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Haiti COI Compilation

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Origin & Asylum Research and Documentation

Haiti – COI Compilation

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This report serves the specific purpose of collating legally relevant information on conditions in countries of origin pertinent to the assessment of claims for asylum. It is not intended to be a general report on human rights conditions. The report is prepared within a specified time frame on the basis of publicly available documents as well as information provided by experts. All sources are cited and fully referenced.

This report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum. Every effort has been made to compile information from reliable sources; users should refer to the full text of documents cited and assess the credibility, relevance and timeliness of source material with reference to the specific research concerns arising from individual applications.

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List of abbreviations

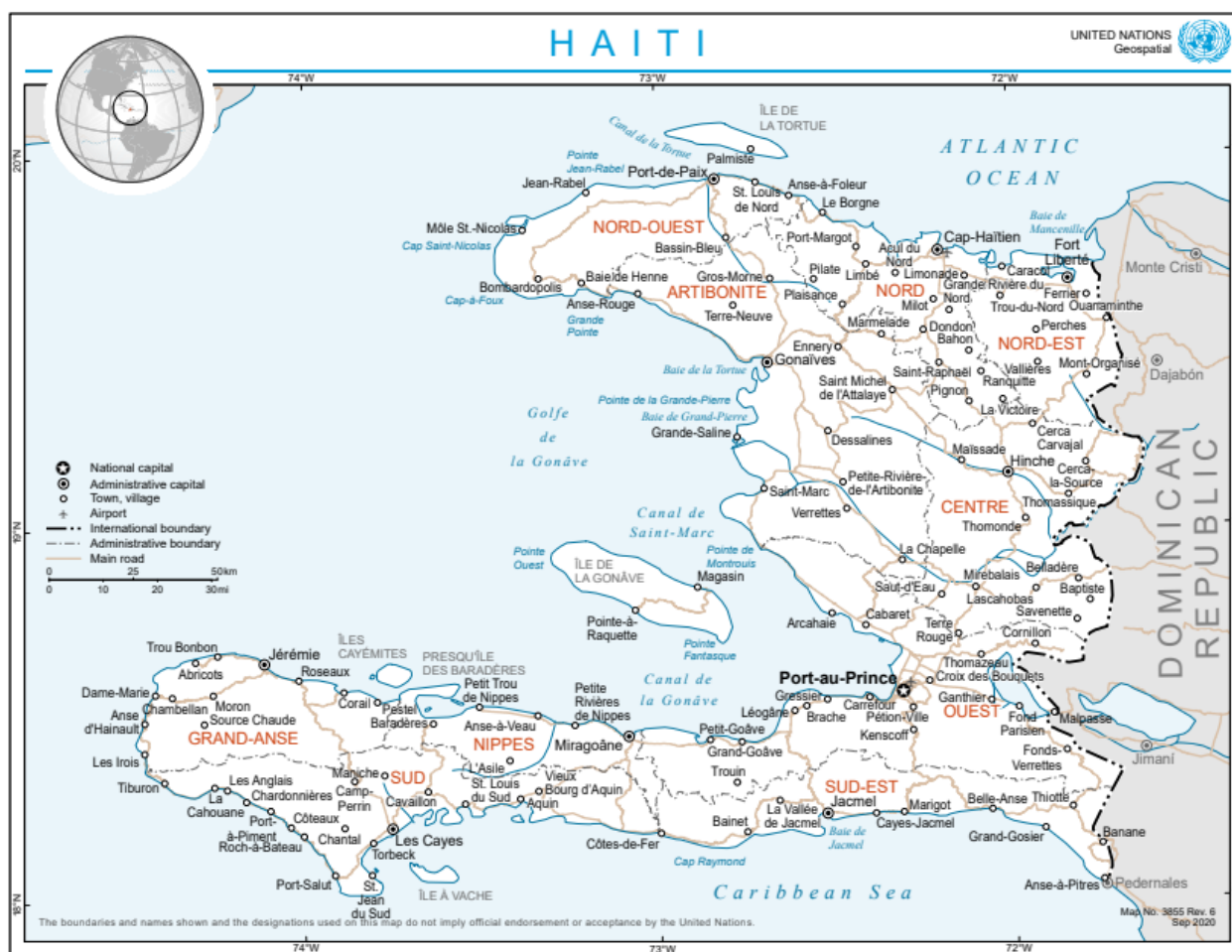
AGD	General Customs Administration
ANH	National Archives of Haiti
BIM	Motorised Intervention Unit
BOW	Bureau of Worship
BPM	Brigade for the Protection of Minors
CNLTP	National Committee for the Fight Against Trafficking in Persons
CSPJ	Superior Council of the Judiciary
CTCs	Cholera Treatment Centers
ETT	Emergency Tracking Tool
GBV	Gender-based Violence
HNP	Haitian National Police
HTG	Haitian gourde
HUEH	Hospital of the State University of Haiti
IBESR	Institute for Social Well-Being and Research
IDPs	Internally Displaced People
IPC	Integrated Food Security Phase Classification
LGBTQI+	Lesbian, Gay, Bi, Trans, Queer, Inter, + persons
MAST	Ministry of Social Affairs and Labor
MINUSTAH	UN Stabilisation Mission in Haiti
MJSP	Ministry of Justice and Public Security
MSPP	Ministry of Public Health and Population
NAP	National Action Plan
OPC	Office of Citizens' Protection
PHTK	Parti Haïtien Tèt Kale (Haitian Tèt Kale Party)
POLIFRONT	Border Police
WASH	Water, sanitation and hygiene

List of gang names

Gang name	Alternative versions of gang names
400 Mawozo	
5 seconds	5 Seconds from the Village-de-Dieu neighbourhood Village-de-Dieu gang 5 Segonn 5 Secondes Baz 5 Segond
Baz Krache Dife	Krache Dife gang Krache Difé
Baz Nan Chabon	Base Nan Chabon
Baz Pilate	Base Pilate Baz Pilat
Belekou	
Chen Mechan	
G9 in Family and Allies	G9 G9 en familles et alliés G9 an Fanmi e Alye G9 an fanmi G9 and family G9 Family and Allies
G-Pèp la	G-Pèp G-PEP
Gran Grif gang	Baz Gran Grif
Grand Ravine	Gran Ravine Gran Ravin Grand-Ravine
Kokorat san ras gang	
Kraze Baryè	
Nan Boston	Boston gang
Nan Ti Bwa	Ti Bwa gang Tibwa gang
Simon Pelé's gang	
Ti Makak gang	
Toto gang	
Waf Jérémie	

1 Background information

1.1 Map of Haiti



Source: [United Nations, 1 September 2020](#)

1.2 Demographics

As of 2023, Haiti's population was estimated at 11,470,261 people, according to the CIA World Factbook (CIA, updated 3 April 2023). According to the Haitian Institute of Statistics and Information (Institut Haïtien de Statistique et d'Informatique, IHSI), the population amounted to an estimated 11,905,897 as of 2021, including 6,709,743 people living in urban areas and 5,196,154 people living in rural areas (IHSI, undated).

1.2.1 Ethnic groups and languages

The majority of the population (about 95 percent) is predominantly of African descent, while the remainder is mostly of mixed European-African descent. There is also a community of Europeans of Polish ancestry. Moreover, the population includes small communities of people of Syrian and Lebanese origin and few people from the Dominican Republic (MRG, updated May 2020). Indigenous inhabitants of the island were the Taíno, an Arawak-speaking people (MRG, updated 20 May 2020), most of whom died from enslavement, disease or were killed by Spanish settlers within 25 years after Christopher Columbus arrived at the island in 1492 (CIA, updated 3 April 2023; Schimmer, undated). The name "Haiti" derives from the original Taíno name for the island, "Ay-ti" (land of mountains) (MRG, updated 20 May 2020).

Haiti's official languages are Haitian Creole (also called Kreyòl Ayisyen (MRG, updated May 2020), Kreyol or Kweyol), and French. Haitian Creole is the language of everyday life, while French is spoken in more formal circumstances, and remains the main language of instruction. About one tenth of the population use French as their second language (Encyclopaedia Britannica, updated 27 March 2023, People). A Haitian Creole Academy (Akademi Kreyòl) was established in 2014 to develop a standardised form of the language (Structures formelles du langage, undated) and to promote the use of the language across all professional realms (Akademi Kreyòl Ayisyen, undated).

1.2.2 Religion

The Haitian Constitution allows for religious freedom and there is no official religion (Encyclopaedia Britannica, updated 27 March 2023, People), however, the Roman Catholic Church has a special relationship with the government due to the 1860 concordat signed between the Vatican and the Haitian government. This agreement, according to the US Department of State (USDOS) 2021 report on religious freedom, grants the Catholic Church some privileges such as state protection and monthly stipends for some priests, while on the other hand the state president has the right of consent with regard to the appointment of Catholic archbishops and bishops to their positions. Some non-Catholic religious leaders reportedly expressed concern about the concordat which they perceived as discriminatory and as a means for the Catholic church to exert influence on the government (USDOS, 2 June 2022, executive summary; section II). Similarly, the Bertelsmann Stiftung's Transformation Index (BTI) 2022 country report (covering the period from 1 February 2019 to 31 January 2021) notes that Catholicism remained the "preferred faith for public officials", but points out that Protestant groups with links to the United States reportedly have gained influence in the country:

"Although Catholicism is no longer the country's official religion since the revised constitution of 1987, which recognized Vodou as a legal religion, it still remains the preferred faith for public officials, since heads of state usually seek the advice of the Council of Catholic Bishops and the new cardinal on important national issues. [...] Although religion does not have a direct influence on politics, the Catholic and Protestant clergy have the moral authority to intervene on national issues. While in the past the Catholic clergy played a central political role, this has now been diminished by the increased power of Protestant groups, which act as vectors for links with the United States and new forms of political ideology. Indeed, Protestant groups can be considered a significant latent political force." (Bertelsmann Stiftung, 23 February 2022, p. 8)

More than half of the population are Catholic and about one fourth are Protestant or independent Christian (Encyclopaedia Britannica, updated 27 March 2023, People), or 55 percent and 29 percent, respectively, according to the CIA World Factbook (CIA, updated 3 April 2023). In its 2021 report on religious freedom, the USDOS provides somewhat different numbers - based on data from a 2017 government survey (IHE, July 2018, p. 46) -, but also a more detailed overview on Haiti's religious groups:

"According to the government's 2017 Survey on Mortality, Morbidity, and Use of Services, the most recent study available, Christians who self-identified as either Protestant, Episcopalian, Methodist, Seventh-day Adventist, or Jehovah's Witness together comprise

52 percent of the population, Catholics 35 percent, Vodouists 2 percent, and 11 percent do not state a religious preference. An estimated 60 percent of Protestants in the country belong to the Protestant Federation. These include Methodists, Lutherans, Presbyterians, Pentecostals, the Salvation Army, Seventh-day Adventists, and some Baptists. The Church of Jesus Christ of Latter-day Saints states it has 24,000 adherents, mostly in Port-au-Prince. The president of the National Council for Haitian Muslims states there are approximately 6,000 adherents across three branches of Islam – Sunni, Shia, and Ahmadiyya; only members of the Sunni and Shia communities belong to the council. The Jewish community has approximately 20 individuals.” (USDOS, 2 June 2022, section I)

1.3 Political system

“Haiti is a constitutional republic with a multiparty political system” (USDOS, 20 March 2023, executive summary). The Constitution currently in force was adopted in March 1987 and modified in June 2012 and is generally referred to as the “amended 1987 Constitution” (CIA, updated 3 April 2023, for the complete text of the Constitution in French, see *Constitution de la République d’Haïti, 1987, as amended by Loi constitutionnelle de 2012*; for an English translation, see *Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012*).

According to the Constitution, there are three main branches of government – legislative, executive, and judicial -, that must be independent of each other (*Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012, Articles 59-60*). The BTI states that “in theory”, Haiti is a semi-presidential republic with executive power exercised by the president and the prime minister, and legislative power vested in the bi-cameral parliament:

“In theory, Haiti’s political system is a semi-presidential republic. The president of Haiti is the head of state. The prime minister, chosen by the president from the majority party in the legislature, is the head of government. Executive power is exercised by the president and prime minister, and legislative power by parliament. Haiti’s parliament comprises a 30-member Senate (the upper house), which is elected for six-year terms in staggered elections, with one-third of seats being contested every two years, and a 119-member Chamber of Deputies.” (Bertelsmann Stiftung, 23 February 2022, p. 15).

In practice, however, the BTI notes that formal rules were “heavily impaired” and democratic institutions failed to be fully respected by political actors and the population (Bertelsmann Stiftung, 23 February 2022, p. 15). The Constitution stipulates in Article 111-1 that laws “may be initiated by each of the two (2) Chambers [of the parliament, remark ACCORD] as well as by the Executive Power”, but specifies in Article 111-2 that only the executive power has the right to initiate certain categories of laws such as budget laws or tax-related laws, and that these laws have to be voted on first by the Chamber of Deputies (*Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012, Articles 111-1, 111-2*).

The president serves as head of state and is elected by popular vote for a five-year term. Re-election for a second non-consecutive term is possible (Encyclopaedia Britannica, updated 27 March 2023, Government and society). The last presidential elections in 2016 were won by Jovenel Moïse of the Haitian Tet Kale Party (Parti Haïtien Tèt Kale, PHTK). After Moïse’s

assassination in July 2021, Ariel Henry, whom Moïse had appointed as the country's new prime minister only a few days earlier, took office as acting president (Freedom House, 24 February 2022, A1).

The prime minister is appointed by the president and confirmed by the National Assembly. The government is chosen by the prime minister in consultation with the president (Gender Equality Observatory for Latin America and the Caribbean, undated). The bi-cameral parliament consists of the Senate (Sénat de la République) and the Chamber of Deputies (Chambre des députés). Senators are directly elected in multi-seat constituencies by absolute majority vote for a six-year term. One third of the senators is up for re-election every two years, and members have a two-term limit. Members of the Chamber of Deputies are directly elected in single-seat constituencies by absolute majority vote for a four-year term. Deputies are eligible for an unlimited number of terms. For both, senators and deputies, elections can take place in two rounds if needed. The term "National Assembly" (L'Assemblée nationale) refers to joint meetings of both chambers, which take place for specific purposes as outlined in the Constitution (CIA, updated 3 April 2023).

The country's legal system is nominally based on the French Napoleonic Code, with changes enacted under the rule of President François Duvalier (1957-1971) (Encyclopaedia Britannica, updated 27 March 2023, Government and society). The court system is organised at four levels: the Supreme Court or Court of Cassation (Cour de Cassation) as the highest court, Courts of Appeal, Courts of First Instance (dealing with civil, commercial, and criminal matters) and examining magistrates (responsible for conducting criminal investigations), as well as, on the fourth level, Justice of the Peace Courts. Specialised courts include labour and land courts, and the children's court (Florén Romero, March 2018). Judges to the Supreme Court are appointed by the president from a list of candidates submitted by the Senate; according to Article 174 of the Constitution, Supreme Court judges are appointed for a ten-year term, while according to Article 177 of the Constitution, they are appointed for life. The Constitutional Court, foreseen in the 1987 Constitution, has not yet been established and the High Court of Justice, foreseen to try high government officials, is not functional. Haiti is a member of the Caribbean Court of Justice (CIA, updated 3 April 2023). According to the Encyclopaedia Britannica, the country's legal system was "deeply flawed", with the government exercising influence on all levels (Encyclopaedia Britannica, updated 27 March 2023, Government and society). Freedom House similarly points out that the judiciary was "susceptible to political pressure", lacked resources and sufficient oversight (Freedom House, 24 February 2022, F1).

By the end of 2022, only 3 of the 12 Supreme Court judges continued working (HRW, 12 January 2023). The court had lost its quorum already in February 2022, when the terms of three judges expired and subsequently only a quarter of the court's seats remained filled. However, new judges could not be appointed in the absence of an elected president and a functioning Senate (UN Security Council, 13 June 2022, p. 7). In November 2022, Jean Joseph Lebrun was appointed as new chief justice of the Supreme Court; the position had been vacant for more than a year after the death of the previous chief justice due to Covid-19 in June 2021 (Gazette Haiti, 22 November 2022). In February 2023, the government appointed by decree eight judges to the Supreme Court to fill the vacant positions. This step was criticised by some groups as

illegal, since according to Article 175 of the country's Constitution, judges were to be elected by the president from a list of three names per seat compiled by the Senate (AlterPresse, 1 March 2023; Hebdo24, 1 March 2023). The Association of Magistrates, on the other hand, approved of the decision, stressing the necessity to render the court functional again (Gazette Haiti, 1 March 2023).

The country is administratively divided into ten departments (Artibonite, Centre, Grand'Anse, Nippes, Nord, Nord-Est, Nord-Ouest, Ouest, Sud, Sud-Est (CIA, updated 3 April 2023)) and their sub-units; administrative authorities are organised on three levels, according to a 2021 public governance review by the Organisation for Economic Cooperation and Development (OECD):

“The country is located on the western third of the island of Haiti, its territory being organised into ten departments, 42 districts, 146 municipalities, 58 quartiers and 572 municipal sections. Decentralised administration is broken down into three levels of territorial authorities defined by the 1987 Constitution: departments, municipalities and municipal sections. The territorially deconcentrated administration is located at the department and district level. Under the current legal framework, only the central government and the municipalities have their own resources, which come from taxes.” (OECD, 14 December 2021)

Similarly, the BTI 2022 country report notes that due to the country's highly centralized system, local officials had “little or no resources for providing basic services such as sanitation, clean water, health care, good education and housing” (Bertelsmann Stiftung, 23 February 2022, p. 8).

1.3.1 Security forces

1.3.1.1 Military

The Haitian military was disbanded in 1995 by President Aristide who had been forced out of office by a military coup in 1991. After the army's dissolution, security issues were transferred to the Haitian National Police. In 2017, the Haitian National Army (Forces Armées d'Haiti, FAD'H or FADH) was formally re-constituted, shortly after the end of the UN Stabilization Mission in Haiti (MINUSTAH) (VOA, 15 November 2017), to provide support for disaster relief efforts, border security and combatting transnational crime (CIA, updated 3 April 2023). In March 2018, President Moïse established an army command, including with persons who had held positions in the previously disbanded army (Haïti Liberté, 21 March 2018). According to the CIA World Factbook, the national army includes about 1,200 active military troops, with plans to eventually have about 5,000 personnel (CIA, updated 3 April 2023). In December 2022, local media reported on the graduation ceremony of 409 new soldiers, including 92 women (Juno7, 22 December 2022), who were going to join the engineering corps, the agricultural section, the national guard unit, and the National Army's administration (Haiti Libre, 23 December 2022). Clear information on military conscription and recruitment could not be found during this research. On the one hand, Article 268 of Haiti's Constitution stipulates that military service is compulsory for all Haitians who have attained 18 years of age and is regulated by a separate law (Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012, Article 268). On the other hand, mandatory military service appears not to be enforced, as local

media has reported on calls for applications by the army command for positions as soldiers and professionals (Haiti Libre, 19 November 2020; Rezo Nòdwes, 31 Octobre 2018). Haiti reportedly has military training cooperations with Mexico, Argentina (Haiti Libre, 20 November 2022) and Ecuador (CNW, 5 September 2022). Government funds for the military amounted to an estimated equivalent of USD 21 million in 2021 or 0.2 percent of the national Gross Domestic Product (GDP) (CPTI, September 2022).

1.3.1.2 Police

In the period 1994-1995, after the dissolution of the Haitian military, the National Assembly created civilian law enforcement bodies, including the Haitian National Police (HNP) (Police National D’Haiti, PNH) and the Haitian Coast Guard (GI-TOC, October 2022a, p. 4). The HNP is overseen by the State Secretary of Public Security under the Ministry of Justice and Public Security (Ministère de la Justice et de la Sécurité Publique, MJSP) (MJSP, undated) and includes several units:

“The Haitian National Police includes police, corrections, fire, emergency response, airport security, port security, and coast guard functions. The Ministry of Justice and Public Security, through its minister and the secretary of state for public security, provides oversight to the Haitian National Police. The Superior Council of the National Police, chaired by the prime minister, provides strategic guidance. The Superior Council includes the director general and the chief inspector general of the Haitian National Police, the minister of the interior, and the minister of justice. Civilian authorities at times did not maintain effective control over security forces. There were credible reports that members of the security forces committed abuses.” (USDOS, 12 April 2022, executive summary).

The HNP also includes a presidential guard and a rapid-response force, the Motorised Intervention Unit (Brigade d’Intervention Motorisée, BIM) (CIA, 3 April 2023). In an article dated October 2021, the New York Times (NYT) describes the BIM’s fight against gang violence being hampered by a lack of equipment, arms and underpayment (NYT, 27 October 2021). Similarly, in February 2022 the UN Secretary-General notes that “the Haitian National Police, is hampered by development gaps, a chronic lack of equipment and a dearth of logistical and financial support” (UN Security Council, 15 February 2022, p. 14). Moreover, attacks by gangs on police infrastructure further aggravate the situation:

“In 2021 and 2022 alone, more than 100 deliberate attacks against police infrastructure were recorded, resulting in dozens of police stations requiring urgent reconstruction. Similar trends have been observed for police equipment and vehicles, with a significant portion of the patrol fleet non-operational for lack of servicing and spare parts.” (UN Security Council, 17 January 2023, p. 6)

According to a report by the UN Secretary-General to the UN Security Council of January 2023, the Haitian Police comprised roughly 15,000 officers – with about 9,700 officers among them active – by the end of 2022:

“As of 31 December, the Haitian National Police comprised 14,861 officers, including 1,740 women (11.7 per cent). Owing to high rates of desertion, temporary suspensions pending administrative investigations, and other absences operational strength is closer to that of

13,500 personnel, with some 9,700 available to perform as active - duty officers. There are also allegations that a significant number of national police personnel may be associated with gangs in the capital. The graduation, on 23 December, of the thirty-second class of the National Police Academy, comprising 714 new police officers, including 174 women, marginally offsets the losses. With the new officers, the police-to-population ratio has slightly increased to 1.2 officers per 1,000 inhabitants but is still below the United Nations recommended standard of 2.2 officers per 1,000 inhabitants. At the same time, the nationwide enrolment process of the thirty-third class of recruits is ongoing, having received 2,732 applicants, including 644 women.” (UN Security Council, 17 January 2023, p. 6)

In an article dated February 2023, The Guardian states the number of active police officers as 9,500 and notes that since the beginning of 2021, more than 3,000 officers resigned from the police forces, many of them for fear of being killed by the gangs. In January 2023 alone, 15 police officers have reportedly been killed, and at least 54 officers were killed in 2022 (The Guardian, 2 February 2023). Overall, 78 police officers have been killed from 20 July 2021 to 26 January 2023, according to the Haitian National Human Rights Defense Network (Reseau National de Défense des Droits Humains, RNDDH) (RNDDH, 26 January 2023, p. 2).

In March 2023, Prime Minister Henry announced his intention to deploy the military to support the HNP in their fight against armed gangs (AP, 17 March 2023). The same month, the Canadian government announced that it would support the HNP with 100 million Canadian Dollar (USD 73.4 million)¹ to fight gang violence (CBC / Radio-Canada, 24 March 2023).

¹ Exchange rate from European Commission, Exchange rate (InforEuro), undated, https://commission.europa.eu/funding-tenders/procedures-guidelines-tenders/information-contractors-and-beneficiaries/exchange-rate-inforeuro_de, accessed on 3 May 2023

2 Political overview

2.1 Anti-government protests of 2018-2020

Protests began in July 2018, after the government's decision to cut fuel subsidies in line with an agreement with the International Monetary Fund (IMF) (Freedom House, 4 February 2019, A1). The decision led to an increase of fuel prices of up to 50 percent and caused widespread protest and civil unrest (HRW, 14 January 2020), and the policy was reversed shortly after (CFR, 16 October 2019). Prime Minister Jack Guy Lafontant resigned in July 2018 over the protests and a new government under Prime Minister Jean-Henry Céant was confirmed in September 2018. Nevertheless, protests continued until the end of the year (Freedom House, 4 February 2019, key developments in 2018) and into 2019:

“In February 2019, demonstrations escalated after the government declared a state of economic emergency, with opposition groups demanding President Jovenel Moïse's resignation amid allegations that he had mismanaged government funds designated for social programs. In September, anti-government protests grew in size and police responded in several cases with excessive force. At time of writing, Haiti was entering its 10th week of demonstrations and political clashes.” (HRW, 14 January 2020)

A first report investigating allegations of government mismanagement of social funds had been published by a Senate commission in 2017. A further report, published by Haiti's High Court of Auditors in May 2019 on government corruption and the embezzlement of government funds designated for social programs triggered widespread protests. The court reportedly pointed to the mismanagement of at least two billion US-Dollar of the so-called PetroCaribe fund – a kind of fund established by former Venezuelan President Hugo Chavez that allowed Caribbean countries to buy oil under favourable conditions, sell it on and use the proceeds for social programs (Time, 24 June 2019) - by several governments and ministers, including President Jovenel Moïse (before he took office), in the period 2008 to 2016. A further, comprehensive report on their investigations was published by the High Court of Auditors in August 2020, detailing the mismanagement of funds. No prosecution has reportedly been initiated against any of the suspect former ministers and officials despite recommendations by the auditors and ongoing protests (AFP, 17 August 2020).

2.2 Elections

According to the BTI country report, elections conducted since the overthrow of President Aristide and subsequent return of democratic rule in 2004 have been “free, but not necessarily fair”, and “all elections since 2006 have been contested by the losing parties” (Bertelsmann Stiftung, 23 February 2022, p. 9). Presidential elections in October 2015 failed when electoral disputes arose after the first round, where Jovenel Moïse reportedly received the most votes among altogether 54 candidates (see also Haiti Libre, 24 November 2015):

“Moïse appeared to win the first round of voting in the October 2015 presidential election. Turnout in the election was low, with only 1.5 million (of 5.8 million) registered voters going to the polls to choose from a field of 54 candidates – a manifestation of the country's splintered politics and loss of faith in the democratic process. But although some international monitors found that the first-round outcome was consistent with the voting

that they observed, Moïse's adversaries did not recognise the results, asserting that they were marred by ballot tampering and fraudulent tabulations. The dispute led to violent unrest on the streets and repeated postponements of the second round of voting." (ICG, 30 September 2021, p. 5)

A new first round was held in November 2016 (together with elections for a third of the members of the Senate, some members of the Chamber of Deputies, and local officials (OAS, 12 September 2017, p. 12)), with Jovenel Moïse winning 55.6 percent of the votes (CEP-Haiti, 3 January 2017). Turnout, however, was low, with about 21 percent of registered voters participating in the vote. Complaints of fraud filed by three of the losing candidates were eventually rejected (OAS, 12 September 2017, pp. 14-15) and Moïse assumed office on 7 February 2017 (ICG, 30 September 2021, p. 5).

Parliamentary elections due in October 2019 were not held due to "security concerns" (ICG, 23 July 2021) and because the parliament, dominated by the president's party, did not adopt the electoral law required to organise the elections. Consequently, the parliament became non-functional as of January 2020 when the deputies' terms expired (Le Temps, 14 January 2020), allowing President Moïse to rule by decree since then. Moreover, the terms of two-thirds of Senators expired at that time, leaving the Senate with only ten senators, and thus lacking quorum (ICG, 23 July 2021). Renewed anti-government protests erupted in February 2021, following a dispute over whether Moïse's presidency ended in February 2021 (five years after his predecessor left office) or, as he argued, in February 2022, five years after he was sworn into office. Moïse's position was backed by the US-government, the UN and OAS, but criticised by the opposition (BBC, 15 February 2021) and human rights organisations (CEPR, 4 June 2020). At least 20 people were arrested when the opposition reportedly tried to establish a parallel government (BBC, 15 February 2021; ICG, 23 July 2021), and three Supreme Court Judges were forced into retirement by a presidential decree. One of the three judges had earlier criticised the appointment of the members of the Provisional Electoral Council (Conseil Electoral Provisoire, CEP) by presidential decree. With the same decree, the president had tasked the CEP with organising a referendum on constitutional changes (HRW, 22 February 2021). Both, the CEP appointments and the referendum were criticised as unconstitutional by human rights observers (Freedom House, 24 February 2022, A3). In July 2021, President Moïse was assassinated, and in September 2021, legislative elections and the constitutional referendum planned for November 2021 were postponed indefinitely after Prime Minister Ariel Henry, who was appointed into this position by Moïse two days before his death, dismissed the members of the CEP (Al Jazeera, 28 September 2021). Equally in September 2021, the prime minister signed an agreement with the so-called Commission for a Haitian Solution to the Crisis (the "Montana Group"), composed of a number of civil society groups and political parties, to form a transitional government and organise elections. However, according to HRW, as of October 2022, negotiations were ongoing (HRW, 12 January 2023).

2.3 Assassination of President Jovenel Moïse

On 7 July 2021, President Jovenel Moïse was killed, and his wife injured in his private home by a group of armed attackers. None of his security personnel was injured in the attack. As of September 2021, close to 50 people had been arrested, among them 18 former Colombian soldiers and senior Haitian police officers (ICG, 30 September 2021, p. 2). In its 2023 country report, HRW informs about the ongoing investigations into the assassination:

“President Moïse was assassinated on July 7, 2021. In response, security forces killed 3 people and arrested 47 in Haiti, including former Colombian military officers, the RNDDH reported. One detainee died, four were released, and 42 remained imprisoned, as of October. None have been charged.

Four judicial officials who conducted initial proceedings in the Moïse case said they were threatened. Three investigating judges later resigned, citing personal reasons linked to security problems. One faced a corruption accusation. A fourth resigned in April, complaining he had no access to the case file. In May, a fifth judge was appointed to the case.

Chief Prosecutor Bedford Claude asked a judge, in September 2021, to approve charges against Prime Minister Henry, arguing he had made phone contact, hours after the assassination, with one of the main suspects. Prime Minister Henry denied the allegation and fired Claude. A judicial decision regarding Claude’s request to indict Prime Minister Henry remained pending as of October 2022.

The Colombian suspects continued complaining, in 2022, that they had not had any hearings, lacked legal assistance, and suffered inhumane detention conditions. Some said police had tortured them.

The related investigation in the US made some progress. A convicted drug trafficker and former DEA [Drug Enforcement Administration] informant, a former Colombian military officer, and former Haitian senator were charged in early 2022 with various offenses, including conspiring to commit murder offenses.” (HRW, 12 January 2023)

In March 2023, Rodolphe Jaar, a businessman and former drug trafficker with Haitian and Chilean citizenship, pleaded guilty before a Florida court to charges related to the assassination of President Moïse. He reportedly admitted having provided money for the purchase of arms as well as food and lodging to some of the other men involved in the plot to kidnap, respectively to kill the president (NYT, 24 March 2023). According to an article by Agence France Presse (AFP), the initial plan was allegedly devised by two managers of the Miami security company CTU who were arrested in February 2023. The plan allegedly aimed at replacing President Moïse with Christian Sanon, a US-Haitian citizen, in exchange for profitable contracts for infrastructure projects and the provision of military equipment and security personnel (AFP, 25 March 2023).

2.4 Situation during 2022-2023

The year 2022 was marked by a deteriorating security, human rights and humanitarian situation, and an ongoing political crisis (HRW, 12 January 2023). The June 2022 report of the UN Secretary-General on the implementation of the mandate of the United Nations Integrated Office in Haiti (Bureau Intégré des Nations Unies en Haïti, BINUH) cites armed gang violence as “the main driver of human rights abuses”, including killings, abductions, and sexual violence, particularly in the Port-au-Prince metropolitan area. Gangs also restricted the population’s freedom of movement and their access to basic social services. Moreover, the report notes a shrinking of the country’s civic space, with journalists, human rights defenders and judicial actors “at risk of violence and crime” (UN Security Council, 13 June 2022, pp. 8-9). The political impasse, however, continued:

“Nearly a year after the shocking assassination of President Moïse, and two and a half years since the dissolution of Parliament, political deadlock continues to block progress with regard to the holding of elections and transitioning from a caretaker Government and inoperative legislative and judicial branches, thus preventing the restoration of fully functioning institutions and governance. Amid the current political stalemate, and given the lapses in the regular work of the electoral management body, the holding of elections by the end of 2022 seems unlikely. Amid a rapidly deteriorating security situation, a stagnating economy and everworsening humanitarian conditions, it is urgent for all national stakeholders to set aside personal and partisan interests and overcome the political stalemate.” (UN Security Council, 13 June 2022, p. 14)

Since the summer of 2022, protests increased over rising living costs, and fuel shortages, demanding the resignation of Prime Minister Henry (Al Jazeera, 22 August 2022). In September 2022, protests escalated after the government’s decision to cancel fuel subsidies, with roadblocks being set up across the country, and incidents of violence, looting (including of humanitarian aid (UN Security Council, 13 October 2022, p. 2)), and attacks on private and public buildings reportedly taking place in several cities. Armed gangs blocked access to the Varreux port, the country’s main fuel terminal (UN OCHA, 22 September 2022, p. 1-2), which “brought critical services, such as water distribution and sanitation, garbage collection, electricity and health centres, to a virtual standstill” (UN Security Council, 13 October 2022, p. 1). These circumstances “likely contributed” to the re-emergence of cholera, after three years where no cases have been reported (UN Security Council, 13 October 2022, p. 12). In this context, in October 2022, the Haitian government reportedly issued a request for the deployment of international forces to support the national police in addressing the security and humanitarian crisis largely caused by armed gangs (UN Security Council, 13 October 2022, p. 3; UN Security Council, 17 January 2023, p. 2). The request was, however, criticised by some groups in the country who opposed “foreign intervention” (UN Security Council, 17 January 2023, p. 2).

The political stalemate continued into 2023: On 10 January 2023, the terms of the last ten Senators that had remained in the 30-seat Senate expired, “leaving the country without a single democratically elected government official” (The Guardian, 10 January 2023). Previously, several senators, including the Senate’s president, had reportedly been sanctioned by Canada

for corruption and supporting gang activity (Cotton / Hammel / Noofoory, 15 January 2023, p. 4). No agreement could be reached between the government and the Montana Group. On the other hand, talks by several civil society groups with political and business groups, industry associations and trade unions led to the development of a “National Consensus for an Inclusive Transition and Transparent Elections” (UN Security Council, 17 January 2023, pp. 1-2). The document foresaw, among other steps, the establishment of a “High Transitional Council”, a government oversight mechanism and a 14-month transition period with general elections to be held in 2023 (Security Council Report, 23 January 2023). The document was signed by the prime minister and “a broad range of stakeholders”. While also some signatories of the Montana agreement signed the National Consensus document, the Montana Group leadership rejected the document (UN Security Council, 17 January 2023, p. 2). The three-member High Transitional Council (Le Haut Conseil de la transition (HCT)) was formally installed on 6 February 2023 by Prime Minister Henry, with its three members representing political parties, civil society, and the private sector (Le Nouvelliste, 6 February 2023; AP, 6 February 2023).

