to take on these foreign soldiers", whom he considers "invaders".⁷

B. Impact of gang violence on the enjoyment of human rights

10. Between 1 January and 30 June 2024, OHCHR documented that at least 2,652 persons had been killed (2,221 men, 363 women, 52 boys and 16 girls) and 1,280 others injured (920 men, 295 women, 47 boys and 16 girls) as a result of gang violence in the country.⁸

⁵ Stéphanie Rigaud, "Abandoned fields, soaring hunger: gang violence hits Haiti's countryside", World Food Programme, 15 March 2024.

⁶ See sect. V.A below.

⁷ Windy Phele, "Jimmy Chérizier (Barbecue) mobilise ses troupes après l'arrivée de plus de 200 Kenyans à Port-au-Prince dans le cadre d'une mission internationale de soutien à la @pnh_officiel. Il déclare que sa bande est prête pour affronter ces soldats étrangers qu'il considère comme des envahisseurs", 28 June 2024, available at <https://x.com/windyphele/status/1806471843831771494?t=jhcNqJyrbXdzvenGp-L2rA&s=08>.

⁸ Including 2,345 members of the population, 1,547 gang members and 53 police officers and other

Moreover, at least 893 individuals (508 men, 360 women, 13 boys and 12 girls) had been kidnapped and held for ransom by gangs. More than 91 per cent of all victims of killings and injuries were reported in the West Department and almost 6 per cent in the Artibonite Department, while 35 per cent of kidnappings took place in the West Department and 65 per cent in the Artibonite Department.

11. According to OHCHR, gangs have changed their modus operandi during the reporting period. While some victims were struck by random gunfire on their way to work, using public transport, or simply in their homes, others were executed in broad daylight for allegedly informing the police or authorities, or for opposing the activities of gangs. Some of those victims had their bodies mutilated with machetes and then burned. Gangs filmed the scenes and shared them widely on social media to instil fear and control the population.

12. Kidnappings remained prevalent in the Artibonite Department, as well as in the Carrefour and Gressier communes (West Department). Gangs frequently kidnapped victims from their homes and shot those who tried to resist. The mass kidnapping of individuals travelling on public transport has become a pervasive practice, notably along Route Nationale 1 and Route Nationale 2. That practice has disproportionately affected the “Madan Sara”, women small-scale producers and traders of agricultural products who usually travel by public transport to the local markets.⁹ Incidents such as the hijacking of boats, the theft of goods and fishers’ boat engines and kidnappings were also recorded as the population increasingly resorted to travelling by boat to avoid overland routes, extending insecurity to the sea.

13. “Self-defence brigades” and members of the population have continued to resort to killings, using stones and machetes, against suspected gang members and individuals accused of petty crimes, a phenomenon known locally as “Bwa Kalé”. After the killings, the perpetrators, acting on some occasions with the alleged support of police officers, burned the bodies of their victims. They are increasingly using similar strategies to those employed by the gangs, including setting up road checkpoints, extorting (through informal “taxation”) drivers and businesses and killing individuals. In some areas, those groups have formed alliances with gangs to oppose rival gangs. At least 287 individuals (270 men, 14 women and 3 boys) were reportedly killed within the context of the Bwa Kalé phenomenon between 1 January and 30 June 2024. At least 31 per cent of those cases occurred in areas outside the capital, lending credence to the growing fear of the population that the violence affecting Port-au-Prince might extend to other regions.

14. In the first quarter of 2024, there was a rise in the number of persons allegedly killed or injured during police operations and patrols, with 1,253 incidents (1,068 men, 149 women, 23 boys and 13 girls)¹⁰ registered between 1 January and 30 June 2024. At least 115 victims (105 men, 9 women and 1 boy) were not involved in the violence at the time of the incidents, and some were killed or injured as a result of the alleged unnecessary or disproportionate use of force by the police. Most victims, including 32 children, were caught in exchanges of fire during police operations while crossing areas on foot to go to school or selling their produce from street stalls. Others were reportedly executed by individuals wearing police uniforms. Media reported cases of individuals being transported in vehicles to known locations across the capital, such as the Maïs Gâté area, where they were executed by “hooded and heavily armed men”, some allegedly police officers.¹¹

15. Gang violence continues to have a dire impact on the rights of children. Between January and June 2024, OHCHR documented that at least 57 children, some as young as 3 months old, had been killed or injured¹² during attacks by gangs. Furthermore, motivated by the lack of socioeconomic opportunities, many young children and adolescent boys have continued to be recruited by gangs. In addition to carrying out low-level criminal activities,

State security forces.

⁹ The women play an important role in the country’s economy by buying, distributing and selling food to a large number of Haitians.

¹⁰ Some 860 killed and 393 injured.

¹¹ Rebecca Bruny and Widlore Mérancourt, “A growing number of ‘crossroads of death’ in Port-au-Prince”, AyiboPost, 16 May 2024.

¹² Some 30 killed and 27 injured.

children, mostly boys, also commit violent acts, notably killings, kidnappings and attacks on and the looting of State institutions. Local sources with a presence in gang-controlled areas have raised the alarm about an increase in the recruitment of children by gangs in the face of the deployment of the Multinational Security Support Mission. Reports indicate that gangs have used children in recent attacks against key government installations.

