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WATCH

## “Living a Nightmare”

Haiti Needs an Urgent Rights-Based Response to Escalating Crisis



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to Escalating Crisis

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Printed in the United States of America

ISBN: 979-8-88708-061-1

Cover design by Rafael Jimenez

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# “Living a Nightmare”

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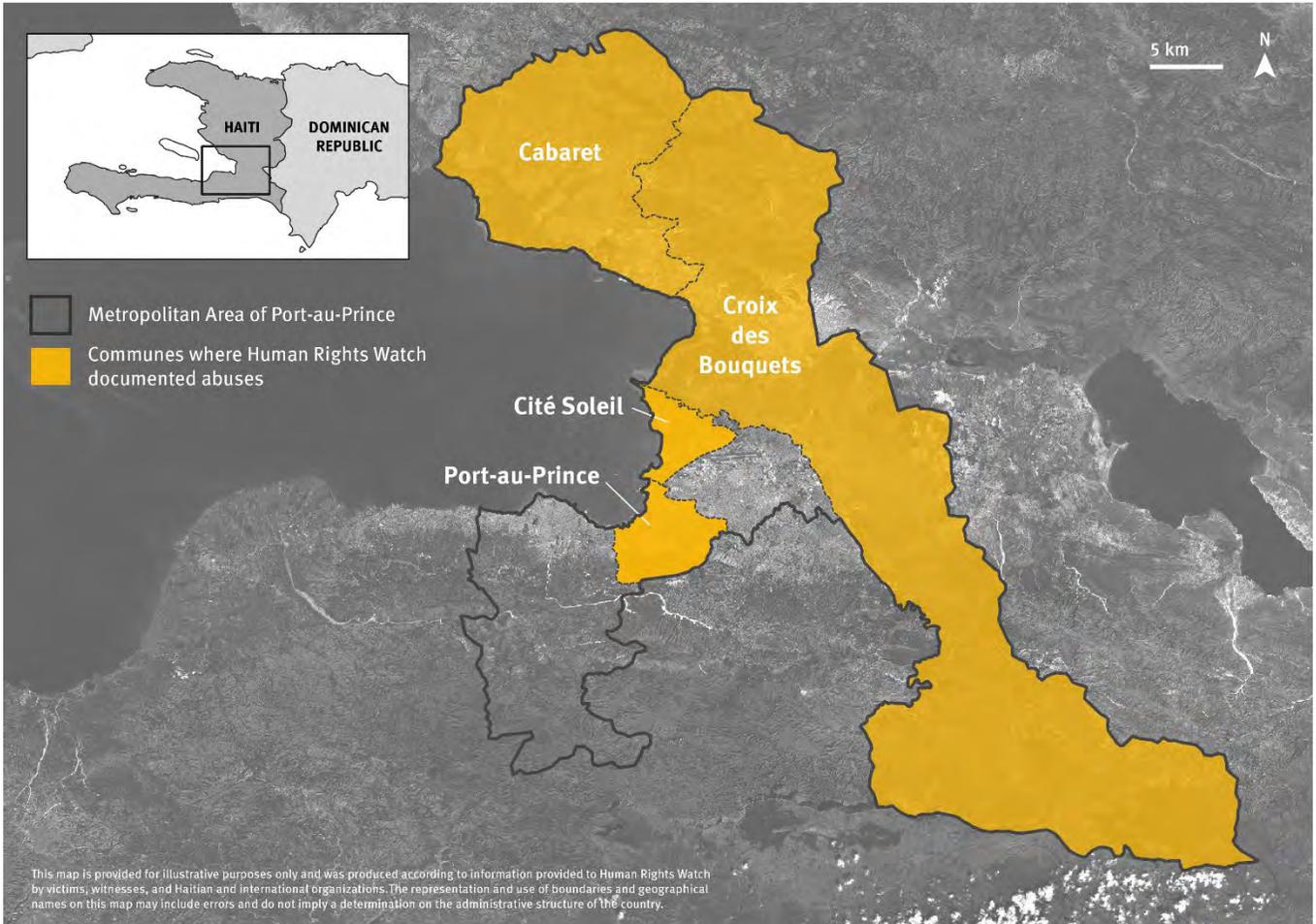
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# Map



The metropolitan area of Port-au-Prince, Haiti, highlighting the communes where abuses were documented. Data © CNIGS. Graphics © Human Rights Watch

Haiti is administratively divided into 10 departments, which are subdivided into districts, each of which has communes. The communes are in turn divided into community sections, and these are made up of neighborhoods.<sup>1</sup>

According to Haitian and international humanitarian and human rights organizations working in Haiti, this administrative structure may vary and there can be additional or different subdivisions in some places, for example in densely populated or large communes, where residents often refer to subdivisions called “areas” to identify specific zones.

The “metropolitan area of Port-au-Prince” refers to the region encompassing the commune of the capital Port-au-Prince and surrounding areas, including at least seven other communes (Cité Soleil, Croix-Des-Bouquets, Cabaret, Pétion-Ville, Delmas, Carrefour, and Tabarre) that are closely connected and have a total estimated population of 3 million people.<sup>2</sup>

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<sup>1</sup> 1987 Constitution of Haiti, <http://www.oas.org/es/sla/ddi/docs/ha1%20constitution.pdf>; United Nations Office for the Coordination of Humanitarian Affairs (OCHA), January 9, 2013, <https://www.humanitarianresponse.info/es/operations/haiti/document/administrative-division-haitixls> (accessed August 4, 2023).

<sup>2</sup> Information based on official Haitian publications, documentation from the United Nations, nongovernmental organizations, and other experts, and 12 in-person and virtual interviews with representatives of Haitian and international humanitarian and human rights organizations, government officials, and security experts working in Haiti.

# Glossary

- BINUH:** Bureau Intégré des Nations Unies en Haïti, United Nations Integrated Office in Haiti
- CARDH:** Centre d'analyse et de recherche en droits de l'homme, Center for Analysis and Research in Human Rights
- CARICOM:** Caribbean Community
- CERP:** Center for Economic and Policy Research
- EU:** European Union
- FAO:** Food and Agriculture Organization
- IOM:** International Organization for Migration
- MINUJUSTH:** Mission des Nations Unies pour l'appui à la justice en Haïti, United Nations Mission for Justice Support in Haiti
- MINUSTAH:** Mission des Nations Unies pour la stabilisation en Haïti, United Nations Stabilisation Mission in Haiti
- MSF:** Médecins Sans Frontières, Doctors without Borders
- OCHA:** United Nations Office for the Coordination of Humanitarian Affairs
- OHCHR:** United Nations Office of the High Commissioner for Human Rights
- RNDDH:** Réseau National De Défense des Droits Humains (RNDDH), Rezo Nasyonal Pou Defann Dwa Moun, National Human Rights Defense Network
- UN:** United Nations
- UNHCR:** United Nations Office of the High Commissioner for Refugees
- UNDP:** United Nations Development Programme
- US:** United States
- WOLA:** Washington Office on Latin America
- WFP:** World Food Programme
- WHO:** World Health Organization

## Summary

They rape us because they are in control, because they have guns, because there is nobody to defend us. There is no police or state.

— Survivor from Cité Soleil<sup>3</sup>

Josephine T., 29, and her sister were walking home with some men to the Port-au-Prince neighborhood of Brooklyn on April 15, 2023, when they were stopped by members of the G9 criminal group at a place called Carrefour la Mort, or Block of Death. The G9 members lined up the men and killed some with machetes, others with gunshots. “The criminals cut open some of the men’s bodies before gathering them all together and setting them on fire,” Josephine said.<sup>4</sup> They then raped the two sisters repeatedly. A few hours after Josephine made it home, she learned that her 27-year-old brother was among those who had been killed.<sup>5</sup>

Josephine’s violent experience is not unique. Brooklyn, on the outskirts of Haiti’s capital Port-au-Prince, has been mostly cut off from clean water, electricity, and health care since clashes between the G9 and a rival criminal group, G-Pèp, began in July 2022. Despite the risks, residents have to leave the neighborhood in search of food and to meet other basic needs. The two groups agreed on a truce in late June 2023, which led to a shaky ceasefire, but neighborhoods remain under their control and reports of abuses continue to mount. Residents still struggle to send their children to school, and many can often only eat one meal every two or three days.

The United Nations Integrated Office in Haiti (BINUH) estimates that criminal groups in Haiti killed more than 2,000 people between January and June 2023, an increase of almost 125 percent compared to the same period in 2022.<sup>6</sup> BINUH also reported 1,014 kidnappings

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<sup>3</sup> Human Rights Watch interview with Josephine T., Port-au-Prince, May 4, 2023. The names of all witnesses and victims quoted in this report have been changed to protect their privacy and avoid potential retaliation by criminal groups.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> United Nations Security Council and United Nations Integrated Office in Haiti (BINUH), Report of the Secretary-General, S/2023/492, July 3, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/183/33/PDF/N2318333.pdf?OpenElement> (accessed July 31, 2023); Information provided to Human Rights Watch by BINUH via e-mail on July 25, 2023 (on file with Human Rights Watch).

during this time period, as well as “pervasive rape,” as criminal groups use sexual violence to terrorize the population and demonstrate their control. Family members of victims and survivors described suffering or witnessing these and other abuses in the Port-au-Prince metropolitan area since January 2023. Various forms of violence have often been accompanied by the burning of homes and looting, forcing people to flee.

The Haitian government has failed to protect people from the violence of criminal groups. To those living in affected areas, the police and other authorities scarcely exist.

In response, some residents have turned to “popular justice,” forming the Bwa Kale movement that gained traction in late April 2023. According to BINUH and the Center for Analysis and Research in Human Rights (CARDH), a Haitian nongovernmental group, as of June 2023 the movement had reportedly killed more than 200 people suspected of being members of criminal groups, often in collusion with police officers, in eight of Haiti’s ten departments.

The dire security situation is exacerbated by intense political deadlock, a dysfunctional judicial system, and long-running impunity for human rights abuses. Prime Minister Ariel Henry has controlled all executive and parliamentary functions since the assassination of President Jovenel Moïse in 2021, and he has not reached a consensus with Haitian political actors to enable a democratic transition. Based on available information, there have been no prosecutions or convictions of those responsible for the killings, kidnappings, and sexual violence committed since the start of the year.

Meanwhile, the UN estimates that nearly half of Haiti’s total population of 11.5 million people is acutely food insecure. Over 19,000 people living in the Cité Soleil commune of Port-au-Prince faced catastrophic hunger in late 2022 for the first time on record in Haiti and in the Americas. Haiti is now one of the countries with communities most at risk for starvation, alongside Afghanistan, Burkina Faso, Mali, Somalia, South Sudan, Sudan, and Yemen. The Food and Agriculture Organization of the UN (FAO) and the World Food Programme (WFP) elevated Haiti to “the highest concern level” for food insecurity for the

period from June to November 2023.<sup>7</sup> In addition, about 5.2 million people currently need humanitarian assistance.

Almost 195,000 Haitians are internally displaced due to violence since 2022, and many others have left the country, often undertaking dangerous journeys they hope will lead to safety. In the first half of 2023, more than 73,000 people were forcibly returned to Haiti, often in abusive conditions, mostly from the Dominican Republic and other countries, despite the high levels of risk to their lives and physical integrity.

This report documents some of the abuses committed by criminal groups in four communes of the metropolitan area of Port-au-Prince—Cabaret, Cité Soleil, Croix-des-Bouquets, and Port-au-Prince itself—between January and April 2023. In total, Human Rights Watch documented 67 killings, including of 11 children and 12 women, and 23 cases of rape, including 19 cases in which victims were raped by multiple perpetrators. This count only includes cases where Human Rights Watch interviewed victims or their family members and other witnesses, and not cases reported by other organizations. Many of those Human Rights Watch interviewed were forced to flee their homes following this round of violence.

The report is based on interviews with 127 people, before, during, and after a Human Rights Watch visit to Haiti in late April and early May 2023. Those interviewed included 58 victims and witnesses of violence, all interviewed in person in Haiti, as well as members of Haitian civil society, human rights and diaspora groups, representatives of the United Nations and humanitarian agencies, Haitian political actors and government officials, including Prime Minister Henry, and international officials working on Haiti. In addition, Human Rights Watch reviewed data and reports by the UN, international nongovernmental organizations, Haitian civil society groups, and the media.

Human Rights Watch also verified 15 videos and 5 photographs of violent incidents and used satellite imagery to geolocate key footage of specific cases in the metropolitan area of Port-au-Prince.

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<sup>7</sup> “Hunger Hotspots, FAO-WFP Early Warnings on Acute Food Insecurity June to November 2023 Outlook,” World Food Programme (WFP), Food and Agricultural Organization of the United Nations (FAO), May 29, 2023, <https://www.fao.org/3/cc6206en/cc6206en.pdf> (accessed July 31, 2023).

Some of the most egregious abuses occurred in and around the Brooklyn area of Cité Soleil, where Josephine lives. From mid-March 2023, clashes escalated between two of the main criminal coalitions, the G-Pèp federation, which at time of writing controls Brooklyn, and the G9 alliance, which controls all surrounding neighborhoods and is attempting to expand and take control of Brooklyn. The G9 has blocked off all exit routes from Brooklyn, except Carrefour la Mort. Its members positioned themselves there, and during a month-and-a-half of extreme violence from mid-March through late April, routinely shot at, killed, and gang-raped Brooklyn residents trying to go to the city center or return home. Most of the violence occurred at a place known as Dèyè Mi (Behind the Wall). None of the victims from Brooklyn interviewed by Human Rights Watch had denounced the abuses publicly, reported them to the police, or filed judicial complaints because they feared reprisals and lacked confidence in or access to judicial authorities.

This violent struggle for control—fueled by elite and criminal groups’ electoral and economic interests in the area—has severely restricted the ability of Brooklyn residents to access critical services and basic necessities, as markets and health centers have closed. Nearly all victims and witnesses from Brooklyn said they faced daily challenges finding food for their families and living amid filthy wastewater, due to the accumulation of garbage in the city’s sewage canals that run through the neighborhood and into the sea. The G9 cut off electricity approximately two years ago and did not allow water delivery tanks or sanitation workers to enter Brooklyn during the clashes. Some whose homes were burned down in the clashes struggle to find a place to sleep at night.

A community organization working in Brooklyn documented the killings of around 100 people, as well as around 100 instances of sexual violence during the seven-week period in March and April 2023. Since May, only a few sporadic abuses have been reported on Carrefour la Mort and at Dèyè Mi, but violence continues in other parts of Brooklyn due to attacks by G9 members who still surround the neighborhood.

Haiti is party to core human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights, that protect the rights to life, physical integrity, and liberty, among others. Haitian authorities are obligated to protect these rights effectively, including by taking adequate measures to protect people from reasonably foreseeable threats to their lives by non-state actors, including criminals and organized crime.

In late 2022, Prime Minister Henry called on the international community to deploy a specialized armed force to assist the Haitian National Police in addressing the country's insecurity. The United Nations secretary-general echoed this call. After months of inaction, the United Nations Security Council on July 14, 2023, gave the secretary-general 30 days to present an options paper, outlining possibilities for a multinational force, peacekeeping operation, or other international response. On July 29, Kenya announced that it would "positively consider" leading a multinational force in Haiti and deploying 1,000 police officers to "help train and assist Haitian police restore normalcy in the country and protect strategic installations."

Nearly all Haitian civil society representatives and victims of abuse interviewed by Human Rights Watch said that the situation has deteriorated so drastically this year that some form of urgent international response is needed to restore basic security and the rule of law and to ensure that all Haitians have access to basic necessities. Many said that the dire security situation and extreme hunger and poverty is worse now than at any time they remember.

Civil society representatives also told Human Rights Watch that meaningful change will likely only happen with the establishment of a new, more legitimate transitional government, ideally led by technocrats who do not have links to criminal groups and who would not run in upcoming elections. They urged that any international force deployed in the country should not in effect prop up Prime Minister Henry, whom they see as heading an illegitimate and corrupt government with alleged links to criminal groups, and the political establishment that accompanies him in power.

Many also highlighted the continuing impact in Haiti of the legacies of slavery, colonialism, racism and anti-Blackness, forced debt, and poverty. They caution that, alongside the historical harms and abuses that resulted directly or indirectly from the intervention in Haiti of outside powers and entities, many Western countries and the UN can still have a significant impact on Haiti's economy and politics.

Since the early 19<sup>th</sup> century, when the US, France and other countries refused to recognize Haiti's independence in order to protect their own slave-owning interests, the country has suffered violent occupation, interference in the control of its public finances and political processes, and forced debt. Haitians in the mid-20<sup>th</sup> century also endured almost 30 years

of dictatorship characterized by violence, corruption, and human rights abuses, during regimes that received support from the US and France. In the 2000s, UN peacekeepers were responsible for sexual exploitation and abuse of women and girls, and a deadly cholera epidemic, which the current cholera epidemic can in part be traced back to.

While those interviewed largely said that some form of international force is now needed to support the Haitian national police in addressing violence, they said that steps must be taken to avoid repetition of past harms and to support implementation of a Haitian-led reparations process.

Human Rights Watch calls on the UN Security Council to heed these calls and, if it authorizes the consensual deployment of an international force in Haiti, ensure that it is based on clear human rights protocols and has adequate funding and robust oversight mechanisms. These should be complemented by strong measures to ensure accountability that include Haitian civil society groups, as well as the provision of humanitarian aid and other basic services to those in need.

Human Rights Watch also calls on the US, Canada, France, Caribbean Community (CARICOM) members and other governments to support the facilitation of the establishment of a transitional government that would work to re-establish rights-respecting rule of law and provide access to basic necessities for all Haitians, until democratic elections can provide the basis for the formation of a regular government.

Urgent action is needed to address the extreme levels of violence, lack of security and near-total impunity, and the palpable feelings of terror, fear, hunger, and abandonment that so many Haitians experience today.

# Recommendations

## To the United Nations Secretary-General

- Ensure that BINUH’s activities support the establishment of a transitional government, including through the provision of technical and financial resources and by strengthening interactions with Haitian civil society representatives and political actors (including the opposition) and taking into account their proposals.
- Ensure that OHCHR, BINUH, and other UN agencies support the implementation of a vetting mechanism for the Haitian National Police, under the authority of the transitional authorities, with the goal of identifying, investigating and as appropriate prosecuting, police officers implicated in human rights violations, corruption, support to criminal groups, or other crimes.
- Ensure that OHCHR and other UN agencies work to provide training and technical support to a specialized pool of Haitian judicial investigators, prosecutors, and judges focused on ensuring accountability—including for crimes by members of violent criminal groups and police officers, politicians, and others supporting them—with a view toward reform of the judicial system.
- Support the implementation of measures to address the humanitarian situation and severe overcrowding in prisons, primarily because individuals are held for extensive periods in pre-trial detention, and to have prisons where members of criminal groups allegedly responsible for serious abuses, and their supporters, can be detained in secure and humane conditions.
- Support efforts to ensure that those arrested or detained for their alleged involvement in criminal acts are guaranteed rights-respecting trial procedures that include access to legal counsel and deprivation of liberty only as a last resort; a humane, rights-respecting, and functioning pre-trial facility; a rights-respecting criminal trial process that includes the right to judicial review; and a functioning prison with humane conditions.
- Support the provision of trauma-informed specialized health care, legal support, and psychosocial support, including during criminal proceedings, for survivors of sexual violence, including through support to Haitian organizations.
- Work with the transitional government to implement specialized programs for the disarmament, demobilization, and social and economic reintegration of people

associated with violent criminal groups, with special attention paid to trauma-informed support for children associated with such groups.

- Rigorously apply the Human Rights Due Diligence Policy to any planned cooperation with the Haitian National Police and other security forces in the country.

## To the United Nations Security Council

- Any authorization of the consensual deployment of an international force, as requested by Haitian authorities and the UN secretary-general, should be primarily composed of police officers and should support the Haitian National Police's efforts to restore basic security. The force should be mandated to patrol and secure access to the country's main roads to ensure the transport of food and humanitarian aid and to allow residents to circulate freely; secure key locations such as ports, airports, courts of justice, and hospitals to allow services to be provided to the population; and provide technical, logistical, and intelligence support to the Haitian authorities as they seek to investigate, arrest, and prosecute abusive leaders of criminal groups and those backing these groups through rights-respecting procedures, including by creating conditions to allow members of these groups to safely surrender their weapons. The Security Council should also:
  - Require the creation of an independent mechanism, with the involvement of Haitian civil society groups, to monitor and report on the international force's conduct and performance. This mechanism should include a plan to publicize its existence to the Haitian public; accessible, confidential, and independent complaints procedures for the public; an independent investigation branch with a gender perspective; and procedures to share evidence with other countries' judicial systems to better ensure accountability in the countries of origin of forces responsible for breaches of international norms and UN codes of conduct.
  - Reiterate the expectation that the force's leadership will not tolerate misconduct of any kind, including sexual exploitation and abuse by the force; will promptly investigate all allegations of misconduct; and will appropriately address incidents of confirmed misconduct.
  - Remind the United Nations that it must rigorously apply the UN's Human Rights Due Diligence Policy and refrain from cooperating with units or commanders of the international force or Haitian National Police that have

credibly been implicated in serious human rights abuses or support to criminal groups.

- Urge robust efforts led by Haitian entities focused on: investigating and prosecuting those most responsible for serious violent crimes; resolving the country's political deadlock and facilitating a transitional government; ensuring the safe delivery of urgent humanitarian aid and access to other basic services; curbing the flow of weapons and ammunition to violent criminal groups; and providing jobs, education, and other opportunities for those in communities previously controlled by violent criminal groups.
- Expand the existing arms embargo to include a prohibition on all weapons and materiel transfers to Haitian territory, with an exemption for the Haitian National Police, as long as a strict control mechanism is implemented to ensure delivery and non-diversion.
- Direct the Panel of Experts to produce a specific report to identify states and other actors that violate or circumvent the arms embargo with a special focus on transfers of small arms.
- Impose further targeted sanctions, including travel bans and asset freezes, on those responsible for killings, kidnappings, sexual violence, and other serious abuses, as well as those Haitian and foreign actors responsible for providing support to abusive criminal groups.
- Request regular 30-day reporting from the UN secretary-general on the situation in Haiti.
- Urgently call for a briefing about Haiti by the Special Representative of the Secretary-General on sexual violence in conflict; and for the immediate deployment of a women's senior protection advisor who should work closely with BINUH, OHCHR, and other UN agencies.

### **To all concerned Governments, Institutions, and Donors**

- Stop supporting political actors in Haiti who are credibly implicated as responsible for supporting criminal groups.
- Support, including through technical and financial resources, facilitation of the establishment of a transitional government to restore basic security and ensure adherence to fundamental human rights, re-establish rights-respecting rule of law,

and provide access to basic necessities for all Haitians, until the formation of a regular government on the basis of democratic elections.

- Call for any consensual deployment of an international force to be based on clear human rights protocols, have adequate funding and robust oversight mechanisms, and be complemented by strong measures to ensure accountability, curb the flow of weapons and ammunition to violent criminal groups, and provide humanitarian aid and other basic services, education, and jobs in areas that have been most affected by violent criminal groups.
- Support efforts by the transitional government and any international force to effectively dismantle criminal groups and their criminal networks by ensuring that those responsible for large-scale killings, sexual violence, and kidnappings, and for providing support to criminal groups, including outside Haiti, are held accountable through rights-respecting procedures. Such support should include steps by foreign governments to examine and improve their domestic actions to address any links existing in their own countries to violent criminal groups operating in Haiti.
- Ensure that immigration policies and measures comply with international human rights laws, in particular with the non-refoulement principle, and where such policies and measures exist, keep them in place and expedite their implementation to achieve protection for Haitians. All governments, particularly the Dominican Republic, the United States, the Bahamas, and Cuba, should stop removing, expelling, or deporting people to Haiti as long as conditions of violence and other exceptional conditions present a real risk of serious harm. This suspension of returns should include children born of Haitian parents abroad who face a high risk of violence in Haiti and have no effective access to protection or justice.
- Consider directing additional emergency humanitarian aid to Haiti, in particular toward strengthening the functioning of humanitarian agencies to ensure that Haitians can freely receive this assistance and access basic services while a transitional government puts in place a sustainable plan of assistance for those in need. Ensure measures are in place or improved to guard against sexual exploitation in the delivery of all services and assistance.

## **To the United States, Canada, and the European Union**

- Impose, fully enforce, continuously update, and adopt additional targeted sanctions, including travel bans and asset freezes, against those responsible for killings, kidnappings, sexual violence, and other serious abuses, as well as those Haitian and foreign actors responsible for providing support to abusive criminal groups, as necessary, to ensure they are tailored to evolving circumstances in Haiti.
- Adopt stronger measures to stop the illicit flow and sale of weapons and ammunition to violent criminal groups operating in Haiti.

## **To the United States and France**

- Explicitly recognize, with guarantees of non-repetition, the responsibility of the US and France for their historic harms and abuses with ongoing impacts and work towards the development of an effective and genuine reparations process led by Haitian people.

## **To Members of the Caribbean Community (CARICOM)**

- Continue supporting political negotiations among Haitian civil society representatives, political actors, and government officials towards the establishment of a transitional government that should work to restore basic security and ensure adherence to fundamental human rights, re-establish rights-respecting rule of law, and provide access to basic necessities for all Haitians.
- Adopt measures to stop the illicit flow and sale of weapons and ammunition to violent criminal groups operating in Haiti, including strengthening control of seaports and maritime traffic.

## **To Prime Minister Ariel Henry's Administration**

- Engage meaningfully and urgently with a diverse group of Haitian social and political actors to craft a solution to the country's multifaceted crisis with clear objectives and a precise timetable.
- Support a process that will allow a transitional government to form, reestablish basic security and ensure adherence to fundamental human rights, re-establish

- rights-respecting rule of law, provide safe and fair access to basic necessities for all Haitians, and hold democratic elections to establish a regular government.
- Work to ensure that all Haitians have access to basic services, including health services, justice, and reparations for survivors of sexual violence, ensuring those living in areas controlled by criminal groups are not left out.
  - Support efforts to sanction and hold accountable through rights-respecting procedures those responsible for large-scale killings, sexual violence, and kidnappings—including the attacks in Cité Soleil, Source Matelas, Bel-Air, and Croix-des-Bouquets documented in this report—as well as those who have provided support to abusive criminal groups.
  - Do not criminalize children who have been coerced or forced into criminal groups' activities and support measures aimed at their rehabilitation and reintegration.
  - Urgently address the crisis in the judicial system, including by relocating courts to safe areas, providing security for threatened judicial officials, improving prison conditions, and urgently improving access to justice for all Haitians.
  - Remove abusive or corrupt officers and officials from the police force and judiciary.
  - Work with the international force (if deployed), the National Police, and international partners to restore basic security in the Port-au-Prince metropolitan area, as well as other parts of the country plagued by insecurity.
  - Work with UN agencies and donors to provide assistance to people who are displaced internally due to violence and natural disasters.
  - Work with UN agencies and donors to implement a comprehensive returnee reintegration program for those who have already been removed, expelled, or deported to Haiti that addresses their specific needs, including work, security and family reunification, services for survivors of gender-based violence, and support for children on the basis of a best interests assessment.
  - Establish a dialogue with the government of the Dominican Republic to address its treatment of Haitians and their descendants and implement assistance programs for those affected.

## **M**ethodology

In researching this report, Human Rights Watch interviewed 127 people, before, during, and after a visit to Port-au-Prince, Haiti, from April 27 to May 5, 2023. Interviews were conducted in English, French, and Creole with the support of Haitian translators and humanitarian and human rights workers. Additional meetings took place in Washington, DC with diaspora groups and Haitian and US government officials between March and June.

Those interviewees included 58 victims and witnesses of various forms of violence, people who were injured, and relatives of those who were killed or faced sexual violence. All were interviewed in person in Haiti. We also interviewed representatives of Haitian civil society groups and political coalitions, and human rights and community organizations working in Haiti; members of the diaspora; representatives of international nongovernmental organizations (NGOs), international organizations and the United Nations; and experts. We met with Haitian government officials, including Prime Minister Ariel Henry and Ambassador Leon Charles, Permanent Representative at the Organization of American States (OAS), as well as government commissioners and judges.

Human Rights Watch reviewed data and reports by the UN, the United States government, the Caribbean Community (CARICOM), international NGOs, Haitian and diaspora civil society groups, and the media.

In addition, we used satellite imagery to geolocate eight videos shared on social media showing attacks committed by the Bwa Kale movement, mainly in the Port-au-Prince metropolitan area. We also verified 12 videos and photographs showing the catastrophic humanitarian situation faced by the Haitian population in the Port-au-Prince area.

Our documentation of the killings and cases of sexual violence is based mostly on information provided by victims or their family members and witnesses to events, cross-checked with information collected by Haitian and international human rights and community organizations. Because criminal groups burned the bodies of many of the victims, and due to the limited access to health care and lack of a functioning judicial system, it was difficult to obtain medical records, autopsy reports, or death certificates. Most of the victims and witnesses Human Rights Watch interviewed either did not have

access to smartphones or were too afraid to use them to record violence and abuses, which limited the availability of photographs and videos.

Human Rights Watch also interviewed Haitian and international security experts and analysts, human rights officials, and government officials about their own research into alleged links between violent criminal groups and the country's political, economic, and security elite. We did not have the capacity to independently verify claims about these alleged links.

Human Rights Watch identified victims and witnesses of violence with the support of Haitian human rights and community groups and international organizations. We also visited a hospital in Port-au-Prince.

Human Rights Watch has used pseudonyms for most interviewees, as they requested confidentiality for fear of reprisals.

Human Rights Watch informed all participants of the purpose of the interview, its voluntary nature, and the ways in which information would be collected and shared publicly. Interviewers assured participants that they could end the interview at any time or decline to answer any questions, without any negative consequences. All interviewees provided informed consent orally and, in the cases where recordings of their testimonies were made, they gave their written consent.

Interviews were semi-structured and covered topics related to abuses by criminal groups, the humanitarian situation, the political, judicial and security context, and the international response.

No interviewee received compensation for providing information. Human Rights Watch only provided financial assistance for transportation and food to those interviewed who needed it, through the human rights and community organizations that helped locate them. We also referred several survivors of sexual violence to a hospital where they could receive medical attention free of charge, and supported the foreseen transport costs. Care was taken with victims of trauma to minimize the risk that recounting their experiences could further traumatize them.

Human Rights Watch wrote to the Haitian National Police, the Ministry of Justice, and Prime Minister Ariel Henry on July 12, laying out allegations of police inaction during or complicity in violence in the attacks that took place in Cabaret and Port-Au-Prince communes, and the violence committed by the self-defense groups known as the Bwa Kale movement. At time of writing, we had not received a response.

Haitians and international observers refer to those responsible for the abuses that Human Rights Watch documents in this report as members of gangs, armed groups, or violent criminal groups. For the purposes of this report, we are using the term criminal groups or violent criminal groups.

# I. Soaring Insecurity

The security situation in Haiti has deteriorated drastically as violent criminal groups have expanded their areas of control, committing serious human rights abuses and disrupting the social and economic lives of Haitians. This has led some Haitians to form new self-defense movements, exacerbating a spiral of violence that the authorities have not been able to address. The abuses documented by Human Rights Watch in four communes of the metropolitan area of Port-au-Prince amount to serious violations of international human rights law that should be investigated and prosecuted in fair and credible judicial proceedings.