3 Gang-based violence and non-state armed groups

3.1 Gangs

In a report dated October 2022, the Global Initiative Against Transnational Crime (GI-TOC) noted that there were an estimated 200 gangs active in Haiti, with almost 100 in the capital city of Port-au-Prince alone (GI-TOC, October 2022b, p. 6), not including “criminal networks (more diffuse criminal organizations involved in illicit activity), paramilitary groups or semi-formal armed groups with known criminal activity” (GI-TOC, October 2022b, p. 21, EN 12).

InSight Crime pointed to the activities of rural gangs outside Port-au-Prince, such as Kokorat San Ras and Baz Gran Grif. These gangs were operating in Artibonite Department, the country’s main agricultural region (InSight Crime, 27 February 2023). Kokorat san Ras reportedly controlled sections of National Roads No. 5 and No. 1 and engaged in extortion and kidnapping for ransom. The gang became also known for attacks on police officers, killing at least one in an attack on a police patrol in July 2022 (InSight Crime, 3 August 2022). Six police officers were killed in an attack by the Baz Gran Grif gang on a police station in Liancourt in January 2023. According to InSight Crime, gang activity contributed to the disruption of agricultural food production, thereby worsening the country’s food security (InSight Crime, 27 February 2023).

3.1.1 Main gangs

3.1.1.1 G9 in Family and Allies

According to the International Crisis Group (ICG), the G9 an Fanmi e Alye (G9 in Family and Allies), also referred to as G9, is one of the two main gang alliances active in Haiti. The G9 is led by the former police officer Jimmy “Barbecue” Chérizier and reportedly emerged in June 2020 as an alliance of nine major gangs in Port-au-Prince (ICG, 27 July 2022), but later grew to include 15 gangs across several neighbourhoods (UN Security Council, 25 September 2020, p. 4). The nine original members of the G9 were the Delmas 6 Gang (led by Chérizier), the Baz Krache Dife, the Baz Pilate, the Nan Ti Bwa, Simon Pelé’s gang, the Baz Nan Chabon, the Waf Jérémie, the Nan Boston, and the Belekou gang (GI-TOC, October 2022b, p. 16). According to InSight Crime and local sources quoted by BBC, the G9 was connected to the ruling party PHTK (Parti Haïtien Tèt Kale) (InSight Crime, 21 July 2022) and President Moïse (BBC, 5 December 2022). However, Chérizier seemingly broke ties in mid-2021, when he publicly spoke out against the “system of exploitation and inequalities” and called for a revolution against both, government and opposition, only a few weeks before the assassination of president Moïse (InSight Crime, 29 December 2021). Yet as of July 2022, InSight Crime notes that it was uncertain to what extent support by the government for G9 was ongoing (InSight Crime, 21 July 2022). However, according to RNDDH, G9 received some technical equipment from a public institution to support them in their conflict with a rival gang (RNDDH, 13 July 2022, p. 1). ICG equally notes Chérizier’s call for revolution, but also at his apparent support for Moïse (although not Prime Minister Henry) (ICG, 27 July 2022).

The G9 was responsible for two months-long blockades of the country’s oil terminal at Varreux in the period October to November 2021 and September to November 2022. In both cases, Chérizier made the resignation of Prime Minister Henry a condition for ending the blockade

(ICG, 14 December 2022, p. 4, FN 3). During the second blockade, he also called for amnesty for the gang's members (Al Jazeera, 21 October 2022). InSight Crime notes with reference to a government official, that before the killing of President Moïse, the G9 received half of its funding from "government money", 30 percent from kidnappings and 20 percent from extortion. After the killing, government funding reportedly decreased considerably (InSight Crime, updated 20 October 2022). The gang's power, however, reportedly grew following their blockade of the fuel distribution from the country's main oil terminal in the autumn of 2022 (AP, 31 January 2023).

In October 2022, Chérizier was the first person to be sanctioned by the Security Council under Resolution 2653, directed at individuals and entities directly or indirectly involved in actions that "threaten the peace, security or stability of Haiti" (UN Security Council, 21 October 2022, p. 5). The resolution also mentions his participation, while serving as a police officer, in the attack against civilians in the commune La Saline in 2018:

"Jimmy Cherizier is one of Haiti's most influential gang leaders and leads an alliance of Haitian gangs known as the 'G9 Family and Allies.' While serving as an officer in the Haitian National Police (HNP), Cherizier planned and participated in the November 2018 deadly attack against civilians in a Port-au-Prince neighborhood known as La Saline. During this attack, at least 71 people were killed, over 400 houses were destroyed, and at least seven women were raped by armed gangs. Throughout 2018 and 2019, Cherizier led armed groups in coordinated, brutal attacks in Port-au-Prince neighborhoods. In May 2020, Cherizier led armed gangs in a five-day attack in multiple Port-au-Prince neighborhoods in which civilians were killed and houses were set on fire. As of October 11, 2022, Cherizier and his G9 gang confederation are actively blocking the free movement of fuel from the Varreux fuel terminal – the largest in Haiti. His actions have directly contributed to the economic paralysis and humanitarian crisis in Haiti." (UN Security Council, 21 October 2022, p. 9; for Chérizier's participation in the killing of civilians in Port-au-Prince neighbourhoods in 2017, 2018 and 2019, see also InSight Crime, updated 20 October 2022)

3.1.1.2 GPèp la

According to ICG, the GPèp la (GPèp) was created as a response to the formation of the G9. The latter group had reportedly asked all gangs in the commune of Cité Soleil to join their alliance and launched an attack against those who refused. Shortly after, the leader of the Nan Brooklyn gang, Jean Gabriel Pierre ("Ti Gabriel"), created GPèp la, uniting all opponents of G9 in this group. With time, the GPèp reportedly formed new alliances beyond Cité Soleil to outbalance G9's influence (ICG, 27 July 2022). GPèp reportedly used to have "some backing from the political opposition to PHTK", including from businessman and former presidential candidate Réginald Boulos (InSight Crime, 31 January 2023). According to InSight Crime and ICG, the group seems to have formed an alliance with another gang, active in the commune of Croix-de-Bouquets on the outskirts of Port-au-Prince - the 400 Mawozo (InSight Crime, 21 July 2022; ICG, 27 July 2022).

3.1.1.3 400 Mawozo

The 400 Mawozo is reportedly mainly focused on conducting abductions and became known for the abduction of 17 American and Canadian citizens (Christian missionaries, according to the ICG (ICG, 27 July 2022)) in October 2021. The gang has reportedly been active mostly in the Croix-de-Bouquets commune but has now expanded its control over territory up to the border with the Dominican Republic (InSight Crime, updated 23 March 2022). The ICG refers to the Mawozo 400 as the “most powerful gang in Port-au-Prince” (ICG, 27 July 2022), while InSight Crime notes that gang experts “consistently cite the 400 Mawozo as the country’s most worrying criminal organization” (InSight Crime, updated 23 March 2022). One of the gang’s leaders, Joly Germine, known as “Yonyon”, was extradited to the USA in May 2022 where he was charged with “conspiracy to commit hostage taking” in the context of the abduction of 17 members (16 Americans and one Canadian) of a US-based Christian missionary group (NYT, 11 May 2022). In the same context, another of the gang’s leaders, Joseph Wilson (also known as “Lanmò Sanjou”, “Lanmò San Jou” or “Lamò Sanjou”), is wanted by the US-authorities (USDOS, 7 November 2022). Joseph Wilson is also wanted by the Haitian authorities on charges of murder, attempted murder, and other charges (InSight Crime, updated 23 March 2022).

3.1.1.4 5 Seconds

According to InSight Crime and Haiti Libre, the gang is active in the Village de Dieu neighbourhood and is led by a man called “Izo” (Haiti Libre, 9 October 2022; InSight Crime, 31 January 2023).

“The 5 Seconds from the Village-de-Dieu neighborhood of Port-au-Prince, led by alias ‘Izo’, has proven particularly effective at gaining local power and influence. In 2022, the 5 Seconds gang attacked public infrastructure around Port-au-Prince, occupied the country’s Supreme Court building for months, created choke points north and south of the capital to extort drivers, and controlled the sale of black market gasoline, which has become essential in Haiti.” (InSight Crime, 31 January 2023)

3.1.1.5 Kraze Baryè

The Kraze Baryè gang was reportedly involved in the killing of three police officers and the burning down of a police station in Pétion-Ville in January 2023 (InSight Crime, 31 January 2023). In November 2022, the US Department of Justice opened criminal charges against several Haitian gang leaders, including Vitelhomme Innocent, the leader of the Kraze Baryè gang, for the gang’s alleged involvement in the abduction of American Christian missionaries in October 2021:

“Those three defendants, who are charged in separate indictments filed in the District of Columbia, include Lanmo Sanjou, aka Joseph Wilson, 29 and Jermaine Stephenson, aka Gaspiyay, in his late 20s, both current leaders of the 400 Mawozo gang, and Vitel’homme Innocent, 36, leader of the Kraze Barye gang. The 400 Mawozo gang, which operates in Croix-des-Bouquets area to the east of Port-au-Prince, claimed responsibility for the missionaries’ kidnapping. The Kraze Barye gang operates in the Torcelle and Tabarre areas of Haiti. According to the indictment, Innocent worked together with 400 Mawozo in the hostage taking.” (US Department of Justice, 7 November 2022)

Moreover, the Justice Department opened criminal charges against the leaders of the **Gran Ravine, Village de Dieu** and **Kokorat san Ras** gangs for their alleged involvement in the abduction of American citizens (US Department of Justice, 7 November 2022). Gran Ravine (or Grand Ravine) is reportedly a member of the G9 (InSight Crime, updated 18 July 2022). Kokorat san Ras is a “rural gang” active in the Artibonite department (InSight Crime, 3 August 2022).

3.1.1.6 Fantom 509

Fantom 509 is reportedly a masked group of active and former policemen that emerged for the first time in 2018, within the structures of the police union (Syndicat de la Police nationale d’Haïti, SPNH) during protests for better payment and working conditions (InSight Crime, 26 March 2021). The union later distanced itself from the group (InSight Crime, 26 March 2021; AlterPresse, 24 March 2021). The group staged protests against the police force’s leadership, criticised the treatment of officers within the police force (Haitian Times, 15 September 2022) and demanded better working conditions (The Guardian, 26 January 2023). Their protests reportedly often turned violent (Haitian Times, 15 September 2022; The Guardian, 26 January 2023). Fantom 509 has been designated a “terrorist group” by the Haitian government (InSight Crime, 31 January 2023):

3.1.2 Inter-gang conflict

Inter-gang violence and turf battles between armed gangs are mentioned in reports by the UN Secretary-General of February 2022 (UN Security Council, 15 February 2022, p. 4), June 2022 (UN Security Council, 13 June 2022, p. 3), October 2022 (UN Security Council, 13 October 2022, p. 3) and January 2023 (UN Security Council, 17 January 2023, p. 8), as well as in ACLED’s 2022 Haiti Mid-Year Update (ACLED, 15 August 2022) and Conflict Watchlist 2023 (ACLED, 8 February 2023). According to ACLED, gang warfare and territorial claims accounted for “no less than 434 reported civilian fatalities” in the year 2022 and an increase of police officers killed in clashes with gangs and armed groups of 87 percent compared to 2021 (ACLED, 8 February 2023).

According to InSight Crime, the “criminal federalization of Port-au-Prince’s gangs means that today most gangs in the capital belong to either the G9 or the G-PEP alliances”. In this context, InSight Crime points to fights between Chen Mechan (member of G9) and 400 Mawozo (aligned with GPèp) gangs in April and Mai 2022 in the Cul-de-Sac plain and the concomitant intensification of fights in Cité Soleil and other communes in May 2022 – the latter likewise a fight between G9 and GPèp alliances, according to an expert quoted by InSight Crime. (InSight Crime, 20 May 2022). According to RNDDH, 148 people were killed in the fight between Chen Mechan and 400 Mawozo gangs, including 7 Chen Mechan gang members who were killed by their gang’s leader (RNDDH, 10 May 2022, p. 13).

Similarly, in a report of October 2022, GI-TOC observes the “coalition building” among gangs resulting in increased inter-gang rivalry, as gangs try to expand their areas of control:

“Coalition building in the capital has also intensified inter-gang rivalry. G-Pep, formed to counter the activities of G9, has increasingly come into conflict with the latter in the Cité Soleil suburb, with one such clash in July 2022 resulting in the deaths of 50 people. G-Pep has incorporated 400 Mawozo after the extradition of its leader to the United States. Such

coalition building is seen as a step towards expansion from the capital into other regions of Haiti. In the past, gangs tended to remain within their neighbourhood limits. However, throughout the country, and more specifically in the communes of Cité Soleil, Delmas, Croix des Bouquets and in the neighbourhoods of Martissant and Bel Air, violent confrontations between rival gangs are becoming increasingly frequent, with serious consequences for the civilian population. These conflicts have also been used by gangs as a cover for the intentional killing of civilians.” (GI-TOC, October 2022b, p. 13)

ACLED notes that gang rivalry focused on control over strategic resources, including the Varreux oil terminal, strategic roads, and seaports:

“Gang rivalry intensified over the control of strategic resources concentrated in Ouest department. [...] Cité Soleil remained a strategically important area for gangs, as seen by the G-9’s seizure of Varreux oil terminal in September that prompted fuel shortages and severe consequences for the provision of health services and basic necessities. [...] In Port-au-Prince’s northeast, the growing influence of 400 Mawozo over strategic roads in Croix-des-Bouquets and surrounding areas led to clashes with the G-9-allied Chen Mechan gang in Tabarre, resulting in at least 190 reported fatalities between 24 April and 6 May. In the capital’s northwest, Base 5 Secondes gang increased its violent activities over control of the Lafiteau port and National Road 1. Meanwhile, gangs’ activities also expanded beyond the capital in the Artibonite department, with kidnappings and extortion of civilians along Road 5, which connects to northern seaports, and at least 35 civilian fatalities mostly stemming from the Gran Grif Savien gang’s turf war with the Jean-Denis gang over Petite-Rivière de L’Artibonite.” (ACLED, 8 February 2023)

3.2 Areas of control and operation

In July 2022, ICG notes that while the gangs’ main strongholds are in the capital city, gang control has expanded across the country to other key cities:

“The gangs have historically established strongholds in the capital’s overcrowded slums. These neighbourhoods are of great political value because of their large populations and remain easy to defend from state security forces due to their lack of urban planning: their narrow, unpaved roads are difficult for vehicles to navigate. The gangs often use civilians as human shields when the security forces do attempt to enter. Beyond the capital and its vicinity, gangs have also established footholds in cities such as Cap Haïtien, Gonaïves, Les Cayes, Jérémie and Jacmel – all densely populated ports connected to main roads.” (ICG, 27 July 2022)

According to Ulrika Richardson, UN Humanitarian Coordinator in Haiti, almost 60 percent of Haiti’s capital Port-au-Prince was under gang control as of December 2022 (AP, 9 December 2022). However, a few months later, in March 2023, Haiti Libre quotes a member of the RNDDH saying that gang violence had expanded to richer neighbourhoods in Port-au-Prince, which before had remained relatively peaceful and that armed gangs controlled “100%” of the capital (Haiti Libre, 7 March 2023). A similar opinion was voiced by inhabitants of Port-au-Prince, according to the Associated Press (AP) (AP, 31 January 2023) and the Guardian (The Guardian, 26 January 2023).

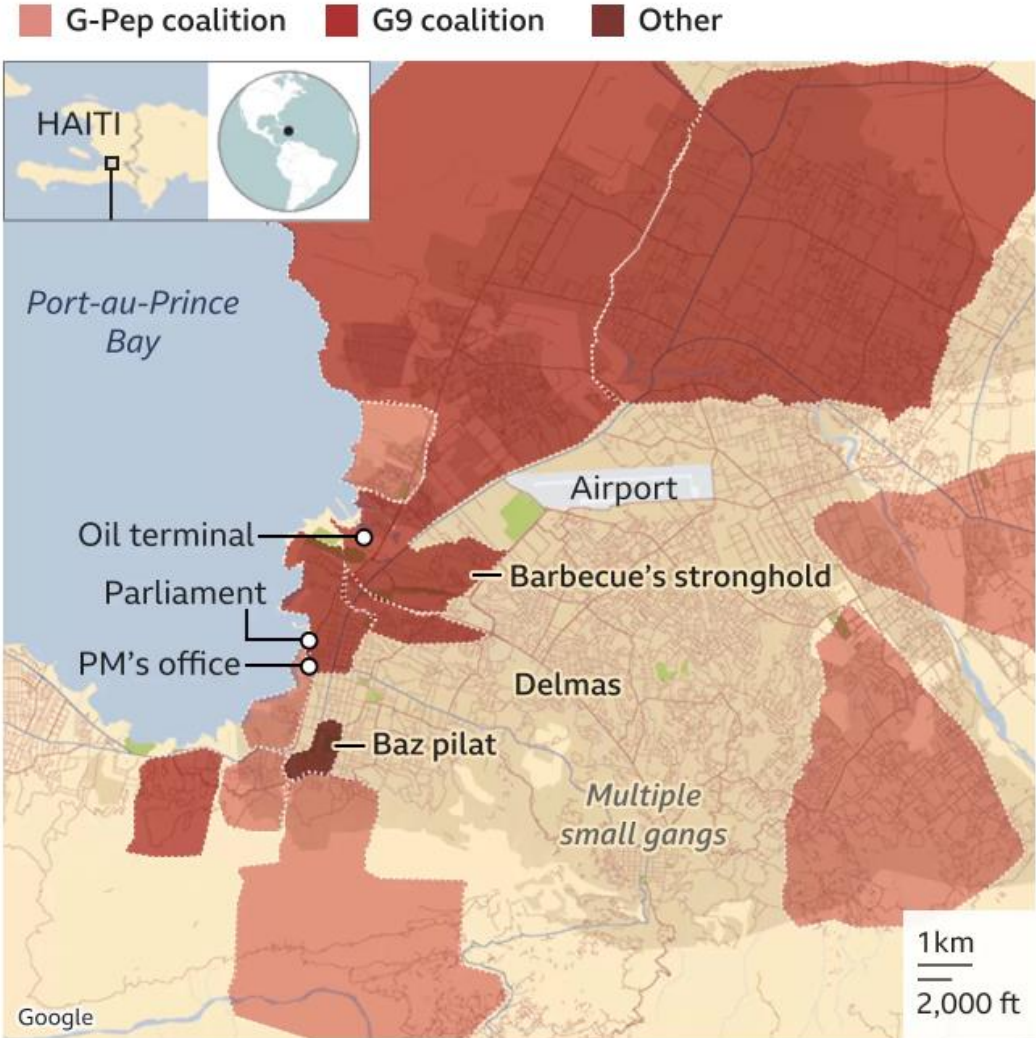
A map published by OHCHR in February 2023 indicates the gangs' territories of operation in the Port-au-Price area:



Source: [BINUH / OHCHR, February 2023, p. 3](#)

A map published by BBC shows the areas of control of G9 and GPèp gang alliances in Port-au-Prince and surrounding areas. BBC kindly granted permission to use the annotations that have been added to a Google map:

Main gang territories in Port-au-Prince and surrounding areas



Note: Territories based on local research. Areas of control change frequently and gangs may operate outside their main territory

Source: BBC research



Source: [BBC, 5 December 2022](https://www.bbc.com/news/world-latin-america-62484444). Map data: (c) Google. Map annotation: BBC.

3.2.1 Cité Soleil

According to a report by the UN Office of the High Commissioner for Human Rights (OHCHR) on human rights abuses committed by gangs in Brooklyn neighbourhood in the commune of Cité Soleil from July to December 2022, “at least eight gangs were involved in the armed violence that affected Cité Soleil”, with five of them belonging to G9 and the remaining three being aligned with GPèp (OHCHR, February 2023, p. 8). The conflict dates back to 2020, when gangs from areas around Cité Soleil commune, especially from the areas of Bas Delmas and La Saline, formed the G9 alliance. Gangs from the Belekou (Bélécou) and Boston neighbourhoods

joined the alliance. Others, like the Brooklyn gang (in the eponymous neighbourhood) and groups from other neighbourhoods (such as Haut Bel Air) formed the rival GPèp alliance (OHCHR, February 2023, p. 7).

Gangs associated with the G-9

Gangs	Zones of operation
Gang of Belekou	Belekou (Cité Soleil)
Gang of Boston	Boston (Cité Soleil)
Gang of Drouillard	Drouillard and Raquette (Cité Soleil)
Gang of La Saline and Krache Dife	La Saline and Bas Bel-Air (Port-au-Prince)
Gang Warf Jérémie	Warf Jérémie and Block 1 Fort Dimanche (Port-au-Prince)

Gangs associated with G-Pèp

Gangs	Zones of operation
Gang of Brooklyn	Soleil 17, 19, Warf, Projet Linto 1 and 2, Ti Ayiti, Cité Gerar, (Brooklyn, Cité Soleil) and Bois Neuf (Cité Soleil)
Base 5 Secondes	Village de Dieu (Port-au-Prince)
Les Argentins	Haut Bel-Air (Port-au-Prince)

Source: [BINUH / OHCHR, February 2023, p. 8](#)

Free movement within the Cité Soleil commune was limited due to these two gangs’ control over territory, according to a resident quoted in an article by Geneva Solutions:

“If you're from the lower part of Cité Soleil, you can't go to the upper level because of different gangs. G-9 (a federation of the capital’s most powerful gangs) controls one end, and G-Pep (a rival gang alliance) controls the other. If you are from a G-9 neighbourhood, you don't go to the G-Pep neighbourhood and vice versa,’ she added. (Geneva Solutions, updated 31 March 2023) (See also [section 3.3.1.](#))

In the period July to December 2022, at least 552 people were killed, injured or reported missing in fighting between G9 and GPèp-aligned gangs (Brooklyn and Village de Dieu [5 Seconds] gangs) for control over the Brooklyn neighbourhood. At least 57 cases of collective rape of women and girls were recorded (OHCHR, February 2023, pp. 9, 11).

In April 2022 (UN Security Council, 13 June 2022, p. 9) and in March 2023, Doctors without Borders (Médecins sans Frontières, MSF) reportedly had to temporarily close their hospital in Cité Soleil due to heavy fighting of (unnamed) armed groups around the hospital (MSF, 9 March 2023).

3.2.2 Bel-Air

According to a report by the RNDDH, at least 81 persons were killed in armed attacks on Bel Air neighbourhood in the period August 2020 to May 2021. In addition, 165 houses were set on fire and 13 houses looted; 262 people lost their homes (RNDDH, 20 May 2021, p. 11). RNDDH notes that police reportedly did not act on calls for help from Bel Air residents (RNDDH, 20 May 2021, p. 30), and that armoured police vehicles “strategically positioned in some streets of Bel-Air served as cover for the armed bandits” (RNDDH, 20 May 2021, p. 32). RNDDH indicates that while the police present the events in Bel Air as inter-gang fights, the attacks in fact take place

because residents put up resistance against armed gangs taking control over their neighbourhood (RNDDH, 20 May 2021, p. 32). A similar opinion is voiced by a resident quoted in local online media Ayibo Post (AyiboPost, 13 July 2021). Moreover, RNDDH hints at political motives behind the attacks:

“From August 2020 until today, Bel-Air and Cité Soleil have been the target of armed attacks by G-9 an Fanmi Alye gangs. The reasons given by the survivors are diverse. However, many believe that the aim of these attacks is to bring down the Bel-Air and Cité Soleil neighborhoods and place them under the control of the G-9 an Fanmi e Alye, whose members are close to the ruling power. The RNDDH recalls that the G-9 an Fanmi e Alye was created in June 2020 to serve as the base of power in place, with a view to the realization of the unconstitutional referendum planned for June 27, 2021 and the organization of the elections. This coalition of armed gangs allows the de facto authorities to have control of the main disadvantaged neighborhoods of the West Department where the electorate is important. Indeed, it is not superfluous to point out that the Department of the West alone represents 40% of the national electorate. Having control over disadvantaged neighborhoods means having control over a sizable percentage of that electorate.” (RNDDH, 20 May 2021, p. 31)

The International Human Rights Clinic of Harvard Law School (IHRC) and the Observatoire Haïtien des crimes contre l’humanité (OHCH) describe an earlier attack on Bel Air in November 2019, allegedly carried out by Chérizier [the later founder of the G9 coalition, ACCROD] and allied gangs on request of a government official:

“In September 2019, as popular protests escalated into a nationwide shutdown, demonstrators placed flaming barricades on the main roads of Bel-Air, another opposition stronghold. After several failed attempts to remove the barriers, an official from the Moïse administration reportedly hired Chérizier to secure the removal of the barriers and prevent further protests in Bel-Air. Over the course of three days from November 4-6, 2019, Chérizier and allied gang leaders carried out an armed attack on Bel-Air. The assailants shot civilians and set fire to homes, killing at least 24 people. Eyewitnesses identified three police officers in civilian clothes among the attackers. Although the attack took place in an area surrounded by police stations, the police failed to intervene to protect residents despite repeated pleas for help broadcasted over the radio and social media.” (IHRC / OHCH, April 2021, p. 3)

In March 2023, MSF notes that fighting in Bel Air led to an increase in the number of patients at an MFS emergency centre in Turgeau [a neighbourhood in Port-au-Prince commune, ACCORD] (MSF, 9 March 2023).

3.2.3 Martissant

According to GI-TOC, Martissant neighbourhood is the base for the Grand Ravine and 5 Seconds gangs, most of whose members are former members of vigilante brigades and other organisations close to Fanmi Lavalas [a political party led by former president Aristide, ACCORD] (GI-TOC, October 2022b, p. 18). Since 2021, the neighbourhood has reportedly been the scene of fighting for control between the Grand Ravine and 5 Seconds (or Village de Dieu) gangs and

the Ti Bwa gang, which gained some territories in these fights (GI-TOC, October 2022b, p. 14). Since then, an unknown number of people have been killed, hundreds of families have been displaced, shops and other infrastructure destroyed, a hospital and the local police post closed (Le National, 1 June 2022). In January 2023, UN OCHA reports that since December 2022, the three gangs observed “a truce” and opened National Road 2 for traffic in exchange for a fee (UN OCHA, 21 January 2023, p. 1).

3.2.4 Croix-des-Bouquets

According to a 2022 report by the United Nations Integrated Office in Haiti (Bureau Intégré des Nations Unies en Haïti, BINUH), the 400 Mawozo gang has been active in the Croix-de-Bouquets commune since at least 2013. The gang reportedly operated along the national Road 3/8 leading to a border crossing with the Dominican Republic, hijacking trucks and goods for ransom. When transport companies began to use another border crossing and traffic became less frequent, the gang reportedly tried to expand their control over adjacent neighbourhoods of Butte Boyer, Croix-de-Missions and Santo. Clashes with the Chen Mechan gang reportedly led to a temporary arrangement where both groups split control over the territory. While according to BINUH, the 400 Mawozo gang controls the neighbourhoods of Santos 19 to 25 in Croix-de-Bouquets commune, Chen Mechan has control over the Croix-de-Bouquets-neighbourhoods of Santo 1 to 17 and Butte Boyer, and the Croix-de-Missions neighbourhood in Tabarre commune (BINUH, 1 August 2022, pp. 7-8).

3.2.5 Carrefour

According to an October 2022 report by GI-TOC, the commune of Carrefour is partly under control of gangs belonging to the G9 alliance, in particular the Nan Ti Bwa gang (GI-TOC, October 2022b, pp. 16-17).

In March 2022, local media (e.g., Haiti Standard, 4 March 2022, Vant Bèf Info, 4 March 2022) and ACLED inform about a gang attack on Mariani, a sector in Carrefour district:

“Meanwhile, also in Port-au-Prince, members of the Grand-Ravine gang clashed with police in the Mariani sector of Carrefour district on 4 March. The clash resulted in at least four deaths, including a police officer who was beheaded. Local sources suggest that the Grand-Ravine gang, as well as other gangs that operate in Martissant neighborhood, are trying to expand their control over areas along the National Route 2, which is the major transport route that connects the capital with the southern departments.” (ACLED, 10 March 2022)

According to Métropole, the website of Radio Métropole, two gangs – Village de Dieu and Grand Ravine – had arrived by boat to Mariani in order to avoid the Carrefour area controlled by the Ti Bois (Ti Bwa) gang (Métropole, 7 March 2022). IciHaiti (a news site belonging to Haitilibre), indicates that the gangs especially aimed at taking control over Mariani’s market and slaughterhouse, the latter reportedly one of the most important in the country (IciHaiti, 8 March 2022). In a 2022 mid-year update, ACLED notes that gangs continued to control the National Road 2 that connects Haiti’s southern regions with Port-au-Prince “setting up roadblocks and carrying out frequent mass kidnappings of bus passengers” (ACLED, 15 August

2022). Similarly, in July 2022, UN OCHA points at difficulties for providers of humanitarian aid due to gang activities in Carrefour commune:

“Some NGOs indicate they have received visits from armed gang members trying to intimidate them (e.g. Carrefour, Croix-des-Bouquet). UN partners note that it has become increasingly difficult to access their warehouses located in less secure areas (e.g. UNICEF’s main warehouse in Port-au-Prince). Moreover, some suppliers and industrial parks (e.g. in Carrefour and Noailles) are currently inaccessible.” (UN OCHA, 8 July 2022, p. 3)

In December 2022, the Canada-based online journal Rezo Nòdwes states that the Village-de-Dieu, Grand Ravine and Ti Bwa gangs used an officially announced “truce” between them as a cover to share control over national Route 2. The gangs reportedly continued with kidnapping for ransom, hijacking cargo trucks and extracting payments for the right of passage with impunity (Rezo Nòdwes, 7 December 2022).

In January 2023, MSF announces that the organisation would suspend their activities in the Raoul Pierre Louis public hospital in Carrefour, after gang members had for the second time within a few months abducted a patient from the premises and killed him outside the building (MSF, 27 January 2023).

3.2.6 Artibonite Department

In February 2023, BINUH points at a new surge of violence committed by the Savien gang “Baz Gran Grif” in the communes of Liancourt, Verrettes, Petite Rivière de l’Artibonite and L’Estère in Artibonite Department. The gang has reportedly created a “climate of terror”, marked by killings, looting, kidnappings, extortion, the hijacking of trucks and goods and the rape of women and girls. The “systematic” theft of crops and livestock has caused many to abandon their homes and flee to other communes. According to BINUH, at least 69 people have been killed since October 2022. Seven police officers have been killed in an attack by the gang on a police station in Liancourt in January 2023 (BINUH, 24 February 2023), jointly with the Mowodwè gang (Le Nouvelliste, 26 January 2023). AlterPresse reports on armed clashes between the police and the Kokorat san ras gang in Estère commune in February 2023 (AlterPresse, 23 February 2023). Similarly, in an article in February 2023, InSight Crime points at recent attacks by rural gangs such as Kokorat san ras and Baz Gran Grif in the Artibonite department. According to the organisation, the gangs’ activities in these important agricultural regions negatively affect food production and increase the risk of a hunger crisis (InSight Crime, 27 February 2023).

3.3 Activities, tactics and violence

In an October 2022 report, the UN Secretary-General notes that civilians were no longer collateral victims of gang violence, but increasingly the target of gangs vying to gain control over territory:

“Increasingly, local populations are no longer collateral victims of armed clashes but are directly targeted by gangs. Following a new modus operandi, armed elements deliberately kill, injure and commit acts of sexual violence during coordinated attacks to expand territorial control in the country’s capital.” (UN Security Council, 13 October 2022, p. 7)

ICG notes that according to some source, gangs had political reasons for gaining control over certain neighbourhoods before the next elections as this would enable them to “coerce residents to vote for certain candidates, assuring them a valuable negotiating tool with politicians” (ICG, 27 July 2022).

3.3.1 *Measures to control and isolate the population*

3.3.1.1 *Limiting freedom of movement*

ICG describes how gangs restrict the freedom of movement of the population living in territories under their control:

“In many areas where gangs operate, locals are used as human shields to discourage police raids. Residents often need permission to cross boundaries that delineate gang territories. A member of a civil society group reported the case of a Cité Soleil family in which both parents work outside the area, but only one is allowed to leave at a time to ensure they do not flee the district.” (ICG, 14 December 2022, p. 9, FN 31)

Several media sources describe the impact of gang violence on the population’s freedom of movement, such as moving to another commune, taking a longer road to avoid crossing gang-controlled territory (AA, 21 October 2022) or sleeping at one’s workplace since going home was too dangerous (BBC, 5 December 2022; CSM, 1 February 2023). Alternative routes, however, were not always available to everyone due to practical (e.g., bad road conditions during the rainy season) or financial reasons (Le National, 1 June 2022).

3.3.1.2 *Blocking access to food, water and services*

Gangs reportedly not only restrict people’s movement, but also their access to food, water, and services, as the UN Secretary-General describes in an October 2022 report:

“Gangs blocked access roads in Cité Soleil, impeding ambulances and medical personnel, including from humanitarian organizations, from reaching the area, thus limiting capacity to treat and evacuate the wounded. As a result, many victims died because they could not be reached. In addition, gangs, especially those belonging to the downtown Port-au-Prince coalition, blocked the main roads connecting the Brooklyn neighbourhood of Cité Soleil with the rest of the capital, both to prevent the local population from accessing local markets and to stop goods from entering the area: a deliberate attempt to cause food insecurity and limit access to water in pursuit of territory appears to have been committed, with a view to coercing the local population to confront a rival coalition controlling the area where they lived, to help to remove the rival gangs from the territory.” (UN Security Council, 13 October 2022, p. 8)

In a February 2023 report on human rights abuses committed by gangs in the Brooklyn neighbourhood (Cité Soleil commune) – an area particularly affected by turf wars between G9 and GPèp-aligned gangs –, OHCHR notes that G9 not only blocked access to food and water, but also the provision of basic services such as garbage collection. This “worsened an already extremely unsanitary environment” and led to a renewed outbreak of cholera. Previously, no new cholera cases had been documented since 2019 (OHCHR, February 2023, p. 4).

On a national level, the gangs' fights for control over the country's main roads has reportedly effectively cut off Port-au-Prince, the capital city, from several of the country's other departments (ICG, 14 December 2022, p. 2; Rezo Nòdwes, 5 March 2022). In agricultural areas, gangs reportedly block irrigation canals or prevent their repair (AyiboPost, 10 January 2021), thus putting agricultural production, in particular rice cultivation, at risk (InSight Crime, 27 February 2023).

3.3.2 Extortion

Extortion reportedly constitutes one of the gangs' sources of income, next to kidnapping for ransom and trafficking (ICG, 27 July 2022), and illegal taxation (UN Security Council, 13 October 2022, p. 9). In a 2023 report, the UN's Office on Drugs and Crime (UNODC) notes that key sections of some of the country's main roads – including the national roads 1, 2 and 3 connecting Port-au-Prince with the country's north and south-western regions – are controlled by gangs, who, among other things, use these sites to demand illegal payments from passing vehicles (UNODC, 4 March 2023, p. 13). Moreover, gangs react to any attempts by drivers to circumvent these sections and search for alternative routes:

“For example, the deterioration of the security situation in the Martissant section of national road 2, the only route connecting the southern part of the country to the capital, has become so acute that many drivers transport their vehicles on ferries to circumvent the area. Gang members have begun demanding \$100 from ferry owners for each vehicle transported. Not only does the current situation limit freedom of movement, it also directly impacts food security and access to goods in the capital and the country's southern regions.” (UN Security Council, 13 June 2022, p. 9)

Gangs reportedly also force traders to transport goods destined for the country's southern departments not by shipment but by road, where they subsequently are forced to pay “transit tax” (UN Security Council, 13 October 2022, p. 9).