16. The number of survivors of gender-based violence quintupled between the first two months of the year and March, rising from 250 to 1,543. Sexual violence accounts for 75 per cent of reported crimes.¹³ According to evidence collected by OHCHR, gangs have continued to use sexual violence to punish, spread fear and subjugate the population. Women and girls have been intercepted by gangs controlling “rival neighbourhoods” while trying to reach basic services or go to school. Others have been forced into exploitative sexual relations with gang members and killed in broad daylight for refusing to do so. Despite the extraordinary efforts made by civil society organizations, supported by United Nations entities and other international actors, medical and psychological support services for survivors and their families remain largely insufficient.

17. Between March and June 2024, following the escape of notorious gang leaders from the capital’s two main prisons, OHCHR documented a spike in gang threats and attacks against journalists, human rights defenders and State officials, including magistrates and police officers, as well as their families. Some of the threats were recorded on video by gang leaders and later broadcast on social media. In a joint appeal issued on 16 April 2024, 90 Haitian journalists and Reporters Without Borders called upon the international community and the authorities to help protect Haitian journalists amid the crisis that was forcing many to either practice self-censorship, abandon the profession or flee the country.¹⁴

18. The impact of gang violence on the economic and social rights of the Haitian population remained dire¹⁵ and led to irreversible harm on women and girls who experienced gender-based violence. According to information gathered by OHCHR, freedom of movement, particularly in the capital and the Artibonite Department, has continued to be hampered by the numerous checkpoints established and manned by heavily armed gang members who kill, kidnap and extort drivers and passengers. Women and girls are particularly at risk of being subjected to sexual violence when trying to pass those checkpoints. Business owners are extorted in exchange for “protection” to continue operating. Some gangs have carried out repeated attacks along the coast and port areas, as well as on small boats carrying goods and passengers. Despite handing over extortion payments to the gangs, many businesses are still destroyed or looted by gangs. Some self-defence groups, which present themselves as protectors of the population against gangs, have resorted to the same practices of extorting local businesses.

19. Gangs have equally resorted to the targeted destruction of private property, including at least 600 residences. Many of them were randomly set on fire during attacks by armed gangs against neighbourhoods, as in the case of the Solino neighbourhood, while others, belonging to police officers or local authorities, were purportedly targeted.

C. Humanitarian situation

20. Repeated gunfire at and around the international airport from the beginning of March 2024 led all national and international airlines to suspend flights to Port-au-Prince; they were only resumed on 20 May 2024. The suspension, together with the gangs’ control of the main routes in and out of the capital, continued to prevent the delivery of essential goods, including medicines and food. In addition, in March 2024, several hundred individuals, including gang members, attacked the National Port Authority and the nearby Caribbean Port Services container storage facility. During the attack, they stole the contents of approximately 260 containers, many of which belonged to United Nations humanitarian agencies and

¹³ See <https://news.un.org/fr/story/2024/05/1145656> (in French).

¹⁴ Reporters Without Borders, “Haiti’s right to information must be protected, say 90 Haitian journalists and RSF”, 16 April 2024.

¹⁵ See A/HRC/55/76.

non-governmental organizations. The results of the latest Integrated Food Security Phase Classification show a deterioration in the country's food security, with the worst results recorded since 2010.¹⁶ Haiti was designated as one of the famine "hotspots of highest concern" for the period between June and October 2024, with an estimated 1.6 million persons facing emergency-level acute food insecurity as a result of gang violence, displacement, restricted humanitarian access and extreme weather conditions.¹⁷ Some 276,136 children aged 6 to 59 months are likely to suffer from acute malnutrition by the end of the year,¹⁸ an increase of 10 per cent on initial projections.

21. The health system, which is on the brink of collapse, also continues to face serious challenges, crippled by both the recent violence and years of underinvestment, with only 24 per cent of the health-care services assessed as fully operational in the metropolitan area of Port-au-Prince¹⁹ and 5 per cent in the Artibonite Department functioning normally. Insecurity severely affects an already fragile health-care system. At least four health-care facilities, including the Haiti State University Hospital, the largest public hospital in the capital, have been vandalized and robbed. Those attacks forced medical personnel to severely limit or completely suspend their activities, depriving thousands of emergency care. Approximately 24 per cent of health-care providers have left the country recently due to the extreme levels of insecurity, mainly affecting doctors and nurses.²⁰ Education institutions also suffered from the violence of gangs. In April and May 2024, eight schools were looted or burned in Port-au-Prince, Gressier and Croix-des-Bouquets communes. In mid-May 2024, at least one school was forced to suspend classes and send children home due to intense gunfire by gangs in a nearby area and some 141 schools risk temporary closure.²¹

22. As of June 2024, such violence had forced at least 580,000 persons to abandon their homes and seek shelter in different parts of the country, a number that represents a 60 per cent increase compared with the figure for March 2024.²² That increase was due to the deterioration in the security situation in the Port-au-Prince metropolitan area, particularly between late February and April 2024. As a result, many fled the capital to seek refuge in the provinces, where the number of internally displaced persons increased by 95 per cent. More than half (52 per cent) of the persons displaced are children.²³ Many internally displaced persons continue to face major protection risks. According to the protection cluster co-led by OHCHR, approximately 75 per cent of sites in which internally displaced persons are sheltering in the metropolitan area of Port-au-Prince are located in areas controlled by gangs or in high-risk zones in which gang activity is prevalent. Several deadly incursions by gangs into those sites have been documented, as well as incidents in which internally displaced persons have been killed or injured during shootouts between gangs and the police. Their desperate living conditions increase disease and violence, particularly sexual and gender-based violence,²⁴ family separation and forced evictions.²⁵ During the first quarter of

¹⁶ S/2024/508, para. 51.