## Applicable Legal Standards

Haiti is party to core human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights, that protect the rights to life, to physical integrity, and to liberty, among others. Haitian authorities are obligated to protect these rights effectively, including by taking adequate measures to protect people from reasonably foreseeable threats to their lives by non-state actors, including criminals and organized crime.<sup>8</sup>

## Killings, Sexual Violence, and Kidnappings by Criminal Groups

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) estimates that approximately 300 criminal groups operate in Haiti, half of them in the West department that includes the capital Port-au-Prince and its metropolitan region, where they killed more than 2,000 people during the first half of 2023, an increase of nearly 125 percent compared to the first half of 2022. Six hundred were killed just in April.<sup>9</sup>

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<sup>8</sup> United Nations, General Assembly, 1966, International Covenant on Civil and Political Rights, Treaty Series, 999, 171; Organization of American States (OAS), American Convention on Human Rights, "Pact of San Jose," Costa Rica, November 22, 1969.

<sup>9</sup> "Haiti: Humanitarian Response Plan 2023 at a Glance," *Relief Web*, April 13, 2023, <https://reliefweb.int/report/haiti/haiti-humanitarian-response-plan-2023-glance-april-2023-enht> (accessed June 30, 2023); "Haiti: International Support Needed Now to Stop Spiraling Gang Violence," *United Nations News*, May 9, 2023, [https://news.un.org/en/story/2023/05/1136502?utm\\_source=UN+News++Newsletter&utm\\_campaign=1a3e9b73ae-EMAIL\\_CAMPAIGN\\_2023\\_05\\_09\\_07\\_24&utm\\_medium=email&utm\\_term=0\\_fdbf1af606-1a3e9b73ae-%5BLIST\\_EMAIL\\_ID%5D](https://news.un.org/en/story/2023/05/1136502?utm_source=UN+News++Newsletter&utm_campaign=1a3e9b73ae-EMAIL_CAMPAIGN_2023_05_09_07_24&utm_medium=email&utm_term=0_fdbf1af606-1a3e9b73ae-%5BLIST_EMAIL_ID%5D) (accessed June 30, 2023); Haiti: Human Rights Quarterly Report - Q1 2023, United Nations, May 10, 2023, <https://haiti.un.org/en/230813-haiti-human-rights-situation-quarterly-report-q1-2023> (accessed June 30, 2023); Human Rights Situation, Quarterly Report, BINUH, January 20, 2023,

Most of the killings took place in communes and neighborhoods that are largely under the control of criminal groups, including Cité Soleil and Bel-Air, while some took place in Cabaret, Croix-des-Bouquets, and other areas where criminal groups have recently expanded their control.<sup>10</sup>

In Cité Soleil, long-running clashes intensified in mid-2022 between the two main criminal coalitions, the G-Pèp federation, led by Gabriel Jean-Pierre, alias “Gabriel,” and the G9 alliance, led by Jimmy Chérizier, alias “Barbecue.” In other areas, both criminal groups that are part of these coalitions and independent groups have sought to expand their territorial control, directly attacking the population and establishing themselves as the de facto authorities, including in neighborhoods considered relatively safe or free of criminal activity in previous years.<sup>11</sup>

Haitian human rights organizations and international organizations assess that criminal groups currently control nearly all of the metropolitan area of Port-au-Prince, an alarming expansion compared to December 2022, when these organizations estimated that criminal groups controlled 60 percent of this area.<sup>12</sup>

Violence has also spread to other parts of the country, including the neighboring Artibonite department to the north, a largely agricultural region. According to international and Haitian humanitarian and human rights organizations, some criminal groups, mainly Baz

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[https://binuh.unmissions.org/sites/default/files/human\\_rights\\_quarterly\\_report\\_-\\_q1\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_q1_2023.pdf) (accessed June 30, 2023); United Nations Integrated Office in Haiti Report of the Secretary-General, S/2022/481, June 13, 2022, [https://binuh.unmissions.org/sites/default/files/2022-06-13\\_-\\_sg\\_report\\_on\\_binuh.pdf](https://binuh.unmissions.org/sites/default/files/2022-06-13_-_sg_report_on_binuh.pdf) (accessed June 16, 2023); Information provided to Human Rights Watch by BINUH via e-mail on July 25, 2023 (on file with Human Rights Watch).

<sup>10</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, May 4, 2023; Human Rights Situation, Quarterly Report, BINUH, January 20, 2023, [https://binuh.unmissions.org/sites/default/files/human\\_rights\\_quarterly\\_report\\_-\\_q1\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_q1_2023.pdf) (accessed June 30, 2023).

<sup>11</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interviews with victims from Cabaret, Croix-des-Bouquets, and Port-au-Prince, May 2 and 5, 2023.

<sup>12</sup> Information based on a desk review of official Haitian publications, documents from the UN and NGOs, research publications, and 12 in-person and virtual interviews with representatives of Haitian and international humanitarian and human rights organizations, government officials, and security experts working in Haiti.

Gran Grif, led by Luckson Élan, alias “Jeneral Luckson,” have expanded their territorial control in the communes of Deschapelles, La Croix Périssette, L’Estère, Liancourt, Petite Rivière de l’Artibonite, Saint Marc, and Verrettes. This expansion led to at least 123 murders between January and June 2023, an increase of about 485 percent compared to the same period in 2022, as well as the closure of multiple markets and abandonment of land, which affected food production and the distribution chain to Port-au-Prince and from there to the rest of the country. This has severely aggravated the food insecurity crisis that now affects almost half of Haiti’s population.<sup>13</sup>

Killings in the Port-au-Prince metropolitan area and Artibonite are often accompanied by sexual violence, looting, burning of corpses in the streets, and burning or illegal occupation of houses, all of which have led to the displacement of thousands of people.<sup>14</sup>

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<sup>13</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 4, 2023; Human Rights Watch telephone interview with a Haitian civil society representative, June 7, 2023; “Insecurity: 6 police Officers Killed in Clashes With the ‘Gran Grif’ Gang,” *IchiHaiti*, January 26, 2023, <https://www.ichihaiti.com/en/news-38701-ichihaiti-insecurity-6-police-officers-killed-in-clashes-with-the-gran-grif-gang.html> (accessed June 22, 2023); Gavin Voss, “Haiti’s Rural Gangs Threaten Food Production as Hunger Crisis Looms,” *InSight Crime*, February 27, 2023, <https://insightcrime.org/news/haitis-rural-gangs-threaten-food-production-as-hunger-crisis-looms/> (accessed June 22, 2023); “Terror settles in the Artibonite,” *Haiti Libre*, February 25, 2023, <https://www.haitilibre.com/en/news-38932-haiti-flash-terror-settles-in-the-artibonite.html> (accessed June 22, 2023); “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” Réseau National De Défense Des Droits Humains/ Rezo Nasyonal Pou Defann Dwa Moun/ The National Human Rights Defense Network (RNDDH), May 9, 2023, <https://web.rnndh.org/wp-content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VP-ENG.pdf> (accessed June 22, 2023); “Haiti: Humanitarian Impact of Gang Violence,” ACAPS, June 2, 2023, [https://www.acaps.org/sites/acaps/files/slides/files/20230602\\_acaps\\_briefing\\_note\\_haiti\\_humanitarian\\_impact\\_of\\_gang\\_violence.pdf](https://www.acaps.org/sites/acaps/files/slides/files/20230602_acaps_briefing_note_haiti_humanitarian_impact_of_gang_violence.pdf) (accessed August 4, 2023); “Humanitarian crisis in Haiti,” ABC News, June 15, 2023, <https://abcnews.go.com/International/video/humanitarian-crisis-haiti-100130057> (accessed June 22, 2023); “WFP Haiti Hunger Gangs Violence,” UN Audiovisual Library, June 12, 2023, <https://www.unmultimedia.org/avlibrary/asset/3054/3054565/> (accessed June 22, 2023); “Nueva Oleada de Violencia de Pandillas en Haití,” Associated Press, February 4, 2023, <https://apnews.com/article/noticias-dac432fdc4692bad40865d05a47ba126> (accessed June 22, 2023); Information provided to Human Rights Watch by BINUH via e-mail on July 25, 2023 (on file with Human Rights Watch).

<sup>14</sup> Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interviews with 42 victims in Cité Soleil, Cabaret, Croix-des-Bouquets and Port-au-Prince communes, Port-au-Prince, May 2-4, 2023; “Human Rights and the Rule Of Law in Haiti: Key Recent Developments December 2022 through May 2023,” Institute for Justice and Democracy in Haiti, June 1, 2023, <http://www.ijdh.org/wp-content/uploads/2023/06/HRU-June-2023-FINAL.pdf> (accessed June 22, 2023); “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” *RNDDH*, May 9, 2023, <https://web.rnndh.org/wp-content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VP-ENG.pdf> (accessed June 22, 2023).



Canaan residents displaced due to violence from criminal groups in early 2023, living in a makeshift shelter in the Delmas commune of Port-au-Prince. © 2023 Nathalye Cotrino/Human Rights Watch

According to the International Organization for Migration (IOM), between January and June 2023, more than 47,400 people were newly displaced in the Port-au-Prince metropolitan region, and more than 6,700 in Artibonite, including people who arrived from the Cabaret, Croix-des-Bouquets, and Port-au-Prince communes in the West Department, due to violence.<sup>15</sup>

Sexual violence, including gang rape, continues to be used by criminal groups to terrorize, control, and “punish” women and girls who live in areas controlled by rival criminal

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<sup>15</sup> Information provided to Human Rights Watch by BINUH via e-mail on July 25, 2023 (on file with Human Rights Watch).

groups.<sup>16</sup> International organizations also reported abuse and sexual exploitation by criminal groups of women and children living in areas under their control.<sup>17</sup>

In Cité Soleil, some criminal groups, including members of the G9 alliance, gang-rape women and girls living in neighborhoods controlled by the G-Pèp federation to instill fear, as part of their effort to gain control of the area. Other groups use sexual violence as a form of control to demonstrate that they are the new authority in areas where they previously had no presence, and still others use it as punishment for residents who oppose their presence in the neighborhoods.<sup>18</sup>

“Sexual violence is not only used as a weapon of war between criminal groups,” an international humanitarian officer told Human Rights Watch. “But it has become a usual practice, just for their [criminal group members’] pleasure, simply because they have the power to do so, since they have control of the population in the absence of the state.”<sup>19</sup>

Médecins Sans Frontières (MSF, Doctors Without Borders), which runs several hospitals in Port-au-Prince, reports that between January and May 2023, it assisted a total of 1,005 survivors of sexual violence in Port-au-Prince, almost twice the number registered during

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<sup>16</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; “Human Rights and the Rule of Law in Haiti: Key Recent Developments December 2022 through May 2023,” Institute for Justice and Democracy in Haiti, June 1, 2023, <http://www.ijdh.org/wp-content/uploads/2023/06/HRU-June-2023-FINAL.pdf> (accessed June 22, 2023); Human Rights Situation, Quarterly Report, BINUH, January 20, 2023, [https://binuh.unmissions.org/sites/default/files/human\\_rights\\_quarterly\\_report\\_-\\_q1\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_q1_2023.pdf) (accessed June 30, 2023); United Nations Integrated Office in Haiti Report of the Secretary-General, S/2023/274, April 4, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed August 6, 2023); “Human Rights and the Rule of Law in Haiti: Key Recent Developments December 2022 through May 2023,” Institute for justice and Democracy in Haiti, June 1, 2023, <http://www.ijdh.org/wp-content/uploads/2023/06/HRU-June-2023-FINAL.pdf> (accessed June 22, 2023).

<sup>17</sup> Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; United Nations Integrated Office in Haiti Report of the Secretary-General, S/2023/274, April 4, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed June 22, 2023). Human Rights Situation, Quarterly Report, BINUH, January 20, 2023, [https://binuh.unmissions.org/sites/default/files/human\\_rights\\_quarterly\\_report\\_-\\_q1\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_q1_2023.pdf) (accessed June 30, 2023).

<sup>18</sup> Human Rights Watch interviews with victims from Cité Soleil, Port-au-Prince and Cabaret communes, Port-au-Prince, May 3-4, 2023.

<sup>19</sup> Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023.

the same period in 2022.<sup>20</sup> The Haitian women’s rights organization Négés Mawon has documented more than 110 cases of sexual violence committed by criminal groups since the start of the year.<sup>21</sup> However, underreporting is significant, and no state or nonstate entity keeps track of the total number of cases.<sup>22</sup> Of the 23 people whose sexual violence cases Human Rights Watch documented and which occurred between January and April 2023, 16 said they had not received any medical treatment before Human Rights Watch met with them and referred them to a hospital.

Criminal groups also kidnapped more than 1,000 people in the first half of the year, often only releasing victims after receiving hefty ransom payments.<sup>23</sup> This is an increase of almost 49 percent compared to 681 reported kidnappings in the same period in 2022.<sup>24</sup> The victims are primarily Haitian nationals, and include civil servants, judicial officials, health and education workers, and others perceived to have access to financial resources, as well as some who happened to be in the wrong place at the wrong time.<sup>25</sup> Some foreigners have also been kidnapped, including 40 in the first half of 2023.<sup>26</sup> In some cases, assailants reportedly sexually assaulted victims of kidnapping to pressure families to pay the ransom.<sup>27</sup>

According to several international and Haitian human rights officials and security experts monitoring the situation, kidnapping has reached new levels of severity and has become one of the main sources of financing for criminal groups, giving them more autonomy and

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<sup>20</sup>“We Can’t Find Support’: Three Women’s Stories of Repeated Rape by Haitian Gangs,” *The New Humanitarian*, June 27, 2023, <https://www.thenewhumanitarian.org/news-feature/2023/06/27/we-cant-find-support-three-womens-stories-repeated-rape-haitian-gangs> (accessed August 2, 2023).

<sup>21</sup> Information provided to Human Rights Watch by the Haitian women’s rights organization Négés Mawon via e-mail, on July 30, 2023 (on file with Human Rights Watch).

<sup>22</sup> Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch telephone interview with a representative from the Haitian women’s rights organization Négés Mawon, June 5, 2023.

<sup>23</sup> United Nations Security Council, United Nations Integrated Office in Haiti, Report of the Secretary-General, S/2023/492, July 3, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/183/33/PDF/N2318333.pdf?OpenElement> (accessed July 31, 2023); “Kidnapping: Bulletin (#11) Janvier, Février et Mars 2023,” Center for Analysis and Research in Human Rights (CARDH), April 4, 2023 <https://cardh.org/archives/4363> (accessed June 22, 2023).

<sup>24</sup> Information provided to Human Rights Watch by BINUH via e-mail, on July 25, 2023 (on file with Human Rights Watch).

<sup>25</sup> “Kidnapping: Bulletin (#11) Janvier, Février et Mars 2023,” CARDH, April 4, 2023, <https://cardh.org/archives/4363> (accessed June 22, 2023).

<sup>26</sup> “Kidnapping: Bulletin April-May-June 2022 (#8),” CARDH, June 30, 2022, <https://cardh.org/archives/3921> (accessed August 2, 2023).

<sup>27</sup> Human Rights Watch interview with a security expert, Port-au-Prince, May 1, 2023; “Human Rights Quarterly Report - Q1 2023,” BINUH, January 20, 2023, [https://binuh.unmissions.org/sites/default/files/human\\_rights\\_quarterly\\_report\\_-\\_q1\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_q1_2023.pdf) (accessed June 22, 2023).

strength, and helping facilitate their territorial expansion.<sup>28</sup> “It’s a business,” a Haitian civil society representative said. “It allows them to get food and buy weapons and ammunition. Kidnapping is the only business that’s functioning in Haiti today.”<sup>29</sup>

Children have been particularly affected by the violence. The UN secretary-general’s annual report on children in armed conflict, published on June 27, 2023, added Haiti as a “situation of concern with immediate effect,” due to “the gravity and number of violations” between September 2022 and March 2023, including “recruitment and use, killing and maiming, rape and other forms of sexual violence, attacks on schools and hospitals, abduction, and denial of humanitarian access.”<sup>30</sup>

## Rise of a Violent “Self-Defense Movement”

Given the alarming insecurity and the state’s failure to protect residents, some Haitians have decided to take “justice” into their own hands, forming what has become known as the Bwa Kale movement. Justice Minister Émmelie Prophète-Milcé appeared to encourage this when she stated in a press release in March 2023 that the criminal code allows for legitimate self-defense.<sup>31</sup> The Bwa Kale movement gained traction on April 24, 2023, when residents of Canapé-Vert, a neighborhood of Port-au-Prince, took 14 suspected members of criminal groups from police custody, lynched them with improvised weapons, and burned their bodies in the street as police officers looked on and, in some cases, appeared to

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<sup>28</sup> Human Rights Watch interview with an international humanitarian rights official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a government commissioner, May 2, 2023.

<sup>29</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023.

<sup>30</sup> Children and Armed Conflict, Report of the Secretary-General, United Nations General Assembly Security Council, A/77/895-S/2023/363, June 5, 2023, [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S\\_2023\\_363.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/S_2023_363.pdf) (accessed July 20, 2023).

<sup>31</sup> Jean Junior Celestin, “Insecurity: the Ministry of Justice and Public Security Calls on Citizens to Defend Themselves,” *Le Nouvelliste*, March 7, 2023, <https://lenouvelliste.com/article/241115/insecurite-le-ministere-de-la-justice-et-de-la-securite-publique-appelle-les-citoyens-a-se-defendre> (accessed June 22, 2023); “Ministry Jistis Ak Sekirite Piblik | Nòt Pou Laafter Monday 6 Mas 2023,” Republic of Haiti Ministry of Justice and Public Security, <http://mjsp.gouv.ht/index.php/ministe-jistis-ak-sekirite-piblik-not-pou-lapres/> (accessed June 22, 2023).

encourage the residents.<sup>32</sup> A video recorded in Canapé-Vert on April 24 and shared on Twitter shows one police officer stepping on a person's back to keep him on the ground while residents throw rocks at him and other suspected criminal members moments before they are set on fire.<sup>33</sup>

Since then, the movement has expanded to all departments and resulted in the killing of more than 200 suspected criminal group members, according to the United Nations Integrated Office in Haiti (BINUH).<sup>34</sup> Some victims were apparently targeted because they seemed unfamiliar to neighborhood residents or had tattoos or dreadlocks, or because their photos had been posted on social media.<sup>35</sup> Human Rights Watch verified eight videos uploaded to social media and news sites between April 24 and May 19, 2023, showing four different attacks relating to the Bwa Kale movement.<sup>36</sup> Three of the attacks documented in these videos took place within 15 meters of police stations.

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<sup>32</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; "Canapé-Vert: More Than a Dozen Bandits Lynched and Burned by the Population," *Haiti Libre*, April 25, 2023, <https://www.haitilibre.com/en/news-39382-haiti-canape-vert-more-than-a-dozen-bandits-lynched-and-burned-by-the-population.html> (accessed June 30, 2023); @Observers post to Twitter, May 16, 2023, <https://twitter.com/Observers/status/1658382501948137473> (accessed June 30, 2023); @InfoPLUS\_official post to TikTok, April 24, 2023, [https://www.tiktok.com/@infoplus\\_official/video/7225598593674071301](https://www.tiktok.com/@infoplus_official/video/7225598593674071301) (accessed June 30, 2023); @Mr\_Edson\_Samson post to Twitter, April 24, 2023, [https://twitter.com/mr\\_edson\\_samson/status/1650528404746170375](https://twitter.com/mr_edson_samson/status/1650528404746170375) (accessed June 30, 2023); Henry Shuldiner, "Haiti's Anti-Gang Vigilantes May Pose Future Criminal Threat," *InSight Crime*, May 9, 2023, <https://insightcrime.org/news/bwa-kale-vigilante-movement-challenging-haitis-gangs/> (accessed June 30, 2023); "Mob kills 13 Suspected Haiti Gangsters with Gas-Soaked Tires," Associated Press, April 24, 2023, <https://apnews.com/article/haiti-mob-gangsters-burn-to-death-88ed763d3f6714a03e627ec2add53572> (accessed July 14, 2023).

<sup>33</sup> @Mr\_Edson\_Samson post to Twitter, April 24, 2023, [https://twitter.com/mr\\_edson\\_samson/status/1650528404746170375?s=61&t=4WJWeAecD1ijZ1QUsDLncQ](https://twitter.com/mr_edson_samson/status/1650528404746170375?s=61&t=4WJWeAecD1ijZ1QUsDLncQ) (accessed August 4, 2023).

<sup>34</sup> "The 'Bwa Kale' Movement Lynched More Than 200 People But Not Only Bandits," *Haiti Libre*, June 26, 2023, <https://www.haitilibre.com/en/news-39866-haiti-flash-the-bwa-kale-movement-lynched-more-than-200-people-but-not-only-bandits.html> (accessed June 30, 2023); Latest Center for Analysis and Research in Human Rights (CARDH) report on file with Human Rights Watch, July 3, 2023, <https://cardh.org/archives/4427> (accessed August 8, 2023); "Haiti: Briefing and Consultations: What's In Blue," *Security Council Report*, July 5, 2023, [https://www.securitycouncilreport.org/whatsinblue/2023/07/haiti-briefing-and-consultations-7.php?utm\\_medium=email&utm\\_campaign=5%20July%20campaign%202&utm\\_content=5%20July%20campaign%202+CID\\_bf58fde38512585da2f9015b096301b4&utm\\_source=Email%20Newsletter&utm\\_term=Haiti%20Briefing%20and%20Consultations](https://www.securitycouncilreport.org/whatsinblue/2023/07/haiti-briefing-and-consultations-7.php?utm_medium=email&utm_campaign=5%20July%20campaign%202&utm_content=5%20July%20campaign%202+CID_bf58fde38512585da2f9015b096301b4&utm_source=Email%20Newsletter&utm_term=Haiti%20Briefing%20and%20Consultations) (accessed August 4, 2023).

<sup>35</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>36</sup> Human Rights Watch verified four videos uploaded to social media on April 24 of a Bwa Kale attack in Canapé Vert outside the city district's police station. One video uploaded to TikTok shows people dressed in civilian clothes chasing and beating suspected criminal members: @InfoPLUS\_official post to TikTok, April 24, 2023,

While kidnappings by criminal groups reportedly decreased in some areas, apparently due to this movement, according to CARDH, attacks have continued unabated in other areas. Many residents unaffiliated with Bwa Kale fear violent reprisal attacks by criminal groups and a further spiraling of the situation, particularly as members of criminal groups have formed their own new movement in retaliation, known as Zam Pale.<sup>37</sup>

A Haitian human rights representative told Human Rights Watch:

The self-defense brigades seize weapons from alleged members of criminal groups, but they are not handing them over to the police. They are using them, and now they are asking the neighbors for money for ammunition, gasoline, etc., following the same pattern of formation of the criminal groups.<sup>38</sup>

An international humanitarian worker warned: “We’re talking about groups of up to 50 residents and they’ve started asking residents for money to protect them... It’s very

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[https://www.tiktok.com/@infoplus\\_official/video/7225598593674071301](https://www.tiktok.com/@infoplus_official/video/7225598593674071301) (accessed June 30, 2023). In a second video uploaded to Facebook, a man in police uniform kicks the suspected criminal group members to keep them from rising from the ground: @Mr\_Edson\_Samson post to Twitter, April 24, 2023, [https://twitter.com/mr\\_edson\\_samson/status/1650528404746170375](https://twitter.com/mr_edson_samson/status/1650528404746170375) (accessed June 30, 2023). In one video uploaded to Facebook, the alleged criminal group members are seen burning in the middle of the street as onlookers film the event: Lawouze Infos post to Facebook, 24 April, 2023, <https://www.facebook.com/LawouzeInfo/posts/1204651593504302/> (accessed August 8, 2023). Human Rights Watch also verified three other videos showing attacks relating to the Bwa Kale movement that took place elsewhere in Haiti. One video uploaded to Facebook and a second video uploaded to Telegram on May 19 show the moment an alleged criminal group member is removed from the police station in Tomassique: CiscoNews post to Facebook, May 20, 2023, <https://www.facebook.com/watch/?v=6534214213289888> (accessed August 7, 2023); @Bwakalee post to Telegram, May 19, 2023, <https://t.me/bwakalee/267> (accessed August 7, 2023). Armed police officers are visible at certain moments in both videos. A second incident took place in the town of Gros Morne. A video posted to Telegram on April 29 shows the moment a crowd dragged two alleged criminal group members from a police station and began to beat two people with various objects: @Bwakalee post to Telegram, May 19, 2023, <https://t.me/bwakalee/267> (accessed August 4, 2023); @Doc-Enfolive post to Telegram, “Men Bwa Kale 2 Nèg Yo,” April 29, 2023, <https://t.me/DocEnfoLiveHT/24> (accessed August 4, 2023).

<sup>37</sup> Jacqueline Charles, “World Must Act Now to Stem the Violence,” U.N. Head Says in Appeal for Help on Haiti, Miami Herald, July 7, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277064583.html> (accessed July 20, 2023); Chloe Lauvergnier, “Investigation: In Haiti, Residents Hunt Down and Kill Those Suspected of Belonging to Gangs,” France 24, May 16, 2023; <https://observers.france24.com/fr/%C3%A9missions/les-observateurs/20230516-haiti-port-au-prince-bwa-kale-gangs-violence-colere> (accessed July 20, 2023); “Haiti: Briefing and Consultations,” Security Council Report, July 5, 2023, [https://www.securitycouncilreport.org/whatsinblue/2023/07/haiti-briefing-and-consultations-7.php?utm\\_medium=email&utm\\_campaign=5%20July%20campaign%202&utm\\_content=5%20July%20campaign%202+CID\\_bf58fde38512585da2f9015b096301b4&utm\\_source=Email%20Newsletter&utm\\_term=Haiti%20Briefing%20and%20Consultations](https://www.securitycouncilreport.org/whatsinblue/2023/07/haiti-briefing-and-consultations-7.php?utm_medium=email&utm_campaign=5%20July%20campaign%202&utm_content=5%20July%20campaign%202+CID_bf58fde38512585da2f9015b096301b4&utm_source=Email%20Newsletter&utm_term=Haiti%20Briefing%20and%20Consultations) (accessed July 20, 2023).

<sup>38</sup> Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023.

dangerous because many innocent people are victims... and if people refuse or tell them that they are also violating human rights, they accuse [their critics] of defending the gangs and threaten them.”<sup>39</sup>

The UN secretary-general warned in a report on July 1, 2023, that the Bwa Kale and Zam Kale movements have “sparked a new and alarming cycle of violence which, if not urgently addressed, is likely to escalate through further mobilization, arming, and recruitment, especially of youth.”<sup>40</sup>

## Port-au-Prince Communities Most Affected by Violence

Between January and April 2023, many of the most egregious abuses took place in four communes in the West department, all in the metropolitan area of Port-au-Prince: Cité Soleil, Cabaret, Port-au-Prince, and Croix-des-Bouquets. Human Rights Watch documented some of these abuses: 67 killings of residents by members of criminal groups, including 11 children and 12 women, and 23 cases of rape, including 19 cases of gang rape, where the victims were sexually assaulted by multiple perpetrators. These figures only include cases where Human Rights Watch interviewed victims or their family members and other witnesses, and not cases we heard about from other organizations. Many of those Human Rights Watch interviewed were forced to flee their homes following this latest round of violence.

At least 45 victims died from gunshot wounds, while others were attacked with machetes, and some were burned alive inside their homes. Most of those shot were hit in the head, chest, or back, and appear to have been targeted. Two were apparently victims of stray bullets while they were inside or just outside their homes, and one victim was shot while fleeing during clashes between different criminal groups. In a few cases, family members were able to recover the bodies of their loved ones for burial. Most bodies, however, were burned in the streets or taken away by the criminal groups.<sup>41</sup>

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<sup>39</sup> Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023.

<sup>40</sup> United Nations Security Council and BINUH, Report of the Secretary-General, S/2023/492, July 3, 2023, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/183/33/PDF/N2318333.pdf?OpenElement> (accessed July 31, 2023).

<sup>41</sup> Human Rights Watch interviews with victims' relatives, Port-au-Prince, May 2-4, 2023.

Many survivors of rape said that they were also beaten during the episodes of sexual violence, and one said the perpetrators penetrated her vagina with a stick. Sixteen of the



An x-ray image shows a bullet lodged in the head of a child who was hit during a confrontation between criminal groups in the Brooklyn neighborhood of Cité Soleil commune in early April 2023. © 2023 Private.

victims had not visited a health center or received any medical care before Human Rights Watch met with them and referred them to a hospital for treatment. Ensuring prompt access to health care for sexual violence survivors is critical because some treatments are time-sensitive, such as emergency contraception to prevent unintended pregnancy and post-exposure prophylaxis to prevent HIV infection.<sup>42</sup> Some survivors interviewed for this report did not have access to these treatments. Many described the continued physical pain, psychological trauma, and stigmatization that they endured after the assault.

One woman from Bel-Air said that she was held captive by members of a criminal group for five days in late February and early March 2023, during which five men repeatedly raped and beat her. Another

woman from Bel-Air said she became pregnant after being gang-raped in February 2023.<sup>43</sup>

### *Killings and Sexual Violence on the Block of Death, Cité Soleil*

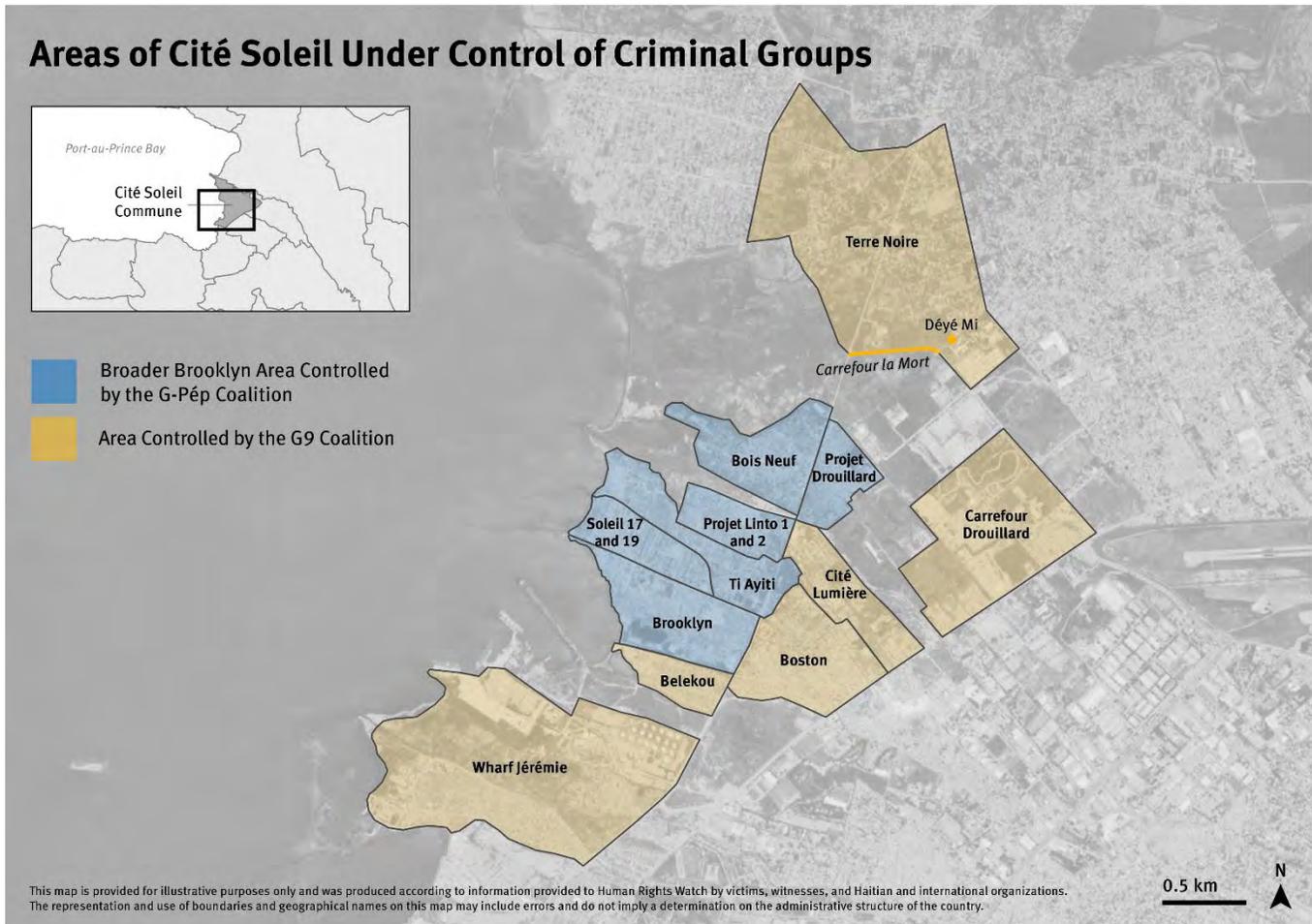
Human Rights Watch interviewed 21 victims and witnesses, mostly from the Brooklyn area, who described how they or their loved ones were killed, raped, or injured between mid-

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<sup>42</sup> “Clinical Management of Rape and Intimate Partner Violence Survivors Developing Protocols for Use in Humanitarian Settings,” World Health Organization (WHO), 2022, <https://apps.who.int/iris/bitstream/handle/10665/331535/9789240001411-eng.pdf?ua=1> (accessed August 4, 2023).