GI-TOC observes that not only transport routes, but also other key infrastructure and related businesses are targeted by the gangs:

“The gangs largely control the exits and entrances to metropolitan areas, including major roads in and out of Port-au-Prince, which provide access to strategic infrastructure such as ports, oil terminals, the commercial and industrial districts, and Toussaint Louverture International Airport. Public institutions and private sector groups operating in these territories are forced to pay protection money to permit them to operate.” (GI-TOC, October 2022b, p. 4) (see also [section 10](#) Business People)

Gangs reportedly demand extortion payments also from police stations (Cotton / Hammel / Noofoory, 15 January 2023, p. 4), or school directors for allowing them to continue operating their schools in territory under gang control (Global Protection Cluster, February 2022, p. 9). The New Humanitarian (TNH) reports in February 2022, that a maternity unit in the city of Léogâne had to close after a gang stole the unit's generator and demanded an extortion payment for returning it (TNH, 7 February 2022).

3.3.3 *Extrajudicial killings*

As of 15 March 2023, 531 persons have been killed in gang-related incidents since the beginning of the year, with most of the incidents taking place in the capital Port-au-Prince, according to OHCHR. At least 208 people have been killed in the first two weeks of March alone and most of them were killed “by snipers who were reportedly randomly shooting at people in their homes or on the streets” (OHCHR, 21 March 2023).

Previously, the UN Secretary-General has reported on the indiscriminate killings of the local population by gangs in reports of February 2022 (UN Security Council, 15 February 2022, p. 8), June 2022 (UN Security Council, 13 June 2022, p. 8), October 2022 (UN Security Council, 13 October 2022, p. 7) and January 2023 (UN Security Council, 17 January 2023, p. 8). During armed clashes between gangs for control over a neighbourhood in Cité Soleil commune in July 2022, some people were killed when gangs burned their houses; moreover, gangs reportedly directly targeted people trying to flee the area:

“During the July confrontations in Cité Soleil, gang members deliberately targeted local populations living under the control of rival gangs, mostly in the Brooklyn neighbourhood. Gang members armed with assault rifles shot at residents indiscriminately, including women and children in their homes and in the streets. Several residents, including sick, disabled and elderly persons, were burned alive in their homes. A reported 44 persons were victims of summary execution by gang members when they were intercepted while trying to escape the violence in Cité Soleil and seek refuge and medical care in other parts of Port-au-Prince.” (UN Security Council, 13 October 2022, p. 8)

BBC, with reference to local media, reports on the retaliatory killing of at least 11 people by gang members in November 2022 in the north of Port-au-Prince. Previously, the residents had informed the police about the gang members’ presence in the area (BBC, 5 December 2022). Likewise, USDOS points at reports of killings, including retaliatory killings, in the context of inter-gang fights in April, May and July 2022:

“From April 24 to May 16, large multiday battles among rival gangs killed approximately 190 persons, including an estimated 96 gang members, according to BINUH and RNDDH. Reports emerged of rapes, injuries, retaliatory killings, killings of children, and mutilation of human remains. From July 7-17, multiday battles between two other rival gangs killed between 150 and 300 persons, according to BINUH and RNDDH. Reportedly, Belekou gang members distributed machetes to neighborhood residents on July 10 and encouraged them to seek revenge for family members and friends who had been killed. Human rights sources documented retaliatory killings and mutilation of human remains.” (USDOS, 20 March 2023, section 1g).

3.3.4 *Abductions*

As of 15 March 2023, 277 people have been kidnapped in gang-related incidents since the beginning of the year, with most of the incidents taking place in the capital Port-au-Prince, according to OHCHR. At least 101 people have reportedly been kidnapped in the first two weeks of March alone. OHCHR notes that “the kidnapping of parents and students in the vicinity of schools has surged, forcing many of them to close”. Moreover, gangs reportedly often use

sexual violence against kidnapped girls to coerce their families to pay ransom (OHCHR, 21 March 2023). In a Security Council open briefing on Haiti, the UN Special Representative to Haiti Helen La Lime notes in January 2023, that “1,359 kidnappings were recorded in 2022, more than doubling that recorded in 2021, averaging roughly four per day” (BINUH, 24 January 2023).

Previously, the UN Secretary-General has reported on kidnappings in February 2022 (UN Security Council, 15 February 2022, p. 4), June 2022 (UN Security Council, 13 June 2022, p. 3), October 2022 (UN Security Council, 13 October 2022, p. 4), and January 2023 (UN Security Council, 17 January 2023, pp. 3-4). According to a 2023 report by the UN Office on Drugs and Crime (UNODC), between 64 and 198 kidnappings were carried out every month during 2022. Moreover, 84.69 percent of all reported kidnappings in 2022 took place in the West Department (Département Ouest); Artibonite Department being a distant second with 11.4 percent (UNODC, 4 March 2023, pp. 39-40).

Kidnapping for ransom reportedly affects all social groups, including “labourers, traders, religious leaders, professors, medical doctors, journalists, human rights defenders and foreign citizens” (UN Security Council, 15 February 2022, p. 4). Moreover, victims included men, women and children, according to a Protection Update Analysis of February 2022:

“Partial data collected by the assessment team shows that men account for the majority of the victims while women abducted are most likely raped during their captivity. The kidnapping of children is also of particular concern. UNICEF indicated that between January and October 2021, 30 children were abducted while on their way to school, at home or even at church. Amidst widespread poverty and criminality, gangs are using children to extort money from their families. These violent acts always cause long-lasting emotional trauma on children. According to local and social medias, most people are released against exorbitant ransoms although some kidnapped people remain unaccounted for.” (Global Protection Cluster, February 2022, p. 6)

In the context of the abduction of 17 members of a Christian missionary group by the 400 Mawozo gang in October 2021, the kidnappers reportedly initially demanded one million US-Dollar for each of the victims. An unknown amount was eventually paid for at least some of the victims; the remaining members of the group were freed in December 2021 (AP, 6 January 2022). Similarly, in another article, AP reports on ransom demands in the amount of 40,000 and up to one million US-Dollar (AP, 31 January 2023); in another case, kidnappers reportedly demanded payment of 500,000 US-Dollar (Rezo Nòdwes, 9 October 2022). In a December 2022 report, ICG quotes a member of a civil society organisation saying that “[i]f somebody is kidnapped, his family has to go into debt and spend money from 30 years of work to pay a ransom” (ICG, 14 December 2022, p. 8 and FN 25).

No information on forced disappearances could be found.

3.3.5 Sexual violence

The UN Secretary-General reports on sexual violence, rape and sexual slavery as a means used by gangs to terrorize the population and gain or expand control over territory in February 2022 (UN Security Council, 15 February 2022, p. 8), June 2022 (UN Security Council, 13 June 2022, p. 8), October 2022 (UN Security Council, 13 October 2022, p. 7) and January 2023 (UN Security Council, 17 January 2023, p. 8). The extent of sexual violence is reportedly believed to be underreported due to a climate of fear in the affected communities (UN Security Council, 15 February 2022, p. 8; UN Security Council, 13 June 2022, p. 8), fear of retaliation (TNH, 14 November 2022; Global Protection Cluster, February 2022, p. 7), “a lack of sufficient medical and psychological services for victims” and difficulties to reach the victims, as well as an “extremely weak” response by police and judiciary when it comes to incidents of sexual violence committed by gang members (UN Security Council, 13 June 2022, p. 8). According to an October 2022 report on sexual violence in Port-au-Prince by BINUH and OHCHR, “specialized police units have not been able to meaningfully address sexual crimes involving gang elements due to structural challenges such as insufficiency of resources and lack of gender sensitivity” (BINUH / OHCHR, 14 October 2022, p. 4). Gangs reportedly perpetrate rape, including collective rape, against women, girls and boys and “to a lesser extent men”, for reasons such as living in a rival gang’s territory or (presumably) providing support to a rival gang. Women and girls are targeted when “crossing ‘frontlines’” or passing through neighbourhoods on their way to school, work or marketplaces. Moreover, gangs use sexual violence or the threat thereof to reinforce their position of power (such as claiming the right of first night with young girls in the territory they control, TNH, 14 November 2022)) and to extort ransom payments from the families of abducted girls and women (BINUH / OHCHR, 14 October 2022, p. 3). In other cases, families might encourage women and girls “to have non-consensual intercourse with gang elements in exchange for in-kind benefits, such as food, drinking water, and other material gains, as well as ‘protection’ from abuses committed by other armed men”, according to BINUH and OHCHR (BINUH / OHCHR, 14 October 2022, p. 4). Women who refuse to enter such a relationship risk being killed, as a human rights activist explains in an interview with ICG:

“If they denounce, they have to leave the area, and risk being killed. Sometimes a gang leader maintains sexual relations with both a mother and her daughter. This is a situation where women have to accept the unacceptable”. (ICG, 14 December 2022, p. 10, FN 32)

In their report, BINUH and OHCHR note that while the majority of victims of sexual violence were women and girls, other groups such as children (both, girls and boys), elderly people and LGBTQI+ persons were also affected (see also [section 9](#) below) (BINUH / OHCHR, 14 October 2022, p. 10). Moreover, the brutality applied by gangs in the context of sexual violence points to their intention to “inflict as much humiliation and fear as possible” (BINUH / OHCHR, 14 October 2022, p. 9), such as by collectively raping victims in front of their families or after taking them to public spaces or killing victims and posting images of their mutilated bodies on social media (BINUH / OHCHR, 14 October 2022, p. 10). In other cases, the acts of sexual

violence are reportedly filmed and posted on social media (ICG, 14 December 2022, p. 8, FN 25). BINUH and OHCHR also point to the health implications of widespread sexual violence:

“Since these assaults are generally carried out without any form of sexual protection, victims are highly vulnerable to contracting sexually transmitted infections, including HIV. In many cases, coerced sexual relations result in pregnancies, including among teenagers. The phenomenon of sexual violence is reportedly so pervasive that it has come to be considered as an inevitable part of life by many families, and even by whole communities, living in marginalized neighborhoods. As a result, many victims end up resigning themselves and neglect to seek medical care to prevent sexually transmitted infections (STIs).” (BINUH / OHCHR, 14 October 2022, p. 13)

3.3.6 Recruitment

ICG points at the lack of economic opportunities as one of the motives for joining a gang:

“Finally, a main cause of gang membership remains the lack of economic opportunities for young people living in poor neighbourhoods affected by a chronic lack of public services. With expected growth of a meagre 1.4 per cent in 2023, the combination of poverty, unemployment and inequality is likely to continue to push new recruits into the hands of criminal groups.” (ICG, 14 December 2022, p. 17)

In this context, GI-TOC notes that some gangs, such as 400 Mawozo, allegedly even had recruitment waiting lists (GI-TOC, October 2022b, p. 12). In some cases, women join gangs because they have been forcibly recruited or are in search of protection or the chance to earn some money (TNH, 14 November 2022). For some gangs, sexual abuse of young men is an initiation ritual to be accepted into a gang (UN Security Council, 15 February 2022, p. 8), like, for example, the 400 Mawozo (Global Protection Cluster, February 2022, p. 7). Children are pressured to join gangs with the offer of money or food or by threatening to harm their family if they refuse (UN Security Council, 13 October 2022, p. 9). BINUH and UNICEF note the impact of armed attacks on the functioning of schools (BINUH, 21 March 2023) and, subsequently, the lives of children dropping out of school, as this increased their risk of being recruited by armed groups (UNICEF, 9 February 2023). A similar point was made in the Protection Update Analysis of February 2022:

“By impacting the normal functioning of schools, armed violence has led thousands of children to drop out of school. Among the latter, some have become potential recruits for gangs which offer them a sense of purpose, an opportunity for a short-lived more enjoyable life. According to a local analyst, the decision to join gangs is driven by the consumption of alcohol and drugs, and the enjoyment of girls and power, with no real economic and social prospects. In October 2021, it was reported, for instance, that gangs in the areas of La Saline and Cité Soleil offered to pay every child between 50 and 80 Haitian dollars every day according to their function, and to provide them with a gun if they joined their respective gangs. In Croix-des-Bouquets, the group of 400 Mawozos reportedly give every child at least 800 Haitian dollars every Saturday for being part of the gang. Children who refused to join the gang were intimidated and ill-treated.” (Global Protection Cluster, February 2022, pp. 9-10)

Even children as young as 7 or 8 years of age are being recruited to run “little errands for the neighbourhood gang” and “start holding a pistol” at 10, according to the director of Lakou Lapè, a peacebuilding initiative in Haiti (TNH [online video], 14 February 2022a, 3:30-3:45min), and The Guardian notes that according to observers, the 5 Seconds gang was “increasingly training minors in the use of military-grade weapons” (The Guardian, 18 September 2022). Similarly, Eric Calpas, a researcher quoted by InSight Crime, notes that child recruitment by gangs was increasing, especially in the most disputed areas of Martissant and Croix-des-Bouquets. Nevertheless, according to Calpas, “the majority of underage recruits have joined willingly” while “seeking emotional belonging as much as food and shelter” (InSight Crime, 3 June 2022).

3.3.7 Attacks on government buildings and personnel

RNDDH notes that in the judicial year 2021 to 2022 at least six judicial locations were attacked. On 6 June 2022, the prosecutor's office in Jérémie was looted and set on fire. On 10 June 2022, gang members of Village de Dieu stormed Port-au-Prince's courthouse (RNDDH, 11 November 2022, p. 19; see also BINUH / OHCHR, 14 October 2022, p. 4). The Baz 5 Segond gang “shot a security guard, broke windows, vandalized courtrooms, seized court files, and stole computers, safes, and four vehicles” (USDOS, 20 March 2023, section 1e). By the end of the year 2022, the premises of the Court of First Instance of Port-au-Prince were still occupied by gang elements. (UN Security Council, 17 January 2023, p. 7).

End of July 2022, bandits attacked the Court of First Instance of Croix-des-Bouquets, allegedly in retaliation for a police operation (UN Security Council, 13 October 2022, p. 6; RNDDH, 11 November 2022, p. 20; see also BINUH / OHCHR, 14 October 2022, p. 4). By the end of the year 2022, the court continued to be temporarily housed in several government buildings in Tabarre (UN Security Council, 17 January 2023, p. 7).

In September 2022 the courthouse of Petit-Goâve was attacked and burned by unidentified persons. The Court of Peace of Petit-Goâve was looted on the same day. Also in September 2022, the Court of Peace of Cayes was set on fire, following an anti-government demonstration. On 10 October 2022 anti-government demonstrators attacked the South Peace Tribunal, the Court of First Instance, and the Gonaïves Court of Appeal, and stole office equipment (RNDDH, 11 November 2022, p. 20).

RNDDH further notes that lawyers and magistrates were victims of kidnappings and shootings during the 2021-2022 judicial year (RNDDH, 11 November 2022, pp. 20-21, see also AFP, 9 April 2022).

In a March 2022 report, HRW describes attacks on and threats against judges, lawyers and clerks:

“The security crisis has compounded such problems. Some judges have not gone to their offices in six months for fear of kidnappings and stray bullets, several judicial sources said. ‘They have literally abandoned their posts, because courts are located in red zones and there is no way to protect them,’ a judicial authority said. The road leading to the *Palais de Justice*, Haiti's main justice complex – housing several courts – is controlled by gangs,

making it impossible to hold hearings there, a representative of the National Association of Haitian Legal Clerks told Human Rights Watch.

Several judges, clerks, and lawyers have been threatened, UN representatives – as well as clerks and lawyers – said. A member of the Superior Council of Justice said powerful economic interests that employ and finance armed gangs instruct them to threaten justice officials, to block investigations. [...] In October 2021, assailants shot at a car belonging to the judge who was in charge of the Moïse case at the time. They broke into the judge’s office and tried, but failed, to open the safe where he kept sensitive documents.” (HRW, 24 March 2022)

In September 2022, armed men attacked the Cabaret women’s prison, facilitating the escape of 145 inmates (Haiti Libre, 25 September 2022). Gangs reportedly also targeted police officers: In February 2022, the UN Secretary-General notes that in the period 27 September 2021 to 15 February 2022, “at least 10 police officers were murdered in targeted killings, including 3 officers who were on duty. In addition, 28 officers were injured, including 15 who were on duty” (UN Security Council, 15 February 2022, p. 9). According to the coordinator of the National Union of Haitian Police Officers (Syndicat national des policiers haïtiens, SYNAPPOHA) quoted in Haiti Libre, 25 police officers were killed during operations or in targeted killings between January and June 2022. In July 2022, a police officer was reportedly killed inside a church in Croix-des-Bouquets by members of the 400 Mawozo gang (Haiti Libre, 25 July 2022) and in November 2022, the director of the National Police Academy was shot by unknown gunmen in his car and his driver abducted (Gazette Haiti, 27 November 2022). In total, at least 54 police officers were killed in 2022, according to The Guardian, and 15 police officers were killed in January 2023 alone (The Guardian, 2 February 2023) including in gang attacks on several police stations (BBC, 26 January 2023). Moreover, UNODC reports on attacks on several customs offices:

“For example, customs offices in Port-au-Prince, Saint-Marc and Gonaïves together with the Léogâne road checkpoint have all been vandalized. Customs authorities also claim that Port Latifeau, the Malasse and Belladère customs offices and the Gantier road checkpoints are essentially ‘inoperative’.” (UNODC, 4 March 2023, p. 19)

3.4 Siege of Varreux and fuel blockades

In mid-September 2022, members of G9 blocked access to Varreux, Haiti’s largest oil terminal and storage place for 70 percent of the country’s fuel by building barricades and digging trenches (Haiti Libre, 22 September 2022), following an announcement by Prime Minister Henry to cut fuel subsidies (UN Security Council, 13 October 2022, p. 1). An earlier blockade of the terminal in 2021 was “part of an organized effort by criminal groups to limit access to fuel across Haiti to destabilize the government”, according to InSight Crime. The 2021 blockade reportedly ended with an agreement between the gangs and the local government and an alleged payment to G9’s leader Jimmy Chérizier in the amount of USD 100,000 (InSight Crime,

13 October 2022). The second siege of Varreux ended in November 2022, after having caused large-scale disruptions to public life and the delivery of humanitarian aid:

“The gang siege of Varreux, the largest fuel terminal in Haiti, which began on 18 September during a countrywide period of civil unrest and demonstrations, continued to disrupt nearly all facets of daily life well into November. Public transportation halted, which forced schools, markets, banks and businesses to remain closed, resulted in the reduction or suspension of services at hospitals and health centres and frustrated the delivery of humanitarian assistance. Violence surged, including killings, kidnappings, arson, vandalism and looting. Warehouses used by the United Nations country team, including the International Organization for Migration (IOM), the United Nations Children’s Fund, UNDP, the United Nations Office for Project Services and the World Food Programme, were attacked and looted by protesters, in addition to warehouses and facilities run by non-governmental organizations. Much of the lost food and other supplies were part of emergency response stocks for the most vulnerable people. The Haitian National Police, under increasing pressure to break the siege of Varreux and remove the barricades and trenches put in place by the gangs to block fuel trucks’ access to the terminal, made several unsuccessful attempts in October to retake control. Reinforced by new tactical armoured vehicles, specialized police units finally gained access to the fuel terminal on 3 November following two days of heavy fighting. By 5 November, the Ministry of Public Works, Transport and Communications and the Haitian Armed Forces had restored access. Over the next several days, gas stations were gradually resupplied, and fuel became available for sale to the public in the Port-au-Prince metropolitan area on 12 November.” (UN Security Council, 17 January 2023, p. 4)

3.5 Relationship with the government and security forces

Several reports point to long-standing collaboration between gangs and political figures: BBC quotes experts saying that gangs received arms, funding, or political protection from both, government officials and opposition figures, and that, in return, “the gangs do their dirty work, generating fear, support, or instability, as required” (BBC, 5 December 2022). Similarly, ICG notes that “[p]oliticians and the business elite in Haiti have historically relied on gangs to obtain and exert power”, including the former presidents Jean Bertrand Aristide (and his Fanmi Lavalas party) and Jovenel Moïse (ICG, 27 July 2022). The International Human Rights Clinic of Harvard Law School (IHRC) and the Observatoire Haïtien des crimes contre l’humanité (OHCCH) state with reference to local sources that gangs receive arms, ammunition and funding from government sources in exchange for political and (via control over the population in a given neighbourhood) electoral support (IHRC / OHCCH, April 2021, p. 8). Similarly, the Haitian human rights organisation RNDDH indicates that state officials were, directly or indirectly, among the main providers of arms and ammunition to armed gangs:

“In this sense, the RNDDH will never stop repeating that for several years, successive state authorities have chosen the gangsterization of the state as a new form of governance. They supply arms and ammunition to armed gangs, and they practice and promote smuggling to facilitate the entry of illegal weapons into the national territory, 76% of which pass through the port of Portau-Prince. And, in order not to have to justify, since 2012, under the presidency of Joseph Michel MARTELLY, the various anti-smuggling brigades that

operated in the ports, airports, and border crossings of the country have all been dismantled. The RNDDH once again points out that today, the largest supplier of weapons and ammunition—both armed gangs that are members of the G-9 Fanmi e Alye and gangs that have chosen not to be part of this coalition—remains the Haitian state. Then there are former elected officials, members of the private business sector, and other political figures who want to take power and who believe that armed gangs are the only way they can do that.” (RNDDH, 10 May 2022, p. 14)

BBC points to another aspect of the gangs’ collaboration with political figures or business elites – the fact that gangs often act with impunity:

“If a gang member is arrested, a phone call from their backers can get them released without delay - and with their guns. Human rights activists say there's plenty of crime, but no punishment.

‘There are no prosecutions,’ says Marie Rosy Auguste Ducena, of Haiti’s National Human Rights Defence Network (RNDDH). ‘Judges don’t want to work on these cases. They are paid off by the gangs. And some police are like a support system for the gangs, giving them armoured cars and tear gas.’” (BBC, 5 December 2022)

Similarly, BINUH and OHCHR note in the context of sexual violence committed by gangs against the civilian population that “impunity for sexual violence crimes remains the norm. Rule of law institutions are not only under-resourced and under-staffed, but they are affected by lack of independence and corruption”, while the existing staff faced intimidations and retaliation by gang members (BINUH / OHCHR, 14 October 2022, p. 18).

Moreover, ICG points at the collaboration between gangs and state security forces, including the suspected participation of G9 leader Jimmy Chérizier in the killing of civilians in three neighbourhoods of Port-au-Prince while still serving as a police officer. According to an expert quoted by ICG, “about 40 per cent of officers are directly or indirectly connected to gangs”, not all of them, however, out of financial considerations:

“Collusion is not just financially motivated. For many police officers, working with gangs is a matter of survival: many of them live in poor neighbourhoods controlled by armed groups, and though they might not have chosen to collaborate with gangs, confronting them would lead to certain death.” (ICG, 27 July 2022)

The Guardian and BBC, on the other hand, indicate that financial considerations might be an issue given monthly incomes of less than 200 USD (The Guardian, 2 February 2023) or USD 300 (BBC, 5 December 2022), respectively, although BBC equally notes that for police officers living in gang-controlled areas, collusion “may be a matter of survival, not choice” (BBC, 5 December 2022).

In an October 2022 report, GI-TOC points at changes in the relationship between gangs, political figures and elites, with gangs “now challenging their role as subordinates”, presenting themselves as community leaders and publicly demonstrating their power, including in direct attacks on the leadership and by disrupting the country’s economic activity. Attacks on police

stations and other outposts presumably served to capture more arms but also to further “undermine what little remains of the state security apparatus” (GI-TOC, October 2022b, p. 12). In October 2022, the government requested a foreign military intervention to assist in fighting the gang violence, and a police official reportedly asked “for more citizen participation” in addressing the violence. The opposition reportedly considered Prime Minister Henry’s request an attempt to cement his power (NYT, 22 March 2023) and RNDDH in January 2023 suggested that the worsening security situation and regular attacks on police officers might be connected to that request:

“Today, the RNDDH has strong reasons to believe that the accelerated deterioration of the security situation of the country, after a few days of calm, has as objectives to justify and obtain from the international community, the sending of a foreign military force in Haiti. And, this is a horrible plan, police officers serve as sufferers for the leaders, which makes all those who wear the uniform of the Haitian police institution, potential victims, at any time, of raids, assassinations, or gunshot wounds.” (RNDDH, 26 January 2023, p. 6)

4 Situation of political activists and opponents

4.1 Protests and protestors

In its 2022 country report on the human rights situation in Haiti, USDOS notes that the right to freedom of peaceful assembly and association was protected by Haiti's Constitution and that "the government generally respected" these rights (USDOS, 20 March 2023, section 2b). However, the Center for Economic and Policy Research (CEPR) informs in December 2020 about concerns expressed by the Port-au-Prince Bar Association and human rights groups about two decrees on national security published by the government of President Moïse. According to CEPR, one decree established a national intelligence agency, while the other "greatly expands the definition of terrorism", including also "acts of crowding or blocking public roads to obstruct movement" into the new definition, thereby criminalising "a common protest tactic" (CEPR, 14 December 2020). No information could be found on whether the law has actually been applied in the context of recent protests.

In its March 2023 report UNODC notes that according to the Haitian National Police (HNP) as well as national and international human rights groups, the level of protest has been rising since 2020 (UNODC, 4 March 2023, p. 4). In 2022, the HNP and the Mission of UN Police (UNPOL) recorded 1,490 civic protests, compared to 1,116 in 2021 (UNODC, 4 March 2023, p. 43).

Several reports point at cases of "excessive force" used by the police against protestors in the context of anti-government protests, including HRW's annual reports on the human rights situation in Haiti in 2021 and 2022 (HRW, 13 January 2022; HRW, 12 January 2023), the Freedom House report on Freedom in the World 2022 (Freedom House, 24 February 2022), and the August 2022 report on the human rights situation in Haiti by the Inter-American Commission on Human Rights (IACHR) (IACHR, 30 August 2022, pp. 46, 52). In his January 2023 report covering the period October 2022 to January 2023, the UN Secretary-General states that "[e]xcessive force used by police while attempting to restore order during protests reportedly resulted in the killing of 34 protestors, journalists and bystanders". Moreover, five opposition activists were reportedly detained and found dead a few days later (UN Security Council, 17 January 2023, p. 9) (for more details on this case, see [section 4.3](#) below). According to a November 2022 press release by the OHCHR, at least 54 people were reportedly killed during protests since late August [2022], "most of which allegedly because of disproportionate use of force by police officers" (OHCHR, 3 November 2022). No information could be found on the total number of persons killed during protests in 2022.

USDOS explains that there were reports of police officers "using inappropriate force against protestors", in particular against journalists. The General Inspectorate of the HNP had reportedly opened several investigations into these allegations, which were still ongoing by the end of the year (USDOS, 20 March 2023, section 2b). A similar observation has been made by USDOS in 2021 (USDOS, 12 April 2022, section 2b). Two journalists – Maxiben Lazare and Romelson Vilcin – were killed during protests in 2022, according to USDOS (USDOS, 20 March 2023, section 2a). For more information on the situation of journalists, see [section 7](#) below.

USDOS states that according to human rights organisations the police sometimes “arrested large groups of persons attending protests or near crime scenes without attempting to ascertain who was committing a crime” (USDOS, 20 March 2023, section 1d). Similarly, InSight Crime quotes the director of a human rights organisation saying that many detainees in Haiti’s prisons were “imprisoned arbitrarily for protesting” (InSight Crime, 19 September 2022).

Several reports point at the orchestrated involvement of gangs in public protests: The International Human Rights Clinic of Harvard Law School (IHRC) and the Observatoire Haïtien des crimes contre l’humanité (OHCCH) note in an April 2021 report with regard to then ongoing anti-government protests that “government officials have sought to suppress anti-government organizing through bribery, and when that has failed, have enlisted gangs to carry out targeted attacks against anti-government strongholds active in the protests” (IHRC / OHCCH, April 2021, p. 7). The Bertelsmann Stiftung’s 2022 BTI notes that there have been cases of intimidation of both, protests organised by the opposition and by government supporters, and points at the “popular strategy in Haiti to buy ‘a mob’ to disturb or dissolve marches” (Bertelsmann Stiftung, 23 February 2022, p. 10). Similarly, in February 2023, in an article on the worsening human rights and security situation in Haiti, the director of the Haitian human rights organisation RNDDH Pierre Espérance draws a link between armed gangs and the political elite:

“The culprits are the armed gangs that have taken chaotic control of the capital Port-au-Prince and much of the surrounding area of the Western Department (one of Haiti’s administrative units). But the root of the problem lies in the corruption of successive governments and their increasing use of gangs to suppress public protests, provide personal protection, and ultimately to retain their hold on power.” (Espérance, 2 February 2023)

In its 2022 annual report, the human rights collective Défenseurs Plus notes that the year 2022 was marked by protests, which were often met with violence (Défenseurs Plus, February 2023, p. 20). The following paragraphs describe the main protests as listed in the Collective’s annual report.

In the period 16 to 18 February 2022, thousands of factory workers of the SONAPI [Société Nationale des Parcs Industriels, National Society of Industrial Parks, ACCORD] industrial park in Port-au-Prince participated in protests to demand an increase of their daily minimum wage against the backdrop of rising living costs. Demonstrators reportedly blocked roads and marched to the residence of Prime Minister Henry, while the police used tear gas and fired shots to disperse the crowd (ACLEDE, 24 February 2022), injuring at least 15 people, according to the national human rights organisation RNDDH. Moreover, RNDDH notes that a video published on social media showed armed civilians collaborating with the police and threatening to shoot at demonstrators (RNDDH, 21 February 2022, p. 2). On 23 February, protesters again barricaded roads in the capital city, dissatisfied with the government’s announcement of a new minimum daily wage, which they considered insufficient. The police used tear gas and opened fire against the demonstrators (ACLEDE, 3 March 2022) from a passing car, killing the journalist Maxihen Lazzare and injuring two others who were covering the protests (CIVICUS, 4 April 2022). USDOS reports on “men in uniforms” firing into the crowd while driving by and notes that the Inspectorate General of the HNP opened an investigation into the incident, but that by

the end of 2022, “there was no resolution to the investigation, and the perpetrator(s) had yet to be identified” (USDOS, 20 March 2023, section 1a).

According to the Haitian news site Juno7, one person was killed, at least six persons injured and an airplane set on fire during protests in the southern city of Les Cayes and at the airport of Antoine-Simon on 29 March 2022. The protest against the rising insecurity reportedly began peacefully but turned violent when the police used teargas and a patrol accompanying a public official started firing live bullets as the crowd was approaching the airport (Juno7, 29 March 2022). According to the Haitian Times, it is unclear how the person was killed. Other protests that took place the same day (marking the 35th anniversary of Haiti’s Constitution) in other locations, were mostly peacefully. In Jacmel protesters reportedly set fire to the wreck of a recently crashed plane at the local aerodrome (Haitian Times, 30 March 2022).

Four persons were reportedly killed during protests in Les Cayes in August 2022, when officers of the Departmental Unit for the Maintenance of Order (Unité Départementale pour le Maintien de l’Ordre, UDMO) shot at protesters to prevent them from building barricades (USDOS, 20 March 2023, section 1a). The Haitian human rights collective Défenseurs Plus states in a press release dated 25 August 2022, that during social protests in the period 22 to 24 August 2022 at least four people were killed in Les Cayes and Delmas and at least 19 persons were injured in Port-au-Prince, Petit-Goave, Jacmel and Les Cayes. The Collective notes that according to some sources, UDMO officers and officers of the Brigade for the Fight against Narcotics Trafficking (Brigade de Lutte contre le Trafic de Stupéfiants, BLTS) excessively used tear gas and bullets on protesters, which allegedly resulted in casualties (Défenseurs Plus, 25 August 2022).

At least ten people were killed during popular protests across the country in the second half of September 2022, while many others suffered injuries from live ammunition, rubber bullets and blades used during demonstrations in Port-au-Prince, Cayes, Gonaïves and Jacmel, according to Défenseur Plus. In this context the organisation denounced the aggressiveness of the forces of order (“une agressivité des forces de l’ordre”) against the protesters (Défenseurs Plus, February 2023, p. 21). The protests were sparked by announcements of Prime Minister Henry on 11 September 2022 on the end of fuel subsidies. During the ensuing widespread public protests, roadblocks were erected in the major cities and there were reports of looting (including of humanitarian aid) and attempted ransacking of business (UN OCHA, 22 September 2022, p. 1).

4.2 Human rights defenders

Several reports note the fact that human rights defenders are at risk of or subject to threats, violence, and human rights violations, including reports by Amnesty International (AI, 29 March 2022; AI, 27 March 2023), Human Rights Watch (HRW, 12 January 2023) and Freedom House (Freedom House, 24 February 2022, E2). No information could be found on the total number of victims in 2022.

In his September 2021 report, the UN Secretary-General states that in the period 1 June to 31 August 2021, overall, 20 human rights defenders, journalists and justice operators (among

them five women) were attacked, threatened or intimidated and notes that this was a considerable increase compared to the period 1 March to 31 May 2021, when six such incidents were recorded. Most of the victims, the UN Secretary-General observes, “were either targeted because of their professional or civic activities or simply caught in the crossfire of inter-gang violence” (UN Security Council, 27 September 2021, p. 8). Similarly, Freedom House notes that human rights defenders and activists who addressed “sensitive topics” were subject to threats and intimidations (Freedom House, 24 February 2022, E2). Groups informing on gang activities, kidnappings, and human rights issues “were likely to receive threats from armed groups”, according to USDOS (USDOS, 20 March 2023, section 5). In his June 2022 report, the UN Secretary-General notes that “[j]ournalists, human rights defenders and judicial actors in particular remain at risk of violence and crime, a sign that civic space in the country continued to shrink” (UN Security Council, 13 June 2022, p. 9) and indicates that human rights defenders were among the categories of people “most affected” by gangs’ kidnappings for ransom (UN Security Council, 13 June 2022, p. 8). In a July 2022 query response on the security situation and criminal groups in Haiti, the Canadian Immigration and Refugee Board (IRB) quotes the Director of Défenseurs Plus saying that anyone could be targeted by criminal groups but that “human rights advocates, lawyers, judges and prosecutors, police officers, journalists, politicians, and individuals close to former President Jovenel Moïse are those [translation] ‘most generally’ targeted by these gangs” (IRB, 18 July 2022).