¹⁷ Food and Agriculture Organization of the United Nations and the World Food Programme, "Hunger hotspots: FAO-WFP early warnings on acute food insecurity: June to October 2024 outlook" (Rome, 2024).

¹⁸ S/2024/508, para. 51.

¹⁹ According to the Ministry of Public Health and Population, June 2024.

²⁰ According to the Ministry of the Economy and Finance. See also <https://news.un.org/en/story/2024/06/1151621>.

²¹ S/2024/508, para. 58.

²² International Organization for Migration, "Haiti – données synthèse sur la situation de déplacement en Haïti – round 7 (Mai 2024)", 9 June 2024, available at <https://dtm.iom.int/es/node/38896> (in French).

²³ Ibid.

²⁴ United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), "Addressing Haitian women's particular needs through their leadership role: a UN-Women rapid gender assessment of Haiti" (2024), available at <https://www.unwomen.org/en/digital-library/publications/2024/07/addressing-haitian-womens-particular-needs-through-their-leadership-role>.

²⁵ Global Protection Cluster, "Advocacy note: protection of internally displaced persons in Haiti" (2024), available at https://globalprotectioncluster.org/sites/default/files/2024-05/protection_of_internally_displaced_people_in_haiti_eng.pdf.

2024, at least 216 cases of sexual violence, including the collective rape of girls and boys under 5 years old, were reported in sites housing internally displaced persons in the metropolitan area of Port-au-Prince. Furthermore, the growing number of internally displaced children who are unaccompanied renders them particularly vulnerable to exploitation, abuse and trafficking by gangs.²⁶ In March 2024, the International Organization for Migration highlighted the high prevalence of suicides among internally displaced persons in Port-au-Prince.²⁷

23. The state of various drainage canals in Port-au-Prince illustrates the consequence of the interlinked phenomenon of gang violence and poor governance, as highlighted previously by Special Rapporteurs.²⁸ During his visit to Haiti in October 2023, the appointed expert on the situation of human rights in Haiti mentioned the need to address the situation urgently to the former Prime Minister. However, the situation remained at a standstill for months. The appointed expert was informed that, in May 2024, a few weeks after taking office, a member of the Transitional Presidential Council sent trucks and equipment to clean one of the canals.

IV. Strengthening of the democratic State

A. Political agreement providing for a democratic transition

24. Despite the challenges, significant progress has been made towards the preparation of transitional governance arrangements, as recommended by the High Commissioner in his previous report.²⁹ On 11 March 2024, the Prime Minister announced his intention to resign immediately after the installation of the Transitional Presidential Council, which would be established in accordance with the agreement concluded on 11 March 2024³⁰ during a meeting convened by the Caribbean Community among Haitian stakeholders. On 16 April 2024, an executive order officially appointed the members of the Transitional Presidential Council, which had been formally established four days earlier. On 24 April 2024, the Prime Minister resigned and the Transitional Presidential Council was established. On 27 May 2024, a decree detailing the organization and operation of the Transitional Presidential Council was published. That document sets out the responsibilities of the Transitional Presidential Council, including the appointment of an ad interim Prime Minister, implementation of major transition projects and cooperation with the international community in relation to support for security measures.

25. An ad interim Prime Minister was appointed by the Transitional Presidential Council and was sworn in on 3 June 2024. On 11 June 2024, a presidential decree appointing the members of the Council of Ministers was published in the official gazette. The Council of Ministers is made up of 14 members who are responsible for 18 ministries. The Prime Minister also heads the Ministry of the Interior and Territorial Communities. Although 4 out of the 14 new ministers are women the new Government should take all appropriate measures to encourage the enhanced participation of women in public life.³¹

²⁶ OHCHR, “Haiti: soaring number of displaced desperately need protection and aid priority, UN experts urge”, 20 June 2024.

²⁷ International Organization for Migration, “Haiti – summary of results from assessment of suicidal behaviour in the Metropolitan area of Port-au-Prince and recommendations for suicide prevention (March 2024)”.

²⁸ See, for instance, OHCHR, “Haiti: UN experts alarmed by extreme environmental injustice in Cité Soleil”, 7 July 2022.

²⁹ A/HRC/55/76, para. 65 (a).

³⁰ See <https://caricom.org/outcome-declaration-of-caricom-international-partners-and-haitian-stakeholders>.

³¹ Convention on the Elimination of All Forms of Discrimination against Women, art. 11 (2) (c).

B. Police

26. Despite many challenges, including the continuing rate of attrition of police officers,³² as well as the attacks led by gangs on State institutions, starting on 29 February 2024, the Haitian National Police has managed to protect strategic infrastructure while carrying out operations against gangs in some neighbourhoods. In March 2024, the Haitian National Police repelled several gang attacks led by the Viv Ansanm coalition on the National Palace. Similarly, an attempt to capture the building housing the National Bank of Haiti also failed due to the intervention of the police. The Haitian National Police, along with the Haitian Army, has managed to protect the Toussaint Louverture International Airport from gangs. As part of that securitization strategy, more than 500 shanties adjacent to the perimeter of the airport that were being used by gangs to shoot at the premises were demolished by the Haitian National Police, with homeowners compensated by the Government. Enhanced security at the airport allowed for the resumption of domestic and international air traffic on 20 May 2024 following a 10-week hiatus. In April 2024, the police also successfully recaptured parts of the maritime port and secured the main fuel terminal for the country at Varreux.