<sup>43</sup> Human Rights Watch interviews with two victims in Bel-Air, Port-au-Prince, May 3, 2023.

March and late April 2023 by members of the G9 on Carrefour la Mort (Block of Death), and at a nearby point known as Dèyè Mi (Behind the Wall), on the only open road connects Brooklyn to the rest of Port-au-Prince. A community organization documented the killings of more than 100 people and over 100 cases of sexual violence at these locations during this period.<sup>44</sup>



The Cité Soleil commune (including Brooklyn neighborhood), Haiti, showing the areas controlled by the G-Pép and G9 criminal coalitions. Data © CNIGS, OpenStreetMap. Image © 2023 Maxar Technologies. Google Earth. Graphics © Human Rights Watch

Human Rights Watch documented 35 killings in this area, including of 6 children, and 17 cases of sexual violence. In addition, five people injured by gunshot at Carrefour la Mort were interviewed while being treated at a hospital in Port-au-Prince.

<sup>44</sup> Human Rights Watch telephone interview with a community organization representative, May 16, 2023.

“Brooklyn residents are living a nightmare,” a community organization representative told Human Rights Watch. “They only have one way to enter and leave the area that they need to use daily to make a living... But when they arrive at the place known as Carrefour la Mort, members of the G9 indiscriminately shoot at them or gang-rape women and girls behind the wall, known as Dèyè Mi.”<sup>45</sup>

Brooklyn has for several years been strategically important for criminal group leaders and their backers, including political and economic actors: it is a significant electoral base with an estimated population of more than 100,000 people, and its location on the coast and proximity to ports means that controlling it brings economic benefits.<sup>46</sup> The area has been controlled in recent years by the Gang of Brooklyn, part of the G-Pèp federation led by Gabriel Jean-Pierre (“Gabriel”). The neighborhood is surrounded by areas controlled by other criminal groups that are all part of the G9 alliance and in conflict with the G-Pèp, including the Gang of Belekou (led by “Isca”); the Gang of Boston (led by “Mathias”); and the Gang of Warf Jérémie (led by “Micanor”), which controls the port area.<sup>47</sup> Other members of the G9 also operate in other neighborhoods surrounding Cité Soleil, including the Gang of Terre Noir, the Gang of Simon Pele, and the Gang of Drouillard.<sup>48</sup>

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<sup>45</sup> Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>46</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; Human rights Watch interviews with seven victims from Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>47</sup> Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; “The Population of Cité Soleil in the Grip of Gang Violence: Investigative Report on Human Rights Abuses Committed by Gangs in the Zone of Brooklyn from July to December 2022,” *OHCHR*, February 10, 2023, <https://www.ohchr.org/sites/default/files/documents/countries/ht/investigative-report-human-rights-abuses-committed-gangs-zone-brooklyn-july-december-2022.pdf> (accessed July 3, 2023).

<sup>48</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023.

For several years, residents of Brooklyn and other areas controlled by the G-Pèp have been besieged and attacked by G9 members who want to gain control of all of Cité Soleil.<sup>49</sup> These attacks escalated in the second half of 2022, starting with a particularly deadly incident on July 8, when at least 95 people were killed in the Soleil 9 and Sous Terre sectors of Brooklyn, according to the United Nations.<sup>50</sup> Between July and December 2022, the UN estimates a total of 263 killings, 285 injuries, 57 cases of sexual violence, and 4 disappearances occurred in Brooklyn alone. Thousands of people were displaced.<sup>51</sup>

The attacks escalated dramatically again in mid-March 2023. Victims from Brooklyn whom Human Rights Watch interviewed said they had been targeted by the G9 because they live in an area controlled by its rival.

Anne J., a 34-year-old Brooklyn resident, told Human Rights Watch:

The rapes and killings happen every day at Dèyè Mi.... [T]he bandits have us cornered. When we have to go out to look for food or money, they rape and shoot us; there is no police or anyone to help us.<sup>52</sup>

In mid-April 2023, Anne said she lost her older brothers, ages 40 and 50, when they were trying to leave the neighborhood to go to work. Both were shot dead by G9 members at Dèyè Mi. Anne was sexually assaulted by five men at the same place:

They dragged me by the hair to an abandoned house, where five men raped me one after the other... They told me that this was happening to me because I was one of Gabriel's women [referring to the leader of the G-

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<sup>49</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>50</sup> "The Population of Cité Soleil in the Grip of Gang Violence: Investigative Report On Human Rights Abuses Committed By Gangs In The Zone Of Brooklyn From July to December 2022," *OHCHR*, February 2023, <https://www.ohchr.org/sites/default/files/documents/countries/ht/investigative-report-human-rights-abuses-committed-gangs-zone-brooklyn-july-december-2022.pdf> (accessed July 3, 2023).

<sup>51</sup> *Ibid.*; "Gang Control and Security Vacuums: Assessing Gender-Based Violence in Cité Soleil, Haiti," Global Initiative, May 2023, <https://globalinitiative.net/wp-content/uploads/2023/05/Gang-control-and-security-vacuums.-Assessing-gender-based-violence-in-Cite%CC%81-Soleil-Haiti.-May2023.v2.pdf> (accessed August 4, 2023).

<sup>52</sup> Human Rights Watch interview with Anne J., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

Pèp] ... My 29-year-old sister was also raped on the same day by three G9 members.<sup>53</sup>

Aurelie F., a 17-year-old resident of the Soleil 1 sector of Brooklyn, said she was sexually assaulted at about 1 p.m. on March 22 at Dèyè Mi, when she was returning home after shopping:

They grabbed me, raped me, and hit me in the face. Another one held me with both hands because I resisted... I was brutally raped and now I am injured. I could not walk for six days. I have not been able to go to the hospital .... My mom has no money. Every time I think about this, I cry a lot.<sup>54</sup>

Natalie P., a 42-year-old mother of three, was crossing Dèyè Mi on her way home from the market at around 7 p.m. on April 16, 2023, when criminals called out to her. She tried to keep going, but then they shot in her direction. “I wasn’t hit, but then they caught up with me and tore off my clothes... They beat me with their guns, and then five of them raped me,” she told Human Rights Watch.<sup>55</sup>

Two days later, Natalie’s 16-year-old son was shot and killed. Natalie said her son was hit in the chest by a bullet when he got caught in a clash between the G9 and G-Pèp on his way home from school:

This clash between the G9 and G-Pèp is what prevents us from living... The bandits are in position, and they fire on members of the population. When we’re wounded, there’s no hospital. There’s only one road into the area, and there’s a pile of bodies there. We try to go out before 4 a.m. because we know that after that, the bandits will come out with a vengeance. It’s a really complicated situation. To leave our neighborhood, we have to do it in hiding. And to return home, it’s the same thing... The situation is really extreme. We want to leave the area, but we don’t have the means to live

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<sup>53</sup> Ibid.

<sup>54</sup> Human Rights Watch interview with Aurelie F, a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>55</sup> Human Rights Watch interview with Nathalie P. a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 3, 2023.

elsewhere. So, we have to stay... Just since April 15, lots of women were raped, and lots of people were killed.<sup>56</sup>

Natalie also said she saw a pile of bodies at a house right next to Dèyè Mi, on around April 20:

The bodies were piled on top of each other. Lots of people were killed, and lots of crimes were committed. Some people were mutilated, some were killed by bullet, and some were chopped up by machete.<sup>57</sup>

Camille M., a 29-year-old mother of three from Brooklyn, lost her husband on April 1, 2023, when G9 members took him away at Dèyè Mi while he was on his way home after looking for work. On April 2, 2023, she went out to sell rice, peas, and oil in the market to try to earn some money, and was stopped at the same point on her way home. Camille was beaten in the face with a bat and raped by four criminals.<sup>58</sup> “When they finished, the bandits told me to leave quickly,” she said. “But it was hard for me to walk.”<sup>59</sup>

Camille’s 26-year-old sister was killed on April 15, when G9 members attacked Gabriel’s group in Brooklyn’s Soleil 17 sector, in an apparent attempt to take control of the area. “She was at home,” Camille explained. “There were gunshots, and then she was shot in the head and died. Many people were killed that day. Some of the bodies were burned, some were decapitated, and some were chopped up,” she told Human Rights Watch.

Camille said she later saw her sister’s body among a pile of dozens of bodies on the side of the road at Dèyè Mi:

[They] were all on top of each other. There were women and men. Some were decapitated, some had their breasts cut off, or their arms or legs cut off. They were all people who lived in the area who had been killed recently.<sup>60</sup>

Julieth F., a 30-year-old mother of four children, lost her 37-year-old husband in mid-April 2023 when they were returning to Brooklyn after selling merchandise on the street:

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<sup>56</sup> Ibid.

<sup>57</sup> Ibid.

<sup>58</sup> Human Rights Watch interview with Camille M., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 3, 2023.

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

When we were walking along the street we call Carrefour La Mort, we were approached by three men ... They raped me... Another armed man took my husband ... They killed him and then burned his body. I saw them drag him to a pile of bodies, they placed some tires on top, and then set them on fire.<sup>61</sup>

None of the victims from Brooklyn interviewed by Human Rights Watch had denounced the abuses publicly, or filed police or judicial complaints, because they feared reprisals and lacked confidence in or access to the police and judicial authorities. The police station in Cité Soleil has not been operational since June 2021.<sup>62</sup> Port-au-Prince's judicial authorities have not initiated any preliminary investigation into the abuses in Brooklyn or on Carrefour la Mort, Haitian human rights organizations said.<sup>63</sup>

Two survivors interviewed by Human Rights Watch said they were directly warned by G9 members not to speak publicly about what they experienced or witnessed.

Clementine V., a 33-year-old mother of four children, was beaten in the face and raped by two men on April 20, 2023, at around 4 a.m. in Dèyè Mi when she went out to sell products at the market. With her was her 32-year-old sister, a mother of three children, whom the bandits killed because she resisted the sexual violence. “When the women obey, they aren’t killed, but if they resist, they’re killed,” Clementine told Human Rights Watch:

[My sister] was shot... They burned her in my presence and her corpse was placed in a pile with other corpses. Then they let me go, but they told me not to say anything about what had happened to the press. Otherwise, they would kill me.<sup>64</sup>

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<sup>61</sup> Human rights Watch interview with Julieth F., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>62</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>63</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>64</sup> Human rights Watch interview with Clementine V., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

Mathilde F., a 36-year-old mother of four children from Projet Linto 2 sector in Brooklyn, said she saw on April 19, 2023 how her 38-year-old brother was killed by G9 members at Dèyè Mi:

We were intercepted by armed criminals. One of them took a knife and stabbed my brother in my presence... they pulled out his organs. Then three of them raped me.... When they finished raping me, they ordered me to run away. They told me that they had left me alive so that I would tell others what had happened.<sup>65</sup>

But Mathilde said they also warned her that if she ever spoke to the press, they would kill her.<sup>66</sup>

A few cases of killings and sexual violence have been reported on Carrefour la Mort since early May, when G9 members apparently began to allow Brooklyn residents to circulate without attacking them, although the G9 still surrounds the neighborhood. More killings and cases of sexual violence were reported in May and June inside Brooklyn, when members of the G9 who control the neighboring Boston and Belekou areas, carried out attacks and incursions, in some cases accessing some Brooklyn streets.<sup>67</sup>

A community organization representative told Human Rights Watch in early July that it appeared that G9 and G-Pèp leaders had reached a truce on June 28. However, the representative added: “We don’t know why or how long it will last. The underlying situation has not changed for Brooklyn residents. They are still afraid of attacks and continue to suffer from hunger and thirst and live amid mud and sewage.”<sup>68</sup>

### *Reprisals Against Residents in Source Matelas (Cabaret)*

On April 19, 2023, members of the G-Pèp federation launched a five-day attack on the Source Matelas area in Cabaret commune, apparently to punish the population for having built barricades to prevent criminal groups from attacking and taking control of their

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<sup>65</sup> Human rights Watch interview with Mathilde F., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>66</sup> Ibid.

<sup>67</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

<sup>68</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

neighborhood.<sup>69</sup> Human Rights Watch estimates that at least 130 people were killed, 20 homes were looted and burned, and more than 3,700 people were forced to flee their homes, based on interviews with Haitian and international human rights officials who investigated the attack and a review of public and confidential reports by an international organization that documented the incident.<sup>70</sup> Human Rights Watch interviewed five victims and witnesses from this five-day attack and documented the killings of seven people, six of whom were burned in their homes, as well as three cases of sexual violence.

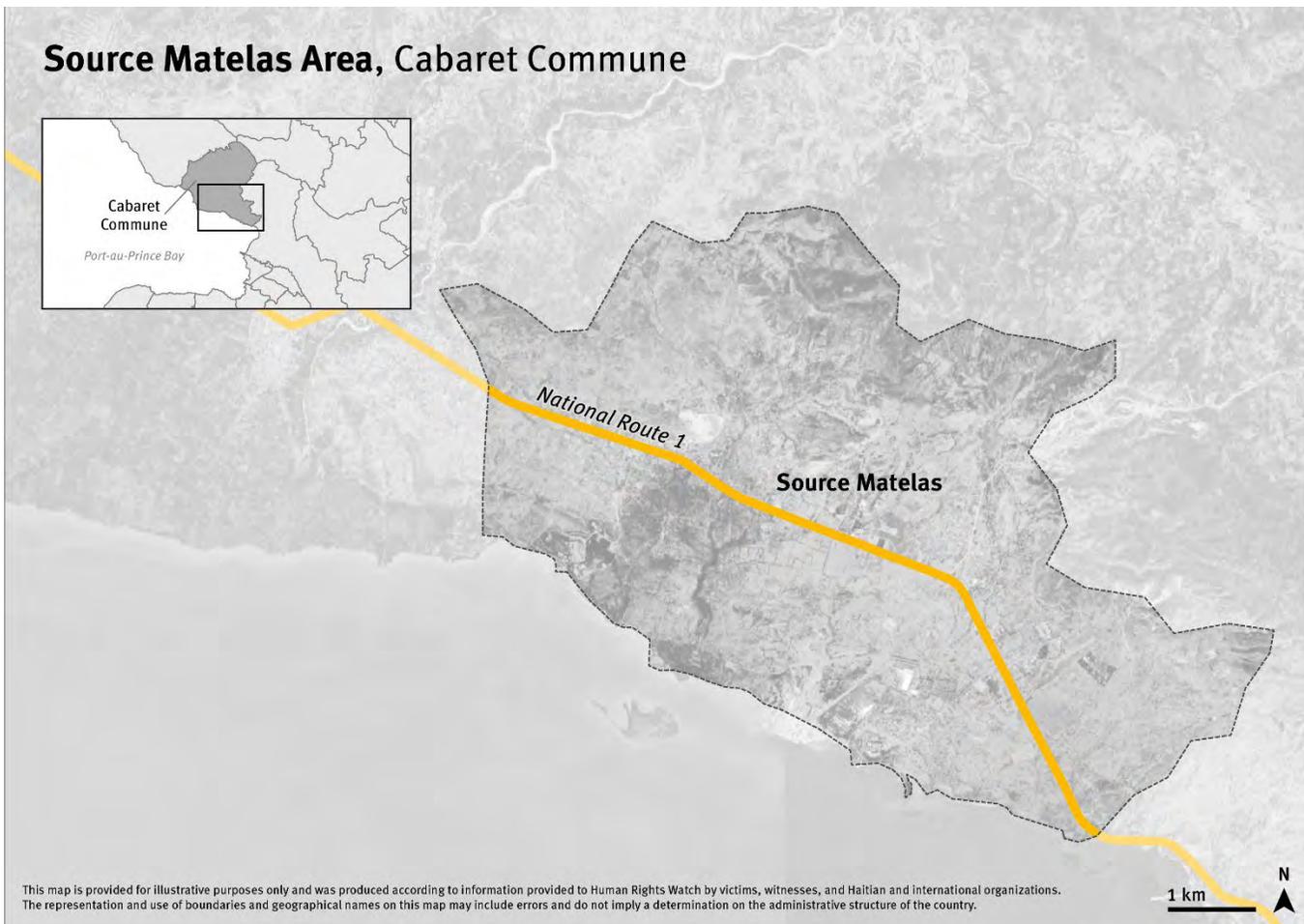
Three G-Pèp groups were involved in the April attack, including those led by Jean Auguste Cherisme, alias “General Bogi”, Bigel Chery, alias “Big C”, and Jeff Larose (“Jeff”), Haitian activists and researchers said, based on victims’ testimonies and information provided by local residents that identified the perpetrators as members of these groups.<sup>71</sup>

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<sup>69</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; “Intensification of Armed Attacks: RNDDH Demands Explanations From the Government Authorities,” RNDDH, April 24, 2023, <https://web.rnddh.org/wp-content/uploads/2023/04/2-CP-Violences-armees-24Avril2023-ENG.pdf> (accessed July 3, 2023); Confidential estimate and documentation by an international organization shared with Human Rights Watch.

<sup>70</sup> “Intensification of Armed Attacks: RNDDH Demands Explanations From the Government Authorities,” RNDDH, April 24, 2023, <https://web.rnddh.org/wp-content/uploads/2023/04/2-CP-Violences-armees-24Avril2023-ENG.pdf> (accessed July 3, 2023); Confidential estimate and documentation by an international organization shared with Human Rights Watch; “DTM Haiti — Emergency Tracking 12 — Displacements in Cabaret,” IOM, April 20, 2023, <https://dtm.iom.int/fr/reports/haiti-suivi-des-urgences-12-deplacements-cabaret-19-20-avril-2023> (accessed July 3, 2023); “Haiti: Insecurity-Massive Displacement of the Population of Source Matelas and Cabaret, Following Attacks by Armed Gangs,” Direction Générale de la Protection Civile (General Directorate of Civil Protection), <https://protectioncivile.gouv.ht/haiti-insecurite-deplacement-massif-de-la-population-de-source-matelas-et-de-cabaret-suite-aux-assauts-des-bandes-armees/> (accessed July 3, 2023). Local human rights groups did not document cases of sexual violence.

<sup>71</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023; Human Rights Watch interview with two victims from Cabaret, Port-au-Prince, May 3, 2023; “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” RNDDH, May 9, 2023, <https://web.rnddh.org/the-reign-of-prime-minister-ariel-henry-or-the-fury-of-the-armed-gangs/?lang=en> (accessed July 3, 2023); “Situation de terreur en Haïti, les chiffres noirs du gouvernement d’Ariel Henry,” (“Situation of Terror, the Black Figures of the Henry Government”) La Fondasyon Je Klere (FJKL), April 24, 2023, <https://www.fjkl.org/ht/images/doc/Rapport-FJKL-Situation-terreur-en-Haiti-avril-2023.pdf> (accessed August 2, 2023).



Source Matelas area in Cabaret commune, Haiti. Data © CNIGS, OpenStreetMap. Image © 2023 Maxar Technologies. Google Earth. Graphics © Human Rights Watch

Approximately 2,000 people live in Source Matelas, a strategic and profitable location for criminal groups, given its location just to the north of Port-au-Prince along the national road connecting the capital with the country’s northern departments.<sup>72</sup> G-Pèp members previously attacked the population of Source Matelas in November 2022, in another apparent attempt to gain control of the area. During that incident, 72 people were reportedly killed, 29 women and girls were raped, and over 1,400 people were displaced, according to Haitian human rights groups.<sup>73</sup>

<sup>72</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023.

<sup>73</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human

Five witnesses of the attack in 2023 told Human Rights Watch that some assailants arrived in Source Matelas shooting indiscriminately. Others, armed with machetes and long rifles, forcefully entered homes, killed and burned residents inside, shot those fleeing, and sexually assaulted women on the street in an apparent effort to spread fear and send the message that they were the new authority in the area. Even though there was a police presence in the area, witnesses said the police officers did not intervene to prevent or stop the attack.<sup>74</sup>

Human Rights Watch presented these findings to the Haitian National Police and requested a response to the allegations of non-intervention in a letter on July 12, 2023, but had not received a reply as of August.

Cecile Z., a 31-year-old mother of a 6-month-old baby, said she was sexually assaulted on April 19, 2023. She described how she was at home in Source Matelas when members of criminal groups arrived and started “firing everywhere.” She ran out, hoping to flee to safety:

I saw lots of people who were killed, and I didn’t know which way to go. Then I passed armed men with masks; I couldn’t see their faces. They then forced me to the ground, and even though I had my period, three of them raped me... They put the baby on the ground, and she cried while they attacked me. They also put their hands around my throat. When they finished, they started to fire their guns and I took advantage of this to take the baby and run. ... I’ve had a lot of pain in my stomach since then.<sup>75</sup>

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Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023; “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” RNDDH, May 9, 2023, <https://web.rnddh.org/the-reign-of-prime-minister-ariel-henry-or-the-fury-of-the-armed-gangs/?lang=en> (accessed July 3, 2023); “DTM Haiti (ETT) — Suivi des Urgences 1 — Déplacements dans les départements de l’Artibonite et du Centre (2 — 6 Decembre 2022)”, IOM, December 8, 2022, <https://dtm.iom.int/reports/haiti-ett-suivi-des-urgences-1-deplacements-dans-les-departements-de-lartibonite-et-du> (accessed August 4, 2023); “Situation de terreur en Haïti, les chiffres noirs du gouvernement d’Ariel Henry,” (“Situation of Terror, the Black Figures of the Henry Government”) *La Fondasyon Je Klere (FJKL)*, April 24, 2023, <https://www.fjkl.org.ht/images/doc/Rapport-FJKL-Situation-terreur-en-Haiti-avril-2023.pdf> (accessed August 2, 2023).

<sup>74</sup> “Situation de terreur en Haïti,” *La Fondasyon Je Klere (FJKL)*, April 24, 2023, <https://www.fjkl.org.ht/images/doc/Rapport-FJKL-Situation-terreur-en-Haiti-avril-2023.pdf> (accessed August 2, 2023).

<sup>75</sup> Human Rights Watch interview with Cecile Z., a victim from Cabaret, Port-au-Prince, May 3, 2023.

Cecile later learned that her 77-year-old grandfather and her cousin, seven months pregnant, were burned to death in her home, along with another cousin who lived nearby and whose house was also burned. “I lost everything,” she said.<sup>76</sup>

Marie N., a 32-year-old resident of Source Matelas, said her 74-year-old father and 15-year-old nephew were killed by criminals on April 19, 2023:

The criminals were on a bus and on motorcycles, they were shooting in every direction, and I saw people fall to the street, killed and wounded... Four days later I returned to my neighborhood. When I got there... I walked into my house... I saw my father’s body burned in his bed and my nephew’s body burned on the ground.<sup>77</sup>

Some people tried to flee out to sea on boats, but members of criminal groups also shot at them, some witnesses said.<sup>78</sup> One of these small sailboats sank at night due to overcrowding and lack of visibility, according to the human rights organization Je Klere Foundation, which documented the case. Those on board included eight babies who died, witnesses told the group, and other adults remain missing.<sup>79</sup>

Pauline M., a 45-year-old mother of five, lost one of her children on April 19. “After I fled, I found out from a neighbor that one of my sons ... tried to flee on a boat with some neighbors, but the boat sank,” she told Human Rights Watch.<sup>80</sup>

Isabel G., a 51-year-old mother of eight, said she was in her home in Source Matelas on April 19 with her 25-year-old son when they started hearing gunshots all around. Masked criminals forced their way into the house. One of them hit her in the face, and then two of them raped her, she said. Her son was shot in the foot while running away. He made it to

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<sup>76</sup> Ibid.

<sup>77</sup> Human Rights Watch interview with Marie N., a victim from Cabaret, Port-au-Prince, May 3, 2023.

<sup>78</sup> Human Rights Watch interview with Marie N., a victim from Cabaret, Port-au-Prince, May 3, 2023; Human Rights Watch interview with Pauline M., a victim from Cabaret, Port-au-Prince, May 3, 2023.

<sup>79</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; “Situation de terreur en Haïti,” La Fondasyon Je Klere (FJKL), April 24, 2023, <https://www.fjkl.org.ht/images/doc/Rapport-FJKL-Situation-terreur-en-Haiti-avril-2023.pdf> (accessed August 2, 2023); Confidential estimate and documentation by an international organization shared with Human Rights Watch, May 3, 2023.

<sup>80</sup> Human Rights Watch interview with Pauline M., a victim from Cabaret, Port-au-Prince, May 3, 2023.

the coast and boarded a small boat, but the boat capsized, and he and many others drowned.<sup>81</sup>

### *Attack in Bel-Air (Port-au-Prince)*

On February 28, 2023, the Gang of Krache Dife led by Gady Jean (alias “Pèse”), a member of the G9 alliance that controls the lower sector of Bel-Air, attacked the upper sector of the neighborhood, which is controlled by the Kempès Sanon, a criminal group not affiliated with any of the large criminal coalitions.<sup>82</sup> The ensuing clashes lasted until March 5. At least 150 people were killed or reported missing, including some who may have been members of criminal groups, as well as local residents unaffiliated with the groups, and more than 80 houses were burned, looted, or vandalized, according to Haitian human rights organizations.<sup>83</sup>

The upper Bel-Air section—where almost 13,000 people live—separates the Delmas neighborhood, controlled by the G9 leader “Barbecue,” from the lower Bel-Air sector, also controlled by this coalition. G9 members need to traverse the upper Bel-Air sector, not under their control, in order to carry out criminal activities such as the transport of kidnapped people between areas that they do control.<sup>84</sup> The attack may thus have been either an attempt to expand control or to counter resistance.

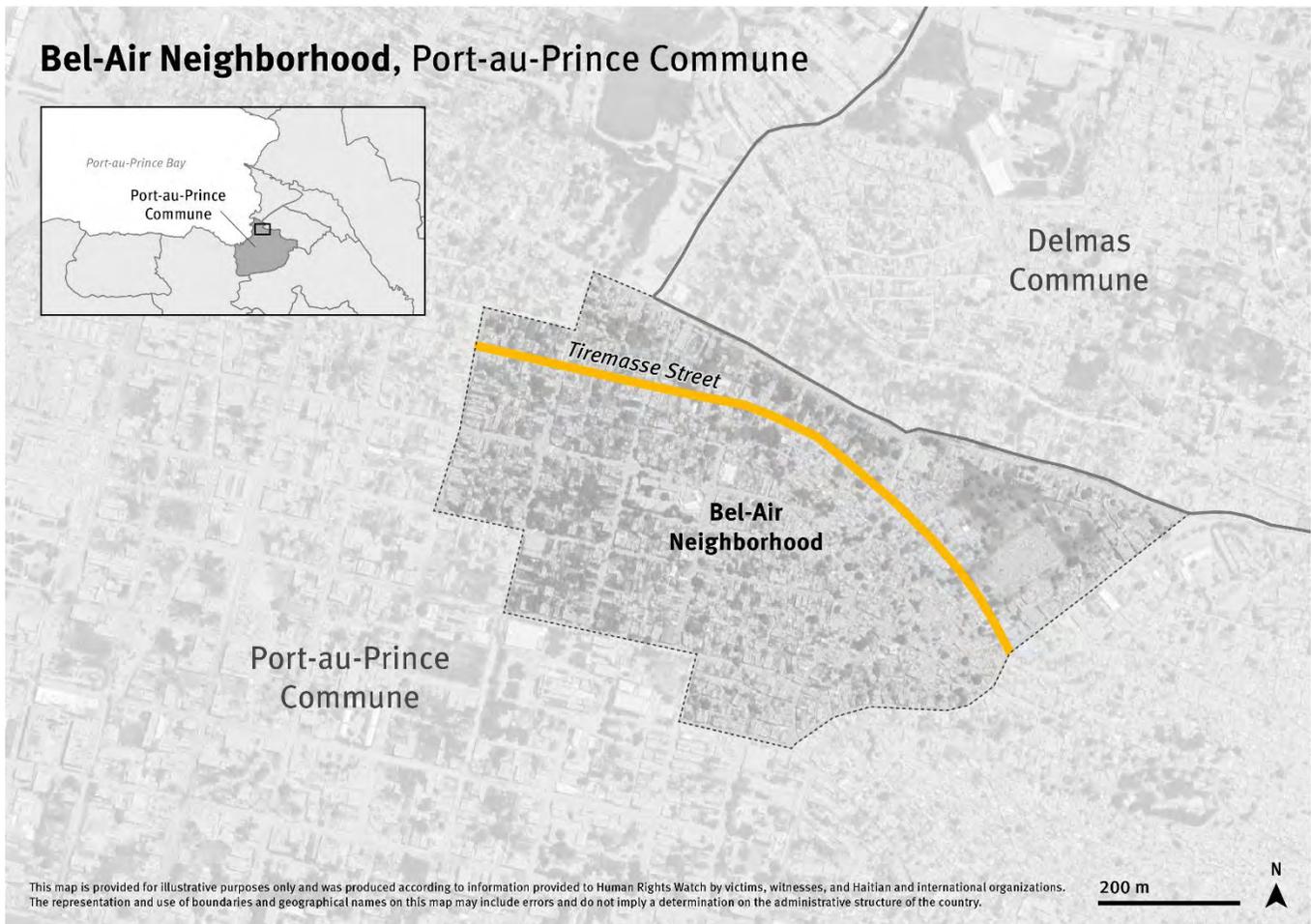
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<sup>81</sup> Human Rights Watch interview with Isabel G., a victim from Cabaret, Port-au-Prince, May 3, 2023.

<sup>82</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023.