In its February 2022 report, Freedom House notes that violence against activists was “rarely investigated or prosecuted” (Freedom House, 24 February 2022, E2). Similarly, in his September 2021 (UN Security Council, 27 September 2021, p. 8) and February 2022 reports, the UN Secretary-General points at the authorities’ lack of action with regard to attacks on human rights defenders:

“Furthermore, the State continues to lack adequate measures to protect independent human rights defenders, journalists and other public voices who are subject to threats and intimidation. During the reporting period, two journalists were executed by alleged gang elements while investigating incidents of armed violence on the outskirts of the commune of Pétionville. Additionally, four human rights defenders, four journalists, one judge, one lawyer, one doctor and one police officer were kidnapped, threatened or intimidated. Little action has been taken by national authorities regarding these cases.” (UN Security Council, 15 February 2022, p. 8)

In a November 2021 report, the Office of the United Nations High Commissioner for Human Rights notes that according to the UN country team in Haiti, attacks on human rights defenders, journalists and lawyers have been increasing since 2018, but that the authorities have failed to offer protection “even when complaints were filed” (HRC, 10 November 2021, p. 6).

The following paragraphs describe some cases of attacks on human rights defenders that have been mentioned by national and international human rights organisations:

In its 2022 report, HRW notes that no progress has been reported in the investigation of the 2019 killing of Charlot Jeudy, the leader of Kouraj, an organisation promoting the rights of LGBTQI+ people. With regard to the 2020 killing of Monferrier Dorval, the head of the Port-au-

Prince Bar Association, four people have reportedly been held in detention for more than a year without formal charges, while no judge has been appointed to the case as of October 2022, after the previous judge's resignation eight months earlier in February 2022 (HRW, 12 January 2023). Previously, another investigating judge had withdrawn from the case in September 2021 and had been replaced in October 2021 (HRC, 4 January 2022, p. 17). Mr. Dorval had reportedly been killed in his home in August 2020, a few hours after giving a radio interview in which he criticised the government (IHRC / OHCCCH, April 2021, p. 7), opposition leaders, the prime minister, and the president, calling the government "dysfunctional" and saying it had to be changed via a new constitution (VOA, 11 September 2020). According to the report by the International Human Rights Clinic of Harvard Law School (IHRC) and the Observatoire Haïtien des crimes contre l'humanité (OHCCCH), "crime-scene evidence" has disappeared from the court and one of the four persons eventually detained in the case "allegedly has ties to the Moïse administration" (IHRC / OHCCCH, April 2021, p. 7).

In April 2021, the UN Special Rapporteur on Human Rights Defenders informs of threats and attacks against Camille Occius, a lawyer and leader of the NGO Citizen's Organisation for a New Haiti (Organisation Citoyenne pour une Nouvelle Haïti, OCNH) in the context of his work documenting cases of alleged corruption (UN Special Rapporteur on Human Rights Defenders, 6 April 2021). A few months later, in a resolution of 4 September 2021, the Inter-American Commission on Human Rights (IACHR) grants "precautionary measures in favour of Camille Occius and his nuclear family, after considering that they find themselves in a situation of serious and urgent risk of irreparable damage to their rights in Haiti" (IACHR, 15 September 2021).

In April 2022, the International Federation for Human Rights (FIDH) states that it has been informed about the planned assassination of Pierre Espérance, the head of the Haitian human rights network RNDDH. The assassination and attacks against members of the organisation have reportedly been discussed in a meeting between an "influential leader" of the PHTK party and several unidentified individuals, some of whom reportedly met with G9 leader Jimmy Chérizier afterwards. RNDDH has reportedly been informed about the plan by one of the participants in the meeting and has subsequently requested an investigation by the police. FIDH notes that previously, RNDDH's office has been subject to armed attacks in 2018 and 2020. Moreover, Mr. Espérance has received death threats already in previous years (FIDH, 13 April 2022; see also HRW, 12 January 2023). According to HRW, he has received a death threat from G9 in June 2021 (HRW, 13 January 2022).

In December 2022, the UN Special Rapporteur on Human Rights Defenders issues a statement, expressing concern for the situation of human rights defenders in Haiti in the context of the country's worsening security situation:

"I am extremely concerned for the security of human rights defenders in the Haiti. A climate of complete insecurity is pervading the country and reports I have received indicate risks for local human rights defenders (HRDs) have increased.

In July 2021, I held hearings with Haitian human rights defenders to hear about the climate for their work promoting and protecting human rights. At the time, many said that simply

identifying as human rights defenders put a target on their back, and the participants underlined the rampant impunity around gang activity.

Since then, the situation appears to have deteriorated severely, with the current levels of violence impeding HRDs from pursuing their work.

One defender has told me how they try to stay indoors as much as possible, forcing them to carry out meetings over the phone despite poor connections, in particular in rural areas. They explained how they fear the threats they received in the past may be acted upon now, with no rule of law to prevent impunity or deter potential attackers.” (UN Special Rapporteur on Human Rights Defenders, 19 December 2022)

4.3 Members of opposition parties

In its 2022 Freedom of the World Report, Freedom House notes that while in some respects it has become easier to register and run in elections and to establish new political parties, the “risk of violence seriously impairs normal political activity”, as “[o]pposition party leaders are subject to threats and abductions, and protests organized by opposition parties are regularly met with repressive force by the government” (Freedom House, 24 February 2022, B1).

Several reports indicate a link between the ruling elite and armed gangs: Freedom House notes that President Moïse was accused of engaging criminal groups to threaten political opponents and the neighbourhoods supporting them (Freedom House, 24 February 2022, B1) and GI-TOC similarly points at allegations that “Moïse allowed the G9 and its affiliated gangs to gain power in Port-au-Prince by granting impunity to cause harm in opposition-dominated neighbourhoods” (GI-TOC, October 2022b, p. 10). Cotton, Hammel and Noofoory point at the “state’s continuous association with gangsterization”, mainly because of the ruling elite’s use of armed gangs to suppress political opposition and activism (Cotton / Hammel / Noofoory, 15 January 2023, p. 11). ICG points at the mutually beneficial relationship between the country’s elite and criminal groups, with the elite using gangs to go clamp down on the political opposition. Gangs in return reportedly receive money, arms and ammunition, and impunity for their crimes (ICG, 27 July 2022).

In a query response of February 2023 on the situation of political parties and the treatment of political opponents, the Canadian IRB quotes a representative of the RNDDH saying that political opponents in the country “have never been treated well” and that the suppression of political opponents continued under Prime Minister Henry’s government. According to a project officer working for a Canadian international co-operation agency quoted by IRB, “grassroots activists” of political parties and social movements were “most often” arrested during anti-government protests and imprisoned. Moreover, leaders of these groups were “systematically pursued” by the police and government commissioners to force them to leave “their areas of influence”. The project officer is further quoted saying that the government’s strategies to silence political opponents included job offers and corruption, but also means of repression “from intimidation, to imprisonment, to murder”. IRB indicates that within the time constraints of the response, corroborating information could not be found. IRB notes that the representative of the RNDDH gave the example of five members of the “Bwa kale ‘anti-

government' movement", who were found dead a few days after having been arrested in October 2022 (IRB, 16 February 2023). According to the UN Secretary-General's January 2023 report, five opposition activists were detained by "individuals wearing police uniforms" and found dead a few days later (UN Security Council, 17 January 2023, p. 9). Local media similarly referred to the perpetrators as men in police uniforms (Gazette Haiti, 31 October 2022) or alleged police officers (Endijèn Enfo, 27 November 2022). According to an article by the US-based photojournalist Collin Mayfield and published by the online media Atlas News, it was uncertain, including to a witness of the abduction, whether the perpetrators were real police officers or not. Mayfield notes that the five men were members of the Baz 47 group that campaigned for the opposition Platfòm Pitit Desalin party. One of the men had reportedly launched the "Bwa Kale" protest after the government's decision to end fuel subsidies (Mayfield, 27 January 2023). Local media sites Endijèn Enfo and Vant Bèf Info refer to the men as [translation] "activists" of the Pitit Desalin political party, whose leader Jean Charles Moïse was reportedly present at their funeral ceremony (Endijèn Enfo, 27 November 2022; Vant Bèf Info, 23 November 2022).

In its 2022 country report, USDOS notes that according to human rights organisations, "politicians routinely influenced judicial decisions and used the justice system to target political opponents" (USDOS, 20 March 2023, section 1e). The IRB quotes a project officer working for a Canadian international co-operation agency saying that although in theory there were legal recourses available for political opponents, these would not work in practice "'because of the judiciary's lack of independence' from the executive branch and because of corruption" (IRB, 16 February 2023). Similarly, the IRB notes with reference to an interview with a full professor in international development and globalisation at the University of Ottawa that "given the failure of the judiciary" the system was not able "to provide political opponents or members of human rights organizations (like the RNDDH) with justice". IRB quotes the professor saying that "even the assassination of former president Moïse (of the ruling PHTK party) did not lead to legal sanctions" (IRB, 16 February 2023). In the context of the assassination of President Moïse, the Washington Post states in an article of August 2021 that following the issuance of several arrest warrants against political opponents, "many Haitians have begun to believe the authorities are also using the investigation as cover to crack down on political foes of the administration". The Washington Post quotes a former senator and presidential candidate saying that he considered the arrest warrants "simply intimidation". Moreover, according to the president of the Haitian National Clerk Association quoted by the Washington Post, also two clerks involved in the investigation were pressured to add the names of critics of Moïse, including the name of the politician Youri Latortue (a former senator and leader of the opposition party Haiti in Action (Ayiti An Aksyon, AAA), later accused of embezzling public funds (Gazette Haiti, 10 March 2023)), to their reports, but refused (WP, 9 August 2021). The IRB, which also refers to the Washington Post article, indicates that according to the Executive Director of the Haiti Democracy Project, a US-based non-profit organisation, Prime Minister Henry was "not a member of the political mafia" but that it was unclear how much control he had over the government's branches (IRB, 16 February 2023).

In its 2022 annual report on the human rights situation in Haiti, Défenseurs Plus notes that no progress has been made with regard to the killings of public figures such as Monferrier Dorval

(see [section 4.2](#) above), Antoinette Duclaire, Eric Jean Baptiste and the journalists Diego Charles and Romélo Vilsaint, and that these cases remain unresolved (Défenseurs Plus, February 2023, p. 14). Eric Jean Baptiste, a former presidential candidate (UN Security Council, 17 January 2023, p. 3) and leader of the political party Rally of Progressive National Democrats (Rassemblement des Démocrates Nationaux Progressistes, RNDP) was reportedly killed together with his bodyguard in the Laboule area in Port-au-Prince in October 2022. AP notes that the killing happened in an area where the Ti Makak gang was fighting with the Toto gang for control over territory. AP also notes that in August 2022 another politician, the former senator Yvon Buissereth, had been killed in the area (AP, 29 October 2022). According to an article by Reuters, the killing had been attributed to the Ti Makak gang by a state official (Reuters, 29 October 2022). The IRB further states that “[i]nformation on specific ties between Ti Makak and Ariel Henry's government could not be found among the sources consulted by the Research Directorate” (IRB, 16 February 2023).

Diego Charles, a journalist (working for the online journal La Repiblik Magazine, which he had co-founded with Antoinette Duclaire (AI, 6 August 2021)), and Antoinette Duclaire, a radio broadcaster, political activist and spokesperson for the opposition political movement Matris Liberasyon were killed on the evening of 29 June 2021. Unknown gunmen on a motorbike reportedly shot them outside Diego Charles' house in the Christ-Roi area of Port-au-Prince, where he had just been dropped off by Mrs. Duclaire (IACHR, 30 August 2022, p. 69). Amnesty International notes that according to family members and close friends, both victims had been threatened in the past; Mrs. Duclaire “had been regularly changing where she slept since December 2020”, according to her brother. Moreover, after the killings, the families were reportedly subject to threats and intimidations for speaking to the authorities (AI, 6 August 2021). The Haitian Times reports in the context of the first anniversary of the killings in June 2022, that there was “no information on the police or judicial investigation”. According to a brother of Antoinette Duclaire quoted by the Haitian Times, the family was “scared to engage in any activity and has left the neighborhood, still unable to understand the motive for her murder” (Haitian Times, 6 July 2022).

5 Situation of women and girls

In its 2022 country report on human rights practices, USDOS notes that women “did not enjoy the same social and economic status as men” although according to the country’s Constitution, women should hold at least 30 percent of public offices, including political candidates, elected officials, and civil servants (USDOS, 20 March 2023, section 6). Similarly, the 2022 Bertelsmann Stiftung’s BTI notes that women remain “largely under-represented in public office”:

“In the history of the two official legislative chambers, women have never held more than 6% of the seats. There are no existing public programs or incentives toward promoting greater gender equality. Although Haiti has a Ministry of Women’s Condition and Women’s Rights, it is underfunded and unable to implement the laws it proposes. Despite a 2012 constitutional amendment requiring that 30% of public offices be held by women, there has been no subsequent implementation. In the 2015 parliamentary elections, only three women were elected to the two chambers (two deputies and one senator). An exception was the 2015/16 municipal elections, when the 30% quota was implemented by decree.” (Bertelsmann Stiftung, 23 February 2022, p. 27)

Moreover, women are more likely to live in poverty. They lack equal opportunities in terms of access to education and employment, with women living in rural areas being particularly affected, according to a report by the Institute for Justice and Democracy in Haiti (IJDH) (IJDH, June 2022, p. 8). Ongoing gang violence, fuel shortages and road blocks have reportedly aggravated the situation (IJDH, December 2022, p. 7). According to UNESCO data from 2016, the literacy rate for women 15 years and older is 58.3 percent (compared to 65.3 percent for men) (UNESCO, undated), and while the labour force participation rate of women is 47.4 percent, they are mainly working in low-skilled or informal jobs, “since high-skilled employment is either restricted due to their lack of education or due to institutional biases”, according to the 2022 BTI (Bertelsmann Stiftung, 23 February 2022, p. 27). In his February 2022 report, the UN Secretary-General notes that according to a survey published in October 2021, 38 percent of women had reportedly experienced discrimination when seeking employment (UN Security Council, 15 February 2022, p. 11). In its 2022 country report, USDOS points at the discrimination of women in terms of economic participation:

“By law men and women have equal protections for economic participation. Nevertheless, women faced barriers to accessing economic inputs and securing collateral for credit, information on lending programs, and other resources. Women faced restricted job opportunities, lower pay, and restricted access to banking and other support services.” (USDOS, 20 March 2023, section 6).

Moreover, USDOS notes that although there were no laws restricting the access of pregnant women to education and jobs, many young women reportedly left school when becoming pregnant. Women “were often the earliest to leave the educational system”, according to USDOS (USDOS, 20 March 2023, section 6).

In the context of the gangs’ blockade of Haiti’s main fuel terminal (see [section 3.4](#)), the United Nations Population Fund (UNFPA) points at the potential health risks for thousands of pregnant women as the majority of hospitals and ambulances were unable to offer regular services due

to fuel shortages (UNFPA, 13 October 2022). Similarly, the UN Secretary-General notes that while Haiti's maternal mortality rate has been the highest in Latin America and the Caribbean, the worsening security situation, violence, and the cholera outbreak have increased the risk for health and life of thousands of pregnant and lactating women, in particular of women living in displacement (UN Security Council, 17 January 2023, p. 13). As of 2017, the maternal mortality rate was 480 deaths per 100,000 live births, according to estimates by the World Health Organisation (WHO) (WHO, undated, p. 1). USDOS observes that lack of trained staff in rural areas, as well as practical and financial barriers to health services were among the causes of maternal deaths:

“A major cause of maternal deaths was the lack of formally trained birth attendants in rural areas. Other reasons included geographic difficulties in accessing health facilities and financial barriers to primary health care. Of the country's 571 communal sections, or local districts, 125 had no health facilities. The proportion of births attended by skilled health personnel was 42 percent. The adolescent birth rate for those ages 15-19 years was 100 per 1,000 girls.” (USDOS, 20 March 2023, section 6)

As of 2018, Haiti accounted for 197 midwives or, statistically, 0.2 midwives per 10,000 people, according to UNFPA (UNFPA, 2021, p. 1). The IJDH points at a lack of resources in terms of maternal and reproductive care (IJDH, June 2022, p. 8), and USDOS notes the role of so-called *sage femmes* (wise women) as providers of maternal care:

“In many rural areas, *sage femmes*, or community birth attendants, were the most common provider of maternal care. Although some received formal training, most had trained as apprentices to other *sage femmes* in their communities and practiced based on traditional methods of maternal care. In metropolitan areas, some women elected to give birth at home with a *sage femme* rather than in a health facility. The choice may be rooted in a desire for client-centered care, particularly for respectful maternity care.” (USDOS, 20 March 2023, section 6)

Abortion remains prohibited in Haiti (IJDH, June 2022, p. 9); access to and the use of contraception remains affected by stigma and economic barriers (USDOS, 20 March 2023, section 6). However, in its 2018 concluding observations, the UN Committee on the Rights of Persons with Disabilities (CRPD) voiced its concern that particularly women with intellectual disabilities were “subjected to contraceptive procedures without their consent, but with the consent of third persons” (CRPD, 13 April 2018, p. 8). Moreover, the CRPD noted the “aggravated forms of discrimination” experienced by women and girls with disabilities (CRPD, 13 April 2018, p. 3), and pointed out that in a context of violence and crime, the risks to their life were “exacerbated by superstitions and beliefs that see disability in a negative light” (CRPD, 13 April 2018, p. 5). Similarly, Défenseurs Plus points at the stereotypes and discriminatory practices that women and girls with disabilities are facing, as well as their lack of access to education, health, and justice. They are under-represented in public functions and their participation in political affairs is limited. Moreover, the women and girls with disabilities reportedly faced discrimination in the employment sector (Défenseurs Plus, 2 December 2022).

5.1 Gender-based violence (GBV)

Several reports note that sexual and gender-based violence remain underreported in Haiti, such as, for example, the June 2022 report by the UN Secretary-General (UN Security Council, 13 June 2022, p. 8), the February 2022 Protection Analysis Update (Global Protection Cluster, February 2022, p. 6) and the 2022 Submission to the United Nations Human Rights Council by IJDH, the Bureau des Avocats Internaux (BAI) and the Commission of Women Victims for Victims (Komisyon Fanm Viktim pou Viktim (KOFAVIV) (IJDH / BAI / KOFAVIV, December 2021, p. 2). Underreporting is reportedly persistent due to stigma (UN Security Council, 13 June 2022, p. 8) and fear of retaliation (USDOS, 20 March 2023, section 6), but also “weak” judicial and police responses (UN Security Council, 13 June 2022, p. 8; Global Protection Cluster, February 2022, p. 7), and mistrust in the judicial system, respectively (IJDH / BAI / KOFAVIV, December 2021, p. 2), as well as the fact that security forces were not present in areas most affected by sexual violence committed by armed gangs (Global Protection Cluster, February 2022, p. 7; UN Security Council, 27 September 2021, p. 4; BINUH / OHCHR, 14 October 2022, p. 18). Nevertheless, there were reports on widespread sexual violence committed by armed gangs; the perpetrators, however, were reportedly rarely brought to justice (UN Security Council, 17 January 2023, p. 15). For sexual violence in the context of gang violence, see also [section 3.3.5](#) above. For sexual violence against LGBTQI+ persons, see also [section 9](#) below.

IJDH and co-authors note that there was little GBV-related data available, but that there was “direct evidence that over half and as many as 70 percent” of women and girls have experienced some form of GBV (IJDH / BAI / KOFAVIV, December 2021, p. 2). According to a government study conducted in 2016–2017 among girls and women of 15 to 49 years of age, 29 percent reportedly experienced physical violence; among non-single women, in 45 percent of cases, the perpetrator was their husband or partner. Moreover, among non-single women, 34 percent responded that at some point they had experienced violence by their partner, including physical, emotional, or sexual violence (IHE, July 2018, p. 389).

IJDH and co-authors indicate that according to local advocates, women are less likely to report incidents of GBV when they know the perpetrator. In case of intimate partner violence (IPV), women may fear the partner’s retaliation, loss of financial support, or they may experience pressure “to preserve the family” (IJDH / BAI / KOFAVIV, December 2021, p. 3). A representative of MSF quoted by the IRB in a query response of August 2020 on the situation of survivors of sexual violence, points at the social stigma associated with sexual violence and IPV, which often prevented victims from talking about their experience (IRB, 18 August 2020). USDOS notes that rape within marriage is not considered a crime and that social pressure often prevented the formal prosecution of sexual violence:

“The law prohibits rape of men and women but does not recognize spousal rape as a crime. The penalty for conviction of rape is a minimum of 10 years of forced labor. In the case of conviction for gang rape, the maximum penalty is forced labor for life. Sexual violence was rarely formally prosecuted and often settled under pressure from community and religious leaders. In cases of pregnancy, there was generally a monetary settlement calling on the rapist to pay for prenatal care and birth costs, and occasionally calling on the rapist to acknowledge the child as his own. Forced marriages occurred occasionally. In cases of

adultery, the law excuses a husband who kills his wife, her partner, or both found engaging in adultery in the husband's home, but a wife who kills her husband under similar circumstances is subject to prosecution.

The law does not classify domestic violence against adults as a distinct crime. Women's rights groups, HNP [Haitian National Police] leadership, and human rights organizations reported domestic violence against women remained commonplace." (USDOS, 20 March 2023, section 6)

Similarly, in a February 2023 report on the implementation of a project on gender-based violence in the south-western department of Nippes, Défenseur Plus notes that the authorities in the communities targeted by the project listed several difficulties when it came to following up on cases of violence against women and girls: the lack of qualified medical personnel – especially in remote areas – to provide medical help to victims, but also to issue certificates that helped victims to file a complaint; a judicial system marked by impunity and corruption; and families who preferred to settle such cases amicably (“à l’amiable”), especially if the perpetrator was a person of influence or a family member (Défenseurs Plus, February 2023, p. 8). USDOS indicates that in rural areas prosecutors reportedly encouraged extra-judicial settlements:

“There were reports that in rural areas, criminal cases, including cases of gender-based violence, were settled outside the justice system. In such cases, local leaders often pressured family members to come to financial settlements with the accused to avoid social discord and embarrassment. According to judicial observers, prosecutors often encouraged such settlements.” (USDOS, 20 March 2023, section 6)

IJDH and co-authors note that investigations of gender-based violence (GBV) were often delayed due to a lack of resources, lack of forensic skills and equipment, and corruption. Although there was a GBV unit established within the HNP, it lacked personnel and had only three offices, all in or close to the capital (IJDH / BAI / KOFIVIV, December 2021, p. 7). Moreover, the need to obtain a medical certificate to proceed with the prosecution, despite no legal requirement, posed another obstacle to victims of GBV:

“Such certificates are not legally mandatory and should not be dispositive, as in some cases there is no physical evidence of forced penetration. Nevertheless, in practice, survivors who do not have medical certificates are unable to proceed with their cases and the certificates thus pose a significant barrier to accountability by forcing recently traumatized women and girls to undertake additional steps and associated expenses in order to seek justice. According to advocates, women also face challenges in obtaining the medical certificates at the point of care, including because doctors are sometimes absent and certificates must be obtained within 72 hours. Survivors likewise struggle to obtain treatment for any sexually transmitted infections and pregnancies resulting from assaults. In general, male accounts are privileged over female ones with respect to consent, such that prosecutions are virtually impossible in the absence of external evidence of force. One way in which this dynamic may be observed is that reporting GBV is especially fraught for adult women. Judges are more likely to question whether women consented than in cases involving young girls. Further, unlike younger girls, adult women are more likely to be

subjected to shaming, assumptions of promiscuity, and expectations of submitting to family pressures.” (IJDH / BAI / KOFAVIV, December 2021, pp. 7-8)

There are reportedly no government-run shelters for survivors of GBV, nor psychological and legal services. Such services are offered by women’s groups and advocacy organisations (IJDH / BAI / KOFAVIV, December 2021, p. 8).

In a statement to the Inter-American Commission of Human Rights in March 2023, RNDDH points to the situation of women in prisons and notes that there was only one all-female prison in Haiti, while in the country’s other 18 prisons male and female inmates were separated only by being accommodated in different cells. Therefore, female inmates were subject to threats and rape by the male detainees. In the prison of Gonaïves, 11 women were reportedly raped by male inmates in November 2019 (RNDDH, 8 March 2023, p. 2). In a second incident in the same prison in January 2023, 16 women and an underage girl were reportedly subject to collective rape by several men during an attempted prison break (AlterPresse, 30 January 2023). In both cases, the rapes happened with the “passive complicity” (“complicité passive”) of the security personnel, according to RNDDH (RNDDH, 8 March 2023, p. 2). According to the January 2023 report by the UN Secretary-General, a total of 11,161 persons were in prison as of the end of December 2022, among them 285 women and 8 girls. 9,278 of the inmates were waiting for their trial (UN Security Council, 17 January 2023, p. 7).

In its February 2016 concluding observations, the Committee on the Rights of the Child (CRC) notes that the legal age of marriage for girls was 15 years of age (18 years for boys), and that a “child engaging in marriage is automatically granted the status of majority, which is irrevocable, including in the event of marriage dissolution, which may place a child in a vulnerable situation, particularly girls who may be married at the age of 15” (CRC, 24 February 2016, p. 5). Moreover, the CRC notes that cases of forced or arranged marriage continued to happen, especially “in the event of rape or pregnancy” (CRC, 24 February 2016, p. 11). In its 2022 country report on human rights, USDOS notes that early and forced marriage “were not widespread customs”. Legal marriage was reportedly uncommon; instead, many couples lived together in a form of relationship called *plasaj*. While *plasaj* is not officially recognised, “children born to those couples may be recognized as the legal children of both parents” (USDOS, 20 March 2023, section 6). Sometimes *plasaj* (common-law marriage) was reportedly “used by older men to enter relationships with underage girls” (USDOS, 12 April 2022, section 6).

According to an article by Reuters of September 2020, in some protestant communities, couples were put under pressure to get married, especially if they were expecting a child, and some religious schools would only accept children whose parents were married (Reuters, 17 September 2020). Similarly, AyiboPost reports on the case of a Protestant woman forced to marry because of her pregnancy (AyiboPost, 6 April 2021). USDOS notes that according to the feminist organisation Neges Mawon, the practice of “invasive and violent ‘virginity checks’” of young women by family members persisted. According to the same organisation, there have also occurred cases of “young women being ‘prepared for intercourse’ using foreign objects” (USDOS, 20 March 2023, section 6).

6 Situation of children

In its January 2023 humanitarian situation report covering the year 2022, UNICEF provides the following data about the situation of children: 2.2 million children were in need of humanitarian assistance, 1.2 million children were under threat in the Greater Port-au-Prince area, 250,000 children were in non-conductive learning environments, and 377 children had died of cholera (UNICEF, 1 January 2023, p. 1). Protection challenges faced by children and adolescents included the following:

“[...] the risk of violence - particularly GBV; corporal punishment and violence by armed groups; being deprived of parental care; low birth registration, placing them at risk of being denied access to basic social protection and services; and, for those in conflict with the law, not having their right to a legal system that is conducive to rehabilitation and reintegration. These protection risks have been exacerbated with the current situation.” (UNICEF, 1 January 2023, p. 5)

According to UNICEF, “amidst growing armed violence in Haiti, at least 2.6 million children are expected to need immediate lifesaving assistance in 2023”. The statement further describes:

“In the last two years, the number of Haitian children in need of humanitarian aid has increased by half a million as an upsurge in armed violence, a resurgence of cholera, combined with food insecurity and skyrocketing inflation have restricted access to essential health, nutrition, water and hygiene, and education services for millions of children and their families.” (UNICEF, 27 January 2023)

In its country report on human rights practices covering the year 2022, the USDOS provides the following overview regarding various issues, including abuse, sexual exploitation, displacement, and the situation in children’s homes and care centres:

“Child Abuse: The law prohibits domestic violence against children. The government lacked an adequate legal framework to support or enforce mechanisms to fully promote children’s rights and welfare. The government made some progress in institutionalizing protections for children. [...]”

Sexual Exploitation of Children: The minimum age for consensual sex is 18, and the law has special provisions for rape of a person aged 16 or younger. The maximum penalty for human trafficking with aggravating circumstances, which includes cases involving the exploitation of children, is life imprisonment. Enforcement, however, remained difficult, although on August 20, the government successfully arrested Réginald Dégand for his involvement in a high-profile human trafficking case. [...]

Displaced Children: Children displaced by gang violence in the metropolitan Port-au-Prince area were vulnerable to gender-based violence and less likely to access education.

Following violence in Cité Soleil in July, the Ministry of Social Affairs’ Institute for Social Well-Being and Research (IBESR), which is responsible for child welfare, received 620 children into temporary custody. Approximately 300 of these children sheltered at the

Institution Saint-Louis de Gonzague, a private school in the Port-au-Prince area, until classes resumed in August.

Institutionalized Children: The IBESR has official responsibility for monitoring and accrediting the country's residential children's homes and care centers. The institute visited 754 such facilities, of which 176 institutions were accredited by the government. According to the international NGO Lumos, an estimated 26,000 children lived in residential children's homes and care centers, and approximately 80 percent of these children had at least one living parent. Children in these institutions were vulnerable to human trafficking." (USDOS, 20 March 2023, section 6)

Please see [section 11](#) for further information regarding child trafficking.

In its September 2022 country report on the worst forms of child labour (covering the year 2021), the US Department of Labor (USDOL) notes that "children in Haiti are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking." The USDOL further reports:

"Children also perform dangerous tasks in agriculture and domestic work. Minimum age protections for work apply only to children with a formal employment contract, which does not comply with international standards requiring all children to be protected. In addition, Haiti lacks a clear minimum age for domestic work and a list of hazardous occupations prohibited to children. Likewise, social programs to address child labor are insufficient to adequately address the extent of the problem." (USDOL, 28 September 2022)

In March 2023 the UN Office of the High Commissioner for Human Rights (OHCHR) notes that "students and teachers have been hit by stray bullets during gang confrontations and the kidnapping of parents and students in the vicinity of schools has surged, forcing many of them to close" (OHCHR, 21 March 2023). Please see [section 13.5](#) for further information regarding children's access to education.

In January 2023, the UN Secretary-General reports that gangs were increasingly using children and young women to expand their reach (UN Security Council, 17 January 2023, p. 5). Please see [section 3.3.6](#) for further information regarding recruitment by gangs.

In November 2022, UNICEF mentions that children accounted for two in five cholera cases (UNICEF, 23 November 2022). Please see [section 13.4.1](#) for further information regarding the outbreak of cholera in Haiti.

In its January 2023 annual report HRW notes that "22 percent of children are chronically malnourished" (HRW, 12 January 2023). Please see [section 13.3](#) for further information on food insecurity and nutrition.

According to the USDOS, "obtaining birth certificates for children remained a problem throughout the country" (USDOS, 20 March 2023, section 6). Please see [section 13.8](#) for further information regarding access to documentation.

According to an October 2022 report by BINUH and OHCHR on sexual violence in Port-au-Prince, girls and boys were victims of “ruthless sexual crimes”. Children as young as ten years “were subjected to collective rapes for hours in front of their parents” during attacks by armed elements (BINUH / OHCHR, 14 October 2022, p. 3). Please see [section 5](#) for further information regarding the situation of girls.

For a general overview on children’s rights situation in Haiti please see the website of Humanium, a Swiss-based international child rights NGO:

- Humanium: Children of Haiti; Realizing Children’s Rights in Haiti, updated 22 May 2022
<https://www.humanium.org/en/haiti/>

6.1 Children living as restavèk

The US-based non-profit organisation Restavek Freedom mentions that “restavek is a form of modern day child slavery in Haiti that arises out of Haiti’s challenging history affected by slavery, poverty, natural disasters, and many other problems and challenges.” In Creole the term means “to stay with” (Restavek Freedom, undated). In its September 2022 country report on the worst forms of child labour (covering the year 2021), the US Department of Labor (USDOL) provides the following overview on the restavèk system:

“A 2015 study found that there were approximately 286,000 child domestic workers younger than 15 years old in Haiti. Moreover, many of Haiti’s human trafficking cases involve children subjected to forced labor as domestic workers. These children, exploited in what is commonly referred to as the restavèk system, are often physically abused, sexually exploited, and uncompensated for their services. Human traffickers use church, sport, or family networks to locate children from poor families and traffic them to families who subject them to a form of indentured servitude. Many of these children flee and end up living on the streets, where they face the risk of being trafficked again. Some parents who are unable to care for their children send them to residential care centers or to relatives or strangers who are expected to provide the children with food, shelter, and schooling in exchange for household work. In practice, some of these children receive care and access to education, while many others become victims of labor exploitation and abuse.” (USDOL, 28 September 2022, section I)

In its March 2023 human rights report the USDOS adds:

“Observers, especially in rural areas, emphasized the prevalence and severity of the practice. Restavek children were significantly less likely to access education or find long-term employment as adults. Human rights representatives also emphasized restavek children were highly vulnerable to crime and trafficking in forced begging and commercial sex.” (USDOS, 20 March 2023, section 6)

An article by Jane Charles-Voltaire et al published in the spring 2023 issue of the Journal of Global South Studies provides an analysis of legislation regarding the restavèk system (see Charles-Voltaire / French / Vilsine Bernadel, spring 2023).

7 Situation of journalists

USDOS in its country report covering events of 2022 states that “the constitution provides for freedom of expression, including for members of the press and other media, and the government generally respected this right. Civil society observers, however, noted this right was not always upheld or respected” (USDOS, 20 March 2023, section 2a; Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012, Articles 28, 28.1). In February 2022, the UN Secretary-General notes that “the State continues to lack adequate measures to protect independent human rights defenders, journalists and other public voices who are subject to threats and intimidation” (UN Security Council, 15 February 2022, p. 8).

According to the USDOS, “journalists reported a deteriorating security climate and stated some journalists resorted to self-censorship to avoid being publicly targeted by political or gang leaders.” Some journalists reportedly “received threats related to their coverage of gang activities.” (USDOS, 20 March 2023, section 2a)

A January 2023 report by the UN Secretary-General covering October 2022 to January 2023 states that journalists were “highly exposed to acts of violence in the course of their work” (UN Security Council, 17 January 2023, p. 9). The Committee to Protect Journalists (CPJ) notes that in 2022 “journalists covering gang violence and the political crisis and civil unrest sparked by the assassination of President Jovenel Moïse in July 2021 have faced an alarming upsurge in violent attacks” (CPJ, 24 January 2023). The Guardian in a December 2022 article cites Natalie Southwick, the coordinator of the Committee to Protect Journalists’ Latin America & the Caribbean program. She notes that the “conditions for the press have deteriorated drastically over the last two years, to the point that it’s now one of the hemisphere’s deadliest countries for the media”. The same article cites Widlore Mérancourt, editor-in-chief of the Haitian independent news site AyiboPost. According to him, “now the gangs have taken control of much of the capital they are free to use violence to silence the media with no repercussions”. Regarding protection by police and police attitudes towards journalists, sources interviewed for the article mention the following:

“The police’s distrust for the media stems back to the dark days of Haiti’s dictatorship, said Mérancourt, but has grown this year as Port-Au-Prince’s streets became anarchic. Police officers see journalists interviewing gangs or protesters as evidence that they have sided with them, said Louis-Henri Mars, the director of the Haitian peace-building non-profit Lakou Lapè. ‘Some in the Haitian national police seem to accuse journalists of working for the gangs, as the journalists criticise how they repress the demonstrations,’ Lapè said. Police violence against journalists has become frequent as Henry’s government – with little military force or constitutional legitimacy – has lost control to the heavily armed gangs. ‘Not only are the police failing to do the bare minimum to keep journalists safe, but in fact police officers are frequently the source of violence against the press,’ Southwick said. Attacking journalists has become a ‘tragically common’ tactic under Henry to silence criticism and quell discontent, Mérancourt said. By cutting off press coverage, the police hope to cut off the oxygen to protests and clear people off the street.” (The Guardian, 12 December 2022).