27. The Haitian National Police nevertheless suffered serious setbacks during the period, including casualties among its officers. Since January 2024, OHCHR documented that at least 24 police officers had been killed by gangs. Gangs continued to launch arson attacks and ransack police stations and, as at 30 May 2024, 47 of the 156 police installations in the West Department were non-operational due to gang attacks and violence. Of the overall fleet of 47 armoured vehicles, only 20 vehicles are operational, with 10 permanently out of use as result of gang violence. The Government has placed orders for material and equipment for the local security forces with a view to strengthening their operational capacities, but several delays and administrative constraints have hampered this process. The Haitian National Police also continues to face operational limitations and a lack of adequately specialized personnel, which hinders its ability to regain authority over gang-controlled neighbourhoods.³³

28. On 10 June 2024, residents of the Solino and Nazon neighbourhoods of Port-au-Prince, among other areas, rallied in protests following the death of three Haitian National Police officers in clashes with gang members the previous day. Against that background, police unions and human rights organizations have denounced harsh working conditions and the lack of accountability for those killings, calling for the leadership of the Haitian National Police to resign. On 27 May 2024, Normil Rameau was appointed as the new ad interim Director General of the Haitian National Police, replacing Frantz Elbé.

29. In interviews conducted with various human rights advocates and humanitarian aid workers in Haiti, the appointed expert on the situation of human rights in Haiti received alarming reports regarding continuing corruption involving members of the Haitian National Police, as well as allegations of the participation of its officers in the Bwa Kalé movement and self-defence groups and of the alleged connivance of some members of the police with gangs.³⁴ In that respect, recent police operations have resulted in the arrest of several police officers involved in gang activities. In one such operation, carried out on 25 June 2024, six individuals (four members of the police Temporary Anti-Gang Unit, a former police officer and a woman) were arrested in Pétion Ville for their alleged involvement with the Ti Bois gang and the “self-defence” group known as “Caravanne”, both operating in the Gressier and Carrefour communes. The latter group is mostly made up of active and former police officers and maintains ties with the Ti Bois gang. All the suspects were transferred to the premises of the Central Directorate of the Judicial Police pending legal procedures.

³² S/2024/508, para. 64. As at 30 May 2024, the Haitian National Police workforce stood at 12,164 officers, including 1,464 women, representing a loss of 1,032 police officers, including 133 women, since 1 January 2024. That loss is mainly due to post abandonment, death or dismissal. However, that figure was reinforced on 18 June 2024, with 455 new police officers joining specialist units.

³³ S/2024/508, paras. 22 and 23.

³⁴ Interviews conducted by the expert with various human rights advocates and humanitarian aid workers in Haiti.

30. As noted in previous reports, the vetting of police officers needs to intensify. However, the functioning of the General Inspectorate of the Haitian National Police, leading the vetting exercise, has been severely undermined by gang violence during the period. Its headquarters, located in Delmas 2, an area controlled by gangs, has been subjected to armed attacks and attempted vandalism on numerous occasions and many investigators have resigned or left the country. Between 17 April and 21 May 2024, the General Inspectorate opened 49 investigations in relation to 55 police officers, including 6 cases of alleged human rights violations.³⁵ During the same period, nine investigations were concluded and two administrative measures were taken. No cases were referred for criminal prosecution. According to information received by OHCHR, in Carrefour, gangs threatened police officers living in the area to force them to abandon their homes and move to other parts of the capital. Against that backdrop, two Divisional Inspectors of the Haitian National Police who had refused to move out of the area were killed at the beginning of July 2024, inside their homes, where they were shot several times by gang members.

31. Against that backdrop and despite a reduction in the size of the United Nations footprint in Port-au-Prince, OHCHR continued supporting the efforts of the Haitian National Police by facilitating the organization, in July 2024, of a training session on the investigation of sexual crimes. That training session was the first of a series of capacity-building activities implemented under the OHCHR Combating Sexual and Gender-based Violence in Haiti (2024–2026) project, which is funded by the Government of Canada.

C. Justice

32. The justice system remains in near total paralysis in the greater Port-au-Prince region. In March 2024, gangs burned down courts, including the Justice of the Peace Court of the South Section of Port-au-Prince and the Court of First Instance of Croix-des-Bouquets, which was empty after an arson attack by gangs in July 2022. According to OHCHR, they attacked other courts, including the Court of Cassation. Gangs also attacked courthouses outside the capital, such as in Petit Goâve and in Gonaïves. As result of those and previous similar attacks, the courts and the Office of the Prosecutor that were located in the Palace of Justice lack appropriate premises to discharge their functions.³⁶ Due to repeated strikes by court clerks and prosecutors over poor working conditions, the courts and tribunals have operated for less than 10 days since the beginning of 2024.