<sup>83</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” RNDDH, May 9, 2023, <https://web.rnddh.org/wp-content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VP-ENG.pdf> (accessed July 3, 2023).

<sup>84</sup> “Bel-Air, Bois Neuf, Villa Rosa, and Drouillard,” *International Action*, <http://haitiwater.org/bel-air-bois-neuf-villa-rosa-and-drouillard/> (accessed July 3, 2023); “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” RNDDH, May 9, 2023, <https://web.rnddh.org/wp-content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VP-ENG.pdf> (accessed July 3, 2023); Human Rights Watch telephone interview with a Haitian civil society representative, June 19, 2023.



The neighborhood of Bel-Air in Port-au-Prince commune, Haiti. Data © CNIGS, OpenStreetMap. Image © 2023 Maxar Technologies. Google Earth. Graphics © Human Rights Watch

One human rights group also alleged, based on victims’ and local residents’ testimonies, that the Krache Dife assailants received material support from Haiti’s national police, including three armored cars that were used in the attack.<sup>85</sup> Kempès Sanon also reportedly received material and personnel support from other criminal groups from Grand Ravine and Village de Dieu to repel the attack.<sup>86</sup>

<sup>85</sup> “The Reign of Prime Minister Ariel Henry or the Fury of the Armed Gangs,” RNDH, May 9, 2023, <https://web.rnddh.org/wp-content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VP-ENG.pdf> (accessed July 20, 2023).

<sup>86</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023.

Human Rights Watch presented these findings to the Haitian National Police and requested a response to the allegations in a letter dated on July 12 but had not received a reply as of August.

Human Rights Watch interviewed five victims and witnesses from this incident and documented 13 killings and three cases of sexual violence, the majority of which took place on Tiremasse Street, a key access road for the upper sector of the neighborhood. According to victims' relatives, the attacks appeared to initially target those accused of collaborating with or being members of the rival group, and later targeted residents at random.<sup>87</sup>

Josie L., a 28-year-old woman who lives in Bel-Air with her 32-year-old partner, two children, and 64-year-old father, who has a disability, described how she was sexually assaulted by four members of the G9 alliance on February 28:

While I was leaving [home], I encountered four men who were armed, as if patrolling the street. They took me to an abandoned house nearby, and all four raped me. I was raped in the vagina and anus... It was very painful... All the time they threatened me, they told me that if I told other people what they did to me they would kill me or my family.<sup>88</sup>

That same day, after being sexually assaulted, Josie left her home with her partner, father, and children and went to an improvised camp for displaced people in Poste-Marchand. The next day, her partner returned to the neighborhood where a neighbor saw him being shot in the chest and set on fire by assailants on Tiremasse Street. A week later, Josie said she returned home to gather some of her belongings and found that her house had been burned down.

Valerie B., a 30-year-old mother of three, told Human Rights Watch:

My neighborhood, the upper section, is controlled by the gang under the command of Kempès. The members of the gang led by Ti Manno, which is

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<sup>87</sup> Human Rights Watch interview with five victims from Bel-Air, Port-au-Prince, May 4, 2023.

<sup>88</sup> Human Rights Watch interview with Josie L., a victim from Bel-Air, Port-au-Prince, May 3, 2023.

part of the G9, attacked us... Initially the clashes were between them ... but then the war was against us, the neighborhood residents. On March 3, I was on Tiremasse Street... when I heard a lot of gunshots... [I] ran towards my house and saw that my father, who had stayed at home, had been taken by two men... One of them shot him in the head and another began to cut off his arms with a machete, before dousing him in gasoline and burning him. My father was 44 and worked at a public cleaning company. He had nothing to do with the criminal groups.<sup>89</sup>

Valerie’s five-year-old son, who had stayed at home that day, was burned to death when the criminals set fire to the house. “When I managed to get into my house, he was wrapped in a blanket, totally charred,” she said.<sup>90</sup>

More killings and displacement cases were reported until late June in Bel-Air.<sup>91</sup>

### *Expansion of Criminal Groups in Canaan (Croix-des-Bouquets)*

From January 21 to late February 2023, the Gang of Canaan, led by “Jeff,” launched an offensive to expand its area of control in the Canaan area of Croix-des-Bouquets commune. The group previously controlled Saint Christophe and Canaan neighborhoods, and wanted to expand into three more neighborhoods: Corail, Jerusalem, and Onaville.<sup>92</sup>

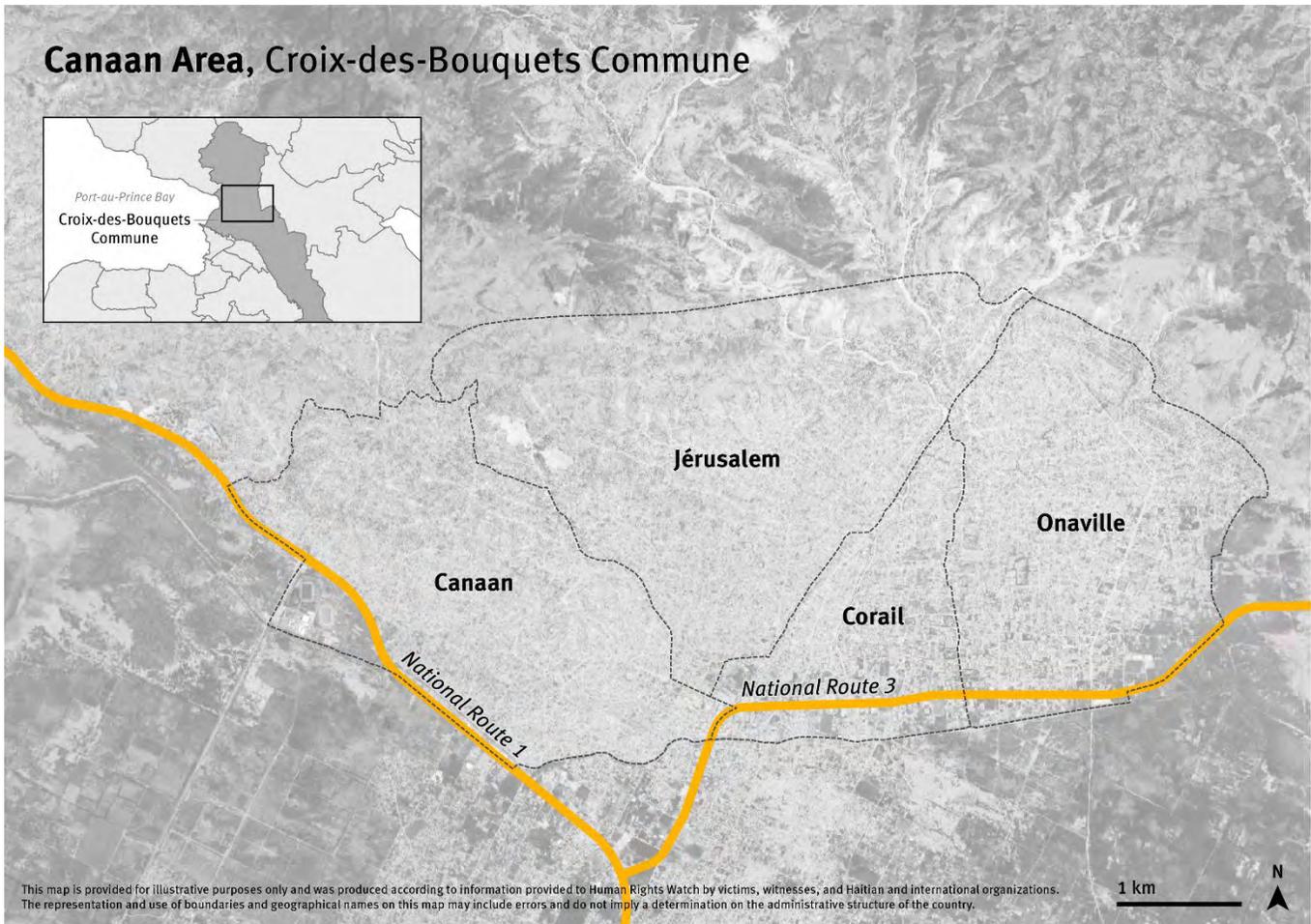
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<sup>89</sup> Human Rights Watch interview with Valerie B., a victim from Bel-Air, Port-au-Prince, May 3, 2023.

<sup>90</sup> Ibid.

<sup>91</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

<sup>92</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch telephone interview with a Haitian civil society representative, June 7, 2023.



Neighborhoods of the Cnaan area in Croix-des-Bouquets commune, Haiti. Data © CNIGS, OpenStreetMap. Image © 2023 Maxar Technologies. Google Earth. Graphics © Human Rights Watch

Dozens of residents were killed during this offensive, according to a Haitian human rights organization that investigated the attack, and many were forced to flee their homes.<sup>93</sup> Human Rights Watch interviewed 11 victims and witnesses of this incident and documented 12 cases of killings. Many displaced families are being temporarily housed outside a church in Delmas commune, with the support of IOM.

Cnaan was planned as an urban settlement built to house the survivors of the 2010 earthquake. The national roads that connect the capital to the departments in the north and east of the country pass through the area, making it strategic for criminal groups and

<sup>93</sup> Human Rights Watch telephone interview with a Haitian civil society representative, June 7, 2023.

their economic interests.<sup>94</sup> Gaining control of Corail, Jerusalem, and Onaville would allow the Gang of Canaan to control and profit from kidnapping and illegal taxation at checkpoints along parts of National Route 3, which has become a key transit road since other criminal groups wrested control of National Route 1 from the Gang of Canaan.<sup>95</sup>

Until this episode, Corail, Jerusalem, and Onaville were considered relatively safe neighborhoods of the metropolitan area of Port-au-Prince. The violence illustrates how economic interests are driving criminal groups to expand to new areas.<sup>96</sup>

Angelique V., a 26-year-old saleswoman, described how she was attacked on January 21, 2023, when she was in the Corail market. “They [the criminals] started to shoot... at everything in the market, everyone,” she said. “Their leader is Jeff... and they want to control the entrance to the neighborhood, because they want control of the access routes to Port-au-Prince, and those routes pass through here.”<sup>97</sup>

As Angelique fled through the streets, she saw her neighbor, a 54-year-old carpenter, shot in the back, after which the assailants burned his body. A few days after, her brother-in-law told her that her 28-year-old husband, who had fled during the attack, had also been killed and his body burned.<sup>98</sup>

According to some witnesses, members of the criminal group were looking first for members of the police force and their families, and then attacked other residents with no connection to the police.<sup>99</sup>

Simón C., a 45-year-old resident of Corail, told Human Rights Watch:

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<sup>94</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an official of the Ombudsman’s Office, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023.

<sup>95</sup> Ibid.

<sup>96</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023.

<sup>97</sup> Human Rights Watch interview with Angelique V., a victim from Corail, Croix-des-Bouquets, Port-au-Prince, May 2, 2023.

<sup>98</sup> Ibid.

<sup>99</sup> Human Rights Watch interview with five victims from Corail, Croix-des-Bouquets, Port-au-Prince, May 2, 2023.

On January 21... I was at home cooking with my children when I started to see several armed men arriving... We hid underneath the bed... The next morning, my kids and I left... While I fled, I saw that two houses that belonged to police officers living on that street had been set on fire, they were in flames... Jeff's men arrived asking for police officers and the houses of their families, and they burned them.<sup>100</sup>

Members of Jeff's group took over houses that had been abandoned by residents who fled, and some of those who tried to come back said they were told they would need to pay significant amounts of money to get their houses back.<sup>101</sup> "Many people warned me that my house was already occupied by criminals and that I couldn't go back inside," a 51-year-old resident of Corail said. "I asked a neighbor to ask [the criminals] if I could go back... They told me that I could if I paid ... [US] \$500."<sup>102</sup>

More killings and displacement cases were reported until late June in Canaan.<sup>103</sup>

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<sup>100</sup> Human Rights Watch interview with Simon C., a victim from Corail, Croix-des-Bouquets, Port-au-Prince, May 2, 2023.

<sup>101</sup> Human Rights Watch interview with three victims from Corail, Croix-des-Bouquets, Port-au-Prince, May 2, 2023.

<sup>102</sup> Human Rights Watch interview with a victim from Corail, Croix-des-Bouquets, Port-au-Prince, May 2, 2023.

<sup>103</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

## II. Catastrophic Humanitarian Situation

I was born in Cité Soleil... I've lived there my whole life... The situation is worse now than it has ever been. We have nothing to eat, no water, and our house is burned. Life is really difficult.

— A 29-year-old resident of Brooklyn<sup>104</sup>

The security crisis is compounding a humanitarian situation that has been critical for years. Access to food, electricity, safe drinking water, sanitation, health care, and education in Haiti is severely limited.<sup>105</sup> Nearly 59 percent of the population lives below the poverty line, with limited access to basic services.<sup>106</sup> Humanitarian agencies estimate that 5.2 million Haitians, 57 percent of them girls and women, now need humanitarian assistance, an increase of 20 percent compared to 2022.<sup>107</sup>

Nearly half of Haiti's population, or 4.9 million people, are acutely food insecure, and of these, 1.8 million are facing emergency levels of food insecurity. In September 2022, over 19,000 people living in Cité Soleil commune faced catastrophic hunger for the first time on record in Haiti and in the Western hemisphere. Haiti is now one of the countries with communities most at risk for starvation, alongside Afghanistan, Burkina Faso, Mali, Somalia, South Sudan, Sudan, and Yemen.<sup>108</sup> The Food and Agriculture Organization of the

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<sup>104</sup> Human rights Watch interview with a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 3, 2023.

<sup>105</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with Haiti's Prime Minister, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 4, 2023.

<sup>106</sup> Humanitarian Action for Children, Haiti, UNICEF, <https://www.unicef.org/media/132191/file/2023-HAC-Haiti.pdf> (accessed July 24, 2023).

<sup>107</sup> "Haiti Humanitarian Needs Overview 2023," *ReliefWeb*, March 17, 2023, <https://reliefweb.int/report/haiti/haiti-apercu-des-besoins-humanitaires-2023-mars-2023-fren> (accessed August 2, 2023); Haiti Appeal: Humanitarian Action for Children, UNICEF, <https://www.unicef.org/appeals/haiti> (accessed July 24, 2023).

<sup>108</sup> "Hunger Hotspots FAO-WFP Early Warnings on Acute Food Insecurity June to November 2023," FAO, May 17, 2023, <https://www.fao.org/3/cc6206en/cc6206en.pdf> (accessed July 24, 2023); "Haiti Humanitarian Needs Overview 2023," *ReliefWeb*, March 17, 2023, <https://reliefweb.int/report/haiti/haiti-apercu-des-besoins-humanitaires-2023-mars-2023-fren> (accessed August 4, 2023); Haiti Appeal, Humanitarian Action for Children, UNICEF, <https://www.unicef.org/appeals/haiti> (accessed July 24, 2023).

United Nations (FAO) and the World Food Programme (WFP) elevated Haiti to “the highest concern level” for food insecurity during the outlook period from June to November 2023.<sup>109</sup>

Only 47 percent of Haitians had access to electricity as of 2020, according to the World Bank.<sup>110</sup> Other sources estimate lower figures, saying that as of early 2023, only a third of the Haitian population had access to electricity—and only intermittently and at high prices—further hindering access to goods and services, food preservation, and business operations.<sup>111</sup>

Only 55 percent of Haitian households have access to basic drinking water, and two-thirds of the population has limited or no sanitation services, aggravating the nationwide spread of cholera.<sup>112</sup> Since the current outbreak started in October 2022, Haiti’s Health Ministry reported 56,580 suspected cases of cholera (almost half in children under the age of 14), 3,612 confirmed cases, and 814 deaths across the country’s ten departments as of July 26, 2023.<sup>113</sup>

International organizations estimate that 75 percent of the country’s health facilities have inadequate supplies of medicine or medical equipment and lack sufficient trained personnel. In recent years there has been a massive exodus of health workers from Haiti due to insecurity, which has further hindered the population’s access to health services.<sup>114</sup>

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<sup>109</sup> Hunger Hotspots FAO-WFP Early Warnings on Acute Food Insecurity June to November 2023,” FAO and WFP, May 17, 2023, <https://www.fao.org/3/cc6206en/cc6206en.pdf> (accessed July 24, 2023).

<sup>110</sup> Data: Access to Electricity (% of population) Haiti, The World Bank, <https://datos.bancomundial.org/indicador/EG.ELC.ACCS.ZS?locations=HT> (accessed July 24, 2023).

<sup>111</sup> Haiti – Country Commercial Guide, US International Trade Administration, August 3, 2022, <https://www.trade.gov/country-commercial-guides/haiti-energy> (accessed July 24, 2023); “Rural Electrification and Women Empowerment,” United Nations Development Programme (UNDP), June 2022, <https://www.undp.org/fr/haiti/projects/electrification-rurale-et-autonomisation-des-femmes> (accessed July 24, 2023); Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; “Comment remédier à la pauvreté énergétique en Hiti dès 2023, avec une électricité décarbonée?” (“How to Remedy Energy Poverty in Haiti from 2023, with Decarbonized Electricity?”), *Rezo Nodwes*, November 17, 2022, <https://rezonodwes.com/?p=296654> (accessed July 24, 2023).

<sup>112</sup> “Haiti Humanitarian Situation Report No. 2 March – April 2023,” UNICEF, April 2023, <https://www.unicef.org/media/140381/file/Haiti-Humanitarian-SitRep-No.2-30-April-2023.pdf> (accessed July 24, 2023); Americas: Towards Cholera Elimination in Haiti, WHO, <http://open.who.int/2018-19/country/HTI> (accessed July 24, 2023).

<sup>113</sup> “Situation épidémiologique du cholera,” Republic of Haiti, Ministry of Public Health and Population (MSPP), July 25, 2023, [https://mspp.gouv.ht/site/downloads/Sitrep%20cholera\\_26-Juillet\\_2023.pdf](https://mspp.gouv.ht/site/downloads/Sitrep%20cholera_26-Juillet_2023.pdf) (accessed August 1, 2023).

<sup>114</sup> “Haiti Humanitarian Situation Report No. 2 March - April 2023,” UNICEF, April 2023, <https://www.unicef.org/media/140381/file/Haiti-Humanitarian-SitRep-No.2-30-April-2023.pdf> (accessed July 24, 2023); Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; “Haiti: In Port-au-Prince, Mobile Clinics to Reach Populations Trapped in Violence,” Médecins Sans Frontières (MSF, Doctors Without Borders),

“The national health system is on the verge of collapse” and “cannot respond to the country’s malnutrition crisis and ongoing cholera outbreak,” reported Catherine Russell, Executive Director of the United Nations Children’s Fund (UNICEF), on June 16, 2023.<sup>115</sup>

According to UNICEF, 4.2 million children have been deprived of their right to education due to high education costs, insecurity at school or on the way to school, or lack of infrastructure and staff.<sup>116</sup> The Haitian Ministry of Education reported in early May that fewer than 645,000 students attend Haiti’s 18,950 registered schools.<sup>117</sup>

Education in Haiti has been severely disrupted for four years and children are estimated to have lost a full school year over this period due to political demonstrations and unrest, as well as the Covid-19 pandemic, natural disasters, and increased insecurity that has caused the destruction of some schools and temporary or permanent closure of others.<sup>118</sup>

## Humanitarian Conditions in Areas Controlled by Criminal Groups

Populations living in areas controlled by criminal groups suffer from a particularly extreme lack of access to basic services and food, as violence and insecurity prevents them from obtaining goods or accessing services for days, weeks, and even months at a time. In Cité Soleil, for example, in 2022, at least 19,200 people faced the risk of starvation according to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), 20

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May 24, 2023, <https://www.msf.fr/actualites/haiti-a-port-au-prince-des-cliniques-mobiles-pour-atteindre-les-populations-prises-au-piege-de-la-violence> (accessed July 24, 2023).

<sup>115</sup> Special Meeting on Food Security in Haiti, “Urgent Action Needed to Tackle Haiti’s Severe Food Insecurity Crisis, Save Lives, Speakers Stress at Economic and Social Council’s Special Meeting,” UN, ECOSOC/7132, June 16, 2023, <https://press.un.org/en/2023/ecosoc7132.doc.htm> (accessed July 24, 2023).

<sup>116</sup> “Haiti Humanitarian Needs Overview 2023,” *Relief Web*, March 17, 2023, <https://reliefweb.int/report/haiti/haiti-apercu-des-besoins-humanitaires-2023-mars-2023-fren> (accessed July 24, 2023).

<sup>117</sup> Republic Of Haiti Ministry of National Education and Vocational Training, Graph, <https://sigeee.menfp.gouv.ht/#/dashboard/school> (accessed July 24, 2023).

<sup>118</sup> Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; “Haiti: UNICEF Reports Nine-fold Increase in Violence Targeting Schools,” UNICEF, February 9, 2023, <https://news.un.org/en/story/2023/02/1133352> (accessed July 24, 2023); Update on Haiti, Holt International, March 17, 2023, <https://www.holtinternational.org/update-on-holt-haiti/> (accessed July 24, 2023); Community Developments: The Outreach Blog: From the Field, “School’s Back in Session in Haiti | Haiti School,” Outreach International, <https://outreach-international.org/blog/schools-back-in-session-in-haiti/> (accessed July 24, 2023).

percent of children under five suffered from acute malnutrition, and 80 percent of households did not have access to drinking water.<sup>119</sup>

Some healthcare centers run by international organizations in the area, which were barely able to meet needs before the present crisis, have closed because of the insecurity.<sup>120</sup> On March 9, Médecins Sans Frontières (MSF, Doctors without Borders) temporarily closed its Cité Soleil hospital, resuming only emergency care activities at the end of March.<sup>121</sup> Many schools have closed, and some criminal groups have used schools as bases, damaging and looting them in the process.<sup>122</sup>

Since mid-2021, Brooklyn residents have lacked access to electricity after G9 members reportedly cut the cable that provided the service.<sup>123</sup> They also did not have any access to safe drinking water between mid-March 2023 and late April, when the G9 prevented water delivery tanker trucks from entering the area.<sup>124</sup> Although they were recently allowed to enter Brooklyn, the trucks were reportedly blocked during some weeks from entering because the access roads were inundated with mud.<sup>125</sup> The city's sewage canals that run

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<sup>119</sup> "Haiti Humanitarian Needs Overview 2023 (March 2023)," *Relief Web*, March 17, 2023, <https://reliefweb.int/report/haiti/haiti-aperçu-des-besoins-humanitaires-2023-mars-2023-fren> (accessed July 24, 2023); Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023.

<sup>120</sup> Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>121</sup> "Haiti: Violent Clashes Force Temporary Closure of MSF hospital in Cité Soleil," MSF, March 8, 2023, <https://www.doctorswithoutborders.org/latest/haiti-violent-clashes-force-temporary-closure-msf-hospital-cite-soleil> (accessed July 24, 2023); United Nations Integrated Office in Haiti Report of the Secretary-General, S/2023/274, April 14, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed July 24, 2023); Human Rights Watch interview with an international humanitarian rights official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>122</sup> Human Rights Watch interview with an international humanitarian rights official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>123</sup> Human Rights Watch interview with an international humanitarian rights official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interviews with eleven victims in Cité Soleil, Port-au-Prince, May 3-4, 2023.

<sup>124</sup> Human Rights Watch interview with an international humanitarian rights official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with 12 victims from Cité Soleil, Port-au-Prince, May 3-4, 2023.

<sup>125</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

through this area to the sea have not been maintained, meaning that the limited access routes and many homes are regularly flooded with mud and garbage, contributing to new cases of cholera.<sup>126</sup>

Anne J., a Brooklyn resident, told Human Rights Watch about the challenges her family faces:

We don't eat every day, sometimes yes, sometimes no... We don't have drinking water, we only drink rainwater, my children are sick to their stomachs ... We haven't had electricity for a long time either. It's the G9 gang that cut the cables ... For several weeks our house has been flooded; every time it rains, it floods and smells bad because the garbage goes down the canals. We live on top of mud and garbage.<sup>127</sup>

Violence also disrupted supplies to the neighborhood market and access to surrounding markets, forcing residents to leave the commune to obtain food and other goods.<sup>128</sup>

“When we're wounded, there's no hospital. There's no water. No food. The water trucks haven't been able to enter since the war started in early March. People are hungry, and they can't get food,” Natalie P., another Brooklyn resident, told Human Rights Watch.<sup>129</sup>

Julieth F., another resident, said: “The schools are closed, we don't have water or electricity, we don't have food. We live on top of the dirty water that comes down the mountain through the canals, and in the middle of the garbage ... My children look in the garbage to try to recover things that can be used for the house, or so we can eat.”<sup>130</sup>

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<sup>126</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 4, 2023; Jacqueline Charles, “Children Are ‘Wasting’ Away in Haiti as Violence Leads to Skyrocketing Malnutrition, UN says,” *Miami Herald*, May 12, 2023, <https://www.miamiherald.com/article275344961.html> (accessed July 28, 2023); “Haiti: Rise in Extreme Gang Violence Makes For ‘Living Nightmare’ – Türk,” *UN OHCHR*, February 10, 2023, <https://www.ohchr.org/en/press-releases/2023/02/haiti-rise-extreme-gang-violence-makes-living-nightmare-turk> (accessed July 28, 2023).

<sup>127</sup> Human Rights Watch interview with a victim from Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>128</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a community organization representative, Port-au-Prince, May 2, 2023.

<sup>129</sup> Human Rights Watch interview with Natalie P., a victim from Cité Soleil, Port-au-Prince, May 4, 2023.

<sup>130</sup> Human Rights Watch interview with Julieth F., a victim from Cité Soleil, Port-au-Prince, May 4, 2023.



A school wall pockmarked with bullet holes in the Brooklyn neighborhood of Cité Soleil commune, Port-au-Prince. © 2023 Private



Violence in the Brooklyn neighborhood has prevented sewage canal maintenance and residents live on mud, dirty water and garbage. © 2023 Private. 

No humanitarian aid entered the Brooklyn area during clashes occurring between mid-March and late April 2023.<sup>131</sup> Some humanitarian and human rights organizations have recently managed to provide Brooklyn residents with assistance before and after the clashes, residents said that they had received no support from the state.<sup>132</sup>

In other areas, for example in Canaan, in Croix-des-Bouquets commune, there is little infrastructure to provide basic services, so residents rely on food and goods provided by humanitarian organizations.<sup>133</sup> This situation worsens when people are displaced by violence to other neighborhoods or communes.<sup>134</sup> “Many displaced children cannot go to school because their families cannot afford to pay school fees in the host neighborhoods, and they also cannot access food,” a Haitian civil society representative told Human Rights Watch. “A number of displaced people are forced to live in public places, such as squares, streets or parks, exposed to the weather, diseases, and even other security risks.”<sup>135</sup>

According to the International Organization for Migration (IOM), more than 47,400 people were displaced in the metropolitan area of Port-au-Prince due to violence between January and June 2023, mainly from Croix-des-Bouquets and Cité Soleil communes.<sup>136</sup> They are part of the more than 195,000 people who have been internally displaced in Haiti due to violence since the start of 2022.<sup>137</sup>

Following the April 19, 2023 attack by criminal groups against Source Matelas residents in Cabaret commune, most of the 3,700 people displaced fled toward the northern commune

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<sup>131</sup> Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

<sup>132</sup> Human Rights Watch interview with an international humanitarian worker, Port-au-Prince, May 1, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 3, 2023; Human Rights Watch telephone interview with a community organization representative, July 4, 2023.

<sup>133</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a local humanitarian official, Port-au-Prince, May 2, 2023.

<sup>134</sup> Human Rights Watch interview with a local humanitarian official, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023.

<sup>135</sup> Human rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023.

<sup>136</sup> Information provided to Human Rights Watch by IOM and BINUH via e-mail, on July 25, 2023 (on file with Human Rights Watch).

<sup>137</sup> “Haiti Emergency Response Situation Report,” *IOM UN Migration*, June 2023, [https://haiti.iom.int/sites/g/files/tmzbd11091/files/documents/2023-07/2023\\_07\\_20\\_external\\_sitrep\\_june\\_final.pdf](https://haiti.iom.int/sites/g/files/tmzbd11091/files/documents/2023-07/2023_07_20_external_sitrep_june_final.pdf) (accessed July 28, 2023).

of Arcahaie and others fled to a public square in Cabaret commune, where they did not receive any state assistance.<sup>138</sup>

Quentin D., a 30-year-old man whose house was burned and whose mother and brother were killed during the attack in Source Matelas, told Human Rights Watch:

If the situation continues like this, it's like we're already dead. We can't run from one place to another all the time to flee these attacks. I'm sleeping in the street now, and many other young people are in the same situation. Sometimes we go a whole day without eating or drinking anything. We suffer enormously.<sup>139</sup>

Dozens of residents of upper Bel-Air were displaced after the Krache Dife group's attack on February 28, 2023, mainly to Poste Marchand, where they are living in camps with little protection from the elements, and with limited or no access to food and basic services.<sup>140</sup>

Amandine T., a resident of upper Bel-Air, said:

I'm now in a shelter in Poste Marchand with other victims. I'm there with two kids... When it rains, we need to wait for the rain to stop and for it to dry. [The shelter is] not covered. They haven't been to school since [the attack]. I lost everything we had—uniforms, school materials, everything was burned in the house.<sup>141</sup>

Julien B., 31, said he was displaced from Bel-Air on March 1 with his pregnant wife and 33-year-old sister, who was sexually assaulted that same day during the attack:

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<sup>138</sup> Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>139</sup> Human Rights Watch interview with Quentin D., a victim from Source Matelas, Cabaret, Port-au-Prince, May 3, 2023.

<sup>140</sup> Human Rights Watch interviews with four victims from Bel-Air, Port-au-Prince, May 3, 2023.

<sup>141</sup> Human Rights Watch interviews with Amandine T., a victim from Bel-Air, Port-au-Prince, May 3, 2023.

Now, we are in Poste Marchand, but a week [after the attack], I returned to [upper] Bel-Air to try to recover some things from my home, but I found that my home had been vandalized. We lost everything... Now we are here, practically in the open air. We don't have access to anything, nobody has helped us, nobody is giving us food or water.<sup>142</sup>

## Thousands of Haitians Flee Violence and Chaos

Many Haitians have left the country in recent years, often on dangerous journeys. The exact number of Haitians who have fled is unknown. In the first half of 2023, more than 73,800 were returned to Haiti from the countries they went to or passed through, according to IOM. This was despite the high levels of risk to their lives and physical integrity in Haiti and the UN's constant calls to stop forced returns of Haitians. Of this number, 93 percent were returned to Haiti from the Dominican Republic, while the Bahamas, Cuba, Turks and Caicos, and the United States returned the others.<sup>143</sup>

In May 2023, the United States public health order known as Title 42, improperly used by the Trump and Biden administrations to expel asylum seekers with no due process, ended.<sup>144</sup> However, the Biden administration in effect replaced it with a new federal rule critics call the "Biden asylum ban," which blocks many asylum seekers from accessing asylum in the United States.<sup>145</sup>

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<sup>142</sup> Human Rights Watch interviews with Julien B., a victim from Bel-Air, Port-au-Prince, May 3, 2023.