According to an August 2022 report by the Inter-American Commission on Human Rights (IACHR), the hostile climate for the exercise of press freedom in Haiti is also said to be motivated by statements by public officials that discourage the work of independent journalists (IACHR, 30 August 2022, p. 81).

7.1 Attacks on journalists in 2022

CPJ notes that in the year 2022, “at least five journalists were killed in relation to the work, and CPJ is investigating the motive in two other deaths. In two of those cases, the journalists were killed by the police” (CPJ, 24 January 2023). As of November 2022, Reporters Without Borders (RSF) mentions that “no fewer than six journalists have been killed and many others attacked since the start of the year” (RSF, 3 November 2022). In December 2022 the president of the Haitian Online Media Association is quoted by The Guardian as stating that at least eight journalists “have either been killed or gone missing in 2022 while reporting on the country’s dire sociopolitical crisis” (The Guardian, 12 December 2022). In November 2022, the Inter American Press Association reports that “an eighth journalist has been killed in Haiti this year” (AP, 9 November 2022).

On 6 January (UN Security Council, 13 June 2022, p. 9) or 7 January 2022, two journalists were killed by alleged gang members (RSF, 3 November 2022) in Laboule 12 neighbourhood of Port-au-Prince (TNH, 14 February 2022b; AyiboPost, 12 October 2022), when they reported on violence in the area, which is fought over by rival gangs. The bodies of the victims were burnt after being shot (The Guardian, 12 December 2022). Referring probably to the same incident, HRW reports that two journalists were killed by gangs while investigating the case of a murdered police inspector. A third journalist survived (HRW, 12 January 2023).

Also in January 2022, unidentified persons allegedly fired several shots and threw molotov cocktails at the offices of Radio Télé Zénith in Port-au-Prince. Windows, equipment and furniture were damaged, but no persons were injured (IACHR, 30 August 2022, p. 80). Radio Télé Zénith and the Association of Haitian Journalists (AJH) believed “gang members perpetrated the attack because of the outlet’s gang-related coverage and previous social media threats from gang members.” Two months earlier gang members reportedly threatened to set fire to Radio Télé Zenith. The station “repeatedly filed complaints with authorities, including the judicial police, about the threats, but there had been no response or action” (CPJ, 3 February 2022).

On 23 February 2022, “police deployed tear gas and opened fire on demonstrators” in Port-au-Prince. One journalist covering the events was killed and two other journalists wounded (ACLED, 3 March 2022; see also ITUC, 12 September 2022, p. 3; HRW, 12 January 2023; UN Security Council, 13 June 2022, p. 9).

On 11 September 2022, two reporters were killed in Cité Soleil, a poor district of Port-au-Prince, “after going there with five other journalists to cover the high level of violence in this district and, in particular, the previous day’s murder of a 17-year-old girl”. Reportedly the bodies of the victims were burned after the attack (RSF, 15 September 2022; see also HRW, 12 January 2023).

According to the UN Secretary-General, three journalists were injured, when police tried to disperse crowds following protests in September 2022 (UN Security Council, 13 October 2022, p. 9).

On 24 October 2022, “authorities in the southern Haitian city of Les Cayes found the body of radio commentator Garry Tess, who had been missing since October 18” (CPJ, 26 October 2022). The victim reportedly had received threats after criticising local and central authorities (ACLEDE, 3 November 2022). The body of Tess did bear marks of violence (RSF, 3 November 2022).

On 25 October 2022, another journalist was shot and injured in Port-au-Prince. The journalist was ambushed by gunmen, who “riddled his car with bullets but failed to kill” him (RSF, 3 November 2022).

In another case police beat and arrested a journalist covering violent demonstrations in Port-au-Prince on 30 October 2022. Police used tear gas and live ammunition in a protest following the arrest and reportedly killed a journalist (ACLEDE, 10 November 2022). The victim, a radio reporter, was hit by a teargas grenade, as he demonstrated with colleagues outside a police station demanding the release of the previously arrested journalist (RSF, 3 November 2022). CPJ mentions that “at least five other journalists were injured during the police response to the protest, and police confiscated equipment from several journalists” (CPJ, 11 November 2022). Furthermore, journalists’ equipment was reportedly destroyed (ACLEDE 10 November 2022).

The UN Secretary-General notes that between 25 and 30 October 2022, police operations resulted in the killing of three journalists and the wounding of three others. The incidents mainly occurred in Port-au-Prince and the South Department (UN Security Council, 17 January 2023, p. 9).

On 5 November 2022, Fritz Dorilas, a journalist of Radio Télé Megastar, was killed in Tabarre area of Port-au-Prince (AP, 9 November 2022). Local sources mentioned that the journalist was killed during clashes between rival gangs, however, others noted that “gang members forced the journalist out of his house and killed him in a direct attack” (ACLEDE, 16 November 2022).

There has been no progress in the investigations of the 2022 killings of journalists (HRW, 12 January 2023).

8 Situation of religious minorities, including Vodou practitioners

The constitution provides for the free exercise of all religions (Constitution of the Republic of Haiti 1987, as amended on 9 May 2011, 19 June 2012, Article 30). As noted in [section 1.2.2](#), 35 percent of the population were Catholics and 52 percent other Christians (Protestant, Episcopalian, Methodist, Seventh-day Adventist, or Jehovah's Witness). 2 percent of the Haitian population identified as Vodouists and 11 percent did not state a religious preference in the most recent available government survey (USDOS, 2 June 2022, section I; see also IHE, July 2018, p. 46). According to the president of the National Council for Haitian Muslims, there were approximately 6,000 adherents of the Sunni, Shia, and Ahmadiyya branches of Islam. The Jewish community consisted of about 20 individuals (USDOS, 2 June 2022, section I). To be officially recognised, religious groups must obtain recognition "through a multistep registration process with the Bureau of Worship (BOW), a unit within the Ministry of Foreign Affairs (MFA)" (USDOS, 2 June 2022, executive summary).

8.1 Vodou

Vodou was recognised as religion on a par with others in 2003 (BBC, 30 April 2003). While some sources indicate about 2 percent of the population as Vodouists (USDOS, 2 June 2022, section I; CIA, updated 3 April 2023), MRG notes in 2020 that Vodou "is practised by a majority of the population" but that "most of the population prefers to conceal their simultaneous adherence to this faith" due to fear of stereotyping and ridicule, and the historical rejection of their religion by formal churches (MRG, updated May 2020). Similarly, the online encyclopaedia Britannica states that most of Haitian Roman Catholics also practised Vodou, while most of the Protestant Christians considered it incompatible with their faith (Encyclopaedia Britannica, updated 27 March 2023, People). In its 2018 report on religious freedom, USDOS notes that "according to societal leaders, an estimated 50 to 80 percent of the population practices some form of Vodou, often blended with elements of other religions, usually Christianity" (USDOS, 29 May 2018, section I).

Regarding registration, a Vodou leader stated that "Vodou clergy faced structural barriers to BOW registration because no degree-granting institution existed for Vodouists, and to create one would be contrary to their initiation rituals." Vodou adherents claimed that "prejudice against them still lingered and often made Vodouists fearful to practice openly." The government did not discriminate against Vodouists directly, however, according to Vodou leaders, "the government could do more to combat ongoing societal discrimination by encouraging acceptance of Vodouists" and provide them with financial support (USDOS, 2 June 2022, section II).

In February 2022, Freedom House notes the following:

"[...] the traditionally dominant Roman Catholic and Protestant churches and schools receive certain privileges from the state, while Vodou religious leaders have experienced social stigmatization and violence for their beliefs and practices." (Freedom House, 24 February 2022, D2)

Vodou leaders reportedly expressed concern about existing societal stigmatisation of their faith, in particular from some Protestant pastors. In its June 2022 report on religious freedom, the USDOS notes:

“Vodou leaders cited historical injustices and stated that there was still stigmatization against their religion. They said that some individuals in the Protestant community constituted a considerable concern to them and possibly a threat to their religious freedom. One Vodou leader said, ‘Some Protestant pastors preach that Vodou is an evil superstition, and they could ask their followers to attack us if we decide to organize marches. Our students who attend Protestant schools are forced to deny their identity.’ Another Vodou leader said, ‘In the past, stigmatization was mostly from the Catholics, who led campaigns against us, but now it mostly comes from Protestant pastors.’” (USDOS, 2 June 2022, section III).

Similarly, the Bertelsmann Stiftung notes that “there have been incidents in the past where members of the fundamentalist Protestant sects have persecuted members of the Vodou religion by preaching against them or burning down their sanctuaries” (Bertelsmann Stiftung, 23 February 2022, p. 8).

According to Kyrah Malika Daniels, assistant professor of Afro-American studies at the US-based Emory University, cited in April 2023 by German newspaper Rheinische Post (RP), Vodou followers are demonised and persecuted in Haiti. Haitian Protestants in particular feel threatened by them. After the earthquake of 2010, Vodou followers who chanted to the spirits for help were reportedly accused of having caused the quake. After the earthquake in the south of the country in 2021, people were again quick to blame Vodou (RP, 5 April 2023).

A November 2021 article by Benjamin Hebblethwaite, an associate professor at the University of Florida, however, also mentions the utilisation of the Vodou faith by gang leaders to justify violence. The article also provides further background information on Haitian Vodou (see Hebblethwaite, 10 November 2021).

8.2 Muslims

In February 2022, Freedom House notes that “the government has denied registration to the country’s small Muslim communities” (Freedom House, 24 February 2022, D2). However, in May 2021, “the BOW granted an operating license to the Ahmadiyya Muslim community, the smallest of the three Muslim communities in the country and the first to receive official status”. As of December 2021, the Sunni and Shia Muslim groups remained unregistered, as they had not completed the registration procedures (USDOS, 2 June 2022, section II).

The president of the National Council for Haitian Muslims said that Muslims were not stigmatised in Haiti and well respected. The president added that “all Haitians are at risk of violence, not Muslims in particular” (USDOS, 2 June 2022, section III).

8.3 Violence against religious groups

Religious leaders noted that rising general insecurity was the main impact on religious freedom. During 2021, gangs consistently targeted religious leaders and congregants. In its June 2022 report, the USDOS further describes:

“Media reported gangs targeted and killed several religious leaders during the year. Gang members killed Catholic priest Andre Sylvestre on September 8, after he completed a transaction at a bank in Cap Haitien. 400 Mawozo gang members killed prominent sculptor and houngan (male Vodou priest) Anderson Belony on October 12 during an attack on the artisanal village of Noailles in Croix-des-Bouquets. The gang also vandalized artists’ studios, as well as Vodou shrines and sacred works. On September 26, unknown gunmen killed Baptist deacon Sylner Lafaille while he was entering his church in Morne A Tuff for Sunday morning services. They kidnapped his wife Marie Marthe Laurent Lafaille during the incident and subsequently released her on October 1, after receiving a ransom for an undisclosed amount. On November 11, unknown bandits in Croix-des-Bouquets believed to be 400 Mawozo gang members attempted to kill Baptist Pastor Stanis Stifinson in an attack that killed his young daughter. Pastor Stifinson and his young son escaped the attack and survived bullet wounds.” (USDOS, 2 June 2022, section III)

According to religious leaders, however, “religious communities were targeted not because of their religion, but rather because gangs believed religious organizations had access to money”. In this regard, a Vodou leader said that “Vodouists were less likely to be kidnapped due to the perception that Vodouists were poor, while many believed Protestant churches had rich foreign donors.” Kidnappings of religious leaders and congregants for ransoms were reported during the year, while “police had not opened cases or made arrests in any of the crimes” (USDOS, 2 June 2022, section III).

Sources reported examples of attacks against religious individuals or institutions, particularly involving the catholic denomination. In March 2023, a catholic priest was freed, two weeks after he had been abducted outside Croix-des-Bouquets (ICN, 24 March 2023). In February 2023, a catholic vicar at the St. Michael the Archangel Parish in Kazal, located north of Port-au-Prince, had reportedly been kidnapped. A ransom was demanded for his release (The Tablet, 9 February 2023), however, the priest managed to escape (ICN, 24 March 2023). Also in February 2023, Brazilian Catholic nuns were attacked in Port-au-Prince (La Croix International, 13 February 2023). In June 2022, an Italian missionary was shot during a robbery attempt in Port-au-Prince (ICN, 27 June 2022). The Swiss catholic media centre Cath.ch also mentions the killing of the Italian missionary, and cites a Franciscan missionary, working in Waf Jérémie slum of Port-au-Prince. According to her, in July 2022, fire was set to the cathedral in Port-au-Prince, and in September 2022 a mission chapel was set on fire. In other parts of Haiti, such as Port-de-Paix and Les Cayes, gangs reportedly attacked Caritas buildings, took humanitarian aid and destroyed offices (Cath.ch, 17 October 2022).

9 Situation of LGBTQI+ persons

Concerning the use of the term LGBTQI+ in the Haitian context, an article published by the LGBTQI+ group Kouraj notes that the acronym “does not correspond to the Haitian reality”. The organisation instead speaks of the “M Community (Masisi, Madivin, Makomer, Mix)”. Kouraj provides the following definitions. Masisi describes “a person of the masculine sex who socially and/or sexually plays ‘the feminine role.’” A Madivin “is a person of the feminine sex who has homosexual relations”, while the term Makomer describes “a person of the masculine sex who has a radically feminine identity”. A Mix person, finally, is “a person who has homosexual and heterosexual practices” (Kouraj, undated; see also Never Apart, 6 November 2020).

9.1 Legal situation

In its most recent legislation overview on LGBTQI+ rights, published in December 2020, ILGA notes that “when Haiti became independent from France in 1804, no law criminalising consensual same-sex sexual acts was introduced, and no such law has been introduced into the Penal Code since” (ILGA, December 2020, p. 96). According to the USDOS country report covering 2022, “no laws criminalize consensual same-sex sexual conduct between adults” (USDOS, 20 March 2023, section 6). Similarly, HRC notes that the law did “not discriminate against lesbian, gay, bisexual, transgender or intersex Persons” (HRC, 30 March 2022, p. 8). There is no recognition for same-sex marriage, civil unions, joint adoption or second partner adoption (ILGA, December 2020, p. 326).

Sources mention a decree published on 16 June 2020 in *Le Moniteur*, the official government gazette. The decree allowed transgender persons to change their gender on identification documents (Haitian Times, 19 June 2020a; Tripotay Lakay, probably 18 June 2020). According to the USDOS, reportedly, transgender persons were able “to change their gender and names on identification documents”, however, the change required a modified birth certificate. The process to modify a birth certificate - in order to change gender and name on identification documents - was “lengthy and expensive”, and civil servants reportedly “often refused to issue modified birth certificates or passports to transgender persons, and there was little enforcement to verify they did so”. Some persons reportedly met resistance “at government agencies when they attempted to obtain forms of identification” (USDOS, 20 March 2023, section 6). An article published by UNDP in March 2022, however, notes that trans women could not change their identity documents to make their gender change official (UNDP, 11 April 2022).

Haitian law does “not currently protect LGBTQI+ people” (HRW, 12 January 2023). Similarly, USDOS states that “there are no laws to protect LGBTQI+ persons from discrimination based on sexual orientation or gender identity” (USDOS, 12 April 2022, section 6).

The entry into force of a new Penal Code (see Penal Code of the Republic of Haiti, adopted on 11 March 2020) was postponed from June 2022 to June 2024 to allow a government commission to organise its implementation. According to HRW, “the pending penal code provides some protections based on sexual orientation by, for example, imposing higher penalties for crimes motivated by a victim’s real or perceived sexual orientation” (HRW, 12 January 2023). Further protections offered by the pending Penal Code include “making

LGBTQI+ persons a protected group and imposing penalties for public agents, persons, and institutions who refuse services on the grounds of someone's sexual orientation" (USDOS, 12 April 2022, section 6).

HRW notes that the Haitian Senate passed two anti-LGBTQI+ bills in 2017. One bill bans "same-sex marriage and public support or advocacy for LGBT rights", and the second one establishes homosexuality as "one of the possible reasons for denial of a Certificat de Bonne Vie et Mœurs (a certificate of good standing required as proof that a person has not committed a felony)" (HRW, 13 January 2022). ILGA also mentions a bill introduced in Senate in 2017, to ban "any public demonstration of support for homosexuality and proselytizing in favour of such acts" (ILGA, December 2020, p. 150). LGBTQI+ activists initially feared "a draconian attack on free speech", if signed into law (Pink News, 3 August 2017). As of January 2022, the bills remained pending in the Haitian Chamber of Deputies (HRW, 13 January 2022). The January 2023 report by HRW does not contain information regarding the current status of the mentioned bills (HRW, 12 January 2023). Outright International notes that although the Chamber of Deputies did not vote on these bills, they "are indicative of widespread political antipathy towards LGBTIQ people" (Outright International, probably October 2022). The USDOS mentions that in 2021, some politicians and social leaders "actively opposed the social integration of LGBTQI+ persons or any discussion of their rights" (USDOS, 12 April 2022, section 6).

Outright International notes that in recent years LGBTIQ+ organisations have grown in visibility, and are advocating for greater social protections and decriminalisation, but "ongoing political instability remains a challenge" (Outright International, probably October 2022).

9.2 Treatment of LGBTQI+ persons by security forces

Outright International mentions that LGBTQI+ persons face "harassment, discrimination, violence, and social stigmatization at the hands of authorities and private citizens" (Outright International, probably October 2022). According to the USDOS, police reportedly condoned violence against LGBTQI+ persons and "police and judicial authorities were inconsistent in their willingness to document or investigate LGBTQI+ persons' claims of abuse." LGBTQI+ groups in Port-au-Prince reportedly trusted government authorities less than did groups in rural areas (USDOS, 12 April 2022, section 6).

According to an older report, "persecution of LGBT+ people by police authorities has steadily increased over the years" (RHRN, 12 June 2020, p. 9). An undated report mentions that LGBTQI+ persons are "frequently harassed by the police and arbitrarily arrested under baseless charges such as public indecency or corruption of minors" (CGRS, undated).

In November 2021, LGBTQI+ organisations demanded justice for Charlot Jeudy (Haiti Standard, 25 November 2021). He was the head of the LGBTQI+ group Kouraj (USDOS, 30 March 2021, section 6) and murdered in November 2019. The organisations demanded the conclusion of the investigation initiated by the police and criticised the "tradition" to continue with investigations without completing them (Haiti Standard, 25 November 2021). In 2020 police declined to investigate an attack against a transgender woman, although part of the attack was reportedly recorded (USDOS, 30 March 2021, section 6).

9.3 Treatment of LGBTQI+ persons by society

The information on the situation of LGBTQI+ persons found during the research process often does not differentiate between different members of the LGBTQI+ community.

Regarding the situation of specifically transgender persons, however, UNDP in April 2022 noted the following in an article describing the situation of three young transgender Haitians:

“Many Haitian transgender persons face violence from health care providers, who misunderstand the LGBT community’s reality and often suggest trans people to pray for a cure. Such discrimination from medical institutions leaves them in an even more vulnerable position. Likewise, gender reassignment surgery does not exist in Haiti, making it impossible for youth like Dave, Catalina or Semi to have a body that matches their gender identity. Yet, the most critical vulnerability comes from earthquakes and natural disasters. After the 2010 earthquake that struck the Caribbean nation, some local Christian leaders openly blamed the LGBT community for the hundreds of thousands of deaths, claiming the disaster was triggered by their sinful behavior. This resulted in a peak of violence against transgender people, reinforcing stigmatisation and harassment in the streets.” (UNDP, 11 April 2022)

The article further notes that the three transgender youth “survived bullying, isolation and sometimes even family rejection from a young age” (UNDP, 11 April 2022). According to a study² on “patterns of sexual and HIV-related stigma among men who have sex with men and women living with HIV in Haiti”, published in May 2022, family plays an important role in Haiti. Most of the 32 study participants noted that family attitudes are “marked by great hostility and violence”, and these attitudes prevented the “disclosure of sexual orientation to family and parents.” According to the study, many participants experienced psychosocial issues, such as early experiences of abuse and family rejection (Dévieux et al, 7 May 2022). An October 2020 article by Haitian Times similarly mentions the strong role of family pressure. According to the article, sometimes “families force their LGBTIQ family members out of the home because of their sexual orientation and/or gender identity. The pressure to conform in Haiti is severe, and makes it challenging for LGBTIQ people to speak out for change” (Haitian Times, 6 October 2020).

Regarding the situation of LGBTQI+ persons in general, an October 2022 report by BINUH and the Office of the United Nations High Commissioner for Human Rights (OHCHR) notes that LGBTQI+ persons are “traditionally marginalized and rejected within the Haitian society” (BINUH / OHCHR, 14 October 2022, p. 20). According to a Haitian Times article dated February 2023, “Haitians who identify as LGBTQ+, or even suspected, face high levels of discrimination and attacks” (Haitian Times, 16 February 2023). LGBTQI+ people face “harassment, discrimination, violence, and social stigmatization” by private citizens (Outright International, probably October 2022). LGBTQI+ persons “face profound prejudice.” Their life chances are

² 32 individuals participated in the study. Participants had a median age of 31 and were men who reported sexual behavior with both men and women, and were living with HIV. (Dévieux et al, 7 May 2022)

undermined by discrimination, affecting education and employment opportunities and their access to health care (UNAIDS, 16 August 2022). According to a June 2022 essay by Anais Bailly, a trauma-responsive social worker, “traditionally, being a gay man living in Haiti meant you remained closeted”, and “Haitian women who identified as lesbian were publicly shunned.” Lesbian women still are often vilified (Haitian Times, 30 June 2022). In an interview published in January 2023 by Erasing 76 Crimes, the coordinator of Gran Lakou Folklorik, a social and cultural organization in the city of Jacmel, mentions that the LGBTQI+ community faces “homophobia in families, hospitals, schools or within some churches” (Erasing 76 Crimes, 4 January 2023). In another interview published in January 2023 by Erasing 76 Crimes, LGBTQI+ activist Jean-Mardy Ketler mentioned that “prejudices and negative stereotypes against LGBTI people are decreasing in Les Cayes, a sign that the long-term work of awareness-raising is paying off” (Erasing 76 Crimes, 8 January 2023).

Equality Index provides data from two older surveys³ regarding LGBTQI+ rights in Haiti. Regarding public opinion in support for same-sex marriage, 95.1 percent of the respondents disapproved, regarding acceptance of gay people in public office, 90 percent disapproved, and regarding the perceived acceptance of gay people, 69 percent of the respondents said Haiti is “not a good place” for them (Equality Index, undated).

According to an article published in *Le Nouvelliste* in November 2022, many Haitians, mostly from the working class and the religious sector, strongly condemn homosexual practices. Homosexual persons fear, among other things, the stigmatisation and discrimination that occur on a daily basis. The article, however, notes that it is not taboo to talk about sexual diversity throughout Haiti. Television and radio hosts invite homosexual persons to communicate their experience and the way they live out their sexual orientation. However, homosexual persons have no recourse when they become victims of violent acts, whether verbal or physical. Overall, the article by *Le Nouvelliste* focuses on homosexuality and Vodou, noting that in Haitian Vodou homosexual practice is more accepted than elsewhere in society (*Le Nouvelliste*, 8 November 2022).

The USDOS provides the following overview on public attitudes regarding LGBTQI+ persons:

“A 2017 study of public opinions on stigma and discrimination towards vulnerable groups showed that 71 percent of the individuals surveyed said ‘hate’ was the most appropriate term to express their attitude toward LGBTQI+ persons, and 90 percent of the adult populations rejected the idea of equal rights for sexual minorities.

Local attitudes, particularly in Port-au-Prince, remained hostile toward LGBTQI+ persons who were public and visible about their sexual orientation or gender identity. Some politicians, social leaders, and organizations actively opposed the social integration of LGBTQI+ persons or any discussion of their rights.” (USDOS, 12 April 2022, section 6)

³ The source cites data from the AmericasBarometer, 2016-2017 and Gallup, 2013 (see also Vanderbilt University, undated and Gallup, 27 August 2014).

According to the February 2023 Haitian Times article, rejection by the church further perpetuated stigma in recent years (Haitian Times, 16 February 2023). Norms around gender and sexuality are influenced by the Catholic and Protestant churches, who are playing a strong cultural role. Religious leaders “publicly disparage LGBTIQ identities as immoral” (Outright International, probably October 2022).

According to an older October 2020 Haitian Times article, former President Jovenel Moïse pledged a constitutional and legislative reform when he took office in January 2020, bringing forward some decrees, which were opposed by the church and religious organisations. Regarding the effects on the LGBTIQ+ community, the article further noted:

“LGBTIQ people have become a particular target in the campaigns against the decrees. Religious organizations have drummed up hate that the proposed changes would lead to same-sex marriage, ‘recruitment’ of children, and a general degradation of society. While the decrees foresee nothing of the sort, most people don’t read the actual texts and rely on the interpretations of their religious leaders. The consequent outrage has come at a further cost to the already hated LGBTIQ community. Physical attacks, threats and confrontations have grown exponentially in recent months.

The proposed decrees provided a glimmer of hope for change, but have ended up placing LGBTIQ people between a rock and a hard place. They cannot speak out in favor of the proposed decrees which could bring in some legal protection without seeming to also support bestiality and incest – something religious leaders are already using to drum up more hate against the LGBTIQ community – and exposing themselves to further violence. While remaining silent means accepting the harsh reality they live in already.” (Haitian Times, 6 October 2020)

According to HRW, LGBTIQ+ persons “are particularly exposed to violence” (HRW, 12 January 2023). In an interview published by Erasing 76 Crimes, LGBTIQ+ activist Jean-Mardy Ketler mentioned the case of a 17-year-old domestic worker who was beaten up in May 2022 because of his sexual orientation and gender identity. An interviewed transgender woman mentioned another incident which occurred on 17 May 2022, the International Day Against Homophobia, Biphobia and Transphobia. Four trans people, including herself, were chased by a group of four people and injured. The transgender woman filed a complaint, but according to her “the aggressors fled without being bothered by police” (Erasing 76 Crimes, 8 January 2023).

According to the UN Secretary-General, LGBTIQ+ persons, amongst others, “are particularly exposed to sexual violence, including rape and sexual slavery”. Between January and March 2022, on average 98 persons were victims of sexual violence per month. Most incidents occurred in gang-controlled areas of Port-au-Prince, such as Croix-des-Bouquets, Bel-Air, La Saline and Cité Soleil (UN Security Council, 13 June 2022, p. 8).

In their report published in October 2022, BINUH and OHCHR note that Haitian gangs use sexual violence as strategy and LGBTIQ+ persons have also been particularly targeted for their actual or perceived sexual orientation or gender identity” (BINUH / OHCHR, 14 October 2022, p. 20). According to the report, “dozens of cases of LGBTIQ+ men and women who had been sexually attacked by gang members between January and June 2022” were documented by the

investigation team deployed in April and May 2022 in Port-au-Prince. The report also notes the following:

“While sexual violence affecting LGBTI+ persons is largely underreported due to stigma, the investigation showed that they are often targeted by gang members during armed confrontations. Some victims detailed how they were singled out on account of their actual or perceived sexual orientation and gender identity by gang elements. LGBTI+ female victims also recounted to the team that gang members had subjected them to ‘corrective rapes’ in order to ‘cure’ their ‘homosexuality’.” (BINUH / OHCHR, 14 October 2022, p. 11)

According to the same source, LGBTQI+ survivors of sexual violence noted “discriminatory attitudes by medical providers who, in some cases, questioned whether the sexual assault had not been consensual” (BINUH / OHCHR, 14 October 2022, p. 17).

10 Business people and other people of (perceived) means

In his October 2022 report covering the period June to October 2022, the UN Secretary General states with regard to the high number of abductions that “physicians and entrepreneurs were increasingly targeted for their higher-paying ransom potential” (UN Security Council, 13 October 2022, p. 4). In a July 2022 interview with the German newspaper Frankfurter Rundschau (FR), Richard Widmaier, the director of the Haitian news channel Métropole, explains that there were about 200 abductions taking place each month and that the main target group were members of the country’s middle class such as physicians, teachers, lawyers and business people. However, also small business owners such as hairdressers were targeted, and ransom demands would usually amount to USD 50,000 or more, causing an increasing number of people to leave the country for the USA or the neighbouring Dominican Republic (FR, 28 July 2022). Similarly, in a report on abductions in the first three months of 2022, the Haitian Centre for Analysis and Research of Human Rights (Centre d’analyse et de recherche en droits de l’homme, CARDH) notes that among the primary targets were physicians, lawyers and teachers, public administration officials, students, police officers, small traders and retailers (CARDH, 30 March 2022, pp. 3-4).

USDOS in a report on religious freedom in Haiti in 2021 points at an increasing number of members of religious groups being targeted by gangs due to their perceived (access to) wealth:

“Religious leaders stated that the rising level of violence against them and their communities was a new phenomenon, resulting in numerous victims and significant challenges for the continuation of religious services. Religious leaders said religious communities were targeted not because of their religion, but rather because gangs believed religious organizations had access to money. Despite saying that they lived in constant fear, religious leaders stated that the cause was general insecurity, not any particular animosity towards them as religious leaders. One Vodou leader stated that Vodouists were less likely to be kidnapped due to the perception that Vodouists were poor, while many believed Protestant churches had rich foreign donors.” (USDOS, 2 June 2022, section III)

Several reports point to the fact that many business owners were subject not only to kidnappings, but also to extortions (Freedom House, 24 February 2022, G2; Bertelsmann Stiftung, 23 February 2022, p. 31; see also [section 3.3.2](#) above) and that “the entire ownership class owners” paid “bribes to gangs, police, and other established elites who act as gatekeepers, in order to do business” (Cotton / Hammel / Nofoory, 15 January 2023, p. 5). GI-TOC notes that the gangs’ control over certain neighbourhoods allows them to provide “electoral services” to the political figures with whom they cooperate. Such services include “fundraising”, that is, providing candidates with funds for their electoral campaign by extorting businessmen and other public figures in the territories they control (GI-TOC, October 2022b, p. 10).

Small business owners are not exempted from being targeted by gangs: In an article of May 2022, the Thomas Reuters Foundation quotes a street vendor who had to flee her neighbourhood after gangs had demanded a share of her earnings:

“The downtown area has been converted into a kind of war zone. Heavily armed gunmen regularly take to the streets and innocent people are being killed or kidnapped every day,’ said street vendor Jeannette Brutus, 38. ‘The situation is unbearable.’ Until recently, Brutus sold spaghetti, cooking oil, canned sardines and flour, along with second-hand clothes. But when the armed gang members came several weeks ago asking Brutus to hand over a slice of her earnings, she left the area, and with it her only source of income. ‘I had to flee the place. The gunmen would often come to ask me for money. Usually they’d force me at gunpoint to pay what I didn’t even have. I risked death every day, so I decided to stay away,’ Brutus said. She said she knew of several people who had been killed by gangsters for refusing to make extortion payments.” (Thomson Reuters Foundation, 13 May 2022)

A spokesperson of the HNP was quoted saying that the police was aware of business people fleeing the areas because of the gangs, but was not able to “provide them with any full guarantee when it comes to their safety” in case they wanted to return and reopen their businesses (Thomson Reuters Foundation, 13 May 2022).

In a May 2022 report, RNDDH describes how in the territory controlled by the Chen Mechan gang anyone wishing to open a business has to turn to the gang leader who will inform them about the sum they have to pay for the permission to do business. Moreover, all companies operating in the area have to make regular payments to the gang, depending on the size of the business and the revenue, the number of trips a bus is making or the type of goods a freight truck is transporting (RNDDH, 10 May 2022, p. 6). In a February 2022 Protection Analysis Update on gang-controlled areas in Port-au-Prince, a similar situation is described with regard to La Saline neighbourhood:

“Additionally, merchants continued to be illegally levied by gangs in order to have access to local marketplaces and sell their goods. The market of Croix des Bossale, located in La Saline area, is a case in point. Not only extortion and levies affect authority revenues and prevent business from building up, but they also fuel inflation, affect the purchasing power of households living in these areas and contribute to food insecurity. [...] Further, gang elements have reportedly infiltrated the local economy by compelling local businesses, such as petrol stations, to place their elements on their payroll. These elements then play the role of informants to identify potential targets.” (Global Protection Cluster, February 2022, p. 10)

In some cases, however, even paying gangs does not offer protection, as one business man is quoted in an article by AP, whose warehouse was looted despite having “complied with the rules” (AP, 27 October 2021).

11 Trafficking in persons

The Bertelsmann Stiftung's Transformation Index (BTI) 2022 country report (covering the period from 1 February 2019 to 31 January 2021) notes that trafficking of persons was widespread in Haiti and remained an endemic problem (Bertelsmann Stiftung, 23 February 2022, pp. 15; 38). The USDOS states that sex trafficking "takes place at the Haiti-Dominican Republic border as Haitians, especially women and girls, seeking job opportunities are instead exploited in commercial sex in the Dominican Republic or for sex tourism." Further profiles targeted by traffickers include particularly female foreign nationals - especially citizens of the Dominican Republic and Venezuela, children in residential care centres, children working in different sectors, IDPs, stateless persons, Haitian migrants, and LGBTQI+ youth (USDOS, 29 July 2022).

11.1 The anti-trafficking law and its implementation

The 2014 anti-trafficking law (loi sur la lutte contre la traite des personnes) contains a definition⁴ of the term trafficking in persons, which includes the recruitment, transportation, harboring or receipt of persons by forms of coercion for the purpose of exploitation. Regarding children, the recruitment, transportation, harboring or receipt for the purpose of exploitation is considered trafficking, even without resorting to threats, force or other forms of (Loi No CL/2014-0010, 2 June 2014, Article 1.1.1).

Between seven to fifteen years of imprisonment and a fine from HTG 200,000 to 1,500,000 (approximately USD 1,283 to 9,625) are prescribed for persons found guilty of trafficking in persons (Loi No CL/2014-0010, 2 June 2014, Article 11). When the victim is a child, the offense is punishable with life imprisonment (Loi No CL/2014-0010, 2 June 2014, Article 21).

According to the USDOS the penalties "were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape" (USDOS, 29 July 2022).