33. As stressed in previous reports, corruption is one of the root causes of the weakness of the rule of law and ensuing violence in Haiti. Overall, marginal progress was made in investigating allegations against public officials during the reporting period.³⁷ Nevertheless, the Anti-Corruption Unit has continued to investigate several cases involving high-profile and powerful figures in Haiti. For example, the Anti-Corruption Unit conducted a detailed investigation into reports of corruption and money-laundering against a former high official from the Customs Office at the port of Port-au-Prince, and other individuals, leading to the issuance of warrants for their arrest. In February 2024, the Anti-Corruption Unit published a report providing insight into financial crimes affecting the public sector.³⁸ On 20 June 2024, the Prime Minister committed to prioritizing the ending of corruption, emphasizing governance reforms to improve transparency, strengthen institutions and actively engage with civil society in oversight.³⁹

34. Accountability for past human rights violations and abuses remains limited. No progress has been made in the cases of the 2017 Grand Ravine, the 2018 La Saline and the 2019 Bel Air massacres, nor in any mass killing committed since 2021. Some progress, albeit

³⁵ S/2024/508, para. 42.

³⁶ Michelson Césaire, “Absence of prosecutors and prison in Croix-des-Bouquets jurisdiction”, *Le Nouvelliste*, 10 June 2024.

³⁷ S/2024/508, para. 41.

³⁸ S/2024/320.

³⁹ Jean Daniel Sénat, “Garry Conille declares war on public administration corruption”, *Le Nouvelliste*, 20 June 2024.

limited, has been made in the investigation of the assassination of President Moïse. However, marginal progress has been made in investigating infractions by public officials.⁴⁰

35. OHCHR has documented at least 26 alleged criminals and gang members reportedly killed by the prosecutor Jean Ernst Muscadin in Miragoâne. According to OHCHR, despite the prosecutor's recognition of his involvement in the killings, as well as government condemnation, no investigation has yet been opened in the case.⁴¹ According to information received by the expert, alarmingly, other public prosecutors seem to have recently resorted to the same practice. Nevertheless, a few days after being appointed, the new Minister of Justice and Public Security suspended the Public Prosecutor of Les Cayes following several complaints against him, including allegations of involvement in the assassination of a journalist.

36. Judicial officers and lawyers continue to face death threats and some were killed. On 23 April 2024, a judge of the Peace Court in Pilate, North Department, was assassinated on his way to work.⁴² In the Artibonite Valley, the heart of the country's agricultural production and thus the home of many land disputes, the members of the Kokorat san Ras gang allegedly killed a judge and a lawyer, Verto Vertilus and John Wesley Alerte, respectively, on 13 May 2024.⁴³ Only a few weeks earlier, two lawyers who were going to court in the Artibonite Valley, Jean Eddy Rousseau and Richard Pauleus, were killed by the same gang. The perpetrators of those crimes are yet to be identified and prosecuted. The information received by the appointed expert on the situation of human rights in Haiti indicates that thorough and effective investigations were carried out in only a small number of similar killings of judges and lawyers in connection with the performance of their work over the past 35 years.

37. As part of its efforts to support the Haitian judiciary to prevent impunity for sexual crimes, OHCHR continued to facilitate capacity-building activities for judiciary actors. Among those initiatives, in June 2024, OHCHR provided technical assistance to the High Council of the Judiciary and the School of the Judiciary for the organization of two training sessions for 61 magistrates from the First Instance Courts of Croix-des-Bouquets, Hinche, Gonaïves, Mirebalais, Port-au-Prince and Port-de-Paix.

D. Justice and penitentiary

38. On 2 and 3 March 2024, the capital's two main prisons, the National Penitentiary of Port-au-Prince and the Croix-des-Bouquets prison, were attacked by gangs. Following those attacks, more than 4,600 inmates escaped, including several notorious gang leaders. Local sources indicate that many of the escapees joined and strengthened the ranks of several gangs.⁴⁴ On 28 April 2024, detainees attempted to escape from the Hinche (Central Department) civil prison but were apprehended by police, who came to the aid of prison officers.⁴⁵ On 3 May 2024, approximately 30 detainees escaped from the Port-de-Paix (North Department) civil prison. OHCHR documented that at least 9 detainees had been killed, and 15 detainees and 6 security officers had been injured during those events.

39. As at 19 June 2024, 7,506 persons were being held in the country's 19 prisons (compared with 11,822 in the previous reporting period),⁴⁶ representing a 295 per cent occupancy rate.⁴⁷ As reported previously, conditions of detention, including those of children, do not comply with human rights norms and standards.⁴⁸ The scarcity of food and medical supplies in the country has further adversely affected health conditions within Haitian prisons. Detainees in the Jérémie and Petit Goâve prisons have been particularly affected. At the end

⁴⁰ S/2024/508.

⁴¹ United States, Department of State, "2023 Country Reports on Human Rights Practices: Haiti".

⁴² S/2024/508, para. 30.

⁴³ Chadrac Louis, "Un juge et un avocat kidnappés et assassinés à l'Estère", *Le Nouvelliste*, 15 May 2024 (in French).

⁴⁴ BINUH, "Quarterly report on the human rights situation in Haiti (January–March 2024)".

⁴⁵ S/2024/508, para. 26.

⁴⁶ A/HRC/55/76, para. 38.

⁴⁷ S/2024/508, para. 26.

⁴⁸ A/HRC/55/76, paras. 38 and 39.

of June 2024, images of skeletal detainees from the Anse à Veau prison were posted on social media.⁴⁹ According to information gathered by OHCHR, during the reporting period, 72 inmates died, most of them reportedly from diseases caused by malnutrition.

40. Following his appointment on 11 June 2024, the Minister of Justice and Public Security visited the main detention centres in the metropolitan area of Port-au-Prince with the aim of assessing detention conditions. As part of those efforts, he first visited the detention centre and police station of the Pétiion Ville commune, as well as the Rehabilitation Centre for Children in Conflict with the Law (known as “CERMICOL”, Centre de réinsertion des mineurs en conflit avec la loi) and the police station of Delmas 33, both located in the Delmas commune.