<sup>143</sup> "UNHCR Calls on States to Refrain from Forced Returns of Haitians," UNHCR, November 3, 2022, <https://www.unhcr.org/news/news-releases/unhcr-calls-states-refrain-forced-returns-haitians> (accessed July 24, 2023); "UN High Commissioner for Human Rights Volker Türk Concludes His Official Visit to Haiti," United Nations, February 10, 2023, <https://www.ohchr.org/en/statements/2023/02/un-high-commissioner-human-rights-volker-turk-concludes-his-official-visit-haiti> (accessed July 24, 2023); "Haiti Emergency Response Situation Report," IOM, June 2023, [https://haiti.iom.int/sites/g/files/tmzbd11091/files/documents/2023-07/2023\\_07\\_20\\_external\\_sitrep\\_june\\_final.pdf](https://haiti.iom.int/sites/g/files/tmzbd11091/files/documents/2023-07/2023_07_20_external_sitrep_june_final.pdf) (accessed July 28, 2023).

<sup>144</sup> "Q&A: US Title 42 Policy to Expel Migrants at the Border," Human Rights Watch, April 8, 2014, <https://www.hrw.org/news/2021/04/08/qa-us-title-42-policy-expel-migrants-border>; "Haitians Being Returned to a Country in Chaos: Humanitarian, Security Crisis Makes Deportations Unsafe," Human Rights Watch, April 24, 2022, <https://www.hrw.org/news/2022/03/24/haitians-being-returned-country-chaos> (accessed July 3, 2023); "What Does the End of Title 42 Mean for U.S. Migration Policy?," Carnegie Corporation of New York, June 5, 2023, <https://www.carnegie.org/our-work/article/what-does-end-title-42-mean-us-migration-policy/#:~:text=Title%2042%2C%20a%20Covid%2D%2019,new%20opportunities%20and%20new%20risks> (accessed July 3, 2023); Adam Isacson, "10 Things to Know About the End of Title 42," Washington Office on Latin America (WOLA), May 9, 2023, <https://www.wola.org/analysis/end-title-42/> (accessed July 3, 2023).

<sup>145</sup> Human Rights Watch, along with many other US rights groups, opposed the adoption of this Asylum Ban Rule by the US government. See Human Rights Watch Submits Comment in Opposition to the Asylum Eligibility and Procedural Modifications Interim Final Rule; "Biden 'Asylum Ban' Rule Would Send Thousands to Danger: US Should Turn Away from

The Biden asylum ban, in broad terms, requires people to access asylum in the United States by scheduling an appointment through an online app called CBP One, which is inaccessible to many asylum seekers due to financial, language, technological, and other barriers. All of this has disproportionately adverse impacts on Black and Indigenous asylum seekers.<sup>146</sup>

Haitians also have the option of applying for humanitarian parole, which is also difficult to access, not least because it requires a financial sponsor in the United States. The rule bars people who fail to use the CBP One App and fail to apply for humanitarian parole from US asylum unless they meet at least one of several very limited exceptions, including proving that they sought and were denied asylum in a third country through which they migrated on their way to the US.<sup>147</sup> Accessing parole or asylum becomes even more difficult if individuals previously attempted to claim asylum by traveling to the US on boat or crossed a southwest US land border outside official ports of entry.<sup>148</sup> These rules make the asylum process inaccessible to many Haitians who face language barriers and racial discrimination and are economically and socially vulnerable.<sup>149</sup>

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Deadly Deterrence,” Human Rights Watch, February 28, 2023, <https://www.hrw.org/news/2023/05/11/us-biden-asylum-ban-endangers-lives-border>

<sup>146</sup> Human Rights Watch telephone interview with an international humanitarian worker, March 30, 2023; “Americas: States Must End Racist Treatment of Haitian Asylum Seekers,” Amnesty International, June 20, 2023, <https://www.amnesty.org/en/latest/news/2023/06/end-racist-treatment-haitian-asylum-seekers/> (accessed July 24, 2023); “Haitian Bridge Alliance Applauds U.S. Federal Court Decision that Struck Down the Asylum Ban But Cautions Asylum Seekers at the Border to Continue Scheduling A CBP One Appointment Until Further Updates Are Provided,” Haitian Bridge Alliance, July 25, 2023, <https://haitianbridgealliance.org/our-impact-2/> (accessed July 28, 2023).

<sup>147</sup> “Biden’s Asylum Ban: Practice Advisory,” National Immigration Project: Lawyers for the Movement, May 26, 2023, [https://nipnlg.org/sites/default/files/2023-05/2023\\_26May-Asylum-Ban-PA.pdf](https://nipnlg.org/sites/default/files/2023-05/2023_26May-Asylum-Ban-PA.pdf) (accessed July 24, 2023).

<sup>148</sup> Marjorie Cohn, “Biden’s Asylum Policy Continues History of US Cruelty to Haitians: Biden Has Recycled Some of Trump’s Racist Asylum Policies,” *LA Progressive*, June 24, 2023, <https://www.laprogressive.com/latin-america-2/us-cruelty-to-haitians> (accessed July 3, 2023); Rebecca Santana, Elliot Spagat, “Biden Administration to Limit Asylum to Migrants Who Pass Through a 3<sup>rd</sup> Nation,” *PBS News Hour*, February 21, 2023, <https://www.pbs.org/newshour/politics/biden-administration-to-limit-asylum-to-migrants-who-pass-through-a-3rd-nation> (accessed July 3, 2023); “Opposed Asylum ‘Transit Ban’ Rule Violates Law, Endangers the Vulnerable, and Undermines U.S Interests,” Washington Office on Latin America (WOLA), <https://www.wola.org/2023/03/transit-ban-violates-law-endangers-vulnerable-undermines-interests/> (accessed July 3, 2023); US Citizen and Immigration services, “The Haitian Family Reunification Parole (HFRP) Program,” <https://www.uscis.gov/humanitarian/humanitarian-parole/the-haitian-family-reunification-parole-hfrp-program> (accessed July 3, 2023).

<sup>149</sup> Human Rights Watch telephone interview with an international humanitarian worker, March 30, 2023; “Americas: States Must End Racist Treatment of Haitian Asylum Seekers,” Amnesty International, June 20, 2023, <https://www.amnesty.org/en/latest/news/2023/06/end-racist-treatment-haitian-asylum-seekers/> (accessed July 24, 2023); “Haitian Bridge Alliance Applauds U.S. Federal Court Decision that Struck Down the Asylum Ban But Cautions Asylum Seekers at the Border to Continue Scheduling A CBP One Appointment Until Further Updates Are Provided,” Haitian Bridge Alliance, July 25, 2023, <https://haitianbridgealliance.org/our-impact-2/> (accessed July 28, 2023).

In July 2023, a federal judge concluded that the rules had been improperly imposed and should not be enforced, although he stayed his order pending appeal. This means that the ban is likely to remain in effect while an appellate court considers the case.<sup>150</sup>

These requirements mean that many Haitians attempting to access asylum in the United States are forced to wait in Mexico, where they experience a wide range of human rights abuses such as racial discrimination, kidnapping, sexual violence, and extortion.<sup>151</sup>

In April, the UN Committee on the Elimination of Racial Discrimination (CERD) expressed grave concern about reported increases in hate speech and racist or xenophobic violence against Haitians on the move and the use of racial profiling by law enforcement officials of some countries in the Americas. CERD called on the US and other countries in the region to suspend forced returns and adopt measures to protect Haitians on the move.<sup>152</sup>

According to a Haitian organization and IOM, thousands of Haitians face abuses at Haiti's border with the Dominican Republic, where Dominican authorities are returning them to Haiti. IOM assistance only reaches 1 percent of migrants and asylum seekers due to a lack of financial resources.<sup>153</sup>

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<sup>150</sup> Miriam Jordan and Eileen Sullivan, "Federal Judge Blocks Biden Administration's New Asylum Policy," *New York Times*, July 25, 2023, <https://www.nytimes.com/2023/07/25/us/politics/biden-asylum-policy-immigration.html> (accessed July 27, 2023).

<sup>151</sup> "Refugee Protection Travesty: Biden Asylum Ban Endangers and Punishes At-Risk Asylum Seekers," Human Rights First, July 1, 2023, [https://humanrightsfirst.org/wp-content/uploads/2023/07/Refugee-Protection-Travesty\\_Asylum-Ban-Report\\_July-2023-1.pdf](https://humanrightsfirst.org/wp-content/uploads/2023/07/Refugee-Protection-Travesty_Asylum-Ban-Report_July-2023-1.pdf) (accessed July 24, 2023). Human Rights Watch also investigated the dangerous conditions in Mexico for asylum seekers in the years prior to the new Asylum Ban rule. See, e.g. "US: LGBT Asylum Seekers in Danger at the Border," Human Rights Watch, May 31, 2022, <https://www.hrw.org/news/2022/05/31/us-lgbt-asylum-seekers-danger-border>; "US: Border Program's Huge Toll on Children," Human Rights Watch, February 4, 2022, <https://www.hrw.org/news/2022/02/04/us-border-programs-huge-toll-children>; "Mexico: Abuses Against Asylum Seekers at US Border," Human Rights Watch, March 5, 2021, <https://www.hrw.org/news/2021/03/05/mexico-abuses-against-asylum-seekers-us-border>.

"'Like I'm Drowning': Children and Families Sent to Harm by the US 'Remain in Mexico' Program," Human Rights Watch, January 6, 2021, <https://www.hrw.org/report/2021/01/06/im-drowning/children-and-families-sent-harm-us-remain-mexico-program>.

<sup>152</sup> "Stop Deporting Haitians on the Move in Americas, UN Committee warns," OHCHR, April 28, 2023, <https://www.ohchr.org/en/press-releases/2023/04/stop-deporting-haitians-move-americas-un-committee-warns> (accessed July 25, 2023).

<sup>153</sup> Human Rights Watch telephone interview with a Haitian humanitarian worker, June 19, 2023; Human Rights Watch telephone interview with an international humanitarian official, June 20, 2023; "Migrants' Repatriation and Reception Assistance in Haiti," IOM, June 1, 2023, <https://haiti.iom.int/sites/g/files/tmzbd1091/files/documents/2023-05/migrant-returns-and-reception-assistance-in-haiti-april-2023.pdf> (accessed July 25, 2023); Human Rights Watch telephone interview with an international humanitarian official, June 20, 2023.

Humanitarian workers told Human Rights Watch that Dominican authorities routinely round up people who they suspect are Haitian nationals solely on the basis of their race or darker skin. They are then taken to the border and placed in cages on the back of trucks in sweltering heat as they await processing, with little or no access to food and water, before being sent back to Haiti, where they face dire humanitarian and rights challenges.<sup>154</sup>

In late June 2023, the UN independent expert on the situation of human rights in Haiti urged the Dominican Republic to stop repatriation methods that do not comply with human rights standards and that violate bilateral migration agreements and reiterated the call on all countries in the region to put an end to the mass deportations of Haitian migrants, in particular unaccompanied children.<sup>155</sup>

## Applicable Legal Standards

The prohibition of *refoulement* is included in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) and the Refugee Convention and its protocol.<sup>156</sup> It guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm.

This principle applies to all migrants at all times, irrespective of migration status.<sup>157</sup> Given the security, humanitarian, and human rights crises in Haiti described in this report,

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<sup>154</sup> Human Rights Watch telephone interview with an international humanitarian official, June 20, 2023; Human Rights Watch interview with a Haitian humanitarian worker, June 19, 2023; Human Rights Watch telephone interview with a Haitian humanitarian worker, July 14, 2023; Human Rights Watch telephone interview with an international humanitarian worker, July 21, 2023; Jillian Kestler-D'Amours, "Dominican Deportations To Haiti Fuel Growing Fears, Frustration," *Al Jazeera*, November 24, 2022, <https://www.aljazeera.com/news/2022/11/24/dominican-deportations-to-haiti-fuel-growing-fears-frustration> (accessed July 25, 2023); Marjorie Cohn, "Biden's Asylum Policy Continues History of US Cruelty to Haitians," *LA Progressive*, June 24, 2023, <https://www.laprogressive.com/latin-america-2/us-cruelty-to-haitians> (accessed July 25, 2023).

<sup>155</sup> "Haiti: UN Expert William O'Neill Concludes Official Visit," OHCHR, June 28, 2023, <https://www.ohchr.org/en/statements/2023/06/haiti-un-expert-william-oneill-concludes-official-visit> (accessed July 25, 2023).

<sup>156</sup> UN General Assembly, Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), December 10, 1984, United Nations, Treaty Series, vol. 1465, p. 85; UN General Assembly, International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), December 20, 2006; UN General Assembly, Convention Relating to the Status of Refugees, July 28, 1951, United Nations, Treaty Series, vol. 189, p. 137.

<sup>157</sup> The principle of *non-refoulement* under international human rights law, OHCHR, <https://www.ohchr.org/sites/default/files/Documents/Issues/Migration/GlobalCompactMigration/ThePrincipleNon-RefoulementUnderInternationalHumanRightsLaw.pdf> (accessed July 28, 2023).

returns of Haitians and their children to the country, where they are exposed to suffer serious or irreparable harm, would amount to refoulement in violation of international human rights laws.

In November 2022, in line with this principle, the UN High Commissioner for Refugees called on governments “not to return Haitians to a country that is extremely fragile.”<sup>158</sup> The agency stressed that “Haitian women, children and men who are outside the country and returned to Haiti may face life-threatening security and health risks, and further displacement inside the country.”<sup>159</sup>

In similar terms, the UN High Commissioner for Human Rights warned that “it is clear that the systematic violations of rights in Haiti, do not currently allow for the safe, dignified and sustainable return of Haitians to the country” and called on governments “to ensure that all Haitians have access to legal status, protection and support services regardless of their reasons for leaving their country,” while also reminding them that international human rights law prohibits refoulement without an individual assessment of all protection needs prior to return.<sup>160</sup>

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<sup>158</sup> “UNHCR calls on States to refrain from forced returns of Haitians,” UNHCR, November 3, 2022, <https://www.unhcr.org/news/news-releases/unhcr-calls-states-refrain-forced-returns-haitians> (accessed July 28, 2023).

<sup>159</sup> Ibid.

<sup>160</sup> “Haiti: International community must act now to avert tragedy – Türk,” OHCHR, November 3, 2022, <https://www.ohchr.org/en/press-releases/2022/11/haiti-international-community-must-act-now-avert-tragedy-turk> (accessed July 28, 2023).

### III. Politics, Crime, Police Complicity, a Dysfunctional Judiciary

To understand what is happening in Haiti, we have to look at the past. On the one hand, we have criminal groups that emerged when political actors gave [people] weapons to seize power and then instrumentalized [these groups] for different purposes. These groups have now become more autonomous with profits from other activities such as kidnapping and extortion. [Then we also have] the United States, France, the United Nations, and other countries that have intervened in the country in many ways—some good, but others very bad, such as supporting these corrupt political actors in power. This has perpetuated a cycle of political instability and endless violence where the worst consequences are suffered by the most vulnerable.

— Haitian civil society representative<sup>161</sup>

Haitian civil society representatives, humanitarian and human rights officials working in Haiti, and Haitian government officials that Human Rights Watch consulted consistently stressed the long-standing ties between criminal groups and established political and economic actors—mainly members and allies of the Pati Ayisyen Tèt Kale (PHTK) party. They claim that political and other actors rely on criminal groups to help them secure their business interests and votes during elections, which in turn allows them to reach or remain in power. Criminal groups have reportedly regularly forced residents in areas they control, or are active in, to vote for their political benefactors, sometimes at gunpoint.<sup>162</sup>

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<sup>161</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023.

<sup>162</sup> Human Rights Watch interview with senior Haitian police official, March 29, 2023; Human Rights Watch interview with an official of the Ombudsman's Office, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with three Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a member of the independent facilitation team accredited by the High Transition Council, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023; Human Rights Watch telephone interview with a Haitian women's rights leader, June 5, 2023; Pierre Espérance, "Haiti's Police Protests Highlight Armed Gangs' Ties to Government," *Just Security*, February 2, 2023, <https://www.justsecurity.org/84990/haitis-police->

Some members of Haitian civil society attribute the recent spike of violence to two factors. The first is politics: they say that opposition political parties and parties allied to the government seek to influence the results of the upcoming (yet to be scheduled) elections by using criminal groups to control areas with many voters. The other factor is the increasing autonomy of criminal groups that are seeking to gain more territory to expand their criminal activities, in part for financial gain.<sup>163</sup>

A wide spectrum of people interviewed by Human Rights Watch, including Haitian civil society representatives and government officials, said that some members of the Haitian National Police are also linked to criminal groups and allow them to operate. They do this by not trying to combat them or to apprehend the leaders, or by providing them with information useful for their criminal activities, or by participating with them in these activities, or by supporting them with equipment, weapons, or vehicles to carry out their operations.<sup>164</sup> One main criminal leader and some members of criminal groups are also reportedly former police officers, such as Jimmy Chèrizier, or “Barbecue,” who leads the G9 alliance.<sup>165</sup> Those interviewed by Human Rights Watch made these conclusions based on their own investigations, including victims’ testimonies, evidence collected in legal proceedings, and public statements by leaders of criminal groups. Human Rights Watch has not independently verified these claims.

According to judicial and government officials Human Rights Watch interviewed, there are a few open cases under investigation in the Haitian judicial system about alleged links between criminal groups and politicians, including former senators and ministers,

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protests-highlight-armed-gangs-ties-to-government/ (accessed June 20, 2023); Louis-Henri Mars, “To Curb Gang Violence in Haiti, Break with Politics as Usual,” *Just Security*, April 18, 2023, <https://www.justsecurity.org/86017/to-curb-gang-violence-in-haiti-break-with-politics-as-usual/> (accessed June 20, 2023); “Human Rights and the Rule of Law in Haiti: Key Recent Developments December 2022 through May 2023,” Institute for Justice and Democracy in Haiti, June 1, 2023, <http://www.ijdh.org/wp-content/uploads/2023/06/HRU-June-2023-FINAL.pdf> (accessed June 20, 2023).

<sup>163</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>164</sup> *Ibid.*

<sup>165</sup> “Barbecue” was until December 2018 a member of the Departmental Unit of Maintenance of Order in the Haitian national police. “Massacre in Bel-Air: Banalization of the right to life by state authorities” RNDDH, December 17, 2019, <https://web.rn-ddh.org/wp-content/uploads/2020/01/6-Rap-Bel-Air-17Dec2019-Version-Anglaise.pdf> (accessed July 25, 2023).

government officials, and former members of the police force.<sup>166</sup> However, Human Rights Watch is not aware of any of these investigations leading to convictions in Haitian courts.<sup>167</sup>

## Political Brinksmanship

To date, only Ariel Henry exercises all the functions of the state.

— Member of the independent facilitation team accredited by the High Transition Council<sup>168</sup>

Since the assassination of President Jovenel Moïse in July 2021, Prime Minister Ariel Henry, who never received parliamentary approval and thus does not have a constitutional mandate, has been ruling by decree.<sup>169</sup> Parliament has been dysfunctional since 2019, when President Moïse refused to organize legislative elections, leaving only 10 elected senators in office. Since the end of their terms in January 2023, the country has had no elected officials at any level.<sup>170</sup>

In August 2021, a group of representatives from Haitian civil society, political parties, community organizations, and business representatives met at Hotel Montana in Port-au-Prince and signed what became known as the Montana Accord, laying out the rationale and process towards establishing a new, more legitimate and representative transitional government that would organize free and fair elections. Over 1,000 groups and individuals signed the agreement, representing a spectrum of Haitian society. Notably missing were Prime Minister Henry, the PHTK political party, and their closest allies.<sup>171</sup>

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<sup>166</sup> Human Rights Watch interview with an official of the Ombudsman's Office, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023.

<sup>167</sup> Human Rights Watch telephone interview with a Haitian lawyer, July 4, 2023.

<sup>168</sup> Human Rights Watch interview with a member of the independent facilitation team accredited by the High Transition Council, Port-au-Prince, May 1, 2023.

<sup>169</sup> "Haiti: Investigate President's Killing," Human Rights Watch, July 8, 2021, <https://www.hrw.org/news/2021/07/08/haiti-investigate-presidents-killing>; MCC Communication Haiti, post to Facebook, July 5, 2021, <https://www.facebook.com/MCHaiti/photos/a.404022889724479/3875778675882199/?type=3> (accessed June 20, 2023).

<sup>170</sup> Jacqueline Charles, "Haiti: With Not a Single Elected Leader Left, Haiti Is Becoming a Textbook Case of A 'Failed State,'" *Miami Herald*, January 10, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article270922407.html> (accessed June 20, 2023); Human Rights Watch, *World Report 2023*, Haiti chapter, <https://www.hrw.org/world-report/2023/country-chapters/haiti>.

<sup>171</sup> In August 2021, a group of cross-sector leaders known as the Commission for a Haitian Solution to the Crisis, joined by hundreds of civil society groups and political parties—currently known as the Montana Group—produced and signed the "Montana Accord," which laid out a process toward establishing a new transitional government that would organize free and fair elections, <https://akomontana.ht/en/elementor-979/> (accessed August 8, 2023). Human Rights Watch, *World Report 2023*, Haiti chapter, <https://www.hrw.org/world-report/2023/country-chapters/haiti>; "Haiti Elections Postponed Indefinitely

Haiti's main international partners, including the United Nations Integrated Office in Haiti (BINUH) and the US government, did not endorse the Montana Accord but instead continued to support Henry.<sup>172</sup>

In September 2021, Henry signed another agreement called the “political agreement for a peaceful and effective governance of the interim period” with several political parties, including the Popular and Democratic Sector and the PHTK, committing to organize general elections in December 2022.<sup>173</sup> The main members of the Montana Group were not part of this agreement.<sup>174</sup>

When it became clear that elections would not happen as announced, Henry signed another agreement called the “National Consensus for an Inclusive Transition and Transparent Elections” with a coalition of political, civil society, and business actors.<sup>175</sup> The accord called for the establishment of a Haut Conseil de la Transition (HCT, High Transition Council) in charge of developing a road map to organize the next general election, review the country's constitution, and propose reform of the judicial system.<sup>176</sup>

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Amid Political Crisis,” *Al Jazeera*, September 28, 2021, <https://www.aljazeera.com/news/2021/9/28/haiti-elections-postponed-indefinitely-amid-crisis> (accessed June 20, 2023); Gessika Thomas and Brian Ellsworth, “Haiti's Henry Urges Elections Amid Calls For Transition Government,” *Reuters*, February 7, 2022, <https://www.reuters.com/world/americas/haitis-henry-urges-elections-amid-calls-transition-government-2022-02-07/> (accessed June 20, 2023); Human Rights Watch interview with Haitian Prime Minister, Port-au-Prince, April 28, 2023.

<sup>172</sup> Human Rights Watch telephone interview with representatives of an international human rights organization, March 29, 2023; Human Rights Watch interview with a political expert, Washington D.C., March 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch telephone interview with a member of the Montana Group, June 2, 2023; Imran Bayoumi, “Washington Needs a Democracy-First Approach to Haiti: the Global Fragility Act's Potential Isn't Being Used To The Full,” *Foreign Policy*, April 11, 2023, <https://foreignpolicy.com/2023/04/11/haiti-democracy-relations-united-states-gang-violence/> (accessed August 4, 2023).

<sup>173</sup> “Accord Politique pour une Gouvernance Apaisée et Efficace de la Période Intérimaire,” *Le Moniteur, Haiti Libre*, September 17, 2021, <https://www.haitilibre.com/docs/Accord-Politique-pour-une-Gouvernance-Apaisee-et-Efficace-de-la-Periode-Interimaire.pdf> (accessed July 25, 2023).

<sup>174</sup> Human Rights Watch interview with a member of the independent facilitation team accredited by the High Transition Council, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch telephone interview with a member of the Montana Group, June 2, 2023.

<sup>175</sup> “The Government Publishes the Text of the December 21 Agreement Without the Names of the Members of the HCT,” *Haiti Libre*, January 12, 2023, <https://www.haitilibre.com/en/news-38594-haiti-politic-the-government-publishes-the-text-of-the-december-21-agreement-without-the-names-of-the-members-of-the-hct-official-text.html> (accessed June 20, 2023).

<sup>176</sup> *Ibid.*

The Montana Group and key human rights organizations and civil society representatives were either not invited to the discussions or did not sign on to the final declaration.<sup>177</sup> A key sticking point was whether the HCT would assume the role of the presidency and serve as a real check on Henry's power, or act under Henry's authority.<sup>178</sup>

The HCT began its work on February 6, 2023, despite the opposition to it, but it has not made major progress on the objectives of the agreement at time of writing.<sup>179</sup> In a meeting with Human Rights Watch in April 2023, Henry recognized that they had yet to establish a clear path forward. "Currently there are no elected authorities, neither at the national nor at the regional government level," he said. "We are working... to organize elections next year and we are in dialogue with all sectors... We hope to reach an agreement soon."<sup>180</sup>

Some of Haiti's international and regional partners, including BINUH and the US government, initially backed the December 2022 agreement.<sup>181</sup> In recent months, however, there appears to be growing recognition that a new and more inclusive path forward is necessary, especially given the drastic deterioration of the security situation, which would make organizing free and fair elections all but impossible.

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<sup>177</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023; Human Rights Watch telephone interview with a member of the Montana Group, June 2, 2023.

<sup>178</sup> Human Rights Watch interview with a member of the independent facilitation team accredited by the High Transition Council, Port-au-Prince, May 1, 2023; Human Rights Watch interview with a leader of the Montana Group, May 1, 2023; Human Rights Watch telephone interview with a member of the Montana Group, June 2, 2023.

<sup>179</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023.

<sup>180</sup> Human Rights Watch interview with Haiti's Prime Minister, Port-au-Prince, April 28, 2023.

<sup>181</sup> "Key Political Developments, Sanctions Offer Hope to Haiti's Recovery if Supported by International Community, Special Representative Tells Security Council," UN Press Release, SC/15181, January 24, 2023, <https://press.un.org/en/2023/sc15181.doc.htm> (accessed June 20, 2023); Keith Mines, "Have Haitians Finally Found the Formula for Moving Forward?" United States Institute of Peace, March 22, 2023, <https://www.usip.org/publications/2023/03/have-haitians-finally-found-formula-moving-forward> (accessed June 20, 2023); @BINUH\_UN post to Twitter, February 6, 2023, [https://twitter.com/binuh\\_un/status/1622678101934149638?s=46&t=GgULwtQbsDUV2LBxe8kqLA](https://twitter.com/binuh_un/status/1622678101934149638?s=46&t=GgULwtQbsDUV2LBxe8kqLA) (accessed June 20, 2023); "Journée du Forum Politique du Haut Conseil de Transition," Haiti Libre, May 24, 2023, <https://www.haitilibre.com/article-39608-haiti-politique-premiere-journee-du-forum-politique-du-haut-conseil-de-transition.html> (accessed June 20, 2023).

In June 2023, Henry and a cross-section of Haitian political and civic leaders, among others, met in Jamaica for an initiative led by the Caribbean Community (CARICOM)'s Eminent Persons Group, made up of three former prime ministers from the region, that sought to reach a broad political consensus on how to overcome the crisis.<sup>182</sup> They did not reach any consensus, but Henry committed to making the governing coalition more inclusive and to discussing expansion of the HCT.<sup>183</sup>

Meanwhile, a group of political parties, including the PHTK and the Montana group as well as some civil society groups present at the meeting, signed the Kingston Joint Declaration, calling for the establishment of a presidential college and a government of national unity headed by a prime minister.<sup>184</sup>

During this meeting in Jamaica, on June 12, 2023, nine groups representing the major Haitian human rights organizations and a well-known US diaspora group signed a joint declaration calling for urgent support from the international community to overcome the multidimensional crisis facing the country. As a first step, they urged Haiti's partners to stop propping up the set of actors who created the crisis and to instead support the establishment of a legitimate transitional government "led by technocrats who would commit to not participating in future elections and who would work... for the organization of free, fair, and credible elections."<sup>185</sup>

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<sup>182</sup> "Statement from the Meeting of the Caricom Eminent Persons Group with Haitian Stakeholders in Kingston, Jamaica," CARICOM, June 15, 2023, <https://caricom.org/statement-from-the-meeting-of-the-caricom-eminant-persons-group-with-haitian-stakeholders-in-kingston-jamaica/> (accessed July 28, 2023); Chris François, Jake Johnston, "Political and civil society leaders are meeting in Kingston, Jamaica this week in a CARICOM-backed effort to break Haiti's political impasse," Center for Economic and Policy Research (CEPR), June 13, 2023, <https://cepr.net/haiti-news-round-up-political-and-civil-society-leaders-meet-in-jamaica/> (accessed July 30, 2023).

<sup>183</sup> Jacqueline Charles, "They Don't Have a Deal, but Haitian Leaders Leave Jamaica with Promise to Keep Talking," *Miami Herald*, June 14, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article276391451.html> (accessed July 28, 2023); "Statement from the Meeting of the CARICOM Eminent Persons Group with Haitian Stakeholders in Kingston, Jamaica," CARICOM, June 15, 2023, <https://caricom.org/statement-from-the-meeting-of-the-caricom-eminant-persons-group-with-haitian-stakeholders-in-kingston-jamaica/> (accessed July 28, 2023); Chris François, Jake Johnston, "Haiti News Round-up: Calls for Foreign Intervention Continue," CEPR, June 28, 2023, <https://cepr.net/haiti-news-round-up-calls-for-foreign-intervention-continue/> (accessed July 28, 2023).

<sup>184</sup> @SenateurBenoit post to Twitter, June 14, 2023, <https://twitter.com/SenateurBenoit/status/1669023054092017671> (accessed July 28, 2023).

<sup>185</sup> "Urgent Civil Society Appeal for a Rights-Based International Response to the Crisis in Haiti," *RNDDH*, June 13, 2023, <https://web.rnddh.org/urgent-civil-society-appeal-for-a-rights-based-international-response-to-the-crisis-in-haiti/?lang=en> (accessed July 28, 2023).

In mid-June, US Secretary of State Antony Blinken called for a more inclusive political dialogue in Haiti:

We continue to believe that a Haiti-led and Haiti-owned political process is the best way to forge a resolution that’s accepted by the people of Haiti and can endure. We join partners in encouraging Prime Minister Henry, the High Transition Council, and other political, economic, religious, and civil society representatives to launch a serious process.<sup>186</sup>

In early July, Henry met Blinken at a CARICOM meeting in Trinidad and Tobago, where they “discussed the urgency of enlarging political consensus and reaching a broadly supported agreement to enable a return to democratic order as quickly as possible.”<sup>187</sup>

In mid-July the CARICOM Eminent Persons Group visited Haiti as a follow-up to the Kingston meeting to continue its facilitation of inter-Haitian dialogue. While there was no agreement on a specific path forward, the group said it reached a general consensus with key political and civil society actors on the need to expand the HCT and define the form of security assistance that Haiti needs. The group said it also focused on the process for continued facilitation efforts going forward.<sup>188</sup>

## Decades of Criminal Influence in Politics

Criminal groups were and continue to be armed by political parties and economic elites to control the population [and] secure elections and their monopolies. It is Haiti’s history; it is a never-ending cycle of violence.

— Judge and member of Haiti’s National Association of Magistrates<sup>189</sup>

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<sup>186</sup> @SecBlinken post to Twitter, June 17, 2023,

<https://twitter.com/secblinken/status/1670097634965741569?s=48&t=GgULwtQbsDUV2LBxe8kqLA> (accessed July 28, 2023).