The National Committee for the Fight Against Trafficking in Persons (CNLTP) is tasked with coordinating actions against human trafficking. It also provides protection and rehabilitation services to victims. CNLTP is chaired by the Institute of Social Welfare and Research (IBESR) and includes representatives from ministries and the Brigade for the Protection of Minors (BPM). IBESR is a part of the Ministry of Social Affairs and Labor (MAST). BPM is part of the Haitian National Police and tasked with investigating child labour cases, including child trafficking cases (USDOL, 29 September 2021).

According to the USDOS, "the government supported an NGO's study on the implementation of the 2014 anti-trafficking law that observers noted was the most comprehensive assessment

⁴ Trafficking in persons is defined as the recruitment, transportation, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, by kidnapping, by fraud, by deception, by abuse of power or of a position of vulnerability, or by by giving and receiving payments or benefits to obtain the consent of a person having control over another person, for the purpose of exploitation (Loi No CL/2014-0010, 2 June 2014, Article 1.1.1).

undertaken to date” (USDOS, 29 July 2022). Sources note that the Fondation Je Klere (FJKL), with support by Beyond Borders, in February 2022, officially presented a report on the implementation of the 2014 trafficking law (RHI, 1 February 2022; Trip Foumi, 2 February 2022).

According to the report, the civil courts for Port-au-Prince and Croix-des-Bouquets (Tribunaux civils de Port-au-Prince et de la Croix-des-Bouquets) did not issue any convictions for trafficking in persons from 2014 to 2021. Out of a total of 759 complaints filed between 2016 and 2018, no complaints for acts of trafficking in persons were registered by the complaints department of the Prosecutor's Office of Port-au-Prince. There were two cases of convictions for domestic child abuse by the civil court of Croix-des-Bouquets. (FJKL / Beyond Borders, October 2021, p. 8).

Two cases of sexual exploitation of girls were brought before the Kenscoff Peace Court, eight complaints were recorded at the City Center Peace Court of Croix-des-Bouquets. These included five complaints regarding domestic servitude, two cases of forced labour and one case of sexual assault of a minor girl (FJKL / Beyond Borders, October 2021, pp. 8-9).

BPM recorded 778 cases of complaints between 2015 and 2020, of which only 25 were subject to judicial follow-up. 78 percent of these victims were underage girls and 21.8 percent boys. According to FJKL, out of the 778 registered cases, only four resulted in convictions (FJKL / Beyond Borders, October 2021, p. 9).

In July 2022, the USDOS notes that the government did not report statistics apart from cases involving children for the period April 2021 to March 2022. The BPM reportedly investigated 466 cases of crimes against children, however, no data regarding the number of cases involving possible child trafficking crimes was provided (USDOS, 29 July 2022).

Between April 2021 to March 2022, no new prosecutions were initiated and 13 cases from prior reporting periods were continued. 24 traffickers were prosecuted for crimes related to forced child labour, however, the status of those cases was not reported. No convictions of traffickers were reported by the government (two were convicted in the previous reporting period, none in 2019 and one in 2018) (USDOS, 29 July 2022).

Regarding arrests in trafficking cases the USDOS notes the following:

“The government did not report arresting any suspected traffickers in 2021. An NGO reported the government arrested one individual after an NGO’s identification of a victim following the government’s training of NGOs on the new SOPs [standard operating procedures]. The Haitian National Police (HNP) border patrol unit (POLIFRONT) and authorities with the CNLTP reported the arrest of six alleged traffickers during the previous reporting period and 51 individuals arrested in 35 trafficking cases in 2019.” (USDOS, 29 July 2022)

In its January 2022 national report submitted to the UN Human Rights Council, the government of Haiti notes the following:

“Investigations into trafficking in persons yielded the following results:

(a) The conviction of a former mayor of Ouanaminthe for domestic abuse and sexual assault;

(b) The conviction, on 20 March 2019, of an individual who was sentenced to 15 years’ imprisonment for trafficking children.” (Government of Haiti, 4 January 2022, p. 13)

The government further notes that other trafficking cases remained pending before the courts of Port-au-Prince and Jacmel (Government of Haiti, 4 January 2022, p. 13).

11.2 Involvement of gangs

According to the director of the human rights advocacy group Défenseurs plus, cited in a July 2022 query response by the Canadian IRB, “gangs are involved in a wide range of criminal activities”, including human trafficking (IRB, 18 July 2022).

According to an article by César Niño, an associate professor and researcher in international relations at the Universidad de la Salle (Colombia), gangs made alliances with the police and security sector during the Moïse regime, enabling human trafficking with minimised consequences. The gangs “leverage food distribution by orchestrating sex trafficking networks in which women and girls receive food in exchange for sexual favors and forced labor” (Niño, 8 February 2023).

In October 2022 the Groupe d’Appui aux Rapatriés et Réfugiés (GARR) notes that between May and September, GARR identified 800 unaccompanied girls among those returned from the Dominican Republic at the border. These girls were at the mercy of “mafia networks”, and subject to trafficking and sexual abuse (GARR, 14 October 2022; St Kitts Nevis Observer, 25 October 2022).

Violence by gangs also impeded investigations regarding trafficking crimes. In 2020, the CNLTP had established anti-trafficking task forces in all departments, however, it could not access areas controlled by gangs, including areas in Port-au-Prince. This resulted in the closure of one task force and limited police action in many regions (USDOS, 29 July 2022).

11.3 Impunity

The USDOS mentions impunity and complicity in high-profile trafficking cases and further notes the following:

“Experts consistently alleged that employees within the Ministry of Justice were complicit in human trafficking crimes and that cases did not proceed to conviction as a result. Outside observers also reported police and immigration officials were complicit in human trafficking at the Haiti-Dominican Republic border; IBESR reported traffickers often avoided screening by crossing at unofficial points, noting that official complicity and corruption greatly exacerbated the problem. Observers reported allegations that judicial officials in

border jurisdictions, such as justices of the peace, sometimes took bribes to free detained suspected traffickers, which contributed to an environment in which traffickers largely operated with impunity.” (USDOS, 29 July 2022)

The USDOS details some high-profile cases, including cases against the former president of the Haitian Football Federation (see also HRW, 21 February 2023), and ten other perpetrators and accomplices, in which authorities did take no action. In another case against a former Minister of Youth, Sports, and Civil Actions, judges dismissed charges for lack of evidence. In a sex-trafficking case in connection with August 2020 raids in La Mansion brothel it was not yet determined what or if charges will be brought up. The brothel was reportedly patronised by high-level government officials prior to the raids (USDOS, 29 July 2022).

11.4 Prevention and services

The Bertelsmann Stiftung notes the following regarding actions by the government against human trafficking:

“Haiti is a member of all regional organizations and has signed conventions to support regional cooperation to combat human trafficking, money laundering, promote regional security and support initiatives to control its border and prevent illegal migration. However, the Moïse government was incapable of implementing these conventions due to the ineptitude of its officials. There are very few seasoned officials at all levels of the administration and the high turnover among them hampers any continuity in government’s policy.” (Bertelsmann Stiftung, 23 February 2022, p. 38)

According to the USDOS, the authorities maintained efforts to prevent trafficking. CNLTP and IBESR were effectively leading and coordinating anti-trafficking activities. However, “the government reduced the CNLTP’s budget to zero in fiscal year 2021”, and the 2022 national budget allocations were still not determined. Many officials worked without pay, including those responsible for screenings at border (USDOS, 29 July 2022). Capacities for the implementation of anti-trafficking activities were impacted by gang violence, natural disasters, the COVID-19 pandemic, and the assassination of the president (USDOS, 29 July 2022).

According to the January 2022 report by the Haitian government, “several subcommittees have been established under the National Strategy and Plan to Combat Trafficking in Persons 2017–2022. The Government has allocated G 24 million [USD 154,000] to strengthen the National Committee against Trafficking in Persons” (Government of Haiti, 4 January 2022, p. 12). The government also completed a new National Action Plan (NAP) for 2021-2022, reportedly identifying key shortcomings, however it “failed to address all gaps in improving overall prosecution efforts” (USDOS, 29 July 2022).

In February 2023 sources reported that Canada announced financial help to the Haitian government (AP, 17 February 2023; CNW, 17 February 2023; UPI, 17 February 2023). Canada announced it would provide funds “to strengthen border and maritime security to fight human trafficking” (UPI, 17 February 2023), and “to protect Haitian women and children along Haiti’s border with the Dominican Republic” (AP, 17 February 2023). The Canadian prime minister was quoted as stating that “criminal elements are becoming more sophisticated, and more support

is needed to stop the flow of illicit drugs, arms, and human trafficking” (CNW, 17 February 2023).

Services to victims of trafficking were limited and depended mainly on funds by partners. The government said it referred 190 identified victims of child labour trafficking (however, according to the USDOS this number may include non-trafficking victims of child exploitation and abuse) to services. NGOs reportedly provided care to 13 sex or labour trafficking victims (likely children) they identified. 16 confirmed adult trafficking victims and 53 possible adult and child victims were identified by the government and referred to care (USDOS, 29 July 2022).

No information on trafficking in persons involving maritime movements could be found.

12 State protection

12.1 Rule of law

The World Justice Project's (WJP) 2022 Rule of Law Index ranks Haiti on place 136 of 140 countries, down three places from the 2021 ranking (WJP, 26 October 2022).

Brian Concannon, the executive director of the Institute for Justice and Democracy in Haiti (IJDH), in an interview with the online legal news service JURIST says that “the lack of rule of law is a key factor in the current unrest” faced by the country, and further notes:

“The government is aware that the rule of law is a curb on their power, and they have systematically undermined that. To the extent possible, the government has eliminated the rule of law. Judges have been politicized for years, and vacancies have been allowed to remain vacant. In fact, the Supreme Court does not have a quorum. The main courthouse in Port-au-Prince was taken over by gangs in June and has not been taken back. This shows the government very deliberately does not want the rule of law.” (JURIST, 11 December 2022)

A report by the IJDH covering the period between June and November 2022 provides the following overview on the situation in Haiti:

“Institutional corruption continues to undermine democracy and the rule of law in Haiti, with high-ranking government officials implicated in fraud, embezzlement, weapons and drug trafficking, and collusion with gang members. De facto Prime Minister Henry continues to rule Haiti without a constitutional or popular mandate, with some accusing him of using Haiti's worsening humanitarian crisis as an excuse to consolidate power. Henry continues to express a desire for elections while failing to engage in meaningful negotiations with civil society necessary for progress towards fair and credible elections.” (IJDH, December 2022, p. 4)

According to a March 2023 analysis published by Foreign Affairs,⁵ Ariel Henry “has overstayed any arguably constitutionally legitimate term in office - and still many countries, including the United States, support him” (Clesca, 10 March 2023).

In March 2023 the Council of the Bar Association of Port-au-Prince was concerned “by the routine adoption of public acts devoid of any constitutional basis, particularly with regard to the appointment of judges to the Court of Cassation, challenged by the general dysfunction of national institutions and the growing devaluation of rule of law” (CNW, 14 March 2023).

⁵ The author of the analysis is Monique Clesca, “a journalist and former United Nations official based in Port-au-Prince. She is an organizer and signatory of the Montana Accord.” (Clesca, 10 March 2023)

12.1.1 Security forces

Please also see [section 1.3.1](#) for general information on the country's security forces.

In March 2023 the press office for Haiti's Defense Ministry reportedly confirmed "that officials are working on plans to activate the military" to quell gang violence. The armed forces consisted of 2,000 soldiers and were reinstated after the UN ended its peace keeping operation in 2017. It played a limited role, including responsibility for the protection of the prime minister. According to the article "it was not immediately clear when the military would be activated, how many soldiers would be called to duty or what role they would play" (AP, 17 March 2023). According to an article by the executive director of the RNDDH, which was published by Just Security,⁶ the army had been created by former President Moïse "outside of any legal framework and in violation of the Constitution." The article further notes:

"Recruits are not vetted properly, citizens don't know them as they do the police officers assigned to their neighborhoods, and there is great tension between the two forces. Because there is no transparency related to how the force operates, countries such as France, the United States, and Canada, and international organizations such as the United Nations do not support this army." (Espérance, 2 February 2023)

According to the UN Secretary-General, as of December 2022, the operational strength of the Haitian National Police was estimated at 13,500, "with some 9,700 available to perform as active-duty officers". Police faced high rates of desertion and temporary suspensions and the number of members also decreased "due to deaths, dismissals and resignations" (UN Security Council, 17 January 2023, p. 6). According to the Geopolitical Monitor - an international intelligence publication based in Toronto - those remaining officers often maintain ties to specific government officials or businesspersons. The Haitian National Police is not well-trained and lacks a "review mechanism to vet or scrutinize its officers" (Geopolitical Monitor, 21 February 2023). According to a January 2023 report by RNDDH, since 20 July 2021, the day when Prime Minister Ariel Henry took office, 78 police officers were killed (RNDDH, 26 January 2023, p. 2).

On 26 January 2023, police in Port-au-Prince protested against killings of officers by gangs (The Guardian, 26 January 2023; DW, 28 January 2023). During the two weeks prior to the protest, suspected gang members had murdered up to 15 officers, the National Union of Haitian Police Officers claimed (DW, 28 January 2023). The Guardian cites Diego Da Rin, an expert of the International Crisis Group, who mentioned that police officers "feel that their lives are worthless to the authorities and that they are being used as pawns in power games controlled by politicians" (The Guardian, 2 February 2023).

⁶ Just Security provides online analysis of security, democracy, foreign policy, and rights, and is based at the Reiss Center on Law and Security at New York University School of Law. Pierre Espérance is the Executive Director of the National Human Rights Defense Network (RNDDH).

According to the UN Secretary-General's January 2023 report, "the overstretched, understaffed and underresourced police force has not been able, on its own, to deter the alarming rise in gang violence" (UN Security Council, 17 January 2023, p. 4; see also Geopolitical Monitor, 21 February 2023). The police struggled "with rising inflation and inadequate budget management, resulting in a scarcity of police equipment and supplies." This affected the setting up of checkpoints in areas controlled by gangs. For example, in July 2022, the police could not secure access points in Cité Soleil (UN Security Council, 13 October 2022, p. 5). As of January 2023, gangs controlled most of the main transport lines linking northern and southern departments with the capital, while the police "continued to struggle to maintain patrols around the ports" (UN Security Council, 17 January 2023, p. 4). In February 2023, OHCHR notes that the "Cité Soleil police station has not been operational since June 2021", making it "extremely difficult for residents to file complaints against the abuses they have suffered" (OHCHR, February 2023, p. 17).

Although the government tried to address acute police shortages, "additional funding is required to complement the national police budget, without which meaningful improvements to public safety are unlikely to be achieved" (UN Security Council, 17 January 2023, p. 6).

The UN Secretary-General also mentions allegations regarding a significant number of national police personnel being associated with gangs in the capital (UN Security Council, 17 January 2023, p. 6). According to a February 2023 article by The Guardian "the police force is highly infiltrated by criminal networks." Lower grade officers with low wages are "easily bought off by warlords while senior government officials sometimes commandeer units to wage warfare on behalf of gangs" (The Guardian, 2 February 2023). Please see [section 3.5](#) for details on possible interrelations between gangs and police.

Regarding abuses committed by security forces in 2022, the USDOS notes the following:

"There were several reports the government or its agents committed arbitrary and unlawful killings. Allegations of unlawful or arbitrary killings by police, as well as other police abuses, are investigated by the inspector general (IGPNH) of the Haitian National Police (HNP). The allegations generally related to inappropriate use of force in responding to protests. Monitoring organizations asserted, however, that due to the frequency of gunfire during protests, it was often difficult to determine if gunfire from police or from other protesters killed victims. Human rights activists stated strengthening the IGPNH should be one of the government's priorities to assure investigations are handled appropriately." (USDOS, 20 March 2023, section 1a)

Between January and May 2022, police killed 126 alleged gang members, which represented a significant increase in killings compared with the last quarter of 2021 (UN Security Council, 13 June 2022, p. 9). Between June and September 2022, 51 persons were killed during police operations, and 47 investigations were opened by the General Inspectorate of the HNP, including four cases regarding summary executions. According to the UN Secretary-General, "very few investigations have been carried out into the killing of alleged gang members during police operations" (UN Security Council, 13 October 2022, p. 9).

Regarding the period between October and December 2022, the UN Secretary-General notes the following:

“Excessive force used by police while attempting to restore order during protests reportedly resulted in the killing of 34 protesters, journalists and bystanders. In addition, five political activists belonging to one of the main opposition parties who, while protesting in the streets, were apprehended by individuals wearing police uniforms. The bodies of the activists were found days later.” (UN Security Council, 17 January 2023, p. 9)

In December 2022, the IJDH provides the following overview on police actions:

“The government continues to suppress constitutionally-protected popular dissent. Police frequently use excessive force against protesters, shooting tear gas, rubber bullets, and live ammunition into crowds of civilians. IJDH partner, Haitian human rights law firm the Bureau des Avocats Internationaux (BAI), reported in September that police are using illegal, arbitrary arrests made outside the law as a deterrence tactic against activists protesting the government’s misrule – a further example of encroachments on civic space and democracy in Haiti.” (IJDH, December 2022, p. 4)

Freedom House notes that “a culture of impunity in law enforcement leaves civilians in Haiti with little protection from the illegitimate use of force” (Freedom House, 24 February 2022, F3).

According to the USDOS, detainees mentioned “credible cases of extortion, false charges, illegal detention, physical violence by police” (USDOS, 20 March 2023, section 1e). Regarding arbitrary arrests by police the USDOS mentions the following:

“Independent observers confirmed instances of police arresting individuals without warrants or with improperly prepared warrants even when those individuals were not apprehended in the process of committing a crime. Authorities frequently detained individuals on unspecified charges. Human rights organizations reported police sometimes arrested large groups of persons attending protests or near crime scenes without attempting to ascertain who was committing a crime.” (USDOS, 20 March 2023, section 1d)

12.1.2 Judicial independence

According to the Bertelsmann Stiftung, “Haiti’s judicial system is known for its dysfunction” and its independence is “heavily impaired by political authorities and very high levels of corruption”. Average citizens have nearly no access to the judiciary, due to costs, corruption and language problems, as official documents are not available in Creole language. Already in September 2018, the Superior Council of the Judiciary (CSPJ) lamented the “total dysfunction of the judiciary in almost all jurisdictions”, while in 2021 the judiciary finally faced “total dysfunction”, as working conditions of judges had further worsened (Bertelsmann Stiftung, 23 February 2022, p. 13).

In February 2022, Freedom House notes the following:

“Despite constitutional guarantees of independence, the judiciary is susceptible to political pressure. A lack of resources has contributed to bribery throughout the judicial system, and weak oversight means that most corrupt officials are not held accountable.” (Freedom House, 24 February 2022, F1)

The USDOS provides the following overview on judicial independence in its annual human rights report covering 2022:

“The law provides for an independent judiciary; however, the government did not respect judicial independence and impartiality. Judicial independence continued to erode during the year, according to all major national magistrate and judges’ associations and human rights activists. Only a quarter of the seats in the Supreme Court remained filled following the expiration of three judges’ terms in mid-February; as a result, the Supreme Court lost its quorum and could no longer function. The OPC [Office of Citizens’ Protection] and the Superior Court of Accounts and Administrative Litigation remained the only government bodies outside of the executive branch’s direct control.

Senior officials in the executive branch exerted significant influence on the judicial branch and law enforcement, according to local and international human rights organizations. Human rights organizations alleged politicians routinely influenced judicial decisions and used the justice system to target political opponents. [...]

There were credible allegations of unqualified and nonprofessional judges who received judicial appointments as political favors. There were also persistent accusations that court deans, who are responsible for assigning cases to judges for investigation and review, at times assigned politically sensitive cases to judges with close ties to the executive and legislative branches.” (USDOS, 20 March 2023, section 1e)

In February 2023, Geopolitical Monitor also mentions Haiti’s “dysfunctional judicial system.” Most of the 12 seats of Haiti’s Supreme Court were vacant and the court could not issue rulings, as it lacked the required quorum. The last decision was rendered on 29 October 2014. As of November 2022, more than 400 cases remained unresolved. The article further describes:

“Last year, Prime Minister Henry’s cabinet appointed 113 judges to district-level courts. Naturally, the constitutional validity of these appointments was criticized as ‘unconstitutional, illegal and arbitrary’ by human rights organizations. After all, Article 175 of the Haitian constitution states that judges must be appointed by the President of Haiti upon the recommendation of officials who are presently not elected. Legal technicalities aside, these appointments were meant to ease the burden on Haiti’s chaotic court system and end the humanitarian catastrophe in the country’s overcrowded prisons.

In response, gangs ransacked the Port-au-Prince courthouse, seized the judicial safe and destroyed physical evidence that cannot be recovered. Given that Haiti's courts do not have a digital filing system, this makes it difficult – if not impossible – to proceed with criminal prosecutions. This includes the unresolved, high-profile assassinations of Monferrier Dorval in 2020 and President Moïse in 2021. What's more, it undermines the rule of law by intimidating judges from administering justice and deterring litigants from seeking it." (Geopolitical Monitor, 21 February 2023)

According to the USDOS "the executive branch has the power to name and dismiss public prosecutors and court clerks at will." Although there was less pressure from the executive branch on judges, there was "a fear of ruling against powerful interests due to concern for job security and personal safety" (USDOS, 20 March 2023, section 1e).

Please see [section 3.3.7](#) for information on attacks on judicial locations.

12.1.3 Due process

Regarding trial procedures the USDOS provides the following overview on the situation in 2022:

"The constitution provides for the right to a fair and public trial, but the judiciary did not uniformly enforce this right. Authorities widely ignored constitutional trial and due-process rights.

Defendants have the right to the assistance of an attorney of their choice, but legal aid programs were limited, and those who could not pay for attorneys were not always provided one free of charge. The law does not specifically provide a defendant time to prepare an adequate defense. Defendants have the right to confront hostile witnesses and present their own witnesses and evidence, but judges often denied these rights. The perception of widespread impunity discouraged some witnesses from testifying at trials.

While French and Haitian Creole are both official languages, with Haitian Creole being the most commonly spoken language, all laws and most legal proceedings were in French. Observers noted judges generally ensured defendants fully understood the proceedings.

The functioning of justice of the peace courts, the lowest courts in the judicial system, was inadequate. Justices presided based on their personal availability and often maintained separate, full-time jobs. Law enforcement authorities rarely maintained order during court proceedings, and frequently there was no court reporter. To avoid lengthy waits, defendants would often bribe judges to have their cases heard.

In many communities, especially in rural areas, elected communal administrators with no legal judicial authority took on the role of state judges and asserted powers of arrest, detention, and issuance of legal judgments. Some communal administrators turned their offices into courtrooms." (USDOS, 20 March 2023, section 1e)

The USDOS further notes that the right to a fair public trial was hampered by corruption and lack of judicial oversight. Several judicial officials charged fees to start criminal prosecutions and judges and prosecutors reportedly ignored defendants who did not pay. Reportedly, many judges rarely came to work and decided very few cases (USDOS, 20 March 2023, section 1e).

Haiti's 18 jurisdictions are required by law to hold jury and nonjury trial sessions twice per year for cases involving major, violent crimes (USDOS, 20 March 2023, section 1e). Nine (Anse-à-Veau, Aquin, Les Cayes, Croix-des-Bouquets, Fort-Liberté, Gonaïves, Miragoâne, Petit-Goâve, and Saint-Marc) of Haiti's 18 first-instance courts held criminal hearings without assistance from a jury during the 2021-2022 judicial year. The first-instance courts of Cap Haitien, Coteaux, Grande Rivière du Nord, Hinche, Jacmel, Jérémie, Mirebalais, Port-au-Prince, and Port-de-Paix did not conduct any criminal hearings at all, although the country's largest jurisdictions were among them (RNDDH, 11 November 2022, p. 36). Thus, seeking remedies for human rights abuse claims before civil courts "was difficult and rarely successful because a variety of problems throughout the year prevented most civil hearings from occurring" (USDOS, 20 March 2023, section 1e).

In a March 2023 article, US-based newspaper Caribbean National Weekly (CNW) cites statements given by the Council of the Bar Association of Port-au-Prince regarding administration of justice:

"The failure of the current State mainly affects the judiciary which seems to have renounced its prerogatives in the administration of justice' it said recalling that 'for more than four years, mainly in the jurisdiction of Port-au-Prince, justice has been regularly disrupted, even completely paralyzed at times, especially after the perimeter of the Palais de Justice was declared a lawless zone.' 'The normalization of the functioning of the Court of First Instance of Port-au-Prince has never taken place,' the Council said." (CNW, 14 March 2023)

Strikes by clerks, lawyers, judges, and prosecutors hindered timely court proceedings (USDOS, 20 March 2023, section 1e). On 12 April 2022, the National Association of Haitian Clerks (ANAGH) called for a strike "to protest against salary disparities and discrimination in the judicial system" (Haitian Times, 13 April 2022). After an agreement with the Ministry of justice in May 2022, ANAGH lifted "the strike that paralyzed the 18 jurisdictions of the country" (Prensa Latina, 26 May 2022).

The executive director of the RNDDH states in his article published by Just Security that Haitians are not guaranteed judicial protection, "as the judiciary itself is corrupted" (Espérance, 2 February 2023). Freedom House in February 2022 notes that "constitutionally protected due process rights are regularly violated in practice. Arbitrary arrest is common, as are extortion attempts by police and at all levels of the legal system" (Freedom House, 24 February 2022, F2). According to an August 2020 survey, 56 percent of the population "think courts do not guarantee a fair trial and another 54% say basic rights are not protected" (Vanderbilt University, August 2020, p. 30).

The USDOS notes that “the law prohibits arbitrary arrest and detention. The government generally failed to observe these requirements.” Regarding arbitrary arrests, USDOS reports:

“Independent observers confirmed instances of police arresting individuals without warrants or with improperly prepared warrants even when those individuals were not apprehended in the process of committing a crime. Authorities frequently detained individuals on unspecified charges. Human rights organizations reported police sometimes arrested large groups of persons attending protests or near crime scenes without attempting to ascertain who was committing a crime.” (USDOS, 20 March 2023, section 1d)

In February 2022, the Bertelsmann Stiftung provides the following overview:

“Various fundamental civil rights are not protected in Haiti. Due to the weakness of the legal system, civil rights violations are seldom prosecuted. The many shortcomings reflect dysfunction in the justice system, where access to a judge is guaranteed neither for defendants who spend years in prolonged pretrial detention, nor victims. [...] Many defendants cannot follow or engage in their own legal cases. It is common for prisoners to die in prison without ever seeing a judge.” (Bertelsmann Stiftung, 23 February 2022, p. 14)

Many detainees are never brought before a judge, although a court hearing is legally required within 48 hours of the arrest (Freedom House, 24 February 2022, F2). Judges and other judicial actors often did not order a trial within six months or dismiss the case, although prescribed by law (USDOS, 20 March 2023, section 1e). Defendants reportedly faced poor treatment during criminal trials. In some jurisdictions they lacked food and water the entire day (USDOS, 20 March 2023, section 1e).

According to the USDOS detainees reported that judicial officials refused “to comply with basic due-process requirements” (USDOS, 20 March 2023, section 1e). According to the Bertelsmann Stiftung “thousands of prisoners have been in jail for years without trial, and many have served by far in excess of the maximum jail time for their alleged crime” (Bertelsmann Stiftung, 23 February 2022, p. 14). According to the UN Secretary-General, authorities tried to address the “long-standing challenge of prolonged pretrial detention.” On 14 October 2022, an ad hoc committee “reviewed individuals in pretrial detention eligible for release, resulting in the endorsement of a list of 350 eligible detainees” (UN Security Council, 17 January 2023, p. 7). Nevertheless, 83.1 percent of the prison population remained pretrial detainees (UN Security Council, 17 January 2023, p. 8).

12.1.4 Corruption

The Bertelsmann Stiftung notes that “corruption is endemic and part of everyday life” (Bertelsmann Stiftung, 23 February 2022, p. 14). Similarly, Freedom House mentions that “corruption is widespread in Haiti” (Freedom House, 24 February 2022, C2).

According to Transparency International’s current Corruption Perceptions Index, Haiti ranked in the bottom ten of 180 countries in total (TI, 2023, p. 6). According to an August 2020 survey, 75 percent of the population thought corruption among public officials was common or very

common, and 33 percent believed that “all politicians” were corrupt (Vanderbilt University, August 2020, p. 30). According to Freedom House, “Haitians’ general distrust of the government stems in large part from the absence of transparency and accountability measures that are needed to reduce corruption.” The law does not provide the public with access to state information, and in practice it is “very difficult to obtain government documents and data” (Freedom House, 24 February 2022, C3).

In March 2023, the USDOS provides the following overview on corruption:

“The law provides criminal penalties for a wide variety of acts of corruption by officials, including illicit enrichment, bribery, embezzlement, illegal procurement, insider trading, influence peddling, and nepotism. The government did not implement the law effectively. There were numerous reports of government corruption and a perception of impunity for abusers.

The constitution mandates corruption cases of high-level officials and members of parliament be prosecuted by the High Court of Justice, which is made up of the Senate and the head judge of the Supreme Court. The High Court of Justice has never heard cases of corruption. The government’s previous anticorruption strategy expired in 2019. As of September, the government was working to update the strategy. In August, the Central Bank and the Central Financial Intelligence Unit, which is part of the Ministry of Justice and Public Security, signed a memorandum to investigate jointly financial crimes in the banking system.” (USDOS, 20 March 2023, section 4)

An article published by Foreign Affairs in March 2023 further notes:

“In January [2023], a judicial oversight board refused to recertify 30 Haitian judges because of their corruption and ethical lapses. This group includes the judges presiding over the country’s two highest-profile cases: the inquiry into the Petrocaribe scandal, in which \$2 billion went missing from a government aid program between 2008 and 2016, and the stalled investigation of the assassination of President Jovenel Moïse, who was murdered in his home in July 2021. Corruption is also deeply embedded in Haitian law enforcement. Drug traffickers report that the Haitian police help move drugs, and a handful of senior officials and well-connected individuals—including the former head of presidential security, a former president’s brother-in-law, and several judges—are suspects in one of Haiti’s biggest drug trafficking cases, which involved a shipment of over 2,000 pounds of cocaine and heroin in 2015. Government officials have been implicated in planning and providing weapons and vehicles for gang massacres of civilians.” (Clesca, 10 March 2023)

In May 2022, investigators from the Anti-Corruption Unit (l’Unité de lutte contre la corruption, ULCC) and agents from the Haitian National Police raided the central office of the General Customs Administration (l’Administration générale des douanes, AGD), as part of an investigation into the management of the AGD’s director general, Rommel Bell, and into suspected corruption (Le Nouvelliste, 20 May 2022). The Director of the Anti-Corruption Unit noted that during a hearing in December 2022, Bell had difficulties to justify the significant increase in his assets during his time at the AGD (Le Nouvelliste, 9 January 2023). According to the USDOS, under Bell’s leadership “customs revenue had never exceeded two billion gourdes

(\$15 million) monthly; after his departure, customs revenue for August was nearly eight billion gourdes (\$61 million)” (USDOS, 20 March 2023, section 4).

According to the IJDH, investigations in June and July 2022, “found evidence of embezzlement in the National Office for Migration and the Social Assistance Fund and numerous irregularities in the management of funds allocated to the Ministry of Public Health and Population to fight COVID-19” (IJDH, December 2022, p. 4).

Also in July 2022, “Minister of Justice cabinet member Robinson Pierre-Louis and magistrate Michelet Virgile were arrested for fraud, corruption, and criminal conspiracy in connection with a weapons trafficking scheme”. As of December 2022, however, there has been no progress in the case (IJDH, December 2022, p. 4).

On 25 August 2022, the Anti-Corruption Unit reported on twelve investigations conducted countrywide (USDOS, 20 March 2023, section 4). The report “found gross misconduct among town mayors, the head of the national lottery, a member of the board of directors of the central bank, and officials at the government’s regulatory agency, and the former head of the Haitian National Police” (Clesca, 10 March 2023). The published document summarised lengthy investigations conducted by ULCC and provided “a window into rampant corruption across Haiti” (AP, 27 August 2022).

In November 2022, Justice Minister Berto Dorce, Interior Minister Liszt Quitel, and Government Commissioner Jacques Lafontant were removed from their positions. Although no official explanation was provided, “civil society representatives alleged they were removed for their connections to corruption and gang activity” (USDOS, 20 March 2023, section 4).

12.1.5 Impunity

According to HRW’s 2023 annual report the country “remained in a long-standing political, security and humanitarian crisis that has left all government branches inoperative, compounding overwhelming impunity for human rights abuses” (HRW, 12 January 2023). The UN Secretary-General describes “an environment rife with impunity and corruption” (UN Security Council, 13 June 2022, p. 15).

In December 2022, the Institute for Justice and Democracy in Haiti (IJDH) notes the following regarding impunity:

“Chronic impunity is both a symptom and a driver of Haiti’s pervasive insecurity and dysfunctional justice system, with perpetrators of human rights abuses and other crimes – including gangs and police – rarely held accountable. There has been no known progress in the Haitian investigation into the assassination of former President Jovenel Moïse. Five different investigative judges have been assigned to the investigation since it began, two of whom withdrew because of threats against them and the government’s failure to guarantee their personal safety. Top officials, including de facto Prime Minister Henry, have been accused of obstructing the investigation by multiple law enforcement officials. Despite persistent credible allegations of de facto Prime Minister Henry’s involvement in

Moïse's assassination, no steps have been taken to investigate him or hold him accountable." (IJDH, December 2022, p. 5)

In February 2022 the Bertelsmann Stiftung states that "impunity at all levels of Haiti's public administration has been the norm since the Duvalier era", and "no individual has been arrested and brought to justice, even when there is clear evidence that he or she broke the law" (Bertelsmann Stiftung, 23 February 2022, p. 14).

According to the USDOS, "the government rarely took steps to identify, prosecute, and punish government and law enforcement officials who committed abuses or engaged in corruption" (USDOS, 20 March 2023, executive summary). In the Haitian National Police "impunity was a significant problem" (USDOS, 20 March 2023, section 1c).

According to UN High Commissioner for Human Rights Volker Türk, "rampant impunity" has crippled Haiti's development for decades (OHCHR, 3 November 2022). According to the Bertelsmann Stiftung, hundreds of individuals "have been killed and kidnapped since 2017 without any definitive outcomes, leading to an overall climate of impunity" (Bertelsmann Stiftung, 23 February 2022, p. 13). According to Amnesty International's March 2023 human rights report, "impunity for massacres, kidnappings and sexual violence remained chronic" (AI, 27 March 2023). RNDDH documented at least 19 massacres and armed attacks in the Western Department from 2018 to 2022. 947 persons were killed in 16 of these events, 59 persons went missing and there were 101 cases of mass rapes and repeated rapes of women and girls raped. 677 houses were destroyed or set on fire. According to RNDDH, "public action has never been taken against these armed bandits whose leaders are known and denounced by the victims" (RNDDH, 11 November 2022, p. 26). Regarding reports of widespread sexual violence used by armed gangs the UN Secretary-General called "for an accountable justice system to take immediate action against the current state of widespread impunity for perpetrators" (UN Security Council, 17 January 2023, p. 15).