41. In response to the Minister’s request for technical assistance, a meeting was held with representatives of OHCHR, the BINUH Police and Corrections Section, the Bureau of International Narcotics and Law Enforcement Affairs of the United States of America, the Director of the Prison Administration Department and four public prosecutors to address the challenges facing the prison system in Haiti.

42. As part of the efforts to reduce prolonged pretrial detention, in prisons outside the capital, dozens of prisoners detained for minor offences were released, despite an ongoing strike by the prison authorities from several prisons across the country during the reporting period. In addition, despite difficult conditions, the Public Prosecutor of Port-au-Prince established an emergency team to visit police stations to assess the legality of those in detention and order their release as appropriate, including those detained for minor offences.⁵⁰ On the other hand, in March 2024, there was a sudden sharp increase in the number of detainees held in police stations, as well as in the Rehabilitation Centre for Children in Conflict with the Law, after the gang attacks on the two main prisons in Port-au-Prince rendered those buildings inoperable. The performance of the Legal Assistance Bureau is another area of improvement regarding efforts to reduce pretrial detention. The Bureau performs a key role by representing indigent detainees and has successfully filed applications challenging pretrial detention measures. OHCHR was informed that the Bureau now has offices in 12 of the 18 jurisdictions of the country. Its offices in Cap-Haïtien and Grande Rivière du Nord have received support to equip their offices with computers, generators and filing cabinets. However, the implementation of that initiative became more complex as of March 2024 due to the aforementioned sudden sharp increase in the number of detainees held in police stations and the Rehabilitation Centre for Children in Conflict with the Law.

V. Support from the international community

A. Multinational Security Support Mission

43. After the adoption of Security Council resolution 2699 (2023), Kenya, as the lead nation of the Multinational Security Support Mission, initiated the process of preparing for deployment in collaboration with the Government of Haiti and with the support of several States, including those from the Caribbean Community, Canada and the United States. On 1 March 2024 in Nairobi, Haiti and Kenya signed a memorandum of understanding on police and security cooperation with a view to strengthening the capacity of the Haitian public forces. The preparation phase led by the Mission included several meetings in Nairobi, Haiti and the United States to develop its core documents, which address the issues of operations, the status of personnel and operational directives. From a human rights perspective, such material both

⁴⁹ Radio Télé Galaxie (@rtvgalaxie), “Des images choquantes de détenus de la prison civile de Miragoâne circulent en boucle sur les réseaux sociaux ce week-end. Ces prisonniers sont mal nourris et ne reçoivent aucun soin de santé. Le CADDHO a, à travers plusieurs correspondances, alerté les autorités haïtiennes, dont le Premier ministre Garry Conille @ConilleGarry, sur cette situation. Cependant, ces démarches restent sans réponse. La prison civile de Miragoâne est une manifestation évidente de la mauvaise gestion du système carcéral haïtien”, 30 June 2024, available at https://x.com/rtvgalaxie/status/1807392433409286371?t=LsGGe-IO0Qxvq0U4Y_Pm8g&s=08 (in French).

⁵⁰ BINUH, “Quarterly report on the human rights situation in Haiti (January–March 2024)”.

contributes and informs the ongoing establishment, implementation and operationalization of the compliance mechanism requested in resolution 2699 (2023) to prevent, investigate, address and publicly report potential violations or abuses of human rights related to the Mission's operations, including sexual exploitation and abuse.

44. Drawing on its expertise on advising Member States, regional and subregional organizations and their security forces on how to integrate human rights into their operations, during the reporting period, OHCHR provided advice to Kenya and other participating Member States of the Multinational Security Support Mission on internal best practices and processes to ensure compliance with international standards on human rights and on conduct and discipline, including to prevent and respond to sexual exploitation and abuse. Moreover, as the human rights due diligence policy on United Nations support to non-United Nations security forces applies to the financial, logistical, operational and advisory support of the United Nations to the Mission, OHCHR has worked together with the Department of Operational Support and other United Nations departments and entities to implement the policy and continue to work with the Mission, relevant Member States, United Nations entities and the Government of Haiti to ensure the implementation of the mitigation measures.

45. Community-based organizations need to play a central role to prevent and mitigate the deterioration in and the impact of the situation of insecurity.⁵¹ Priority initiatives under the Disarmament, Dismantlement and Reintegration – Community Violence Reduction Strategy should be a priority. They include strengthening community-based reintegration programmes for children associated with armed gangs, improving local security infrastructure by acknowledging the presence of the Multinational Security Support Mission and enhancing stakeholder cooperation through an interministerial and inter-institutional task force. Regarding the situation of children, the need for the thorough implementation of the handover protocol on the transfer, reception and care of children associated with armed gangs encountered during territorial security operations signed between the United Nations and the Government⁵² is crucial in this context. More efforts need to be invested in youth, especially on accessible and adequate education and employment opportunities. Reintegration programmes, designed in partnership with young people, should include prolonged psychosocial support, vocational training, quality education and health care and cater to other vital needs.⁵³ The appointed expert on the situation of human rights in Haiti has previously recommended the creation of a youth corps for all Haitian youth, which could contribute to supporting marginalized youth and rehabilitating young gang members.