<sup>187</sup> Spokesperson Matthew Miller, Readout: “Secretary Blinken’s Meeting with Haitian Prime Minister Henry,” US Department of State, July 5, 2023, <https://www.state.gov/secretary-blinkens-meeting-with-haitian-prime-minister-henry/> (accessed July 31, 2023).

<sup>188</sup> “Statement from the Meeting of the CARICOM Eminent Persons Group with Haitian Stakeholders in Port-Au-Prince, Haiti, on 12-15 July 2023,” *CARICOM*, July 18, 2023, <https://caricom.org/statement-from-the-meeting-of-the-caricom-eminent-persons-group-with-haitian-stakeholders-in-port-au-prince-haiti-on-12-15-july-2023/> (accessed July 31, 2023).

<sup>189</sup> Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023.

Since the dictatorship of François Duvalier that ran from 1957 to 1986, Haitian political actors in power and the country's business elite are alleged to have used criminal groups to secure their position or their activities, including, for example, to control key urban areas for elections, suppress political or social dissent, or secure economic monopolies.<sup>190</sup>

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<sup>190</sup> This section draws on an extensive desk review of academic publications, experts' research publications, reports of Haitian and international human rights organizations working on Haiti, public statements of international organizations, media publications, and 20 in-person and virtual interviews with representatives of Haitian civil society, officials and staff of international and Haitian human rights organizations, judicial and government officials and security experts working in Haiti conducted between late March and early June 2023. The main developments of this period include François Duvalier's creation in 1968, following a coup attempt that failed to unseat him, of the *Volontaires de la Sécurité Nationale* (National Security Volunteers). The force, authorized to maintain his dictatorial control by any means necessary, became notorious for its extreme brutality and human rights abuses that spread terror among the population. During the presidency of Jean-Bertrand Aristide (2001-2004), the first democratically elected president, young people mostly from impoverished Port-au-Prince neighborhoods, formed an armed group known as *Les Chimères* to support his political party's consolidation of power and to deter opponents from ousting him. Criminal activity continued over the next years in the country, including in the period of transitional governments and the UN missions. When the earthquake hit in 2010, thousands of prisoners escaped from the national prison and, in some cases, re-organized themselves into criminal groups. Diego Da Rin, "New Gang Battle Lines Scar Haiti as Political Deadlock Persists," *International Crisis Group*, July 27, 2022, <https://www.crisisgroup.org/latin-america-caribbean/haiti/new-gang-battle-lines-scar-haiti-political-deadlock-persists#:~:text=Increasingly%20deadly%20turf%20wars%20between,the%20latter%20are%20deeply%20intertwined> (accessed July 28, 2023); Louis-Henri Mars, "To Curb Gang Violence in Haiti, Break with Politics as Usual," *Just Security*, April 18, 2023, <https://www.justsecurity.org/86017/to-curb-gang-violence-in-haiti-break-with-politics-as-usual/> (accessed July 27, 2023); James North, "The Billionaire Oligarch Who's Enabling Haiti's Murderous Gangs," *The New Republic*, December 16, 2022, <https://newrepublic.com/article/169554/gilbert-bigio-canada-sanctions-haiti> (accessed July 27, 2023); "Gangs of Haiti: Expansion, Power and an Escalating Crisis," *Global Initiative*, October 18, 2022, <https://globalinitiative.net/wp-content/uploads/2022/10/GITOC-Gangs-of-Haiti.pdf> (accessed July 27, 2023); "Haiti: Humanitarian Impact of Gang Violence," ACAPS, June 2, 2023, [https://www.acaps.org/fileadmin/Data\\_Product/Main\\_media/20230602\\_acaps\\_briefing\\_note\\_haiti\\_humanitarian\\_impact\\_of\\_gang\\_violence.pdf](https://www.acaps.org/fileadmin/Data_Product/Main_media/20230602_acaps_briefing_note_haiti_humanitarian_impact_of_gang_violence.pdf) (accessed July 27, 2023); "Haiti's Last Resort: Gangs and the Prospect of Foreign Intervention," *International Crisis Group*, December 13, 2022, <https://www.crisisgroup.org/latin-america-caribbean/haiti/bo48-haitis-last-resort-gangs-and-prospect-foreign-intervention> (accessed July 27, 2023); "Chapter 3 Haiti: The Gangs of Cité Soleil," *PRISM* | National Defense University, <https://cco.ndu.edu/News/Article/780129/chapter-3-haiti-the-gangs-of-cite-soleil/> (accessed July 31, 2023); Moritz Schuberth, "A Transformation from Political to Criminal Violence? Politics, Organised Crime and the Shifting Functions of Haiti's Urban Armed Groups," *Conflict, Security & Development* 15, no. 2, March 15, 2015, 169–96, <https://www.tandfonline.com/doi/abs/10.1080/14678802.2015.1030950> (accessed July 31, 2023); United Nations High Commissioner for Refugees, "Refworld | Haiti: The Chimères, Their Activities and Their Geographic Presence; the Treatment of the Chimères by the Authorities and the Presence of Group Members within the Government and the Police (2006 - May 2008)," *Refworld*, <https://www.refworld.org/docid/4a70409420.html> (accessed July 31, 2023); "Le milicien des Chimères aux Assises," *Le Parisien*, May 19, 2014, <https://www.leparisien.fr/archives/le-milicien-des-chimeres-aux-assises-19-05-2014-3852099.php> (accessed July 31); Lydia Polgreen, Tim Weiner, "Haiti's President Forced Out; Marines Sent to Keep Order," *The New York Times*, February 29, 2004, <https://www.nytimes.com/2004/02/29/international/americas/haitis-president-forced-out-marines-sent-to-keep.html> (accessed July 31, 2023); "Haiti: Interim Cooperation Framework 2004-2006," *ReliefWeb*, July 13, 2004, <https://reliefweb.int/report/haiti/haiti-interim-cooperation-framework-2004-2006> (accessed July 31, 2023); Louis-Alexandre Berg, "Crime, Politics and Violence in Post- Earthquake Haiti," United States Institute of Peace, September 28, 2010, <https://www.usip.org/sites/default/files/PB%2058%20-%20Crime%20Politics%20and%20Violence%20in%20Post-Earthquake%20Haiti.pdf> (accessed July 31, 2023).

More recently, the administration of President Michel Martelly (2011-2016) and his political party, the Haitian Tèt Kale Party (PTHK), were also alleged to have links with armed groups.<sup>191</sup> In November 2022, Canada imposed sanctions on Martelly and two of his prime ministers, alleging that they had protected and enabled the illegal activities of armed criminal groups, including involvement in money laundering and other acts of corruption.<sup>192</sup>

Since 2020, these groups, in the form of large networks and coalitions, have become somewhat more autonomous, diversifying their illegal activities and sources of income. These include kidnappings, control of customs points, collusion with authorities to extort from traders and others, and extortion from a range of large and small businesses, including transportation companies, public markets, and water and electricity distribution networks, among others.<sup>193</sup>

President Jovenel Moïse (2017-2021), also of the PHTK party, was accused by the political opposition and civil society critics of relying on criminal groups to stay in power.<sup>194</sup> Moïse first ran for president in 2015, during an election marred by allegations of fraud, and was

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<sup>191</sup> David C Adams, "U.S. and Canada Turn to Sanctions Against Haitian Politicians and Businessmen Accused of Ties to Gangs," *Univision News*, December 10, 2022, <https://www.univision.com/univision-news/latin-america/u-s-and-canada-resort-to-sanctions-against-haitian-politicians-and-businessmen-accused-of-gang-ties> (accessed July 31, 2023); Chris Dalby, "International Sanctions Seek to Weaken Haiti's Patronage System Between Politicians, Gangs," *InSight Crime*, November 24, 2022, <https://insightcrime.org/news/international-sanctions-seek-to-weaken-haitis-patronage-system-between-politicians-gangs/> (accessed July 31, 2023); Henry Shuldiner, "Haiti Gangs Embrace Political and Police Chaos," *InSight Crime*, January 31, 2023, <https://insightcrime.org/news/haiti-gangs-de-facto-authority-state-institutions-struggle-respond/> (accessed July 31, 2023).

<sup>192</sup> "Canada Imposes Additional Sanctions against Haitian Political Elites," *Global Affairs Canada*, November 19, 2022, <https://www.canada.ca/en/global-affairs/news/2022/11/canada-imposes-additional-sanctions-against-haitian-political-elites.html> (accessed July 31, 2023); Natalie Kitroeff and Vjosa Isai, "Canada Imposes Sanctions on Haiti's Former Leader and Other Officials," *The New York Times*, November 20, 2022, <https://www.nytimes.com/2022/11/20/world/canada/canada-haiti-sanctions.html> (accessed July 31, 2023).

<sup>193</sup> "In Haiti, the Difficult Relationship of Gangs and Business," AP News, October 27, 2021, <https://apnews.com/article/business-caribbean-port-au-prince-haiti-only-on-ap-fc8acb709b09f75b7783e9fab45e830d> (accessed July 2023).

<sup>194</sup> "Attacks on Deprived Neighborhoods: The RNDDH Demands the End of the Protection of Armed Gangs by the Authorities in Power," *RNDDH*, June 23, 2020, <https://web.rnddh.org/wp-content/uploads/2020/06/7-Rap-Attaque-Quartiers-Defavorise-Version-Anglaise-23Jun2020-2.pdf> (accessed July 31, 2023); "Rights Leader Warned Congress about Haiti Gangs. But the Problem Has Only Gotten Worse," *Miami Herald*, August 16, 2022, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article264570611.html> (accessed July 31, 2023); Pierre Espérance, "An Appeal to President Biden: Change Course on Haiti Now," *Just Security*, July 9, 2021, <https://www.justsecurity.org/77374/an-appeal-to-president-biden-change-course-on-haiti-now/> (accessed July 27, 2023). <https://web.rnddh.org/wp-content/uploads/2020/06/7-Rap-Attaque-Quartiers-Defavorise-Version-Anglaise-23Jun2020-2.pdf> (accessed July 31, 2023); "Rights Leader Warned Congress about Haiti Gangs. But the Problem Has Only Gotten Worse," *Miami Herald*, August 16, 2022, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article264570611.html> (accessed July 31, 2023); Pierre Espérance, "An Appeal to President Biden: Change Course on Haiti Now," *Just Security*, July 9, 2021, <https://www.justsecurity.org/77374/an-appeal-to-president-biden-change-course-on-haiti-now/> (accessed July 27, 2023).

then elected during subsequent elections in 2016.<sup>195</sup> Presidential terms in Haiti are restricted to five years.<sup>196</sup> Moïse insisted that his term ended in 2022, a position supported by the United States and the Organization of American States.<sup>197</sup> But Haiti's Superior Council of the Judiciary ruled that his term in office ended in 2021. His political opponents agreed.

During his mandate, Moïse and members of his government allegedly used criminal groups to suppress large-scale anti-government protests that took place from 2018 until 2021 and to control underserved and densely populated neighborhoods in order to secure votes for upcoming elections.<sup>198</sup>

The protests during this period were triggered by a government plan to increase fuel taxes; corruption scandals such as that linked with the PetroCaribe program (an energy initiative launched by Venezuela in 2005 to supply Venezuelan crude oil to countries in the Caribbean region at discounted prices); and Moïse's attempts to extend his presidency until February 2022, disregarding the ruling of Haiti's Superior Council of the Judiciary that

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<sup>195</sup> Report To the Board, Electoral Observation Mission – Haiti, General Elections, presented by: Juan Raúl Ferreira, Haitian Popular News Agency, “Social Movements in Haiti Denounce President’s Links to Criminal Gangs,” *Peoples Dispatch* (blog), September 9, 2020, <https://peoplesdispatch.org/2020/09/09/social-movements-in-haiti-denounce-presidents-links-to-criminal-gangs/> (accessed July 31, 2023).

<sup>196</sup> Haiti’s Constitution of 1987 with Amendments through 2012, Art. 134-1, [https://www.constituteproject.org/constitution/Haiti\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/Haiti_2012.pdf?lang=en) (accessed July 31, 2023).

<sup>197</sup> “October 25th, 2015 Elections: A Massive Planned Operation of Electoral Fraud,” *Solidarite Fanm Ayisyen (SOFA), Conseil National d’Observation Électorale (CNO), Conseil Haïtien des Acteurs Non Étatiques (CONHANE), Réseau National de Défense des Droits Humains (RNDDH)*, November 12, 2015, <https://web.rnddh.org/wp-content/uploads/2015/11/3-Rapport-Elections-25-octobre-2015.pdf> (accessed July 31, 2023); “Haiti: Attacks on Judicial Independence: UN Security Council Should Call for Restoring Supreme Court at Upcoming Meeting,” *Human Rights Watch*, February 22, 2021, <https://www.hrw.org/news/2021/02/22/haiti-attacks-judicial-independence>.

<sup>198</sup> Attacks on Deprived Neighborhoods: The RNDDH Demands the End of the Protection of Armed Gangs by the Authorities in Power,” *RNDDH*, June 23, 2020, <https://web.rnddh.org/wp-content/uploads/2020/06/7-Rap-Attaque-Quartiers-Defavorise-Version-Anglaise-23Jun2020-2.pdf> (accessed July 31, 2023); Haitian Popular News Agency, “Social Movements in Haiti Denounce President’s Links to Criminal Gangs,” *Peoples Dispatch*, September 9, 2020, <https://peoplesdispatch.org/2020/09/09/social-movements-in-haiti-denounce-presidents-links-to-criminal-gangs/> (accessed July 31, 2023); Henry Shuldiner And Chris Dalby, “Haiti Gangs Embrace Political and Police Chaos,” *Insight Crime*, January 31, 2023, <https://insightcrime.org/news/haiti-gangs-de-facto-authority-state-institutions-struggle-respond/> (accessed August 4, 2023); Katie Jones, “Haiti Massacres Reveal Active Gang Support from Police, Officials,” *InSight Crime*, May 3, 2021, <https://insightcrime.org/news/gang-led-massacres-relied-support-police-state-officials-haiti/> (accessed July 31, 2023); “Who’s behind Haiti’s Powerful Gang Alliance?,” *PBS NewsHour*, October 21, 2022, <https://www.pbs.org/newshour/world/whos-behind-haitis-powerful-gang-alliance> (accessed July 31, 2023); <https://www.justsecurity.org/75282/in-haitis-political-crisis-us-should-support-democracy-and-human-rights/> (accessed July 31, 2023); Frantz lcart, “Will the Mandate of the President of the Republic End on February 7, 2021 or February 7, 2022?” *Le Nouvelliste*, July 1, 2020, <https://lenouvelliste.com/article/217933/le-mandat-du-president-de-la-republique-prendra-t-il-fin-le-7-fevrier-2021-ou-le-7-fevrier-2022> (accessed July 31, 2023).

his term ended in 2021, a move that many Haitians feared could lay the groundwork for a new dictatorship.<sup>199</sup>

Members of Haitian civil society and international observers allege that Moïse and members of his government supported criminal groups to carry out massacres in neighborhoods of Port-au-Prince where opposition and dissent movements originated, for example by distributing firearms and ammunition, police uniforms, and government vehicles. In particular, members of the government are alleged to have supported the G9 alliance, led by former police officer Jimmy Chérizier, and six other groups to commit a massacre in La Saline in November 2018, in which at least 70 people were killed.<sup>200</sup>

After Moïse's assassination in July 2021, Ariel Henry, the prime minister appointed by Moïse—who is from the Inite party and not the PHTK—took office and signed an agreement for a “peaceful and consensual governance” with the PHTK and other Haitian political parties. These include some parties that opposed Moïse's government and who are also alleged to have links with criminal groups, such as the Kraze Baryè group, the G-Pèp federation, and the 400 Mawozo group.<sup>201</sup> According to civil society activists, these

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<sup>199</sup> Arnold Antonin, “Where is the Money from Petrocaribe? The Anti-Corruption Protests that Corner the Haitian Government,” *Nueva Sociedad*, December 2018, <https://nuso.org/articulo/haiti-corrupcion-petrocaribe-venezuela/> (accessed July 31, 2023); “Haiti Fuel Protesters' Anger Turns on President Moïse,” *BBC News*, July 9, 2018, <https://www.bbc.com/news/world-latin-america-44764921> (accessed July 31, 2023); “Haiti Protesters Call on President Jovenel Moïse to Quit,” *BBC News*, February 11, 2019, sec. Latin America & Caribbean, <https://www.bbc.com/news/world-latin-america-47193837> (accessed July 31, 2023); Ciara Nugent, “Why a Venezuelan Oil Program Is Fueling Massive Street Protests in Haiti,” *Time*, June 24, 2019, <https://time.com/5609054/haiti-protests-petrocaribe/> (accessed July 31, 2023); José a Iglesias, “Haiti Corruption Scandal: Billions Wasted in Venezuelan PetroCaribe Aid, New Report Shows,” *Miami Herald*, August 19, 2020, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article245045015.html> (accessed July 31, 2023).

<sup>200</sup> “Gangs of Haiti: Expansion, Power, and Escalating Crisis,” *Global Initiative*, October 2022, <https://globalinitiative.net/wp-content/uploads/2022/10/GITOC-Gangs-of-Haiti.pdf> (accessed July 31, 2023); Pierre Espérance and Rosy Auguste Ducéna, “In Haiti's Political Crisis, US Should Support Democracy and Human Rights,” *Just Security*, <https://www.justsecurity.org/75282/in-haitis-political-crisis-us-should-support-democracy-and-human-rights/> (accessed July 31, 2023); Robenson Geffrard, “Ariel Henry and Opposition Political Organizations Sign an Agreement for ‘Peaceful And Effective Governance,’” *Le Nouvelliste*, September 13, 2021, <https://lenouvelliste.com/article/231571/ariel-henry-et-des-organisations-politiques-de-lopposition-signent-un-accord-pour-une-gouvernance-apaisee-et-efficace> (accessed July 31, 2023); “The Events in La Saline: From Power Struggle Between Armed Gangs to State-Sanctioned Massacre,” *National Network for the Defense of Human Rights (RNDDH)*, December 1, 2018, <https://web.rnddh.org/wp-content/uploads/2018/12/10-Rap-La-Saline-1Dec2018-Ang1.pdf> (accessed July 31, 2023).

<sup>201</sup> Henry Shuldiner, “Haiti's Notorious Gang Leader, Vitel'Homme Innocent, Named in Presidential Killing,” *InSight Crime*, March 13, 2023, <https://insightcrime.org/news/haiti-notorious-gang-leader-named-suspect-presidential-killing/> (accessed July 31, 2023); Kim Ives, “In Cité Soleil, the G9 Federation in All-Out War with G-Pèp,” *Haiti Liberte*, July 13, 2022, <https://haitiliberte.com/in-cite-soleil-the-g9-federation-in-all-out-war-with-g-pep/> (accessed July 31, 2023).

criminal groups as well as the Vitelhomme group have ties with Henry and his allies in power.<sup>202</sup>

Haitian and international human rights organizations, as well as security experts interviewed by Human Rights Watch, claimed that under Henry's leadership, criminal groups have become stronger, surpassing the capabilities of the police to counter them, and are now fighting each other and using killings and sexual violence to demonstrate their power and expand their control to large areas of the metropolitan area of Port-au-Prince and other departments. Political and security experts, government officials, and Haitian civil society representatives who spoke to Human Rights Watch asserted a link between the increase in violence and upcoming elections that have been promised by Henry since he took office, as criminal groups aim to ensure the success of their political benefactors, as they have done in past elections. The increase can in part also be explained by their own interests in expanding their criminal activities.

## Police Complicity in Criminal Activity

As noted above, some members of the police are also alleged to have links with criminal groups.<sup>203</sup> In some cases, police officers allegedly support criminal groups by providing them with arms or equipment or allowing the illegal flow of arms to them. Police officers have also allegedly warned criminal members about operations against them, and in other instances, police officers have allegedly participated directly in attacks against rival groups or operated together with criminal groups in their attacks on residents.<sup>204</sup>

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<sup>202</sup> Henry Shuldiner, "Haiti's Notorious Gang Leader, Vitel'Homme Innocent, Named in Presidential Killing," *InSight Crime*, March 13, 2023, <https://insightcrime.org/news/haiti-notorious-gang-leader-named-suspect-presidential-killing/> (accessed August 4, 2023).

<sup>203</sup> Human Rights Watch interview with Haitian Prime Minister, Port-au-Prince, April 28, 2023. Information provided by 22 Haitian human rights and civil society representatives, international and government officials interviewed by Human Rights Watch between March 29 and June 7, 2023.

<sup>204</sup> Joey Bui, Nathalie Gunasekera, Beatrice Lindstrom, "Killing with Impunity: State-Sanctioned Massacres in Haiti," *International Human Rights Clinic (IHRC) at Harvard Law School, the Observatoire Haïtien des crimes contre l'humanité (OHCCH)*, April 2021, [http://hlshrpstaging.wpengine.com/wp-content/uploads/2021/04/Killing\\_With\\_Impunity-1.pdf](http://hlshrpstaging.wpengine.com/wp-content/uploads/2021/04/Killing_With_Impunity-1.pdf) (accessed August 2, 2023); "Gangs of Haiti: Expansion, Power, and Escalating Crisis," *Global Initiative*, October 2022, <https://globalinitiative.net/wp-content/uploads/2022/10/GITOC-Gangs-of-Haiti.pdf> (accessed July 31, 2023); Pierre Espérance, "Haiti's Police Protests Highlight Armed Gangs' Ties to Government," *Just Security*, February 2, 2023, <https://www.justsecurity.org/84990/haitis-police-protests-highlight-armed-gangs-ties-to-government/#:~:text=Many%20police%20officers%20are%20linked,key%20Haitian%20officials%20and%20politicians> (accessed August 2, 2023); Human Rights Watch interview with former senior Haitian police official, March 29, 2023; Human Rights Watch interview with an international humanitarian official, Port-au-Prince, April 27, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society

Prime Minister Ariel Henry told Human Rights Watch: “[Due to illegal arms trafficking], criminal groups are better armed than the Haitian police... The national police force is weak. It lacks resources and has lost many members. [It] is not prepared or well trained. That is why police interventions are limited and many [police officers] are attracted by the gangs.”<sup>205</sup>

The most well-known case is Jimmy Chérizier, alias “Barbecue,” a former police officer and leader of the G9 coalition. The coalition is widely thought to include among its members serving and former police officers, and is alleged to have links to PHTK.<sup>206</sup> As a former senior Haitian police official told Human Rights Watch, “They’re police officers by day and gang members at night.”<sup>207</sup>

Haitian human rights groups have documented numerous attacks by criminal groups that have also allegedly implicated members of the police or involved their collaboration, for example in La Saline, Bel-Air, and Cité Soleil, under Moïse’s administration between 2018 and 2020, and more recent attacks under investigation in La Plaine du Cul de Sac, Noailles, and Savane Pistache under Henry’s administration.<sup>208</sup>

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representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Jean Daniel Senate, “The PNH Is Handicapped by Material Problems and Structural Weaknesses,” *Le Nouvelliste*, March 28, 2023, <https://lenouvelliste.com/article/241454/la-pnh-est-handicapee-par-des-problemes-materiels-et-des-faiblesses-structurelles> (accessed June 22, 2023).

<sup>205</sup> Human Rights Watch interview with Haitian Prime Minister, Port-au-Prince, April 28, 2023.

<sup>206</sup> “Jimmy Chérizier, Alias ‘Barbecue,’” *InSight Crime*, October 20, 2022, <https://insightcrime.org/haiti-organized-crime-news/jimmy-cherizier-alias-barbecue/> (accessed August 2, 2023); “Gangs of Haiti: Expansion, Power, and Escalating Crisis,” *Global Initiative*, October 2022, <https://globalinitiative.net/wp-content/uploads/2022/10/GITOC-Gangs-of-Haiti.pdf> (accessed July 31, 2023);

Pierre Espérance, “Haiti’s Police Protests Highlight Armed Gangs’ Ties to Government,” *Just Security*, February 2, 2023, <https://www.justsecurity.org/84990/haitis-police-protests-highlight-armed-gangs-ties-to-government/#:~:text=Many%20police%20officers%20are%20linked,key%20Haitian%20officials%20and%20politicians> (accessed August 2, 2023); Henry Shuldiner, Chris Dalby, “Haiti Gangs Embrace Political and Police Chaos,” *InSight Crime*, January 31, 2023, <https://insightcrime.org/news/haiti-gangs-de-facto-authority-state-institutions-struggle-respond/> (August 2, 2023).

<sup>207</sup> Human Rights Watch interview with a former senior Haitian police official, March 29, 2023.

<sup>208</sup> Joey Bui, Nathalie Gunasekera, Beatrice Lindstrom, “Killing with Impunity: State-Sanctioned Massacres in Haiti,” *International Human Rights Clinic (IHRC) at Harvard Law School, the Observatoire Haïtien des crimes contre l’humanité (OHCC)*, April 2021, [http://hlshrpstaging.wpengine.com/wp-content/uploads/2021/04/Killing\\_With\\_Impunity-1.pdf](http://hlshrpstaging.wpengine.com/wp-content/uploads/2021/04/Killing_With_Impunity-1.pdf) (accessed August 2, 2023); “Massacre à Cité Soleil : Récits glaçants des femmes et filles victimes de viols collectifs,” *Réseau National de Défense des Droits Humains (RNDDH)*, August 16, 2022, <https://web.rnddh.org/wp-content/uploads/2022/08/10-Rap-Cite-Soleil-Femmes-et-Filles-violees-16Aout2022-FR.pdf> (accessed August 4, 2023); “Massacres In Bel-Air And Cité Soleil Under the Indifferent Gaze of State Authorities,” *National Human Rights Defense Network (RNDDH)*, May 20, 2021, <https://web.rnddh.org/wp-content/uploads/2021/05/2-Rap-Bel-Air-Cit%C3%A9-Soleil-2020.2021-20-Mai-2021-ENG.pdf> (accessed August 2, 2023); “Le Règne du Premier Ministre Ariel Henry Ou La Fureur Des Gangs Armés,” *The National Human Rights Defense Network (RNDDH)*, May 9, 2023, <https://web.rnddh.org/wp->

The former senior police official told Human Rights Watch: “Police are underpaid, not well equipped, and they will easily join criminal activities in order to get more money... In every criminal group, you find two or three police officers. They use police cars to move around and conduct kidnappings.”<sup>209</sup>

According to BINUH, there are almost 15,000 police officers nationwide, or about 125 police officers per 100,000 residents in a country of 11.5 million people. Due to administrative issues such as suspensions, transfers, illness or temporary disability, leave, and assignments to security duty for government officials, only approximately 10,000 police officers are currently deployed.<sup>210</sup> The national police force faces logistical and security problems, as it does not have sufficient resources, training, equipment, and investigating capacity to deal with criminal activity.<sup>211</sup>

BINUH reported that 34 police officers were killed between January and June 2023.<sup>212</sup> Constant attacks by criminal groups in their fight to gain control over new territories forced dozens of police officers to temporarily leave police stations. In the first half of the year, 34

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content/uploads/2023/05/5-Rapport-Massacres-09Mai2023-VS-FR.pdf (accessed August 2, 2023); “Position du RNDDH sur les Nouvelles attaques meurtrières enregistrées à Bel-Air: Communiqué De Presse,” *National Human Rights Defense Network (RNDDH)*, April 7, 2021, <https://web.rnddh.org/wp-content/uploads/2021/04/6-CP-Bel-Air-7Avr2021-1.pdf> (accessed August 2, 2023); “Carnage at la Plaine du Cul-de-Sac: The survivors demand the support of the authorities,” *National Human Rights Defense Network (RNDDH)*, June 27, 2022, <https://web.rnddh.org/wp-content/uploads/2022/07/8-Rap-2-Plaine-du-Cul-de-Sac-26Jun2022-VS-ENG.pdf> (accessed August 2, 2023); Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>209</sup> Human Rights Watch interview with a former senior Haitian police official, March 29, 2023.

<sup>210</sup> Pierre Espérance, “Haiti’s Police Protests Highlight Armed Gangs’ Ties to Government,” *Just Security*, February 2, 2023, (accessed June 20, 2023); United Nations Integrated Office in Haiti: Report of the Secretary-General, S/2023/274, April 14, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed June 20, 2023); “Haiti’s Criminal Markets: Mapping Trends in Firearms and Drug Trafficking,” United Nations Office on Drugs and Crime (UNODC), February 28, 2023, [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023); Human Rights Watch interview with a former senior Haitian police official, Washington D.C., March 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Pierre Espérance, “Haiti’s Police Protests Highlight Armed Gangs’ Ties to Government,” *Just Security*, February 2, 2023, <https://www.justsecurity.org/84990/haitis-police-protests-highlight-armed-gangs-ties-to-government/#:~:text=Many%20police%20officers%20are%20linked,key%20Haitian%20officials%20and%20politicians> (accessed August 2, 2023).

<sup>211</sup> Human Rights Watch interview with a former senior Haitian police official, March 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>212</sup> United Nations Security Council, United Nations Integrated Office in Haiti, S/2023/492, July 3, 2023, <https://reliefweb.int/report/haiti/united-nations-integrated-office-haiti-report-secretary-general-s2023492> (accessed August 8, 2023).

police stations were attacked, mainly in the West and Artibonite departments. In addition, more than 400 police facilities across the country remained inoperative due to attacks by criminal groups.<sup>213</sup> Such attacks on police had been increasing since 2021, the UN Office on Drugs and Crime (UNODC) reported.<sup>214</sup>

As a result, residents of embattled neighborhoods can in effect be abandoned by those police personnel not complicit in criminal activity. “In Brooklyn, Cité Soleil, there are no police officers, although there are two large police stations,” one human rights worker said. “These have been taken over by criminal groups for months.”<sup>215</sup>

## Increased Flow of Arms and Ammunition

A corollary of such widespread criminal activity is an increase in arms trafficking from the US to Haiti between 2021 and 2022, which according to government officials and international organizations involved members of the political and economic establishment of the country with alleged links with criminal groups.<sup>216</sup>

Haiti does not officially manufacture firearms or ammunition and all weapons in the country are imported from third countries, either legally or illegally.<sup>217</sup> In 1994, the US imposed a partial arms embargo on Haiti, which exempts the shipment of weapons and other defense equipment for the Haitian police and the United Nations, shipments that must be approved by the US State Department.<sup>218</sup>

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<sup>213</sup> Ibid.

<sup>214</sup> In 2021, UNODC reported 49 cases, in 2022, 54. “Haiti’s Criminal Markets: Mapping Trends in Firearms and Drug Trafficking,” [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023).

<sup>215</sup> Human Rights Watch interview with a community organization representative, May 2, 2023.

<sup>216</sup> “Haiti’s Criminal Markets: Mapping Trends in Firearms and Drug Trafficking,” United Nations Office on Drugs and Crime (UNODC), February 28, 2023, [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023); Vanessa Buschschlüter, “Haiti: Spike in Weapons Smuggled into Country from US,” *BBC News*, August 18, 2022, <https://www.bbc.com/news/world-latin-america-62589626> (accessed August 2, 2023); Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a UNODC official, May 1, 2023.

<sup>217</sup> Human Rights Watch interview with a UNODC official, May 1, 2023.

<sup>218</sup> Human Rights Watch interview with a political expert, Washington D.C., March 29, 2023. Department of State, “22 CFR 126.1 -- Prohibited Exports, Imports, and Sales to or from Certain Countries,” Code of Federal Regulations, [https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-126/section-126.1#p-126.1\(j\)](https://www.ecfr.gov/current/title-22/chapter-I/subchapter-M/part-126/section-126.1#p-126.1(j)) (accessed August 2, 2023).