According to the UN High Commissioner for Human Rights Volker Türk, "women are being gang raped with impunity" (OHCHR, 3 November 2022). BINUH and OHCHR note that "impunity remains the norm for the vast majority of cases of sexual violence perpetrated by gangs", and further describes:

"Some victims reported that they also preferred returning to work and trying to resume a 'normal life' as a self-protection mechanism for their relatives and themselves, instead of initiating any legal action. Contributing factors for the lack of accountability are the deficiency of rule of law institutions and widespread insecurity. In this context, the specialized police units have not been able to meaningfully address sexual crimes involving gang elements due to structural challenges such as insufficiency of resources and lack of gender sensitivity." (BINUH / OHCHR, 14 October 2022, p. 4)

According to ICG, gangs used their links to Haiti's elites "to secure funding, weapons and ammunition, as well as impunity for their crimes" (ICG, 27 July 2022).

Regarding the media sector RSF mentions “the almost total impunity for murders and disappearances of journalists” (RSF, 15 September 2022).

Regarding high-profile trafficking cases the USDOS notes that impunity and complicity continued to be significant concerns in these cases, as the “judicial system appeared incapable of delivering justice to victims in trafficking cases, although outside observers noted that trafficking was not unique among crimes in this respect” (USDOS, 29 July 2022).

12.2 State presence and institutions

Please also see the relevant sub-sections of [12.1](#) on rule of law for further information on state presence and the functioning of state institutions.

According to a January 2023 report by Jérémy Cotton et al published by the Carleton University, “the Haitian state does not have a monopoly over violence, nor currently the capacity or authority to reclaim it” (Cotton / Hammel / Noofoory, 15 January 2023, p. 7). The report provides the following information regarding state capacity:

“Haiti is stuck in a capacity trap driven primarily by aid dependence, institutional weakness, official corruption, and security and infrastructure-related obstacles to development and service delivery. The government has not effectively maintained any of its functions for the whole of society since at least the 2010 earthquake. The state is sustained by international aid, while the population is sustained by remittances. General taxation is intermittent and without reach, while the major commercial players avoid most taxation altogether through a combination of legal and illegal means. Repeated shocks to the country have left the government without effective means to provide public services as most infrastructure is unusable, leaving the majority of the work in the hands of private companies and NGOs, for example in the education and healthcare sectors. Notwithstanding capacity constraints, the political will to strengthen government capacity in a meaningful, transformative way is currently limited to the interests of a ruling party with little accountability to the population and little incentive or authority to change the dynamics of elite influence, aid flows, and gangsterization which keeps them in power. The cycle of aid flow peaks in the aftermath of high-visibility natural disasters, but consistently drops after about a year. The high rate of urbanization and lack of infrastructural development compounds the challenges of natural disaster preparedness and recovery.” (Cotton / Hammel / Noofoory, 15 January 2023, p. 12)

In January 2023, the terms of the only 10 senators, who “symbolically” represented Haiti’s inhabitants since October 2019, ended, resulting in a House of Senate without lawmakers (AP, 10 January 2023). The government “appears powerless to address the country’s many challenges”, and it is fractured and weakened. According to one of the ten former senators, “it’s a collapse” (NPR, 18 January 2023).

The UN Secretary-General notes an “urgent need for decisive steps to restore democratic functioning and respect for human rights and the rule of law” and further states:

“National authorities have taken steps to improve the performance of State institutions, most notably efforts to better equip the national police. Nonetheless, the country’s institutions continue to operate under strain. [...]

In addition to enhancing capacities for police development and operations, Haiti must take steps to ensure the effective functioning of the criminal justice system. While the Government has committed to revitalizing efforts to reduce the staggering rate of pretrial detention, crucial reforms are still needed to address structural deficiencies within the justice system.” (UN Security Council, 17 January 2023, p. 14)

In October 2022, Premier Minister Henry called for a foreign intervention to restore basic functionality and fight the gangs that gripped Haiti, as police and politicians were “no longer able to hold the criminals on a leash.” The call was reiterated by UN officials in January 2023, but “rejected by the Haitian opposition, as well as many Haitians who have bitter memories of prior interventions exacerbating the country’s problems”. The US and Canadian governments also refused to intervene, however sanctioned leading Haitian politicians (Brookings Institution, 3 February 2023; see also ICG, 14 December 2022; Government of Canada, updated 23 March 2023; USDOS, 16 February 2023).

In February 2023, the Geopolitical Monitor notes the following regarding plans of foreign interventions:

“In response to Port-au-Prince’s descent into anarchy, the United States – already spread thin across Europe and Asia – has lobbied Canada to lead a foreign intervention in Haiti. In November 2022, the Canadian government began sanctioning some of Haiti’s most prominent powerbrokers. [...]

In January 2023, the Canadian Armed Forces airlifted Haitian-purchased armored personnel carriers to Haiti. In February 2023, Canada announced it will deploy a CP-140 long-range patrol aircraft to gather intelligence and two Royal Canadian Navy vessels off the coast of Haiti. While these announcements are long overdue, they fail to account for the fact that most of Haiti’s problems are on land.” (Geopolitical Monitor, 21 February 2023)

13 Humanitarian and socio-economic situation

A January 2023 report by Jérémy Cotton et al published by Carleton University provides the following overview of the country's socioeconomic situation based on several sources:

“Haiti is often cited as ‘the Western Hemisphere’s poorest country’. In aggregate, the country was recording some economic growth from early 2010 up until 2019 where the economy contracted by 1.68 percent. Haiti had a score of 50.00 and ranked 145 out of 177 countries in the 2022 Index for Economic Freedom, ranking it the last country in the ‘mostly unfree’ category. [...] inequality is evident when looking at the distribution of wealth amongst Haitians where the richest 20 percent of the Haitian population holds more than 64 percent of its total wealth, while the poorest 20 percent has less than one percent. While some indicators have technically risen, Haiti has significantly underperformed the global average. Additionally, economic growth has benefited a very small minority. If economic performance were to improve, there is no guarantee that other conditions would improve.” (Cotton / Hammel / Noofoory, 15 January 2023, p. 8)

The UN Secretary-General in January 2023 further adds:

“The deterioration of the macroeconomic environment increases the likelihood of a fifth consecutive year of negative growth for the Haitian economy. The 2021/22 fiscal year was once again marked by a decline in economic activity, a depreciation of the exchange rate and an acceleration in inflation. In October 2022, year-on-year inflation reached 47.2 per cent, a level not seen in nearly two decades. Owing to escalating inflation and rising cost of living, combined with the weakness of the local supply chain, the number of food-insecure people in Haiti increased by 48 per cent.” (UN Security Council, 17 January 2023, p. 10)

In February 2023, the Geopolitical Monitor provides a summary of additional humanitarian data:

“In material terms, only 39% of all Haitians have access to electricity, roughly 50% earn less than \$1.25 per day, and more than 70% live below the poverty line. Haiti also has the highest infant mortality rate and maternal mortality ratio, and the lowest life expectancy in the Americas. Haiti’s current humanitarian crisis has lasted over a decade. Prone to natural disasters, a 7.0 magnitude earthquake struck Haiti on January 12, 2010. The earthquake killed more than 220,000 Haitians, injured over 300,000, left 1.5 million homeless, and decimated 67% of Haiti’s GDP. This humanitarian disaster led to what was then the worst cholera outbreak in history. More than 820,000 Haitians contracted cholera and close to 10,000 died from the disease between 2010 and 2019. A 7.2 magnitude earthquake struck Haiti on August 14, 2021. This was followed by Hurricane Grace just a few days later. Then, after more than three years without a case, another cholera outbreak was reported in October 2022.” (Geopolitical Monitor, 21 February 2023)

REACH - a joint initiative of IMPACT Initiatives, ACTED and the United Nations Operational Satellite Applications Programme (UNOSAT) - facilitated a nationwide multi-sectoral needs assessment (MSNA) with data being collected between June and September 2022, and 3,896 households participating in the survey. The organisation provides the following results of the assessment:

“83% of households in Haiti were found to have severe or very severe unmet needs, notably 45% of rural households had very extreme unmet need (compared to 28% of urban households). [...] Almost all (93%) of rural households had extreme or very extreme unmet needs, compared to 80% of urban households. In particular, 45% of rural households had very extreme needs. In the context of the resurgence of the cholera epidemic since October 1, 2022, which has spread rapidly and reached all departments, the drinking water, sanitation and hygiene (WASH) situation is problematic. Indeed, 86% of households were found to have unmet WASH needs, and 96% of rural households (91% of households even had extreme or very extreme needs). [...] The three sectors with the highest proportion of households with unmet needs are WASH (86%), shelter (68%) and food security (64%). In WASH, the situation is mainly due to inadequate access to sanitation and water. A high proportion (60%) of rural households in Nippes and Grand’Anse were found to have very extreme unmet needs. The three departments most affected by the 2021 earthquake and 2016 Hurricane Matthew had the highest proportion of households with very extreme unmet shelter needs: Grand’Anse (18%), Sud (8%) and Nippes (7%).”(REACH, December 2022, p. 1)

13.1 Poverty

The most recent data regarding the percentage of the population living below the national poverty line is dated 2012 and stands at 58,5 percent (The World Bank, undated; PAHO, undated).

In November 2022, the World Bank notes that “past gains in poverty reduction have been undone.” Estimates from 2021 showed that “poverty likely increased to 87.6 percent (\$6.85/day), 58.7 (\$3.65/day) and 30.32 percent when using the extreme poverty line (\$2.15/day).” (The World Bank, updated 8 November 2022). Bertelsmann Stiftung (covering the period between 1 February 2019 to 31 January 2021) notes that “more than 70% of the population live below the poverty line, while approximately 50% live on less than \$1.25 per day” (Bertelsmann Stiftung, 23 February 2022).

In January 2023 the UN Secretary-General mentioned the following:

“Haitians continue to suffer the negative impact of the prevailing socioeconomic and security crises, which are deepening systemic and widespread inequalities. While poverty levels were already high, the continued supply shortages have increased the proportion of individuals living under the poverty line to 58 per cent.” (UN Security Council, 17 January 2023, p. 10)

13.2 Livelihoods

In his January 2023 report, the UN Secretary-General notes that “people’s livelihoods continue to erode” in Haiti, and that there are difficulties when trying to deliver humanitarian assistance to vulnerable populations. The Secretary-General describes the underlying causes:

“Since 2021, Haiti has experienced a significantly deteriorating situation with regard to food and nutrition, as inflation has continued to rise, with the average cost of a food basket having increased by nearly 63 per cent. As ever, the deteriorating situation has had a disproportionate impact on the most vulnerable. The unpredictable security situation has hampered agricultural activities, prevented the supplying of markets and slowed down ongoing investment, especially in small-scale trade, the main source of income for a large part of the population. [...] The situation is further exacerbated by weak social protection systems and a lack of decent employment opportunities. [...] Widespread insecurity continued to disrupt basic social service delivery in the capital and across the country. National road 2, linking the capital to the southern peninsula, has been blocked by gangs since June 2021, cutting off at least 3 million people from Port-au-Prince, the country’s economic centre. The blockade undermines freedom of movement and further contributes to inflation and jeopardizes livelihoods. More recently, the northern departments have also become increasingly isolated from the capital.” (UN Security Council, 17 January 2023, pp. 11-12)

In its March 2023 update on the Acute Food Insecurity Projection, the Integrated Food Security Phase Classification (IPC) initiative notes the following regarding the current livelihood situation:

“As anticipated in the September 2022 analysis, high inflation, fueled by the depreciation of the gourde against the dollar and the rising cost of transportation, as well as the deteriorating security climate, continue to reduce the purchasing power of the poorest households, who are forced to resort to unsustainable livelihood coping strategies. The country’s level of structural vulnerability also explains why many households are extremely sensitive to shocks (climatic hazards, price increases, crop losses, etc.), and are particularly prone to acute food insecurity. The areas most affected are Cité Soleil and Ville de Jérémie.” (IPC, 23 March 2023)

As of March 2023, inflation in Haiti has increased to 47 percent from 38.7 percent in December 2022. In January, the price of a food basket had risen by 88 percent compared to the previous year, while the Haitian gourde had depreciated by 45 percent against the US dollar (WFP, 24 March 2023). According to the most recent available data, the unemployment rate was 15.7 percent in 2021 (Trading Economics, undated; PAHO, undated). 19 percent of women were unemployed and 12.7 of all men (PAHO, undated). Haiti’s gross national income per capita (GNI) was valued at USD 1,420 in 2021. This constituted the lowest value in the Latin America and the Caribbean region, with an average of USD 15,092. (The World Bank, updated 8 November 2022).

The USDOS report notes that “the law provides for a national minimum wage” and describes it in the following way:

“Minimum wages are set by the government based on official macroeconomic indicators on at least an annual basis and generally remained above the national poverty line. Following several weeks of strikes and protests in January and February relating to demands for an increased minimum wage, the government issued a 37 percent wage increase. Following discussions between the Ministry of Social Affairs, the Office of the Labor Ombudsperson, and labor union leaders, the government announced in August a transportation and food stipend program worth 135 million gourdes (\$1.1 million) to support workers.” (USDOS, 20 March 2023, section 7e)

In February 2022, Haiti Libre reports on a published decree setting the minimum wage. The decree fixed the minimum wage for different work sectors between HTG 350 [approximately USD 2.24] and HTG 770 [approximately USD 4.94] per eight hour working day (Haiti Libre, 21 February 2022; see Arrêté fixant le salaire minimum, 21 February 2022).

In December 2022, IJDH based on different sources describes effects of increased fuel prices and inflation on livelihoods:

“[T]he cost of living and necessities has increased dramatically, with basic food products doubling in cost over the past year. Haiti’s economic decline has been further exacerbated by external disruptions in international trade that have far-reaching consequences for Haitians’ financial stability and food sovereignty. For example, factories owned by or supplying foreign companies have announced mass layoffs and up to 50 percent salary cuts due to insecurity and lack of fuel, putting tens of thousands of jobs at risk and impacting Haitians’ ability to feed themselves and their families. The lack of economic opportunities, including as a consequence of the protracted insecurity crisis, is a further driver of gang recruitment, as some young men and boys – and, to a lesser extent, women – who are in need of money or protection often see joining a gang as a means to survive. [...]

The combination of increased fuel prices and inflation has disproportionately and profoundly impacted poor and working-class Haitians. Public transportation has become more expensive and less available, impeding freedom of movement. This forces workers to spend more of their paycheck – which has not increased to adjust for inflation – just getting to and from work and limits access to critical services like medical care. As wages stagnate and jobs are cut because companies cannot operate without fuel, everyday consumer products – including staples like rice, maize, green beans, and cooking oil – have become unaffordable for most. Haitians working in the informal sector, who tend to earn least, are even more vulnerable to the combined effects of inflation and fuel price increases. [..]

As the cost of food rises, families are forced to spend more and more just to survive. Most working Haitians now spend over 60 percent of their salaries on food for themselves and their families. Approximately four million Haitians survive on less than two meals per day.” (IJDH, December 2022, pp. 8-10)

The Famine Early Warning Systems Network (FEWS NET) monitors trends in staple food prices. The organisation notes that “rice, black beans, maize, and cooking oil are among the most important food items for poor and middle income households in Haiti” (FEWS NET, 2 April 2023). FEWS provides detailed monthly data regarding the current price development of these items in different markets of the country (see FEWS NET, 2 April 2023).

At the end of March 2023, the UN World Food Programme (WFP) mentions rainfall deficits that have affected Haiti over a period of five to six months prior. Regarding possible impacts on livelihoods, the organisation notes the following:

“Such conditions will most certainly affect agricultural productions in course of the current and future seasons, and other livelihoods such as livestock. Prolonged dry conditions, combined with recent rainfall anomalies, imply that water levels in reservoirs and groundwater levels are lowered, and that soils are too dry for crops or vegetation to grow normally. This may prevent the planting of certain crops, force farmers to change crop types, and significantly reduce agricultural productivity. Indeed, if recent rainfall deficits have a strong impact on soil moisture, a multiyear dry cycle like the one Haiti has been experiencing for nearly ten years has a negative effect on groundwater availability - both essential for crops and for supplying water to livestock and the population.” (WFP, 29 March 2023a, p. 1)

13.2.1 Access to fuel

According to a February 2023 report by the Brookings Institution, the G9 gang “took control of the main fuel terminal in September 2022 and seized key highways, preventing basic economic and humanitarian functionality across Haiti” (Brookings Institution, 3 February 2023; see also [section 3.4](#)). In November 2022 the Haitian National Police reportedly retook control of the terminal – known as Varreux terminal - which is located southwest of the capital Port-au-Prince. The blockade of the facility virtually paralysed the country, as it exacerbated the security, political and humanitarian crisis. The lack of fuel also affected the distribution of drinking water (DW, 4 November 2022).

A December 2022 report by IJDH provides the following overview of the fuel crisis in the country:

“In response to pressure from the International Monetary Fund (IMF), de facto Prime Minister Henry removed subsidies for diesel, kerosene, and gasoline on September 11. Overnight, the price of one gallon of gasoline rose by 128 percent, kerosene by 89 percent, and diesel by 90 percent. This has had a profound impact on Haitians’ lives, who use fuel for transportation, cooking, telecommunications, and electricity. The immediate increase in fuel prices set off country-wide protests and plunged Haiti into what regional leaders are calling a ‘low-intensity civil war.’ [...] On September 12, the G9 gang took control of the Varreux fuel terminal, blocking access to 70 percent of Haiti’s fuel and exacerbating the acute fuel shortage and price spikes. [...] Fuel did not reach gas stations until November 12 and is still too expensive for most, including because the de facto government went through with removing subsidies in spite of the popular condemnation. As a result of the fuel crisis, businesses and services that rely on generators to function – including schools,

hospitals, and telecommunications providers – have been forced to close or reduce operations. Promises from the Haitian government and the IMF that government money saved by the removal of fuel subsidies will be redirected to social programs benefit the poor have not been kept.” (IJDH, December 2022, p. 9)

In January 2023 the UN Secretary-General notes that “access to fuel remained a major problem for the population. Although the supply of fuel to the capital resumed, the regular supply of fuel to other departments has yet to recommence” (UN Security Council, 17 January 2023, p. 12).

13.3 Food insecurity and nutrition

Regarding access to water and food IJDH reports the following in December 2022:

“The fuel crisis disrupted water distribution: the National Directorate of Drinking Water and Sanitation’s water treatment services, and Haiti’s main private distributor of potable water temporarily suspended water delivery in October. Gangs continue to block key roads, ports, and other infrastructure, preventing water distribution trucks from reaching certain neighborhoods – many of which have no other access to potable water. The lack of access to clean water and sanitation has increased exposure to waterborne diseases, including cholera. The water shortages present an acute crisis on top of a chronic lack of access to safe drinking water, which directly impacts health. One in three Haitians does not have access to safe drinking water. [...]

Insecurity has had a profound effect on food access, as gangs control and block key routes connecting agricultural regions to central markets, which in turn increases food prices and prevents the delivery of food and critical humanitarian aid. A complete blockage of the main road connecting Port-au-Prince to the southern peninsula for a year has largely cut off 3.8 million people living in the country’s south. There are reports of gangs withholding food and water from certain neighborhoods, including Cité Soleil. Poor rainfall and a resurgence of African swine flu have impacted agricultural productivity, further reducing the availability of food in the market.” (IJDH, December 2022, pp. 9-10)

In March 2023, an article by Haiti Libre provides a summary of the main results of a survey (see also MARNDR / CNSA, November 2022) carried out by the Ministry of Agriculture, Natural Resources and Rural Development and the National Food Security Coordination (CNSA):

“[...] in 2022, the proportion of households that experienced hunger due to lack of resources to acquire food has more than doubled to reach 71% against only 32.9% in 2021. Just over 7 out of 10 households have used crisis and/or emergency strategies. Regarding sources of income, the three main sources of household income are agricultural production (61%), trade (61%) and self-employment (21%). About 40% of urban and rural households say they have had difficulty accessing the market to source basic food items and 20% of rural households say they have had difficulty accessing the market to source inputs (seeds, fertilizers etc...) Access to food (87%) is still the top priority need identified by households” (Haiti Libre, 23 February 2023)

Regarding food security, an April 2023 report by the Food and Agriculture Organization of the United Nations (FAO), with data collected between 15 November and 24 December 2022 from 2,053 households, notes the following:

“Many households experienced large food consumption deficits, and many were engaged in emergency coping strategies to prevent larger gaps. Female-headed households were reportedly less food secure than male-headed households. Female-headed households engaged less frequently than male-headed households in coping strategies like selling productive assets and reducing health expenditure but engaged more frequently in coping strategies like begging.

Crop producers (as a household group) reported the lowest levels of food security. Approximately 62 percent of crop producers reported low dietary diversity. Those engaged in both livestock and crop production have the highest Household Dietary Diversity Score (HDDS) on average, but it remains low. Agricultural households had lower HHS [household hunger scale] scores than non-agricultural households. In contrast, agricultural households had better HDDS than non-agricultural households, meaning they had had greater diversity in their food consumption during the 24 hours preceding the interview. At the national level, nearly half (49 percent) of the surveyed households engaged in emergency coping strategies [...] and 38 percent resorted to begging. Crop households were the household type engaging most frequently in depleting coping strategies.” (FAO, 7 April 2023, p. 7)

In a March 2023 analysis, the United Nation’s World Food Programme (WFP) notes that although the food consumption (FC) situation had been relatively stable throughout the country for the past three months, it remained a serious concern. WFP provides the following overview⁷:

“[I]n mid-March [2023], an estimated 6.8 million people countrywide were estimated to have a poor or borderline food consumption - this is 10,000 more than the previous month, and 250,000 fewer than in December. The main priority need of households remains food (72% of respondents). The situation has deteriorated in the departments of North -West (81% households with insufficient FC), Nippes (68%), Artibonite (66%), South-East (61%), and North (56%) compared to the previous month, and has improved in the departments of North-East, Centre, South, and Grande Anse - where the prevalence of insufficient FC ranges from 50% to 70%, rates that are still alarmingly high. Food assistance slightly increased in February compared to January (an additional percent point of households receiving food assistance).” (WFP, 29 March 2023b, p. 2)

In the metropolitan area of Port-au-Prince, the communes of Cité-Soleil and Port-au-Prince had been affected most regarding insufficient food consumption, with a prevalence of 82 percent and 72 percent respectively. The numbers for Croix-des-Bouquets, Delmas and Pétion-Ville were ranging between 63 and 67 percent. In Cité-Soleil nearly three out of four households

⁷ Data is collected in monthly telephone interviews with a sample size of 116 households per department, and 120 households per commune in the Port-au-Prince metropolitan area (WFP, 29 March 2023b, p. 4)

were adopting emergency or crisis coping strategies, which constituted the highest rate in the metropolitan area of Port-au Prince (WFP, 29 March 2023b, p. 2).

According to the IPC initiative's March 2023 update of the Acute Food Insecurity Projection, between March and June 2023, almost half of the population in Haiti, which amounts to nearly 5 million people, are projected to experience high levels of acute food insecurity - classified in IPC Phase 3 and above. IPC further describes:

"Of the total 4.9 million people, 1.8 million are estimated to be in Emergency (IPC Phase 4), up from 1.7 million in the September 2022 analysis. The number of people in Crisis (IPC Phase 3) has also slightly increased from 3.04 million to 3.08 million in the recent analysis. [...] The September 2022 analysis indicated that 5 percent of the population (approximately 20,000 people) in Cité Soleil would likely be in Catastrophe (IPC Phase 5). However, increased humanitarian food assistance in recent months reached around 30% of the targeted population, and pulled the most vulnerable people from Phase 5 down into lower phases. The situation in Ville de Jérémie has also improved, with a reduction of 5 percent of the population in Emergency (IPC Phase 4). While certain areas of the country have seen improvements, the situation in other parts of the country has further deteriorated. In these areas, humanitarian food assistance was not scaled up despite the worrying projection from the previous analysis." (IPC, 23 March 2023)

End of March 2023, Jean-Martin Bauer, WFP's Country Director for Haiti, said that without robust donor support, the progress achieved in reaching hunger hot spots in Port-au-Prince would be at risk. According to Bauer, "if funding doesn't come through, the next IPC figures will be much worse" (WFP, 24 March 2023).

13.4 Access to health care

In 2012, the government developed a National Health Policy, including a Master Plan for Health (Plan Directeur Santé 2021-2031), which "embraces the concept of universal healthcare accessibility – an adoption of the global move toward universal health coverage" (PAHO, undated).

In February 2023, Management Sciences for Health (MSH), a non-profit advisory organisation, notes that "much of Haiti's population lacks access to health services", and further describes:

"Only 10% of the population lives less than 1 kilometer from a health facility, while 42% of Haitians must travel more than 10 kilometers to reach the closest facility. These long distances prevent many individuals from seeking the medical care they need. Additionally, hospitals continue to be the most frequently used health care facilities in Haiti, despite the fact that they should only be used after a consultation or for emergency care. According to the plan directeur, hospital visits increased from 37% in 2005–2006 to 52% in 2016–2018. Yet during the same time frame, health centers and clinics saw a decrease in visits from 34% to 21%." (MSH, 10 February 2023)

The Pan American Health Organization (PAHO) provides an undated overview on the Haitian healthcare system:

“The healthcare system remains fragmented, with considerable dependence on out-of-pocket payment at the point of service as well as external aid that is mostly disease-specific or program-specific, and often short-term. Recruiting and retaining health professionals is a particular concern. Healthcare accessibility for rural communities is a recognized inequity. There is an urgent need to strengthen health literacy and community participation in health, while renewing the regulatory and governance framework of the health sector.” (PAHO, undated)

In April 2023, UN OCHA highlights the following developments regarding access to health care:

“Access to health care for Haitians is significantly hampered by insecurity, the lack of local health facilities and the cost of care. Approximately 48 percent of hospitals in the Port-au-Prince metropolitan area (PAPMA) are located in areas under gang influence or control. Several health facilities have been forced to close due to attacks on their patients, staff or facilities. In recent years, and even more so in recent months, the population's use of health services has substantially declined, including for essential care such as childbirth and pre- and post-natal consultations. The situation is conducive to the spread of epidemics, particularly in neighbourhoods at the heart of the violence that are experiencing flooding. The country is currently fighting cholera and health actors are warning of the risk of epidemics of tuberculosis, measles, and polio.” (UN OCHA, 23 April 2023)

In January 2023, the UN Secretary-General notes that “the lack of fuel has further undermined access to health services owing to restrictions on movement and to the impact of fluctuations in the supply of water and electricity on the functioning of medical facilities” (UN Security Council, 17 January 2023, p. 12).

In September 2022, UN OCHA warns that “life-saving health services risk coming to ‘standstill’ due to the current crisis and its impact on access to basic services.” The organisation further describes:

“After almost two weeks of complete blockage of the country’s main fuel entry point, water distribution is seriously compromised, and health facilities are running dangerously low on fuel. According to several local associations and organizations, many health staff are also unable to report to work and provide care to patients. Some hospitals are unable to admit new patients and are preparing to close. Many hospitals are also experiencing a shortage of oxygen.” (UN OCHA, 27 September 2022)

Also in September 2022, UNICEF mentions that “the ongoing situation is also negatively affecting the restocking of medicine and medical supplies.” Challenges in providing sterile conditions for medical interventions also persisted and the fuel shortage also affected “the national ambulance service operations in Port-au-Prince which now functions with only three ambulances.” In the rest of the country the services were severely curtailed or had stopped altogether (UNICEF, 26 September 2022; see also IJDH, December 2022, p. 11).

In December 2022, IJDH notes that “the health sector remains perpetually under-resourced and under-staffed, largely due to government failures and corruption”, and adds the following regarding access to healthcare:

“The cost of transportation, food, and security has increased dramatically for healthcare providers, resulting in higher rates of malnutrition among patients and reduced capacity for staff. [...] Even where ambulances are operational, they are often unwilling or unable to go into areas under gang control, like Cité Soleil, leaving victims of gang violence unable to seek treatment. Meanwhile, some healthcare workers have resorted to sleeping at their work to avoid gang violence on their commutes.” (IJDH, December 2022, p. 11)

In January 2023, Médecins Sans Frontières (MSF) suspended its operations in the MSF-supported Raoul Pierre Louis public hospital in Carrefour, after armed men had pulled a patient out of the emergency room and killed him outside the premises. In August 2022, a similar incident had occurred in the same hospital (MSF, 27 January 2023). In March 2023 MSF states that the organisation had to shut down its hospital in the Cité Soleil area of the Haitian capital due to “intolerable risks.” The closure was announced to be temporary (MSF, 8 March 2023). Victims of violence and burns continued to receive treatment in the MSF hospital in Tabarre, and victims of serious accidents in the emergency center in Turgeau. MSF also continued to provide care for victims of sexual violence in Delmas 33 and in Artibonite region and operated mobile clinics in Port-au-Prince. Pregnant women and their infants were treated in the South department (MSF, 8 March 2023). Outpatient emergency services resumed on 22 March 2023. In March 2023 UN OCHA mentions that health personnel were victims of “numerous cases of kidnapping” (UN OCHA, 31 March 2023, p. 2).

Hospitals and health centres were reportedly affected by strikes, including the following incidents: In February 2022 the National Federation of Health Workers (FENATRAS) called for a strike in public hospitals over working conditions and salaries. At least five major public hospitals were affected by “a near-total work stoppage” (RNDDH, 1 April 2022, p. 1). According to a media report, the strike “paralyzed” the State University of Haiti Hospital, widely known as the General Hospital. Doctors did not go on strike, however, they did not go to the hospital because they lacked assistance of nurses, admin staff and other workers (EFE News Service, 18 March 2022). As of 31 March 2022, the University Hospital La Paix, the Justinien University Hospital of Cap Haitien, the Maternity Hospital of Carrefour and the Isaïe Jeanty Maternity Hospital continued to be on strike. The staff of the Hospital of the State University of Haiti (HUEH) had resumed work (RNDDH, 1 April 2022, p. 1). In March 2022, Al Jazeera reported on a three-day strike, which “included the shutting down of public and private health institutions in the capital Port-au-Prince and beyond, with only emergency rooms accepting patients” (Al Jazeera, 15 March 2022). In May 2022, at least four hospitals in Port-au-Prince were temporarily closed, following staff going on strike in solidarity with kidnapped medical personnel. MSF mentions the Haitian State University Hospital and the St-Luc and St-Damien hospitals as being affected (MSF, 22 May 2022). In August 2022, IJDH notes that “doctors at the Hôpital Universitaire de La Paix went on strike after not being paid for eleven months” (IJDH, December 2022, pp. 10-11). End of February 2023 it was reported that the resident doctors of the HUEH continued to be on strike since 22 December 2022 (Haiti Libre, 26 February 2023).

13.4.1 Cholera

On 2 October 2022, Cholera “re-emerged in the country after more than three years with no presence of the disease reported in the country” (IFRC, 23 February 2023, p. 3). Following the first reported cases, Cholera spread beyond Port-au Prince, with suspected cases reported in all departments (UN Security Council, 17 January 2023, p. 12).

In December 2022 IJDH notes that the country’s “dysfunctional healthcare system”, in combination with other factors allowed cholera “to spread virtually unchecked”. IJDH further states that “the situation is particularly dire in Haiti’s prisons, where the lack of sanitary conditions and access to food and clean water has fueled an especially acute outbreak” (IJDH, December 2022, p. 10).

With UN support 94 treatment centres were established and mobile health clinics deployed in Cité Soleil, which was among the areas hardest hit by the outbreak (UN Security Council, 17 January 2023, pp. 12-13). According to a February 2023 report by the International Federation of Red Cross and Red Crescent Societies (IFRC), 70 Cholera Treatment Centers (CTCs) with a maximum capacity to receive 773 patients were operational. The organisation provides the following information regarding the geographical distribution of the CTCs:

“22 in Ouest (including the CTC of the Civil Prison), 11 in Artibonite, eight in Sud and 6 in Sud-Est, six in Grand’ Anse, six in Nord, 4 in Nord-Est, 4 in Nord-Ouest, two in Centre, one in Nippes. Some 900 multi-purpose community health workers (ASCP) are deployed in the West and Centre departments to support the community response and ensure epidemiological surveillance in the areas most at risk.” (IFRC, 23 February 2023, p. 6)

The Ministry of Public Health and Population (MSPP) led the first phase of a vaccination campaign, starting on 19 December 2022, after the arrival of 1.2 million oral vaccines against cholera. Doses were inoculated in the most affected areas in the departments of West and Center (IFRC, 23 February 2023, pp. 6-7).

As of 28 February 2023, the Department of Epidemiology, Laboratories, and Research (DELRL), reported 33,661 suspected cases and 2,439 confirmed cases - including 594 deaths - in all ten departments of the country (PAHO, 3 March 2023, p. 1).

As of 24 February 2023, PAHO provides the following information on the current situation regarding cholera:

“Of the total reported suspected cases with available information, 56% are male and 51% are aged 19 years or younger. The most affected age group is 1 to 4-year-olds (21%), followed by 5 to 9-year-olds (15%) and 20 to 29-year-olds (14%) [...]

Among confirmed cases, 57% are male, and 50% are aged 19 years or younger. The most affected age group is 1 to 4-year-olds (20% of total), followed by 5 to 9-year-olds (16%) and 20 to 29-year-olds (14%) (Figure 3). [...]