B. Humanitarian action

46. Despite the challenges posed by insecurity and financial constraints, the protection cluster in Haiti, co-led by the Office for the Protection of Citizens (which is the national human rights institution) and OHCHR, has continued to deliver protection services to those most in need, paying particular attention to women, children in disadvantaged situations, internally displaced persons, lesbian, gay, bisexual, transgender and intersex persons and persons living with HIV. The activities were implemented by local and international non-governmental organizations in marginalized and gang-controlled areas and included psychological counselling for survivors of violence, including gender-based violence, reproductive and sexual health services provided through mobile clinics and awareness-raising sessions on gender-based violence and referral mechanisms. Several activities were also carried out at border points with the Dominican Republic, and included reception, registration and care services of unaccompanied children in transit centres, awareness-raising sessions on the prevention of sexual abuse in schools and child-friendly spaces. Notwithstanding those initiatives, the protection sector under the Humanitarian Response Plan 2024 is only funded at 25 per cent of the required level,⁵⁴ which compromises

⁵¹ A/HRC/55/76, para. 50.

⁵² Memorandum of understanding between the United Nations system in Haiti and the Government of Haiti.

⁵³ See recommendations by the Secretary-General in relation to reintegration and assistance programmes (A/77/895-S/2023/363, para. 13).

⁵⁴ See <https://news.un.org/fr/story/2024/07/1147091> (in French).

the ability of protection actors to provide direct assistance services at sites in the metropolitan area of Port-au-Prince.⁵⁵

C. Trafficking of weapons

47. The interlinkages between gang violence, firearms and drug trafficking, illicit financial flows and corruption have been acknowledged as a priority to be tackled.⁵⁶ Despite an international arms embargo imposed on Haiti by the Security Council,⁵⁷ weapons and ammunition have continued to flow into the country, primarily from the United States, but also from the Dominican Republic and Jamaica.⁵⁸ As a result, gangs have continued to carry out large-scale attacks using firearms.⁵⁹ The United Nations Office on Drugs and Crime has underlined how firearms and ammunitions have continued to enter Haiti through poorly monitored airspaces, unpatrolled coastlines and porous borders.⁶⁰ Gangs exploit those gaps to obtain high-calibre weapons, drones, boats and a seemingly endless supply of bullets. Drug trafficking has also continued unabated, often using the country's many clandestine airstrips.

48. BINUH has multiplied its efforts to accompany the authorities to develop a national public security policy, inclusive of weapons and ammunition management, and a nationally owned action plan.⁶¹ On 26 April 2024, Haiti submitted its national report on the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. Furthermore, Haiti participated in the fourth United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, which was hosted by the Office for Disarmament Affairs from 18 to 28 June 2024. BINUH also continues to support national authorities in the implementation of regional priorities outlined in the Roadmap for Implementing the Caribbean Priority Actions on the Illicit Proliferation of Firearms and Ammunition across the Caribbean in a Sustainable Manner by 2030. Many of the multilateral (five cases) and bilateral sanctions (dozens of cases) issued against Haitian nationals since 2022 have focused on arms and drug trafficking and corruption, all of which are helping to sustain the power and influence of criminal gangs.

VI. Conclusions and recommendations

49. **Since the previous report, violence has spread beyond the capital to other regions of Haiti, fuelled by the trafficking of weapons and ammunition into the country and compounded by the State's lack of means and resources to stem such violence. Human rights violations and abuses have persisted at alarmingly high levels. The brutal forms of gender-based violence, including sexual violence, have reached new heights, leading to irreversible harm for victims and survivors and destroying various generations. Sporadic activities will not be sufficient to tackle this destructive phenomenon, which should be addressed through the establishment of a sustainable integrated protection system. Incidents documented by OHCHR have included targeted executions and random shootings, mass kidnappings, collective rape, the forced recruitment, exploitation and trafficking of children by gangs and the burning and looting of homes and businesses. Attacks against hospitals, banks, police stations, the main seaport in the**

⁵⁵ Office for the Coordination of Humanitarian Affairs, "Haiti: humanitarian response overview: situation report – June 2023" (2023).

⁵⁶ See S/2024/320; and Security Council resolutions 2653 (2022) and 2700 (2023).

⁵⁷ Security Council resolutions 2653 (2022) and 2700 (2023), respectively, establishing and extending the arms embargo.

⁵⁸ S/2024/79, para. 4; and Juan Forero and José de Córdoba, "U.S. guns flow into Haiti as gangs push to take control", *The Wall Street Journal*, 1 April 2024.

⁵⁹ See, for instance, Christiaan Triebert, Maria Abi-Habib and John Ismay, "How a Haitian gang is trying to turn itself into a militia", *The New York Times*, 21 May 2024.

⁶⁰ See S/2023/780 and S/2024/79.

⁶¹ S/2024/508, paras. 12–14.

capital and schools have disrupted the provision of basic services and increased the vulnerabilities of the affected population, with dire humanitarian consequences.

50. The gangs' recurrent attacks, including against key State institutions, since 29 February 2024 have further weakened the State. While recent announcements and initiatives are promising, overall, marginal progress has been made during the period in relation to the prison system, justice and policing.

51. In the context of an alarming level of violence, Haitians continue to be severely deprived of their enjoyment of human rights, including the core content of economic, social and cultural rights. Tackling insecurity, including through the deployment of the Multinational Security Support Mission, needs to be the utmost priority. It is essential to protect the population and to prevent further human suffering. Therefore, prevention and protection policies should include initiatives such as community-based processes to maintain social cohesion, which has been crippled by gang violence. Community-based organizations need to play a central role to prevent and mitigate the deterioration in and impact of the situation of insecurity, especially to enable humanitarian assistance.