According to a 2023 UNODC report, there are no official statistics documenting the number or types of firearms in circulation in Haiti.<sup>219</sup> However, the vast majority of arms in circulation are believed to be acquired illegally through non-licensed dealers and not declared to customs authorities. The weapons reportedly originate mostly from the United States, especially from ports in southern Florida, through diaspora networks and brokers who smuggle them into the country by sea, land, and air, hidden in containers of fresh and frozen food products, electronic equipment, clothing, or even in the hulls of cargo ships, taking advantage of Haiti's porous borders, particularly with the Dominican Republic.<sup>220</sup>

According to UNODC, Haitian criminal groups seek military-style assault rifles. UNODC identified AR-15 series rifles (M-16, M-14, M-4), Kalashnikov-pattern rifles (AK-47, Type-65, Galil), Negev-type machine guns, and 9mm revolvers and semi-automatic pistols being used in the clashes between criminal groups in Cité Soleil in 2022.<sup>221</sup> The US Department of Homeland Security reported that arms trafficking to Haiti increasingly includes larger and more powerful weapons such as .50 caliber sniper rifles, .308 rifles, and belt-fed machine guns.<sup>222</sup>

Haitian government officials told Human Rights Watch that most seizures are made up of assault rifles, pistols, and ammunition.<sup>223</sup> Since 2021, Haiti's customs agents, the Haitian police, and other agencies have seized almost 800 firearms, mainly in the West Department, according to figures from the Haitian police.<sup>224</sup>

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<sup>219</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; "Haiti's Criminal Markets: Mapping Trends in Firearms and Drug Trafficking," United Nations Office on Drugs and Crime (UNODC), February 28, 2023, [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023) .

<sup>220</sup> "Haiti's Criminal Markets: Mapping Trends in Firearms and Drug Trafficking," United Nations Office on Drugs and Crime (UNODC), February 28, 2023, [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023).

<sup>221</sup> Ibid; "The Population of Cité Soleil in the Grip of Gang Violence: Investigative report on human rights abuses committed by gangs in the zone of Brooklyn from July to December 2022," *United Nations Office of the United Nations High Commissioner for Human Rights, United Nations Integrated Office in Haiti (BINUH)*, February 2023, <https://www.ohchr.org/sites/default/files/documents/countries/ht/investigative-report-human-rights-abuses-committed-gangs-zone-brooklyn-july-december-2022.pdf> (accessed August 2, 2023).

<sup>222</sup> "HSI Announces Crackdown on Firearms, Ammunition Smuggling to Haiti, the Caribbean," U.S. Immigration and Custom Enforcement, August 19, 2022, <https://www.ice.gov/news/releases/hsi-announces-crackdown-firearms-ammunition-smuggling-haiti-caribbean> (accessed August 2, 2023).

<sup>223</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023.

<sup>224</sup> Ibid.

Government commissioners also told Human Rights Watch about two big seizures of illegal weapons shipments that took place in Port de Paix and Port-au-Prince in July 2022, during which authorities identified the names of people involved in the smuggling, including some politicians, businessmen, representatives of the Episcopal Church of Haiti, and former government officials under the Moïse and Henry administrations. This includes a former justice minister, Berto Dorcé, and some of his close associates.<sup>225</sup>

In an operation carried out in Port de Paix in July 2022, 120,000 cartridges for 5.56mm, 9mm, and 7.62mm caliber weapons, two 9mm pistols, one .38 caliber revolver, and thirty magazines for AK-47-style rifles, as well as counterfeit US dollar bills were seized.<sup>226</sup> In the other seizure in July 2022, in Port-au-Prince, customs officials found seventeen 5.56mm and 7.62mm semi-automatic rifles, four 3 and 40mm pistols, a 12-gauge shotgun, 12,779 rounds of 7.62mm ammunition, thousands of rounds of 5.56mm, 9mm, and 12-gauge ammunition, and counterfeit cash.<sup>227</sup>

Sources investigating these cases and with access to the criminal files told Human Rights Watch that most of these weapons were intended for criminal groups such as 400 Mazowo and other groups belonging to the G9 coalition.<sup>228</sup>

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<sup>225</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023. “Seizure of Illicit Objects at The Customs of Port-Au-Prince: RNDDH Demands a Full Investigation of this Issue,” National Human Rights Defense Network (RNDDH), October 14, 2022, <https://web.rnnddh.org/wp-content/uploads/2022/10/11-Rap-Eglise-e%CC%81piscopale-Saisies-14Oct2022-ENG.pdf> (accessed August 2, 2023); Press Release, “The Judiciary Police Investigations Related to Trafficking in Firearms and Ammunition: The RNDDH welcomes the efforts of the Central Directorate of the Judicial Police (DCPJ),” National Human Rights Defense Network (RNDDH), July 25, 2022, <https://web.rnnddh.org/wp-content/uploads/2022/07/The-Judiciary-Police-Investigations-related-to-Trafficking-in-Firearms-and-Ammunition-The-RNDDH-welcomes-the-efforts-of-the-DCPJ%5EJ-Com-P-A22-No3.pdf> (accessed August 2, 2023); “Haiti’s Criminal Markets: Mapping Trends in Firearms and Drug Trafficking,” United Nations Office on Drugs and Crime (UNODC), February 28, 2023, [https://www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf) (accessed June 20, 2023).

<sup>226</sup> Roberson Alphonse, “Twists and turns in the arms trafficking case in Port-de-Paix,” *Le Nouvelliste*, April 5, 2023, <https://lenouvelliste.com/article/241675/rebondissements-dans-le-dossier-de-traffic-darmes-a-port-de-paix> (accessed August 2, 2023); Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023.

<sup>227</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; “Seizure of Illicit Objects at the Customs of Port-Au-Prince: RNDDH Demands a Full Investigation of this Issue,” RNDDH, October 14, 2022, <https://web.rnnddh.org/wp-content/uploads/2022/10/11-Rap-Eglise-e%CC%81piscopale-Saisies-14Oct2022-ENG.pdf> (accessed August 2, 2023).

<sup>228</sup> Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; “Seizure of Illicit Objects at the Customs of Port-Au-Prince: RNDDH Demands a Full Investigation of this Issue,” RNDDH, October 14, 2022, <https://web.rnnddh.org/wp-content/uploads/2022/10/11-Rap-Eglise-e%CC%81piscopale-Saisies-14Oct2022-ENG.pdf> (accessed August 2, 2023).

## Dysfunctional Judicial System and Overcrowded Prisons

The biggest problem is impunity ... Gangs have taken control of courts, criminal files and evidence have been stolen and burned, [and] many judicial officials have abandoned their functions due to insecurity.

— An official of the Ombudsman's office<sup>229</sup>

The investigation process is very slow. There are not enough officials. We do not have enough financial or technical resources to advance in the investigations, and the judicial system has the same problems. In Haiti, the institutions exist in name only.

— Member of the Central Directorate of the Judicial Police (DCPJ)<sup>230</sup>



Fire damage to the Croix-des-Bouquets court of first instance building after a criminal group set it on fire in July 2022. © 2022 Private 

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<sup>229</sup> Human Rights Watch interview with an official of the Ombudsman's Office, Port-au-Prince, April 28, 2023.

<sup>230</sup> Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023.

There has been little or no progress on investigations or prosecutions in most cases of large-scale killings and other serious human rights abuses by criminal groups in recent years, including kidnappings, sexual violence, and killings of human rights defenders, lawyers, and journalists, the Ombudsman’s Office and civil society groups said.<sup>231</sup> Cases related to illegal arms trafficking are similarly stuck.<sup>232</sup> There has been one single conviction in a corruption case over the past 15 years, the United Nations Development Programme (UNDP) said.<sup>233</sup> According to the UN, the overall conviction rate in the judicial system stands at 3 percent.

Since 2018, Haiti’s courts have operated for only three months of each year, holding about 550 criminal hearings in total, in which 285 people were convicted. Some of the buildings housing these courts have been taken over by criminal groups, including the Tribunal de Paix in Cité Soleil in July 2020 and the Port-au-Prince Palace of Justice in July 2022. The courts have not been relocated and judicial officials continue to face security challenges that stop them from carrying out their functions.<sup>234</sup>

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<sup>231</sup> Human Rights Watch interview with an official of the Ombudsman’s Office, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a security expert, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch telephone interview with Haitian civil society representative, June 7, 2023.

<sup>232</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023.

<sup>233</sup> Justice Programme, UNDP, April 1, 2023, <https://www.undp.org/sites/g/files/zskgke326/files/2023-04/undp-ht-ProgrammeJustice-Factsheet-042023-En.pdf> (accessed June 22, 2023).

<sup>234</sup> “The Population of Cité Soleil in the Grip of Gang Violence: Investigative report on human rights abuses committed by gangs in the zone of Brooklyn from July to December 2022,” UN OHCHR, February 10, 2023, <https://www.ohchr.org/en/documents/country-reports/population-cite-soleil-grip-gang-violence-investigative-report-human> (accessed June 22, 2023); RNDDH: Judicial year 2021-2022: 328 criminal hearings, “Dysfunction of the Judicial and Penal Systems: RNDDH Calls For Respect For Rights to a Judicial Guarantee,” RNDDH, November 11, 2022, <https://web.rnddh.org/wp-content/uploads/2022/11/12-Rap-Justice-Prisons-11Nov2022-ENG.pdf> (accessed June 22, 2023); Judicial year 2020-2021: 226 criminal hearings, “General conditions of detention and legal status of prisoners in Haiti,” RNDDH, November 4, 2021, <https://web.rnddh.org/wp-content/uploads/2021/12/7-Rap-Condition-Generales-detention-prisonnier-4-Nov-2021-ENG.pdf> (accessed June 22, 2023); Jaqueline Charles, “Gang-Related Violence in Haiti Has Reached Levels Not Seen in Decades, U.N. Chief Says,” *Miami Herald*, January 24, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article271567747.html> (accessed June 22, 2023); Michelson Cesaire, “Port-au-Prince Prosecutor’s Office Robbed Again, Weapons Taken Away,” *Le Nouvelliste*, May 25, 2023, <https://lenouvelliste.com/article/242495/le-parquet-de-port-au-prince-cambriole-a-nouveau-des-armes-emporiees> (accessed June 22, 2023); Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; “–aiti - FLASH: Judge Jean Wilner Morin Under a Deluge of Bullets,” *Haiti Libre*, May 18, 2023, <https://www.haitilibre.com/en/news-39560-haiti-flash-judge-jean-wilner-morin-under-a-deluge-of-bullets.html> (accessed June 22, 2023); Human Rights Watch telephone interview with Haitian women rights leader, June 5, 2023; Human Rights Watch telephone interview with Haitian civil society representative, June 7, 2023.

Haiti's prison system is extremely overcrowded: with 11,836 prisoners as of June 30, it has an estimated occupancy rate of 332 percent. Of these, 10,009 prisoners, or almost 85 percent, are in pretrial detention, most in reportedly inhumane conditions, without access to adequate food, water, or healthcare services.<sup>235</sup>

New penal and criminal procedure codes that were meant to reduce the number of people in pretrial detention were due to come into force in June 2022. However, the government is reviewing them and has postponed implementing them until 2024.<sup>236</sup>

In January 2023, the Conseil Supérieur du Pouvoir Judiciaire (CSPJ), the oversight body of the judiciary, released the results of its vetting of judges and prosecutors: 28 of the 69 vetted were not certified for reasons related to “moral integrity,” including allegations of abuse of authority, invalid credentials, and unlawful release of detainees.<sup>237</sup> Six months later, the CSPJ did not certify seven others on the same basis.<sup>238</sup>

In February 2023, Prime Minister Henry appointed eight judges to the Cour de Cassation, Haiti's Supreme Court, to allow it to function again after more than a year during which it did not have enough judges to make up a quorum. However, civil society groups criticized the move, saying Prime Minister Henry had not respected the constitutional procedure for the appointments.<sup>239</sup>

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<sup>235</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N23/183/33/PDF/N2318333.pdf?OpenElement>; Human Rights Watch interview with Haiti's Prime Minister, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023; Dánica Coto, “Haitians Are Dying of Thirst and Starvation in Severely Overcrowded Jails,” *AP News*, June 8, 2023, <https://apnews.com/article/haiti-prisons-mistreatment-starvation-caribbean-78e79d96fddcf2acef9cd426e5c17db> (accessed June 22, 2023).

<sup>236</sup> Human Rights Watch, *World Report 2023*, Haiti chapter <https://www.hrw.org/world-report/2022/country-chapters/haiti#:~:text=Impunity%20for%20gang%20and%20police,and%20at%20least%20329%20missing>.

<sup>237</sup> United Nations Integrated Office in Haiti Report of the Secretary-General, S/2023/274, April 14, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed June 22, 2023); Jaqueline Charles, “They Stole and They Freed Criminals. Now These Haiti Judges Are Being Singled Out,” *Miami Herald*, January 18, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article271294857.html> (accessed June 22, 2023); Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023.

<sup>238</sup> “Justice: 28 New Certified Magistrates, 7 Excluded from The Profession (list),” *Haiti Libre*, June 28, 2023, <https://www.haitilibre.com/en/news-39879-haiti-justice-28-new-certified-magistrates-7-excluded-from-the-profession-list.html> (accessed August 2, 2023).

<sup>239</sup> Human Rights Watch interview with Haiti's Prime Minister, Port-au-Prince, April 28, 2023; Human Rights Watch interview with an official of the Ombudsman's Office, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 2, 2023.

None of these limited efforts to enhance judicial activity have had any noticeable impact at time of writing.

## IV. The International Response to the Crisis

There is no life in Haiti. The current de facto government is unable to address the increase in violence. What's required is a political agreement with a roadmap to work towards restoring the rule of law, improving security, and fighting impunity and corruption. And for that, Haiti needs international support, someone who undertakes the role of facilitator.

— Haitian civil society representative<sup>240</sup>

Several senior UN officials have visited Haiti in recent months, including the secretary-general, the high commissioner for human rights, the heads of the World Food Programme and UNICEF, and the UN's independent expert on the human rights situation in Haiti. They have increasingly raised the alarm about the dire security, human rights, and humanitarian situation in the country.<sup>241</sup> The Caribbean Community (CARICOM) has also taken the initiative to help resolve the country's political impasse.<sup>242</sup> Senior US officials, including Vice President Kamala Harris and Secretary of State Antony Blinken, have also met recently with Prime Minister Henry and other CARICOM leaders to discuss efforts to overcome the crisis.<sup>243</sup>

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<sup>240</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023.

<sup>241</sup> "UN High Commissioner for Human Rights Volker Türk concludes his official visit to Haiti," *UN OHCHR*, February 10, 2023, <https://www.ohchr.org/en/statements/2023/02/un-high-commissioner-human-rights-volker-turk-concludes-his-official-visit-haiti> (accessed August 2, 2023); "Generations of Haitians' at Risk, Warns Guterres, Calling for International Force to Help Quell Gang Violence," *UN News*, July 1, 2023, <https://news.un.org/en/story/2023/07/1138287> (accessed August 2, 2023); Press Release, "WFP and UNICEF Executive Directors visit Haiti to Galvanize International Support Amid Record Humanitarian Needs," *UNICEF*, June 20, 2023, <https://www.unicef.org/press-releases/wfp-and-unicef-executive-directors-visit-haiti-galvanize-international-support-amid> (accessed August 2, 2023); "Haiti: UN Expert William O'Neill Concludes Official Visit," *UN OHCHR*, June 28, 2023, <https://www.ohchr.org/en/statements/2023/06/haiti-un-expert-william-oneill-concludes-official-visit> (accessed August 2, 2023).

<sup>242</sup> "Statement From the Meeting of the CARICOM Eminent Persons Group with Haitian Stakeholders in Kingston, Jamaica," *CARICOM*, June 15, 2023, <https://caricom.org/statement-from-the-meeting-of-the-caricom-eminant-persons-group-with-haitian-stakeholders-in-kingston-jamaica/> (accessed August 2, 2023); Staff Writer, "At CARICOM Summit, UN chief Calls for Climate Action, Debt Relief, Urgent Aid for Haiti," *CARICOM Today*, July 5, 2023, <https://today.caricom.org/2023/07/04/at-caricom-summit-un-chief-calls-for-climate-action-debt-relief-urgent-aid-for-haiti/> (accessed August 2, 2023); Jacqueline Charles, "Caribbean Leaders Change Tone, Support Outside Force for Haiti After U.S., U.N. Pressure," *Miami Herald*, July 6, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html> (accessed August 2, 2023).

<sup>243</sup> "Prime Minister of Haiti Met with CARICOM Counterparts," *Prensa Latina*, June 9, 2023, (accessed August 2, 2023); "FACT SHEET: Vice President Harris Announces New Initiatives to Strengthen U.S-Caribbean Partnership," The White House, June 8, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/08/fact-sheet-vice-president-harris-announces-new-initiatives-to-strengthen-u-s-caribbean-partnership/#:~:text=June%2008%2C%202023-,FACT%20SHEET%3A%20Vice%20President%20Harris%20Announces%20New,to%20Strengthen%20U.S%2DCaribbean%20Partnership&text=Vice%20President%20Kamala%20Harris%20and,Baha>

The US, Canada, and the EU and its member states have provided humanitarian assistance as well as technical and financial support for the Haitian police.<sup>244</sup> Despite this, the humanitarian needs in the country remain vastly underfunded.<sup>245</sup>

The US and Canada have imposed several new rounds of targeted sanctions, including travel bans and asset freezes, on those allegedly implicated in serious acts of violence, corruption, and arms and drugs trafficking in Haiti, adding to the United Nations Security Council's previous designation of Jimmy Chérizier, the leader of the G9 coalition.<sup>246</sup> The US has also taken some steps to investigate and prosecute individuals located in the US who

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mas%20on%20June%208%2C%202023 (accessed August 2, 2023); "Secretary Blinken and Haitian Prime Minister Ariel Henry Before Their Meeting," US Department of State, July 5, 2023, <https://www.state.gov/secretary-blinken-and-haitian-prime-minister-ariel-henry-before-their-meeting/> (accessed August 2, 2023); "Secretary Blinken's Remarks at the CARICOM Plenary," US Department of State, July 5, 2023, <https://www.state.gov/secretary-antony-j-blinken-at-the-caricom-plenary/> (accessed August 2, 2023).<https://www.plenglish.com/news/2023/06/09/prime-minister-of-haiti-met-with-caricom-counterparts-2/> (accessed August 2, 2023); "FACT SHEET: Vice President Harris Announces New Initiatives to Strengthen U.S.-Caribbean Partnership," The White House, June 8, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/08/fact-sheet-vice-president-harris-announces-new-initiatives-to-strengthen-u-s-caribbean-partnership/#:~:text=June%2008%2C%202023-,FACT%20SHEET%3A%20Vice%20President%20Harris%20Announces%20New,to%20Strengthen%20U.S.%2DCaribbean%20Partnership&text=Vice%20President%20Kamala%20Harris%20and,Bahamas%20on%20June%208%2C%202023> (accessed August 2, 2023); "Secretary Blinken and Haitian Prime Minister Ariel Henry Before Their Meeting," US Department of State, July 5, 2023, <https://www.state.gov/secretary-blinken-and-haitian-prime-minister-ariel-henry-before-their-meeting/> (accessed August 2, 2023); "Secretary Blinken's Remarks at the CARICOM Plenary," US Department of State, July 5, 2023, <https://www.state.gov/secretary-antony-j-blinken-at-the-caricom-plenary/> (accessed August 2, 2023).

<sup>244</sup> Bureau Of Conflict and Stabilization Operations, "The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti," US Department of State, March 24, 2023, <https://www.state.gov/the-u-s-strategy-to-prevent-conflict-and-promote-stability-10-year-strategic-plan-for-haiti/> (accessed August 2, 2023); "USAID Providing Additional Humanitarian Assistance to Respond to Rising Needs in Haiti," *USAID*, June 8, 2023, <https://www.usaid.gov/news-information/press-releases/jun-08-2023-usaid-providing-additional-humanitarian-assistance-respond-rising-needs-haiti> (accessed August 2, 2023); Global Affairs Canada, "Backgrounder: Canada announces \$50.4 million in support for Haiti," Government of Canada, January 21, 2022, <https://www.canada.ca/en/global-affairs/news/2022/01/backgrounder-canada-announces-504-million-in-support-for-haiti.html> (accessed August 2, 2023); Global Affairs Canada, "Canada Delivers Haiti-Purchased Vehicles to Help Haitian National Police Respond to Crisis," Government of Canada, January 11, 2023, <https://www.canada.ca/en/global-affairs/news/2023/01/canada-delivers-haiti-purchased-vehicles-to-help-haitian-national-police-respond-to-crisis.html> (accessed August 2, 2023); European Commission, European Civil Protection and Humanitarian Aid Operations, Haiti, [https://civil-protection-humanitarian-aid.ec.europa.eu/where/latin-america-and-caribbean/haiti\\_en#:~:text=Since%201994%2C%20the%20EU%20has,and%20malnutrition%20in%20recent%20years](https://civil-protection-humanitarian-aid.ec.europa.eu/where/latin-america-and-caribbean/haiti_en#:~:text=Since%201994%2C%20the%20EU%20has,and%20malnutrition%20in%20recent%20years) (accessed August 2, 2023); "'Generations of Haitians' at Risk, Warns Guterres, Calling for International Force to Help Quell Gang Violence," *UN News*, July 1, 2023, <https://news.un.org/en/story/2023/07/1138287> (accessed August 2, 2023).

<sup>245</sup> In 2023, funding needs for the UN Humanitarian Response Plan in Haiti are estimated at nearly US\$720 million, almost double the funding required in 2022. According to OCHA, at time of writing, only 25 percent of the total funds have been raised. "Haiti: Humanitarian Response Plan 2023 At a Glance," *Relief Web*, April 13, 2023, <https://reliefweb.int/report/haiti/haiti-humanitarian-response-plan-2023-glance-april-2023-enht> (accessed August 2, 2023); "Haiti Plan de Réponse Humanitaire 2023," Financial Tracking Service, April 2023, <https://fts.unocha.org/appeals/1121/summary> (accessed August 2, 2023).

<sup>246</sup> US Office of Foreign Assets Control, Sanctions List Search, <https://sanctionssearch.ofac.treas.gov/> (accessed August 2, 2023); Government of Canada, Canadian Sanctions Related to Haiti, [https://www.international.gc.ca/world-monde/international\\_relations-reactions\\_internationales/sanctions/haiti.aspx?lang=eng](https://www.international.gc.ca/world-monde/international_relations-reactions_internationales/sanctions/haiti.aspx?lang=eng); United Nations Security Council related to Jimmy Chérizier, <https://www.un.org/securitycouncil/content/jimmy-cherizier> (accessed August 2, 2023).

are allegedly responsible for crimes in Haiti, and some limited steps to control arms flows from the US to Haiti.<sup>247</sup>

Since late 2022, Prime Minister Ariel Henry has called for the deployment of an international armed force to address Haiti's security crisis.<sup>248</sup> The UN and US have backed this call, and some smaller governments have shown willingness to provide police or military troops for such a force.<sup>249</sup> On July 14, 2023, the UN Security Council asked the secretary-general to propose options for an international force within 30 days.<sup>250</sup> In late July 2023, Kenya announced that it would "positively consider" leading a multinational force and deploying a contingent of 1,000 police officers to Haiti.<sup>251</sup> There has been limited discussion about what support would be provided to the judicial system to ensure that, if and when leaders of criminal groups and their backers are apprehended, they are brought to justice in fair, credible trials and detained in humane, secure conditions.

Most people interviewed by Human Rights Watch, including victims and witnesses of violence by criminal groups, said that more help is needed.

Many Haitian civil society and political actors initially criticized Henry's call for an international force, even as they recognized the need for international support to overcome the multidimensional crisis facing the country. Their primary demand is that the task of leading Haiti through this crisis should not be led by Henry's government, but instead by a transitional government, ideally led by technocrats who do not have links to criminal groups and who would not run in upcoming elections that prioritizes the restoration of the

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<sup>247</sup> Human Rights Watch interview with a UNODC official, May 1, 2023.

<sup>248</sup> "Haiti - FLASH : Towards a Foreign Armed Intervention in Haiti, to Eliminate Gangs," *Haiti Libre*, October 10, 2022, <https://www.haitilibre.com/en/news-37831-haiti-flash-towards-a-foreign-armed-intervention-in-haiti-to-eliminate-gangs.html> (accessed August 2, 2023).

<sup>249</sup> Dánica Coto, "UN Chief Insists on Special Armed Forces As Haiti Spirals," Associated Press, January 23, 2023, <https://apnews.com/article/politics-united-states-government-caribbean-haiti-violence-17292933e584e046b405dc1948c11a9a> (accessed August 2, 2023); United Nations post to YouTube, "Haiti: 'We Believe that an International Force is of Utmost Importance to Help' - Media Stakeout," Minute 3:06, April 26, 2023, <https://www.youtube.com/watch?v=nY3clYWkk3w> (accessed August 2, 2023); @SecBlinken post to Twitter, July 5, 2023, <https://twitter.com/SecBlinken/status/1676788067099725825?s=20> (accessed August 2, 2023); Jacqueline Charles, "Caribbean Leaders Change Tone, Support Outside Force for Haiti After U.S., U.N. Pressure," *Miami Herald*, July 6, 2023; <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html#storylink=cpy> (accessed August 2, 2023).

<sup>250</sup> United Nations Security Council, S/RES/2692, 2023, July 14, 2023, [https://binuh.unmissions.org/sites/default/files/res\\_2692\\_2023\\_e\\_1.pdf](https://binuh.unmissions.org/sites/default/files/res_2692_2023_e_1.pdf) (accessed August 2, 2023).

<sup>251</sup> @DrAlfredMutua post to Twitter, July 29, 2023, <https://twitter.com/DrAlfredMutua/status/1685315576023969792/photo/1> (accessed August 2, 2023).

rule of law, justice, security, and meeting Haitians' basic needs. They urge that an international response should not in effect prop up Prime Minister Henry, who they see as heading an illegitimate and corrupt government with alleged links to criminal groups, and the political establishment that accompanies him in power. Civil society representatives also call for any support to such a transition to avoid repeating the abuses and harms caused by previous international interventions in Haiti.<sup>252</sup>

These civil society actors as well as Human Rights Watch caution that the current human rights and humanitarian crisis has deep roots in the legacies of slavery, forced debt, racism, colonialism, economic coercion, and failures by previous international and UN interventions to fully respect human rights. Yet, they say, these historical facts should not be used to justify international actors' failures to actively seek or support a solution to the current crisis in Haiti.

## Targeted Sanctions

In October 2022, the UN Security Council sanctioned the leader of the G9 coalition, Jimmy Chérizier, a designation that all UN member states are obliged to follow.<sup>253</sup>

Since 2020, the United States and Canada have imposed additional targeted sanctions on more than 35 members of established political and economic groups in Haiti, based on allegations of their involvement in human rights violations in Haiti; financial support for,

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<sup>252</sup> Human Rights Watch interviews with three Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch telephone interview with Haitian women rights leader, June 5, 2023; "Urgent Civil Society Appeal for a Rights-Based International Response to the Crisis in Haiti," RNDDH, June 12, 2023, <https://web.rnddh.org/wp-content/uploads/2023/06/2-Declaration-Societe-Civile.Appel-Urgent.12Jun2023-ENG.pdf> (accessed August 2, 2023); Background Briefing with Ian Masters post to SoundCloud, "US and UN to Send an International Police Force to Haiti to Prop Up a Corrupt Government," July 5, 2023, [https://soundcloud.com/user-830442635/us-and-un-to-send-an-international-police-force-to-haiti-to-prop-up-a-corrupt-government?utm\\_source=clipboard&utm\\_campaign=wtshare&utm\\_medium=widget&utm\\_content=https%253A%252F%252Fsoundcloud.com%252Fuser-830442635%252Fus-and-un-to-send-an-international-police-force-to-haiti-to-prop-up-a-corrupt-government](https://soundcloud.com/user-830442635/us-and-un-to-send-an-international-police-force-to-haiti-to-prop-up-a-corrupt-government?utm_source=clipboard&utm_campaign=wtshare&utm_medium=widget&utm_content=https%253A%252F%252Fsoundcloud.com%252Fuser-830442635%252Fus-and-un-to-send-an-international-police-force-to-haiti-to-prop-up-a-corrupt-government) (accessed August 2, 2023).

<sup>253</sup> US Office of Foreign Assets Control, Sanctions List Search related to Jimmy Chérizier, <https://sanctionssearch.ofac.treas.gov/Details.aspx?id=30582> (accessed August 2, 2023); United Nations Security Council related to Jimmy Chérizier, <https://www.un.org/securitycouncil/content/jimmy-cherizier> (accessed August 2, 2023).

collaboration with, or facilitation of illegal activities; or involvement in corruption, drug trafficking, or arms trafficking.<sup>254</sup>

Among those sanctioned are former President Michel Martelly and former interim President Jocelerme Privert; one former minister from the Martelly administration; one former prime minister; five former officials and senators from the Moïse government; and two ministers from the Henry administration. At least six business leaders have also been sanctioned.<sup>255</sup>

In late June 2023, Canada imposed sanctions on criminal leaders of three groups, the Kraze Baryè group (Vitel’Homme Innocent), the 5 Seconds group (Johnson André, alias “Izo”), and the 400 Mawozo group (Lanmo Sanjou), on the grounds that they had engaged in “gross and systematic violations of human rights and [engaged] in acts that threaten the peace, security and stability of Haiti.”<sup>256</sup>

The Chairman of the Sanctions Committee of the United Nations announced in late June that his office was working with Haitian authorities on a new list of people who would be sanctioned for their support of criminal groups in Haiti.<sup>257</sup>

The Dominican Republic has also prohibited at least 52 politicians, businessmen, and leaders of criminal groups from entering its territory due to their alleged criminal records related to corruption, human rights abuses, and arms trafficking, or because they could pose a threat to national security.<sup>258</sup>

In late July, the European Council amended its sanctions regime, allowing the EU to autonomously impose restrictive measures, including travel bans for individuals and the

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<sup>254</sup> US Office of Foreign Assets Control, Sanctions List Search; <https://sanctionssearch.ofac.treas.gov/> (accessed August 2, 2023). Government of Canada, Sanctions: Grave breach of international peace and security in Haiti, <https://www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=eng> (accessed August 2, 2023).

<sup>255</sup> Ibid.

<sup>256</sup> Ibid.

<sup>257</sup> Ibid; “The President of the UN Sanctions Committee on Mission in Haiti,” *Haiti Libre*, June 6, 2023, <https://www.haitilibre.com/en/news-39801-haiti-politic-the-president-of-the-un-sanctions-committee-on-mission-in-haiti.html> (accessed August 2, 2023).