The Ouest Department continues to report the highest number of cases, with 54% of all suspected cases recorded. The municipalities of Port-au-Prince, Cité-Soleil and Carrefour account for 62% (N=11,088) of all suspected cases reported in the Ouest Department. In the last 7 days, the department of Ouest reported a 2% increase in suspected cases and a 2% increase in confirmed cases. For the same period, the other departments reported an increase of 7% in suspected cases and 6% in confirmed cases. The municipalities that reported the most increase in suspected cases in EW [epidemiological week] 8 of 2023 compared to EW 7 were Hinche (86), Cerca La Source (45), Savanette (34) and Mirebalais (28) in Centre department; Saint-Michel de l'Attalaye (53), Gonaives (32) and Saint-Marc (26) in Artibonite department; Miragoane (53) and Anse-a-Veau (40) in Nippes department; Cabaret (52), Croix-Des-Bouquets (42), Delmas (34), Tabarre (31), Grand-Goave (27) and Carrefour (26) in Ouest department; Cap-Haitien (42) in Nord department; and Saint-Louis du Nord (29 cases) in Nord-Ouest department (Figure 4).” (PAHO, 28 February 2023, pp. 2-3)

Regarding challenges in the response to the outbreak PAHO describes:

“In Haiti, the complex humanitarian and socio-political crisis, with high levels of insecurity, fuel shortages and economic instability, continue to be major challenges in the response to the cholera outbreak, limiting access to health and basic water, hygiene and sanitation services, as well supplies: Lack of access to affected areas continue to hamper epidemiological surveillance, the installation of Oral Rehydration Points (ORP) and Cholera Treatment Centers (CTCs), the transport of patients to CTCs, and health promotion, as well as community level water, hygiene, and sanitation activities. Although fuel distribution has restarted in the Ouest Department, availability remains limited in other departments, hindering basic water and sanitation services (e.g., garbage collection) and the response and distribution of life-saving cholera medicines and supplies. The global cholera crisis generates a high demand for medical and non-medical supplies, including for the oral vaccine, resulting in limited cholera commodities for immediate distribution in all affected countries.” (PAHO, 3 March 2023, p. 2)

13.5 Access to education

In February 2023, Geopolitical Monitor provides an overview of access to education:

“More than half of Haitians aged 15 or older are illiterate, and roughly 40% of students drop out of school before the end of grade 9. Hundreds of thousands of children are also deprived of an education because 85% of schools are private and public schools are underfunded. While most of the 1,250 schools destroyed by the 2021 earthquake in the departments of Sud, Grand’Anse, and Nippes have not been rebuilt, over 1,700 schools remained closed due to threats from gangs in the Port-au-Prince area at the end of November 2022. Without an education, Haiti’s future generations – the children tasked with rebuilding the Haitian state after more than a decade of disaster – are unequipped for the challenges ahead.” (Geopolitical Monitor, 21 February 2023)

Another overview of access to education is provided by IJDH in December 2022:

“Increased insecurity, lack of fuel, and the resurgence of cholera have made access to education extremely difficult. Over 200 schools in Port-au-Prince have been forced to partially or completely close. The government officially pushed the start of the school year back one month, to October 3, due to concerns about violence and the fuel shortage, but many openings were delayed as late as the end of November. Higher education institutions have likewise been forced to suspend academic activities as a result of insecurity. Over the summer, cultural centers and libraries across the country were forced to reduce their operations or close entirely, leaving children without critical learning resources. Compounding these problems, over 250,000 children – more than half of those impacted by last year’s 7.2 magnitude earthquake – still lack access to adequate schools because lack of funding and insecurity have delayed reconstruction.

Even when schools do open, they remain unaffordable for most. Government programs that partially subsidize expensive school fees and supplies have not been operating, leaving families unable to send their children to school and deepening the cycle of poverty.” (IJDH, December 2022, p. 11)

The UN Secretary-General mentions “severely limited access to education” and further notes:

“The United Nations has been active in assisting the education sector, offering technical and logistical support for the opening of schools by supplying school kits, textbooks and furniture to some of the 66 per cent of schools open in Haiti as of 12 December. However, the situation remains grave. Only 17 per cent and 27 per cent of schools are open in the North and North-East departments, respectively. Of the 10 departments of Haiti, only 2 have at least 90 per cent of their schools open, namely the Nippes and South departments, with the latter having 97 per cent of schools open.” (UN Security Council, 17 January 2023, p. 11)

In February 2023, UNICEF reports on “acts of armed violence against schools in Haiti” and describes:

“In the first four months of the academic year (October – February), 72 schools were reportedly targeted compared to eight during the same period last year. This includes at least 13 schools targeted by armed groups, one school set on fire, one student killed, and at least two staff members kidnapped, according to reports by UNICEF partners. In the first six days of February alone, 30 schools were shuttered as a result of escalating violence in urban areas, while over 1 in 4 schools has remained closed since October last year.” (UNICEF, 9 February 2023)

A March 2023 report by Allyson Rail et al published by the Carlton University further adds:

“The escalation of violence has directly impacted at least 1.5 million people in accessing education and health services and while 90% of schools were reported operating in January 2023, thousands of children, notably those living in gang-controlled areas, have been unable to start the school year due to rising insecurity. 4 million children aged 5-19 years

are at risk of losing all learning opportunities, while youth marginalization and recruitment into gang violence has intensified.” (Rail / Edge / Voitic / Chiappetta, 6 March 2023, p. 4)

13.6 Humanitarian access

In December 2022, ACAPS provides the following information on humanitarian access in Haiti:

“The humanitarian access situation in Haiti has remained stable in the past six months. Despite increasing territorial control of armed gangs, the country remains accessible to humanitarian organisations. In general, the Government works hand in hand with humanitarian organisations to respond to the needs of the population. The increase in violence by armed gangs, mainly in Haiti’s capital Port-au-Prince, hinders effective response in some regions, especially in the north and south. The assassination of President Jovenel Moïse in July 2021, political insecurity, poverty, and inflation triggered the increase in the gangs’ territorial control. Armed gangs have closed off several violence-affected areas of Port-au-Prince; the confined population has limited access to clean water, food, personal hygiene items, health, and protection assistance. Those displaced by gang violence are often in areas difficult to access. In Port-au-Prince, IDPs are also among the victims of confinements, making their mobility and ability to access services, livelihood activities, goods, and assistance even more difficult. Road closures have also affected the population in the south, preventing the mobility of humanitarian organisations to respond to people who remain in need after the 14 August 2021 earthquake. Insecurity and violence have led to the closure and/or suspension of humanitarian operations, preventing aid delivery to populations in need. Haiti is prone to natural disasters. Following the 14 August 2021 earthquake, the total reconstruction of affected roads and bridges has not yet been completed, meaning there is a lack of road connection. A gang blockade at the country’s main fuel terminal in the capital has led to riots and severe fuel shortages, suspending, delaying, and/or increasing the cost of operations. Fuel shortages also affect medical operations as humanitarian workers are unable to move around, causing medicine, oxygen, and life-saving equipment shortages. Power plants in medical centres also depend on fuel, leaving at least three-quarters of major hospitals without power and unable to function.” (ACAPS, December 2022, p. 23)

In January 2023 the UN Secretary-General reports that the gang siege of the Varreux fuel terminal in September hindered the delivery of humanitarian assistance well into November 2022. Warehouses used by the International Organization for Migration (IOM), the United Nations Children’s Fund, UNDP, the United Nations Office for Project Services and the World Food Programme and facilities run by non-governmental organisations were looted by protesters. A significant portion of the food and supplies that were lost had been designated as emergency response reserves for the most vulnerable individuals (UN Security Council, 17 January 2023, p. 4). The United Nations and humanitarian partners faced “increasing difficulties in reaching beneficiaries throughout the country, including at spontaneous internally displaced persons sites, to provide water, food and health care” (UN Security Council, 17 January 2023, p. 12). By the end of the year 2022, the funding of the humanitarian response plan remained “severely underfunded”, with only 43 percent of the required funds being received (UN Security Council, 17 January 2023, p. 13). According to the UN Secretary-General

“more must be done to enable humanitarian access” (UN Security Council, 17 January 2023, p. 15).

In March 2023, the International Rescue Committee (IRC) notes that approximately 50 percent of the population needs humanitarian aid, however, “as the police have limited ability to prevent gangs from taking control of critical facilities and routes, and armed violence keeps worsening, humanitarian workers continually encounter security and logistic challenges to provide critical goods and services” (IRC, 27 March 2023). In its 2023 Emergency Watchlist report the organisation further describes:

“Humanitarian actors and other service providers will continue to face disruptions to their work in 2023, preventing critical aid from reaching those most affected. Nearly half of all Haitians need some form of humanitarian assistance, a number that is likely to grow as humanitarian agencies and service providers face massive disruptions. Continued armed violence will pose a security and logistic risk for humanitarians and other service providers. Fuel blockades have also affected health facilities’ ability to deliver services—particularly during the ongoing cholera outbreak—as many hospitals rely on diesel generators.” (IRC, 12 December 2022, p. 45)

A March 2023 report by UN OCHA notes that humanitarian actors face access constraints. The report also contains a map depicting “main hotspots for humanitarian access due to insecurity and areas under armed groups control or influence” (see UN OCHA, 31 March 2023, p. 3). UN OCHA describes the situation in the following way:

“[Access constraints] include hostilities between armed groups, and clashes with the Haitian police; violence against humanitarian staff, property and infrastructure; direct interference in the implementation of humanitarian operations; increased costs of operations; and a complex physical environment and lack of infrastructure. Humanitarian personnel, especially national staff, are working under increasingly stressful conditions. Humanitarian access is complex and unpredictable. Since July 2022, humanitarian negotiations have led to emergency interventions by several UN agencies, first in Cité Soleil and then in the areas of Martissant and Bas-Delmas, Bel Air, among others. Between October 2022 and January 2023, more than 97 emergency missions were organized in these areas controlled or under the influence of armed groups. However, from February to March 2023, the upsurge in violence in Cité Soleil and the Artibonite department limited emergency response operations. Negotiations have intensified, with ensuring people's access to basic services as a priority.” (UN OCHA, 31 March 2023, p. 3)

In its March 2023 annual strategic report WFP notes the following on its activities carried out in 2022:

“Through its emergency response, WFP focused on staying and delivering life-saving assistance reaching 777,019 people with 5,507 mt [metric tonnes] of food and USD 22 million in CBT [cash-based transfers]. To support the operations, WFP created an access unit to negotiate access to populations affected by violence and to safeguard logistics routes. Demand for bilateral logistics services from the Government, and humanitarian and development organizations soared. For instance, the United Nations Humanitarian Air

Service (UNHAS), operated by WFP, was crucial for all humanitarian organizations to have a safe, reliable and timely means of transport in the country. UNHAS allowed providing immediate support to vulnerable populations facing difficulties accessing their livelihoods and obtaining vital supplies. WFP also provided fuel to its partners and to key facilities such as hospitals and Haiti's National Directorate of Drinking Water and Sanitation. Likewise, WFP distributed 122,248 gallons of fuel, 76 percent during and after the crisis in September, and continued its maritime service to assist partners circumvent armed group-controlled areas." (WFP, 31 March 2023, p. 3)

13.7 Environmental and climate-related disasters

PAHO reports that "Haiti remains highly vulnerable to natural hazards, mainly hurricanes, floods, droughts, and earthquakes", and provides the following overview:

"A 7.0 earthquake near Port au Prince in 2010 killed 220 000 Haitians and displaced 1.5 million more, with massive health care implications. Basic reconstruction costs surpassed the country's annual gross domestic product. Between 2015 and 2017, drought led to crop losses of 70%, and in 2016 the Category 4 Hurricane Matthew heavily damaged the country's housing, livestock, and infrastructure. Haiti was then struck by back-to-back disasters in August 2021, when a magnitude 7.2 earthquake rocked the southern peninsula, destroying 30 percent of local homes, killing over 2000 people, and displacing tens of thousands more. Days later, Tropical Storm Grace exacerbated the situation, dumping heavy rains and triggering flash flooding and landslides. A National Disaster Risk Reduction plan has been recently approved and a National Climate Change Adaptation Plan is being finalized." (PAHO, undated)

The International Federation of Red Cross and Red Crescent Societies (IFRC) notes that "during late January and early February 2022, heavy rainfalls hit several departments of the country notably the North, the Northeast and the Nippes departments." IFRC further notes:

"According to Directorate General of Civil Protection (DGPC), at least 20 municipalities were affected by floods caused by overflows from some rivers. Consequently, 2,578 houses flooded and 3 destroyed, leaving nearly 10,750 people (2,500 families) in need of temporary shelter (disaster families) as well as food, NFIs [Non-Food Items], and drinking water. Furthermore, damage to road infrastructure has hampered humanitarian access." (IFRC, 3 November 2022, p. 4)

In its Humanitarian Response Plan for 2023, FAO notes the following:

"Haiti remains one of the most vulnerable countries to natural disasters – mainly hurricanes, floods and earthquakes. The effects of climate change are expected to increase their frequency and, while some progress has been made, the country still lacks adequate preparedness and resilience building mechanisms. In October 2022, heavy rains in the southern part of the country triggered landslides that caused extensive material damage and loss of life." (FAO, 2 March 2023, p. 2)

Regarding drought, as noted above, WFP mentions “drier than average conditions” affecting Haiti. In March 2023, WFP further notes:

“Rainfall deficits over the past 5 to 6 months have affected Haiti, and more particularly the southern peninsula, implying drier to much drier than average conditions for the current period. The severity of the impact varies by commune. Such short multi term dry conditions coincide with a year cycle of unseasonably dry and hot conditions, revealed by satellite time series, which has been affecting Haiti since 2013, especially the departments NorthEast, North and Centre.” (WFP, 29 March 2023a, p. 1)

In March 2023, an article by US-based newspaper Texas Metro News mentions that lack of rain resulted in the drying out of farmlands. The article describes the situation in Pestel, a commune located in the country’s southwestern Grand’Anse Department:

“Out of the five communal sections affected by the severe drought, two are the most affected, the 4th and 5th communal sections. However, the localities near Rivière Glace are not too affected. [...] Drought and inaccessibility to drinking water are recurrent in Pestel. However, this year, the drought is more severe, which deeply impacted people, animals, including livestock. The town has no mechanism for abstraction of potable water to serve the population. The last water wells in the localities were destroyed by the 7.2 magnitude earthquake in 2021.” (Texas Metro News, 12 March 2023)

The January 2023 report by Jérémy Cotton et al published by Carleton University notes the following regarding natural disasters and the capacities of the government:

“Haiti is stuck in a capacity trap driven primarily by aid dependence, institutional weakness, official corruption, and security and infrastructure-related obstacles to development and service delivery. The government has not effectively maintained any of its functions for the whole of society since at least the 2010 earthquake. The state is sustained by international aid, while the population is sustained by remittances. [...] Repeated shocks to the country have left the government without effective means to provide public services as most infrastructure is unusable, leaving the majority of the work in the hands of private companies and NGOs, for example in the education and healthcare sectors. [...] The cycle of aid flow peaks in the aftermath of high-visibility natural disasters, but consistently drops after about a year. The high rate of urbanization and lack of infrastructural development compounds the challenges of natural disaster preparedness and recovery.” (Cotton / Hammel / Noofoory, 15 January 2023, p. 12)

13.8 Access to civil documentation

According to the Bureau of Consular Affairs of the US Department of State (USDOS), original documents and extracts were available, however, “due to inconsistent issuance standards and high levels of fraud surrounding Haitian civil documents, original documents are generally considered unreliable.” Regarding birth, death, marriage, and divorce certificates the bureau notes that there was a HTG 700 [approximately USD 4.5] fee per extract when requesting the documents. These certificates are issued by the National Archives. Original birth, death and marriage certificates were issued only once - when initially declaring birth or death or at the day of the wedding. In order to obtain a National Identity Card the “applicant must submit

his/her original birth certificate” or an extract. There were no fees. To obtain a passport, applicants “must present to General Directorate of Taxes to pay the 6000 HTG [approximately USD 38.5] fee, and then take the receipt, birth extract, ID card, and application to immigration for application. Marriage certificates are required for women. Divorce certificates are required for all applicants” (Bureau of Consular Affairs, undated). The Bureau of Consular Affairs also provides information on adoption certificates, and police, court and prison records (see Bureau of Consular Affairs, undated).

In July 2022, the Immigration and Refugee Board of Canada (IRB) cites the Director of Défenseurs plus, a human rights organisation, noting that reliable official documents became increasingly inaccessible in areas affected by the 2021 earthquake, and that these documents remain difficult to access throughout the country. The Program Director of the International Association of Women Judges (IAWJ), also cited by IRB, noted that access to documents was probably reduced “due to the earthquake and the ensuing insecurity, since it destroyed records and closed offices” (IRB, 6 July 2022).

IRB further summarises and translated the main information provided in a January 2020 article by Alter Presse (Alter Presse, 28 January 2020) regarding possible difficulties in obtaining documents:

“The structures responsible for managing the Haitian civil status registration system (the Ministry of Foreign Affairs for Haitians residing abroad and the ANH [Archives nationales d’Haïti, National Archives of Haiti] for national applicants) ‘only exist in name’ insofar as they ‘are not functional, for lack of budget’ and ‘[t]his situation gives officers free rein to manage offices without respect for the legal procedures in effect.’ Moreover, given the ‘low skill level’ and the ‘lack of training for the tasks to be performed’ of civil registry officers, they ‘often make mistakes in the content of birth certificates,’ typically regarding names and dates of birth, and these are not ‘easily detected’ by parents with little education. ‘These same errors will later constitute enormous difficulties in obtaining another important document, such as a passport or a birth certificate extract from the archives, from the government.’” (IRB, 6 July 2022)

A June 2020 article by the Haitian Times notes that a quarter of the Haitian population “is not registered anywhere and does not officially exist.” The article cites the director general of the National Archives of Haiti, Wilfrid Bertrand, who noted that “this is the result of an outdated, dysfunctional civil status system over a century old” (Haitian Times, 19 June 2020b). The USDOS notes that “although the Civil Registry and Office of National Identification made strides in increasing the number of individuals with identity documents, thousands still lacked documentation” (USDOS, 20 March 2023, section 2g).

In its January 2022 state report to the UN Human Rights Council, the government of Haiti mentions that it “opened new centres for the reception and delivery of identity documents”, in order to improve registration and identification procedures. The report further states:

“The Ministry of Justice and Public Security is working to strengthen civil registration by opening new registry offices and equipping some hospitals to provide birth registration

services. The birth registration system has been improved thanks to the coordinated involvement of several entities. The Government has joined a UNICEF project aimed at enhancing equal and inclusive access to the birth registration system. The project is being trialled in the Artibonite, Centre and Grand'Anse Departments. It is expected that the computerization of the identification system and the training of birth registration officials will deliver a significant improvement." (Government of Haiti, 4 January 2022, pp. 16-17)

Regarding access to birth certificates, the USDOS notes the following:

"The government did not register all births immediately. Birth registry is free until age two. Obtaining birth certificates for children remained a problem throughout the country. Children born in rural communities were less likely to be documented than children in urban areas. During the year, the Interior Ministry issued many birth certificates, including backlogged ones. Birth certificates are required when citizens apply for the national biometrically enabled identification cards required for voting. Although the provision of birth registration continued to face logistical and resource challenges, it was provided on a nondiscriminatory basis." (USDOS, 20 March 2023, section 6)

In January 2023 the Haitian Times notes that "the price of a Haitian passport has doubled in the 10 days since the United States opened applications for its [humanitarian] parole process to Haitians." The article describes:

"Applicants and passport business owners say prices have jumped from about 15,000 gourdes to 30,000 gourdes, about \$100 to \$200. 'Right now, it's really difficult to buy passport stamps at the DGI [Direction Générale des Impôts] and accompany a client to the immigration service,' said Mosenie Toussaint, owner of Mose Multi-Services. 'Today, people are sleeping in front of immigration [office], since many of them are coming from the provinces.'" (Haitian Times, 17 January 2023)

14 Internal displacement

In January 2023, the UN Secretary-General notes that “turf battles between gangs have displaced tens of thousands of people in Port-au-Prince, with most of the affected living in spontaneous internally displaced persons sites” (UN Security Council, 17 January 2023, p. 1).

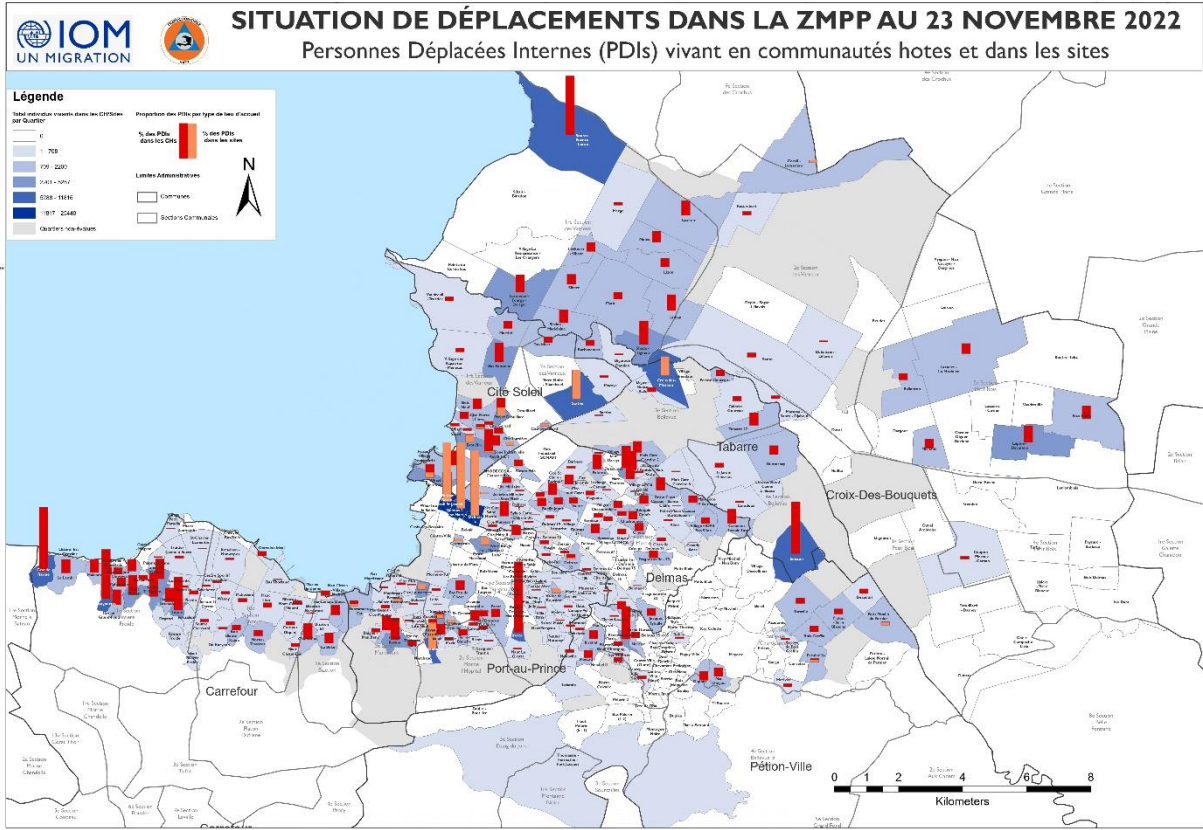
Regarding current displacement numbers, UN OCHA in March 2023 notes the following:

"There are currently more people displaced by violence than by natural hazards. In the southern departments, which were particularly affected by the August 2021 earthquake, some 2,528 people are still displaced as a result of the earthquake. In comparison, an estimated 155,200 people, or 39,600 households, are displaced in the Port-au-Prince metropolitan area (ZMPAP) 75% of whom live in host communities." (UN OCHA, 17 March 2023, p. 5)

Similarly, in January 2023, IOM notes that 155,166 people were displaced in the Port-au-Prince metropolitan area. Compared to August 2022, this represented an increase of 77 percent. According to the organisation, “86,899 individuals were displaced in 2022, 51,714 in 2021 and 16,553 in 2020” (IOM, 9 January 2023, p. 1).

On 3 March 2023, IOM reports that 8,487 individuals were displaced in the departments of Artibonite and Centre since November 2022 (3 March 2023, p. 1). According to the spokesperson for the UN High Commissioner for Human Rights, Marta Hurtado, “as of mid-March 2023, at least 160,000 people have been displaced”, with a quarter of the displaced living in makeshift settlements (OHCHR, 21 March 2023).

The following map by IOM shows the number of IDPs (blue tones) and the percentages of IDPs living in host communities (red bars) and in IDP sites (orange bars) in the neighbourhoods of the Port-au-Prince metropolitan area as of 23 November 2022 (IOM, 30 December 2022) :



Source: [IOM, 30 December 2022](https://www.iom.int/news/haïti-situation-de-déplacements-dans-la-zmpp-au-23-novembre-2022)

The following information on displacement incidents was gathered by IOM between January and March 2023, using the Emergency Tracking Tool (ETT). The tool records “information on large and sudden population movements as well as security and climactic emergencies”. Data was collected through phone interviews and direct observation (IOM, 2 March 2023).

On 23 March 2023, IOM reports that some neighbourhoods in the commune of Pétiön-Ville were affected by sporadic armed attacks at the beginning of 2023. In the neighbourhoods of Meyotte, Kay Colette and Frères, an upsurge of such attacks was observed starting on 19 March 2023, resulting in the displacement of around 2,449 individuals. The displaced individuals moved to Pétiön-Ville, Port-au-Prince and Delmas in the West department, as well as the Centre, the South-East, and the Grand'Anse departements (IOM, 23 March 2023a, p. 1). Furthermore, the neighbourhoods of Delmas 24 and Delmas 2 in the commune of Delmas, as well as those of Solino and Bel Air in the commune of Port-au-Prince, faced repeated attacks by armed persons from 2 March 2023 onwards, causing the displacement of approximately 8,590 individuals. The displaced moved to several neighbourhoods in the Port-au-Prince metropolitan area (IOM, 23 March 2023b, p. 1; see also IOM, 5 March 2023). On 1 March 2023, a fire at the site of Camp Zamor (housing 6,528 IDPs) in Port-au-Prince resulted in approximately 1,101 individuals losing their shelters (IOM, 2 March 2023).

Following armed attacks in the commune of Verrettes in Artibonite, 3,012 individuals were displaced between 20 and 23 February 2023 (3 March 2023, p. 1).

On 22 January 2023, following an armed attack in Jerusalem 7 neighbourhood, located in Croix-des-Bouquets municipality, nearly 800 persons fled to other neighbourhoods of Croix-des-Bouquets (IOM, 16 February 2023; see also IOM, 25 January 2023a). Approximately 1,088 persons fled following an armed attack in the municipality of Pétion-Ville on 20 January 2023. The people were displaced within the municipality (IOM, 16 February 2023; see also IOM, 27 January 2023a). On 8 February 2023, 176 individuals in the IDP site of Saint Monfort in Port-Au-Prince, housing around 7,500 IDPs, lost their shelters due to a fire of unknown origin (IOM, 10 February 2023). Another fire broke out on 23 January 2023 in the neighborhood of Fort-National in Port-Au-Prince, resulting in the displacement of 140 persons (IOM, 27 January 2023b). On 17 January 2023, a fire in the site of Airport Ciné in the Municipality of Delmas resulted in the displacement of 60 individuals, who had lost their homes (IOM, 18 January 2023).

According to the UN Secretary-General, gang violence in the Cité Soleil commune in July 2022 caused the displacement of almost 3,900 persons, while gang members destroyed or burnt down about 140 homes “in a deliberate attempt to punish locals perceived as supporting rival gangs” (UN Security Council, 13 October 2022, p. 8). According to a report by IOM, nearly 88,000 people have been internally displaced due to gang violence in the Port-au-Prince Metropolitan Area as of 31 August 2022 (IOM, 10 October 2022, p. 1).

In March 2023, the USDOS provides the following information on internal displacement in the year 2022:

“In gang-controlled neighborhoods and in areas where gangs were active, violent gangs destroyed homes, property, and vehicles; killed and injured neighborhood residents; and limited economic opportunities. As a result, residents of these neighborhoods left their homes to shelter with family and friends in surrounding areas or in informal reception centers. The government had limited capacity to address the needs of displaced persons. Large-scale gang violence strained the limited social services system; external partners and donors provided most of the humanitarian assistance to survivors and displaced persons.” (USDOS, 20 March 2023, section 2f)

Regarding the humanitarian situation of IDPs the UN Secretary-General reports:

“Despite the efforts of State authorities and the humanitarian community to respond to the massive displacement and protection problems, the situation remains particularly worrisome considering the significant increase of internally displaced persons due to rising insecurity, notably in the metropolitan area of Port-au-Prince. Internally displaced persons experience high levels of vulnerability, including in relation to acute forms of poverty, health, socioeconomic exploitation and gender-based violence. While 25 per cent of the internally displaced persons live at spontaneous internally displaced person sites, most without any access to basic services, such as treated water, adequate hygiene and sanitation, 75 per cent live within host communities sharing already scarce resources and

weak social services, hence increasing the overall needs of already vulnerable communities. This also increases the vulnerability of local social safety nets, as the host communities take on the role of first, and sometimes only, responder to humanitarian needs. Local host communities also play a vital role in ensuring access for humanitarian partners to respond to the increasing needs of the communities of internally displaced persons.” (UN Security Council, 17 January 2023, p. 10)

In December 2022, IJDH provides the following overview on the humanitarian situation in IDP camps:

“Displaced persons are often living in inhumane conditions, without adequate access to water, food, or medical care. Displaced persons, especially women and girls, are at risk of additional violence. In contrast to previous humanitarian emergencies on this scale, formal camps with resources for the displaced have not been created; the over 21,000 Haitians fleeing violence who were unable to find places with family have largely been left to shelter in the countryside or to gather in public squares and other informal sites with little to no humanitarian support. A displacement camp that had been created in June 2021 at the Carrefour Sport Center closed earlier this year, despite escalating need. The UN reported that 36 informal displacement sites around Port-au-Prince have received almost no humanitarian assistance since September 12. One of those sites, the Hugo Chavez square, which has been housing approximately 300 families primarily from the Cité Soleil area, had no potable water for six days. Organizations working on the ground in Haiti have reported numerous instances of rape and sexual exploitation at displacement sites.” (IJDH, December 2022, pp. 2-3)

15 Treatment of returnees

According to IOM, almost 177,000 persons were repatriated to Haiti in 2022, the majority of them (87 percent) from the Dominican Republic, followed by the USA (9 percent), Bahamas (2 percent), as well as Cuba and Turks and Caicos (1 percent each) (IOM, 25 January 2023b, p. 1). In January and February 2023, a total number of 24,057 persons has been repatriated, the majority (89 percent) of them from the Dominican Republic (IOM, 16 March 2023, p. 1). According to the Haitian Support Group for Returnees and Refugees (Groupe d'Appui aux Rapatriés et Réfugiés, GARR), 161,986 persons returned from the Dominican Republic to Haiti in 2022, including 85,306 persons who were repatriated, 62,476 who returned spontaneously and 14,204 who were refouled. The number of returnees also included 1,864 pregnant women and 2,064 unaccompanied minors (GARR, 9 January 2023). In March 2023, returnees from the Dominican Republic included 13,449 repatriated persons, 8,260 persons who returned spontaneously and 3,424 person who were refouled (GARR, 11 April 2023). IOM notes that many of the returnees arrived in “in highly vulnerable situations with few if any resources” and often needed immediate humanitarian assistance (IOM, 16 March 2023, p. 2). In November 2022, the UN High Commissioner for Human Rights called for a stop of deportations to Haiti, as the country’s “human rights and humanitarian crises” did not allow for a “safe, dignified and sustainable return” (OHCHR, 10 November 2022).

15.1 Treatment of returnees by state actors

In its 2022 annual human rights report, HRW notes that as of October 2022, there existed no reintegration programs for returnees in Haiti. Moreover, there were no human rights monitoring mechanisms in place to evaluate whether returnees were “persecuted or otherwise harmed upon return” (HRW, 12 January 2023). In a report of March 2022, HRW similarly notes that UN agencies and a state institution did provide some immediate assistance to returnees upon arrival, but failed to further monitor their situation:

“UN agencies and the Biwo Nasyonal Migrasyon (Haitian National Office of Migration) provide some assistance to returnees at the airport, including cash assistance, food, and hygiene products, but they do not monitor their situation after they drop them off at bus stations or hotels, UN officials and Haitian authorities told Human Rights Watch.” (HRW, 24 March 2022)

In a monthly update on IOM’s assistance to repatriated Haitians, the organisation notes that it supports family reunification for unaccompanied and separated children together with the Haitian Institute for Social Welfare and Research (Institute du Bien Etre Social et de Recherche, IBESR) (IOM, 16 March 2023, p. 2). Similarly, UNICEF, together with IBESR and two local NGOs, Fondation Zami Timoun and Reseau Frontalier Jeannot Succes, reportedly provides services to unaccompanied and separated children returnees at four official crossing points to the neighbouring Dominican Republic and at two airports (UNICEF, 16 December 2022, p. 5).

In its June 2022 Trafficking in Persons report, USDOS notes that there were no established state-run programs to assist victims who returned to Haiti, but that the authorities engaged in

screening individuals for “trafficking indicators” and attempted to facilitate family reintegration and refer returnees to service providers:

“The government did not have a formal program to assist victims who returned to Haiti, but authorities worked with other countries’ maritime and airline services to receive and screen returned Haitians for trafficking indicators and facilitated their reintegration with family members. The government reported it undertook new efforts during the reporting period to ensure its migration policies did not facilitate trafficking. For example, it collaborated with a foreign government and an international organization to ensure the safe repatriation of more than 18,000 Haitians from the United States-Mexico border. The government screened these returnees for labor trafficking upon arrival and conducted trainings to improve the preparedness of officials. These actions enabled an international organization—with funding from a foreign donor—to distribute food, water, healthcare, hygiene kits, cash transfers, and phone cards to returnees upon arrival, in addition to evaluating the returnees to see if they required further care. The government also referred returned migrants to psychosocial, medical, and legal assistance services upon return. The government did not identify any trafficking victims from these groups of returnees. The government, supported by an international organization, also screened and provided services to potential trafficking victims identified during migrant interdictions at sea.” (USDOS, 29 July 2022)

According to the co-founder of an US-based NGO quoted by InSight Crime in September 2022, deportees from the United States with a prior criminal record were “increasingly” detained upon arrival (InSight Crime, 19 September 2022). In an article from October 2022, the US-based news-site northjersey.com describes the release of two “among more than 30 deportees” from the United States who had been detained immediately upon arrival. Haitian police had reportedly contacted deportees’ families in the USA and demanded money for their release (a practice that has also been reported by InSight Crime (InSight Crime, 19 September 2022)). In some cases, however, deportees reportedly have been released without payments (northjersey.com, 27 October 2022).

15.2 Treatment of returnees by non-state actors

In its monthly update on returnees to Haiti, the GARR reports in December 2022 that it provided basis assistance, including food, shelter and hygiene products, as well as psychosocial support to returnees at its reception centre in Belladère close to a border crossing point into the Dominican Republic (GARR, 9 January 2023, p. 8).

In a March 2022 report on the situation of individuals deported or returned to Haiti, HRW notes that returnees reportedly suffered a higher risk of being kidnapped or subject to extortion due to their presumed wealth:

“Given the security conditions in Haiti, civil society groups and organizations assisting returnees expressed concern that people expelled or deported to Haiti are at risk of kidnapping and extortion by criminal gangs, which may believe returnees have money for travel or relatives abroad who can pay ransoms. However, there is currently no system in place to track and support returnees.” (HRW, 24 March 2022)

Similarly, in an article of October 2022, the US-based news-site northjersey.com quotes two men who had been deported from the USA to Haiti after serving a prison sentence:

“But his fears are not over. He worries that police will detain him again. Haiti is rife with political instability and gang violence, and he fears they will target him as a deportee. He is staying with a family friend and said the road to his aunt, two hours away from the capital, is riddled with gang checkpoints that pose a risk. [...]

Balisage also worries that gangs will target him as a deportee, believing they can extort money from him or his family. He is staying with a family friend, but afraid to go out, he said.” (northjersey.com, 27 October 2022)

In an August 2020 query response on the situation of Haitians returning to their country after having lived abroad, the IRB quotes several local sources that such individuals faced a higher risk of being targeted by criminals because they were “considered to be wealthy” or considered “to have access to money”. IRB notes that according to some sources, society might consider repatriated Haitians “criminals or wrongdoers”, as repatriation is often associated with being guilty of an offense (IRB, 27 August 2020).

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