52. Overall, the country's multidimensional crisis requires a comprehensive plan to achieve durable peace and security. Solutions rest in respecting all human rights. Addressing corruption and impunity, as well as creating the social and economic conditions to provide equal opportunities for the population, especially youth, need to be a priority.

53. Since the presentation of the last report to the Human Rights Council on 2 April 2024,⁶² major changes have occurred in Haiti. The installation of the Transitional Presidential Council and the designation of an ad interim Prime Minister and a new Government could pave the way for an accountable and transparent transitional governance. The deployment of the first contingents of the Multinational Security Support Mission is also a crucial step towards enhancing security and restoring and strengthening the rule of law and democratic institutions, as well as holding credible and transparent elections. To succeed, it is essential to ensure that the Mission operates in strict compliance with international human rights law and standards.

54. Despite some limited progress having been made on the implementation of previous recommendations, most of the challenges remain. The High Commissioner reiterates the recommendations contained in previous reports and calls upon all national stakeholders and government authorities:

(a) To continue making progress in the establishment of the transitional governance arrangements providing for a democratic transition, leading to free and fair legislative and presidential elections, in strict compliance with international law, including international human rights law;

(b) To take specific steps to increase women's participation and leadership in political and public life, as well as to ensure that women's voices and concerns are adequately represented and considered in public spaces and polices;

(c) To implement comprehensive measures, through an approach based on prevention and early intervention, to protect children from gang violence and their recruitment by gangs, including by addressing the root causes thereof and developing community-based services that respond to the specific needs and problems of children and tailored programmes for children in conflict with the law with a view to supporting their reintegration into society.

55. In addition, the High Commissioner calls, in particular, upon the Haitian authorities:

(a) To strengthen the Haitian National Police;

⁶² A/HRC/55/76.

(b) To ensure that all relevant institutions, including the Haitian National Police, collect and analyse community-based data on violence and sociodemographics and engage with communities on the elaboration and implementation of security policies focused on the protection of the population and prevention of human rights violations;

(c) To develop a road map to restore the proper functioning of the judiciary across the country and allocate sufficient resources to justice institutions to address criminality, including gang-related criminality and organized crime;

(d) To strengthen independent oversight mechanisms to ensure that judicial officers and other personnel discharge their functions in accordance with the law and high standards of professionalism and integrity, including by continuing with the process of certification of all judges;

(e) To investigate and prosecute, in accordance with the rights to a fair trial and due process, crimes involving allegations of human rights violations and abuses in a timely manner, as well as establishing, as a priority, specialized judicial units for crimes related to sexual violence;

(f) To take urgent measures to improve the dire conditions of detention in Haitian prisons, especially regarding access to food and medical care, and to ensure that the treatment of children and juveniles at the Rehabilitation Centre for Children in Conflict with the Law is in line with international human rights norms and standards;

(g) To prioritize, in line with the commitment of the interim government, the fight against corruption, strengthening the work of the Anti-Corruption Unit and, with the support of the international community, establishing specialized judicial units for corruption-related crimes, including financial crimes, as appropriate;

(h) To address urgently the humanitarian crisis, including humanitarian access, and to ensure, with the support of the international community, the provision of basic services, especially in marginalized areas, aiming, as a first step, at ensuring the fulfilment of the core obligation in relation to the enjoyment of economic, social and cultural rights;

(i) To establish integrated protection systems for survivors of gender-based violence, including sexual violence, and child sexual abuse, including providing medical, legal and psychosocial support. In view of the alarming rate of rape and the resulting unwanted pregnancies, contraceptives, emergency contraceptives, prophylactic treatment and abortion care should be made widely and freely available and accessible;

(j) To design and implement disengagement and reintegration processes for children and juveniles recruited by gangs, create and foster employment opportunities, especially for youth at risk of returning to or becoming involved in criminal activities, such as a civic corps, in partnership with young people. That could take the form of a youth corps to offer basic employment and job training to millions of Haitian youths;

(k) To relocate immediately all internally displaced persons currently living in squalid conditions in school premises to safe and appropriate facilities, in accordance with international standards;

(l) To provide a safe and enabling civic space for civil society actors, considering the specific challenges faced by women human rights defenders in view of the high rates of gender-based violence and the misogynistic nature of attacks.

56. The High Commissioner calls upon Member States:

(a) To continue making progress on the deployment, as authorized by the Security Council in its resolution 2699 (2023), of the Multinational Security Support Mission to assist the Haitian National Police in re-establishing security in Haiti in strict compliance with international law, including international human rights law, as applicable, and in a gender-responsive manner;

(b) To support the Haitian authorities to elaborate and implement public policies to tackle corruption and impunity, and to focus on building up community-based protection networks;

(c) To consider, in the light of Security Council resolutions 2653 (2022) and 2700 (2023), the following measures:

(i) Taking urgent and stricter measures to prevent the direct or indirect illicit supply, sale, diversion or transfer to Haiti, from or through their territories or by their nationals, or using their flag vessels or aircraft, of small arms, light weapons and ammunition;

(ii) Continuing to update the list of individuals and entities subject to the Security Council sanctions regime on Haiti, for engaging in, directly or indirectly, or supporting criminal activities contrary to international human rights law.

Advance edited version