<sup>258</sup> “Haiti: 39 Haitians banned from entering the Dominican Republic,” *Haiti Libre*, April 17, 2023, <https://www.haitilibre.com/en/news-39320-haiti-flash-39-haitians-banned-from-entering-the-dominican-republic-list.html> (accessed August 2, 2023).

freezing of funds, on individuals and entities responsible for threatening peace, security, democracy, or the rule of law in Haiti.<sup>259</sup>

Several international and Haitian civil society representatives and Haitian government officials have said that the sanctions imposed on Haitian citizens by foreign governments are a useful mechanism for accountability and could play a role in deterring future violence or support to abusive groups.<sup>260</sup> Some Haitian officials have said that they are not aware of the legal process and evidence that led to the imposition of these sanctions, and they have asked for the evidence on which the sanctions are based to be shared so that criminal investigations can be conducted in Haiti.<sup>261</sup>

“Sanctions did have an impact,” a judicial officer told Human Rights Watch. “Justice is now waking up from its sleep. We need more coordination, cooperation of all countries with the Haitian justice system, and more sanctions for members of criminal networks.”<sup>262</sup>

## Calls for an International Force

In October 2022, Prime Minister Henry called on the international community to deploy a specialized armed force to assist the Haitian National Police in addressing the insecurity

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<sup>259</sup> “Haiti: EU Sets Up Autonomous Framework for Restrictive Measures,” European Council, July 28, 2023, <https://www.consilium.europa.eu/en/press/press-releases/2023/07/28/haiti-eu-sets-up-autonomous-framework-for-restrictive-measures/#:~:text=Today%2C%20the%20Council%20amended%20its,rule%20of%20law%20in%20Haiti> (accessed August 2, 2023).

<sup>260</sup> Human Rights Watch interview with Haiti’s Prime Minister, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023; Human Rights Watch interview with Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>261</sup> Human Rights Watch interview with an official of the Ombudsman’s Office, Port-au-Prince, April 28, 2023; Human Rights Watch interview with Haiti’s Prime Minister, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, April 28, 2023; Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023; Human Rights Watch interview with a government commissioner, Port-au-Prince, May 2, 2023.

<sup>262</sup> Human Rights Watch interview with a judicial official, Port-au-Prince, April 30, 2023.

resulting from the criminal action of criminal groups.<sup>263</sup> UN Secretary-General Antonio Guterres supported the request in January 2023.<sup>264</sup>

The United Nations Integrated Office in Haiti (BINUH) also insisted in April 2023 on the need for the international community to immediately respond to the crisis in Haiti and provide support through the deployment of an international specialized armed force to strengthen police capacities, stem the violence and human rights abuses, restore the rule of law, and create conditions for credible elections.<sup>265</sup>

In early May, UN High Commissioner for Human Rights Volker Türk called on the international community to deploy a “time-bound, specialized and human rights-compliant support force, with a comprehensive action plan to assist Haiti’s institutions.”<sup>266</sup>

Canada, after a CARICOM meeting and a meeting with US President Biden in March, promised to strengthen its international cooperation with Haiti, mainly in terms of financial support for the Haitian police.<sup>267</sup> Other governments such as Jamaica, El Salvador, Rwanda,

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<sup>263</sup> “Towards a Foreign Armed Intervention in Haiti, to Eliminate Gangs,” *Haiti Libre*, October 8, 2023, <https://www.haitilibre.com/en/news-37831-haiti-flash-towards-a-foreign-armed-intervention-in-haiti-to-eliminate-gangs.html> (accessed August 2, 2023); “Haiti Government Prepares to Ask for ‘Specialized Armed Force’ from Abroad,” *The Guardian*, October 7, 2022, <https://www.theguardian.com/world/2022/oct/07/haiti-international-armed-force-decree-blockade#:~:text=Haiti's%20government%20has%20authorized%20the,a%20decree%20circulating%20on%20Friday> (accessed August 2, 2023).

<sup>264</sup> Dánica Coto, “UN Chief Insists on Special Armed Forces as Haiti Spirals,” Associated Press, January 23, 2023, <https://apnews.com/article/politics-united-states-government-caribbean-haiti-violence-17292933e584e046b405dc1948c11a9a> (accessed August 2, 2023); United Nations post to YouTube, “Haiti: ‘We Believe that an International Force is of Utmost Importance to help’ - Media Stakeout,” April 26, 2023, <https://www.youtube.com/watch?v=nY3cIYWkk3w> (accessed August 2, 2023).

<sup>265</sup> United Nations Security Council, BINUH, S/2023/274, April 14, 2023, [https://binuh.unmissions.org/sites/default/files/sg\\_report\\_on\\_binuh\\_14\\_april\\_2023.pdf](https://binuh.unmissions.org/sites/default/files/sg_report_on_binuh_14_april_2023.pdf) (accessed August 2, 2023); United Nations post to YouTube, “Haiti: ‘We Believe that an International Force is of Utmost Importance to help’ - Media Stakeout,” April 26, 2023, <https://www.youtube.com/watch?v=nY3cIYWkk3w> (accessed August 2, 2023).

<sup>266</sup> “Haiti: International Support Needed Now to Stop Spiraling Gang Violence,” *UN News*, May 9, 2023, [https://news.un.org/en/story/2023/05/1136502?utm\\_source=UN+News+-+Newsletter&utm\\_campaign=1a3e9b73ae-EMAIL\\_CAMPAIGN\\_2023\\_05\\_09\\_07\\_24&utm\\_medium=email&utm\\_term=o\\_fdbf1af606-1a3e9b73ae-%5BLIST\\_EMAIL\\_ID%5D](https://news.un.org/en/story/2023/05/1136502?utm_source=UN+News+-+Newsletter&utm_campaign=1a3e9b73ae-EMAIL_CAMPAIGN_2023_05_09_07_24&utm_medium=email&utm_term=o_fdbf1af606-1a3e9b73ae-%5BLIST_EMAIL_ID%5D) (accessed August 2, 2023).

<sup>267</sup> Peter Zimonjic, “Liberal government announces \$100M in aid to shore up police forces in Haiti,” *CBC News*, March 24, 2023, <https://www.cbc.ca/news/politics/trudeau-haiti-funding-gang-violence-1.6789606#:~:text=Politics-,Liberal%20government%20announces%20%24100M%20in%20aid%20to%20shore%20up,sufering%20across%20the%20Caribbean%20nation> (accessed August 2, 2023).

and Kenya offered to send armed forces officers or technical support to Haiti. In late July 2023, Kenya said it would consider leading the multinational force.<sup>268</sup>

In June 2023, US Vice President Kamala Harris, in a meeting with CARICOM and Dominican Republic leaders, announced programs aimed at combatting arms trafficking and facilitating investigations and prosecution of transnational crimes, as well as committing more financial resources to improving food security in Haiti and providing urgently needed humanitarian assistance, including supportive care for survivors of gender-based violence.<sup>269</sup> In addition, Canada announced that it would continue to support the various dialogues aiming to achieve a political consensus in Haiti and would create a joint security coordination cell (JSCC) to provide logistical, technical, and operational support to the Haitian police.<sup>270</sup>

In late June, the General Assembly of the Organization of American States adopted a resolution that urged member states to provide immediate security assistance to the Haitian National Police and to integrate their humanitarian assistance commitments and contributions among others measures.<sup>271</sup>

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<sup>268</sup> "Jamaica's Prime Minister Offers Troops to Address Haiti Crisis," *Al Jazeera*, February 1, 2023, <https://www.aljazeera.com/news/2023/2/1/jamaicas-prime-minister-offers-troops-to-address-haiti-crisis> (accessed August 2, 2023); Jacqueline Charles, "Haiti Needs Help Fighting Gangs. El Salvador Has Had Success and is Offering Help," *Miami Herald*, February 1, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article271837772.html> (accessed August 2, 2023); Jacqueline Charles, "'An Excellent Development,' Haiti Says of Kenya's Offer to Deploy 1,000 Police to Help," *Miami Herald*, July 30, 2023, <https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277792913.html> (accessed August 2, 2023); @DrAlfredMutua post to Twitter, July 29, 2023, <https://twitter.com/DrAlfredMutua/status/1685315576023969792/photo/1> (accessed August 2, 2023).

<sup>269</sup> "Vice President Kamala Harris Announces More Than \$100 Million in Support for the Caribbean," USAID, June 8, 2023, <https://www.usaid.gov/news-information/press-releases/jun-08-2023-vice-president-kamala-harris-announces-more-100-million-support-caribbean> (accessed August 2, 2023); "FACT SHEET: Vice President Harris Announces New Initiatives to Strengthen U.S.-Caribbean Partnership," The White House, June 8, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/08/fact-sheet-vice-president-harris-announces-new-initiatives-to-strengthen-u-s-caribbean-partnership/> (accessed August 2, 2023).

<sup>270</sup> "Minister Joly Hosts Ministerial Meeting on Haiti with International Partners," Global Affairs Canada, June 2023, <https://www.canada.ca/en/global-affairs/news/2023/06/minister-joly-hosts-ministerial-meeting-on-haiti-with-international-partners.html> (accessed August 2, 2023).

<sup>271</sup> "The OAS Approves a Resolution for the Immediate Restoration of Security in Haiti," *Haiti Libre*, June 24, 2023, <https://www.haitilibre.com/en/news-39848-haiti-flash-the-oas-approves-a-resolution-for-the-immediate-restoration-of-security-in-haiti.html> (accessed August 2, 2023).

The UN independent expert on the situation of human rights in Haiti advocated for the deployment of a specialized international force to work alongside the Haitian police and for the implementation of an arms embargo by the UN Security Council.<sup>272</sup>

In early July, Secretary-General Guterres visited Haiti and reiterated his call for the deployment of an international force to support the Haitian police.<sup>273</sup> He said that, “there can be no lasting security without a restoration of democratic institutions, and it is impossible to achieve lasting and fully representative political solutions without a drastic improvement in the security situation.”<sup>274</sup>

During CARICOM’s 50<sup>th</sup> anniversary commemoration, US Secretary of State Blinken reaffirmed his support for the “Haitian government’s call for a multinational force to help its police restore security.”<sup>275</sup> Rwanda’s president expressed his support to provide peacekeeping and security personnel to help strengthen Haiti’s national police.<sup>276</sup>

On July 14, the UN Security Council approved the renewal of BINUH’s mandate for another year, strengthening its police and corrections unit to support the Haitian National Police’s training and investigative capacities.<sup>277</sup> It also requested that the secretary-general submit a report outlining the support options the United Nations could provide to enhance the

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<sup>272</sup> “Haiti: UN Expert William O’Neill Concludes Official Visit,” OHCHR, June 28, 2023, <https://www.ohchr.org/en/statements/2023/06/haiti-un-expert-william-oneill-concludes-official-visit> (accessed August 2, 2023).

<sup>273</sup> @antonioguterres post to Twitter, July 1, 2023, <https://twitter.com/antonioguterres/status/1675143139148058625> (accessed August 2, 2023).

<sup>274</sup> “Visiting Haiti, the UN Chief Calls for the Deployment of an International Force,” *UN News*, July 1, 2023, <https://news.un.org/fr/story/2023/07/1136597> (accessed August 2, 2023); BINUH Info post to YouTube, “Conférence de presse du SG de l’ONU Antonio Guterres – en visite en Haiti le 1er juillet 2023,” July 3, 2023, <https://www.youtube.com/watch?v=EYZHut-lfIA> (accessed August 2, 2023).

<sup>275</sup> @SecBlinken post to Twitter, July 5, 2023, <https://twitter.com/SecBlinken/status/1676788067099725825?s=20> (accessed August 2, 2023); Jacqueline Charles, “Caribbean leaders change tone, support outside force for Haiti after U.S., U.N. pressure,” *Miami Herald*, July 6, 2023, [https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html#storylink=cpy\\_](https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html#storylink=cpy_) (accessed August 2, 2023).

<sup>276</sup> @PrimatureHT post to Twitter, July 5, 2023, <https://twitter.com/PrimatureHT/status/1676706101616599041> (accessed August 2, 2023); Jacqueline Charles, “Caribbean leaders change tone, support outside force for Haiti after U.S., U.N. pressure,” *Miami Herald*, July 6, 2023, [https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html#storylink=cpy\\_](https://www.miamiherald.com/news/nation-world/world/americas/haiti/article277043698.html#storylink=cpy_) (accessed August 2, 2023).

<sup>277</sup> United Nations Security Council, S/RES/2692, July 14, 2023, [https://binuh.unmissions.org/sites/default/files/res\\_2692\\_2023\\_e\\_1.pdf](https://binuh.unmissions.org/sites/default/files/res_2692_2023_e_1.pdf) (accessed August 8, 2023).

security situation in Haiti, including support for a non-UN multinational force or a possible peacekeeping operation.<sup>278</sup>

On July 18, the European Union (EU) and the Community of Latin American and Caribbean States (CELAC) called on the international community and organizations to support Haitian-led efforts to find a solution to the crisis, with the consent and participation of the Haitian authorities.<sup>279</sup>

In late 2022, many Haitian human rights and political groups as well as Haitians in the diaspora initially strongly opposed any proposal for an international armed intervention.<sup>280</sup> However, given the deteriorating security situation, by mid-2023 most of them, including opposition political actors, as well as nearly all victims interviewed by Human Rights Watch, said they now believed that Haiti needed an international force to overcome the security crisis, despite the troubled record of international forces in the past, as well as a transitional government to restore governance and the rule of law and to provide aid to those in humanitarian need.

As one resident of Cité Soleil said:

We are suffering the unimaginable; we need help to get out of the spiral of violence we are living in, the hunger, the abandonment by the state. We need to have hope for a better life.<sup>281</sup>

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<sup>278</sup> Ibid.

<sup>279</sup> European Commission, Declaration of the EU-CELAC Summit 2023, July 18, 2023, [https://ec.europa.eu/commission/presscorner/detail/en/statement\\_23\\_3924](https://ec.europa.eu/commission/presscorner/detail/en/statement_23_3924) (accessed August 2, 2023)

<sup>280</sup> “Rain of Reactions to the Decision of an International Armed Intervention in Haiti,” *Haiti Libre*, October 9, 2022, <https://www.haitilibre.com/en/news-37843-haiti-security-rain-of-reactions-to-the-decision-of-an-international-armed-intervention-in-haiti.html> (accessed August 2, 2023); Human Rights Watch telephone interview with representatives of an international human rights organization, March 29, 2023; Human Rights Watch interview with a political expert, Washington DC, March 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with two Haitian civil society representatives, Port-au-Prince, April 29, 2023; Jake Johnston, “More Than 90 Organizations Reject Calls for Military Intervention in Haiti,” *CEPR*, November 1, 2022, <https://cepr.net/more-than-90-organizations-reject-calls-for-military-intervention-in-haiti/> (accessed August 2, 2023); Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023. “Human Rights and the Rule of Law in Haiti: Key Recent Developments December 2022 through May 2023,” Institute for Justice and Democracy in Haiti, June 1, 2023, <http://www.ijdh.org/wp-content/uploads/2023/06/HRU-June-2023-FINAL.pdf> (accessed August 2, 2023).

<sup>281</sup> Human rights Watch interview with Anne J., a victim from Brooklyn in Cité Soleil, Port-au-Prince, May 4, 2023.

## Failures and Abuses of Past International Interventions

Many Haitians draw clear connections between recent international interventions in Haiti, the ongoing legacies of slavery, colonialism, racism, and poverty, and the political instability that they struggle against today.

After 1804, when Haiti won its independence through a successful rebellion of enslaved people, countries such as the US and France, among others, refused to recognize the new Republic of Haiti in order to protect their own slave-owning interests.<sup>282</sup> In 1825, France agreed to recognize Haiti's independence on the condition that Haiti pay a very large indemnity to France for France's claims over property, including enslaved Haitian people. This demand was made under threat of invasion. In 1825, Haiti took large loans from a French commercial bank to service the crushing debt with very high interest rates. This became known as Haiti's "double debt." Although Haiti paid off its indemnity to France in 1888, it continued to owe interest on the loans it had taken. In 1911, these interest payments were transferred for a variety of reasons to the US, and Haiti only paid off its debt—at this point to the US—in 1947. It is estimated that Haiti paid French slaveholders and their descendants between \$20 and \$115 billion.<sup>283</sup>

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<sup>282</sup> Lilibana Obregón, "Empire, Racial Capitalism and International Law: The Case of Manumitted Haiti and the Recognition Debt," *Leiden Journal of International Law* 31, no. 3 (September 2018): 597–615, <https://www.cambridge.org/core/journals/leiden-journal-of-international-law/article/abs/empire-racial-capitalism-and-international-law-the-case-of-manumitted-haiti-and-the-recognition-debt/4CE72865EFD32479C4F31327D6C5DDFA> (accessed August 2, 2023); Ann Crawford-Roberts, "A History of United States Policy Towards Haiti: Modern Latin America," *Brown University Library, Center for Digital Scholarship*, <https://library.brown.edu/create/modernlatinamerica/chapters/chapter-14-the-united-states-and-latin-america/moments-in-u-s-latin-american-relations/a-history-of-united-states-policy-towards-haiti/#:~:text=Southern%20plantation%20owners%2C%20fearful%20of,states%20seceded%20from%20the%20Union> (accessed August 2, 2023); Department of State, Office of the Historian, *The United States and the Haitian Revolution, 1791–1804*, <https://history.state.gov/milestones/1784-1800/haitian-rev#:~:text=Jefferson%20refused%20to%20recognize%20Haitian,as%20a%20sovereign%2C%20independent%20nation.;> <https://www.jstor.org/stable/987274> (accessed August 2, 2023); Catherine Porter, Constant Méheut, Matt Apuzzo, and Selam Gebrekidan, "The Root of Haiti's Misery: Reparations to Enslavers," *New York Times*, May 20, 2022, <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html> (accessed August 2, 2023).

<sup>283</sup> Anthony D. Phillips, "Haiti's Independence Debt and Prospects for Restitution," *Institute for Justice and Democracy in Haiti*, November 2009, [http://www.ijdh.org/wp-content/uploads/2009/11/Haiti\\_RestitutionClaimArticlePhilipps05-09.pdf](http://www.ijdh.org/wp-content/uploads/2009/11/Haiti_RestitutionClaimArticlePhilipps05-09.pdf) (accessed August 2, 2023); Mandy Boltax, Thomas Boulger, and Tyler Miller, "The Haitian Independence Debt: A Case for Restitution," *Social Science Research Network Scholarly Paper*, March 9, 2021, [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3798802](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3798802) (accessed August 2, 2023); Kristen Casey, Kathy Fernández & Nikoleta Nikova, "France's Overdue Debt to Haiti," *New York University Journal of International Law and Politics (JILP)*, January 27, 2022, <https://www.nyuilp.org/frances-overdue-debt-to-haiti/> (accessed August 2, 2023); Emmett Lindner, "Investigating Haiti's 'Double Debt,'" *The New York Times*, May 22, 2022, <https://www.nytimes.com/2022/05/22/insider/investigating-haitis-double-debt.html> (accessed August 2, 2023).

A different form of intervention was the US's decades of interference, sometimes violent, in Haiti's internal affairs, justified by the argument that the US needed to protect its own economic interests. Before the start of the 19-year-long US occupation of Haiti from 1915-1934, in December 1914, a handful of US Marines took \$500,000 in gold bars from the Haiti National Bank and deposited it in a US bank. There has been no accountability for these actions. In 1915, the US concluded a treaty with Haiti by which it took control of the country's public finances for 10 years in exchange for providing it security.<sup>284</sup> Over the decades that followed, the US repeatedly interfered in political processes when Haiti's elected leaders were perceived as insufficiently loyal to the US or when the country faced coups d'état and public protests, contributing to the political instability that continues today.<sup>285</sup>

Some critics have also pointed to Canada's role alongside the political and military involvement of the US and others in Haiti, specifically through the Ottawa Initiative on Haiti in 2003.<sup>286</sup>

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<sup>284</sup> "U.S. Invasion and Occupation of Haiti, 1915-34" Department of State, The Office of Electronic Information, Bureau of Public Affairs, <https://2001-2009.state.gov/r/pa/ho/time/wwi/88275.htm#:~:text=The%20invasion%20ended%20with%20the,controlled%20by%20the%20U.S.%20marines> (accessed August 2, 2023); Department of State, Office of the Historian, U.S. Invasion and Occupation of Haiti, 1915-34, <https://history.state.gov/milestones/1914-1920/haiti> (accessed August 2, 2023); Human Rights Watch telephone interview with a Haitian lawyer, July 19, 2023; Human Rights Watch telephone interview with a Haitian lawyer and magistrate, July 19, 2023.

<sup>285</sup> Department of State, U.S. Invasion and Occupation of Haiti, 1915-34, <https://history.state.gov/milestones/1914-1920/haiti> (accessed August 2, 2023); Patrick Bellegarde-Smith et al., "Haiti and Its Occupation by the United States in 1915: Antecedents and Outcomes," *Journal of Haitian Studies* 21, no. 2 (2015): 10-43, <https://www.jstor.org/stable/43741120> (August 2, 2023); Catherine Porter, Constant Méheut, Matt Apuzzo, and Selam Gebrekidan, "The Root of Haiti's Misery: Reparations to Enslavers," *New York Times*, May 20, 2022, <https://www.nytimes.com/2022/05/20/world/americas/haiti-history-colonized-france.html> (accessed August 2, 2023); Cooper Scherr, "Medicine Infected by Politics: The American Occupation of Haiti, 1915-1934" *Santa Clara*, 2019, <https://scholarcommons.scu.edu/cgi/viewcontent.cgi?article=1184&context=historical-perspectives> (accessed August 2, 2023); Edwidge Danticat, "The Long Legacy of Occupation in Haiti," *The New Yorker*, July 28, 2015, <https://www.newyorker.com/news/news-desk/haiti-us-occupation-hundred-year-anniversary> (accessed August 2, 2023); Dánica Coto, "AP Explica: Historia de intervenciones extranjeras en Haití," Associated Press in *Los Angeles Times en Español*, October 23, 2022, <https://www.latimes.com/espanol/internacional/articulo/2022-10-22/ap-explica-historia-de-intervenciones-extranjeras-en-haiti#:~:text=Estados%20Unidos%20ocup%C3%B3%20por%20primera,intervenci%C3%B3n%20ose%20produjo%20en%202004> (accessed August 2, 2023); "EXPLAINER: Haiti's Troubled History of Foreign Interventions," Associated Press, October 11, 2022, <https://apnews.com/article/caribbean-united-nations-haiti-puerto-rico-a907efcd4a1b6f4c29bcc7a17f2b4900> (accessed August 2, 2023).

<sup>286</sup> Nikolas Barry-Shaw, Dru Oja Jay, "New Documents Detail How Canada Helped Plan 2004 Coup D'état in Haiti," *The Breach*, July 15, 2021, <https://breachmedia.ca/new-documents-detail-how-canada-helped-plan-2004-coup-detat-in-haiti/> (accessed August 2, 2023); Yves Engler, "Lest we forget the Ottawa Initiative on Haiti," *Spring*, January 31, 2022, <https://springmag.ca/lest-we-forget-the-ottawa-initiative-on-haiti> (accessed August 2, 2023); Canadian Foreign Policy Institute post to YouTube, "Haiti Betrayed: Canada's Role in the Current Crisis," February 17, 2023, <https://www.youtube.com/watch?v=-vDfDMPqmbM> (accessed August 2, 2023); Radio-Canada Info post YouTube, "Enquête |

The United Nations Stabilization Mission in Haiti (MINUSTAH), which operated from 2004 to 2017, was intended to assist in the political and security stabilization of Haiti, and support the immediate recovery reconstruction efforts following the devastating 2010 earthquake. It left behind a deadly cholera epidemic that, according to its own investigations, was caused when a sewage leak from one of its bases contaminated Haiti's main river, sickening hundreds of thousands and killing at least 10,000 people.<sup>287</sup>

None of the victims of the epidemic have received compensation from the UN, despite its promises to this effect.<sup>288</sup> The current cholera outbreak was caused, at least in part, by a descendant of the strain that caused the 2010 epidemic, a study shows.<sup>289</sup>

Following the end of MINUSTAH's mandate, the UN Security Council in April 2017 created a peacekeeping mission called the United Nations Justice Support Mission in Haiti

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Peyi Lòk et Haiti sous influence,” January 13, 2020, <https://www.youtube.com/watch?v=xjcybBr7R98> (accessed August 2, 2023); Catherine Hughes, Jackie McVicar, “Canada: One of the ‘Biggest Gangsters in Haiti,’” *Canadian Dimension*, February 3, 2023, <https://canadiandimension.com/articles/view/canada-one-of-the-biggest-gangsters-in-haiti> (accessed August 2, 2023); Jean Saint-Vil, “What Is Canada Doing in Haiti?” *Jafrikayiti*, May 5, 2017, <https://jafrikayiti.com/what-is-canada-doing-in-haiti/> (accessed August 2, 2023).

<sup>287</sup> Restoring a Secure and Stable Environment, MINUSTAH Fact Sheet, <https://peacekeeping.un.org/en/mission/minustah> (accessed August 2, 2023); Daniele Lantagne, G. Balakrish Nair, Claudio F. Lanata and Alejandro Cravioto, “The Cholera Outbreak in Haiti: Where and How Did it Begin?,” Institute for Justice and Democracy in Haiti, July 2023, [http://www.ijdh.org/wp-content/uploads/2013/07/The-Cholera-Outbreak-in-Haiti\\_Where-and-How-it-Begin.pdf](http://www.ijdh.org/wp-content/uploads/2013/07/The-Cholera-Outbreak-in-Haiti_Where-and-How-it-Begin.pdf) (accessed August 2, 2023); “Cholera Outbreak — Haiti, September 2022–January 2023,” Centers for Disease Control and Prevention, January 13, 2023, [https://www.cdc.gov/mmwr/volumes/72/wr/mm7202a1.htm#:~:text=Discussion-,The%20first%20cholera%20outbreak%20in%20Haiti%20was%20reported%20in%20October,deaths%20\(1%2C2\)](https://www.cdc.gov/mmwr/volumes/72/wr/mm7202a1.htm#:~:text=Discussion-,The%20first%20cholera%20outbreak%20in%20Haiti%20was%20reported%20in%20October,deaths%20(1%2C2)) (accessed August 2, 2023); Cholera Accountability, “10-Year Anniversary of Cholera Introduction in Haiti,” Institute for Justice and Democracy in Haiti, October 31, 2020, <http://www.ijdh.org/2020/10/accountability/10-year-anniversary-of-cholera-introduction-in-haiti/> (accessed August 2, 2023); “UN Admits for First Time that Peacekeepers Brought Cholera to Haiti,” *The Guardian*, <https://www.theguardian.com/global-development/2016/dec/01/haiti-cholera-outbreak-stain-on-reputation-un-says> (accessed August 2, 2023).

<sup>288</sup> “IJDH 2022 Publication in *The Lancet* Regional Health – Americas Urges the UN to Provide Cholera Victims with Compensation in Light of Its Impending Announcement on Elimination,” Institute for Justice and Democracy in Haiti, March 25, 2022, [http://www.ijdh.org/press\\_release/dr-susan-bartels-and-ijdhs-sandra-wisner-call-for-un-action-in-cholera-elimination-commentary-published-in-the-lancet/](http://www.ijdh.org/press_release/dr-susan-bartels-and-ijdhs-sandra-wisner-call-for-un-action-in-cholera-elimination-commentary-published-in-the-lancet/) (accessed August 2, 2023); Liz Mineo, “Forcing the UN to Do Right by Haitian Cholera Victims,” *The Harvard Gazette*, October 6, 2020, <https://news.harvard.edu/gazette/story/2020/10/a-decade-of-seeking-justice-for-haitian-cholera-victims/#:~:text=Soon%20after%2C%20the%20country%20was,deaths%20of%20at%20least%2010%2C000> (accessed August 2, 2023); “Yemen Starvation, Tigray Rebel Abuses, and Afghanistan's Crisis within: The Cheat Sheet,” *The New Humanitarian*, September 3, 2021, <https://www.thenewhumanitarian.org/news/2021/9/3/Yemen-starvation-Tigray-rebel-Afghanistan-crisis-Cheat-Sheet> (accessed August 2, 2023); Anastasia Moloney, “A decade After U.N.-Linked Cholera Outbreak, Haitians Demand Justice,” Reuters, October 22, 2020, [https://www.reuters.com/article/us-haiti-cholera-un-feature-trfn/a-decade-after-u-n-linked-cholera-outbreak-haitians-demand-justice-idUSKBN2772RM\\_](https://www.reuters.com/article/us-haiti-cholera-un-feature-trfn/a-decade-after-u-n-linked-cholera-outbreak-haitians-demand-justice-idUSKBN2772RM_) (accessed August 2, 2023).

<sup>289</sup> Daniel H.F. Rubin et al., “Reemergence of Cholera in Haiti,” *New England Journal of Medicine* 387, no. 25, December 22, 2022, <https://www.nejm.org/doi/full/10.1056/NEJMc2213908> (accessed August 2, 2023); Chen-Shan Chin et al., “The Origin of the Haitian Cholera Outbreak Strain,” *The New England Journal of Medicine* 364, no. 1, January 6, 2011, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3030187/> (accessed August 2, 2023).

(MINUJUSTH) to support the government in developing the Haitian National Police (HNP), strengthening rule of law institutions including the justice system and prisons, and promoting and protecting human rights.<sup>290</sup> This mission came to an end in October 2019 in the context of a persistent political crisis, an upsurge in criminal activity, and deteriorating economic situation.<sup>291</sup>

In addition, personnel of this mission and MINUSTAH together face at least 116 allegations of sexual abuse and exploitation of women and children.<sup>292</sup> Several studies and media reports document instances of UN peacekeepers sexually exploiting and abusing women and girls, taking advantage of the population's vulnerability and poverty.<sup>293</sup> UN peacekeepers in Haiti

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<sup>290</sup> "Strengthening of Haitian Rule of Law Institutions, Development of the Haitian National Police, and Promotion and Protection of Human Rights," MINUJUSTH Fact Sheet, <https://peacekeeping.un.org/es/mission/minujsth> (accessed August 2, 2023).

<sup>291</sup> Security Council Report, Chronology of Events, Haiti, <https://www.securitycouncilreport.org/chronology/haiti.php> (accessed August 2, 2023); "United Nations Peacekeeping Operation in Haiti Closes Amid Growing Political, Security Challenges, Top Peace Official Tells Security Council," SC/13987, United Nations, October 15, 2019, <https://press.un.org/en/2019/sc13987.doc.htm> (accessed August 2, 2023); "MINUJUSTH Completes Its Mandate, Putting An End To 15 Consecutive Years Of Peacekeeping In Haiti," *United Nations Mission For Justice Support In Haiti*, October 16, 2019, <https://minujsth.unmissions.org/en/minujsth-completes-its-mandate-putting-end-15-consecutive-years-peacekeeping-haiti-o> (accessed August 8, 2023).

<sup>292</sup> Grant Gordon and Lauren Young, "Haitian Perspectives on MINUSTAH Before the Mandate Renewal," *IPI Global Observatory*, October 12, 2011, [https://theglobalobservatory.org/wp-content/uploads/2011/10/pdfs\\_gordon-young-minustah-opinions-oct-20113.pdf](https://theglobalobservatory.org/wp-content/uploads/2011/10/pdfs_gordon-young-minustah-opinions-oct-20113.pdf) (accessed August 2, 2023); Security Council Report, Chronology of Events, Haiti, <https://www.securitycouncilreport.org/chronology/haiti.php> (accessed August 2, 2023); Sabine Lee and Susan Bartels, "They Put a Few Coins in Your Hands to Drop a Baby in You" – 265 Stories of Haitian Children Abandoned by UN Fathers," *The Conversation*, December 17, 2019, <https://theconversation.com/they-put-a-few-coins-in-your-hands-to-drop-a-baby-in-you-265-stories-of-haitian-children-abandoned-by-un-fathers-114854> (accessed August 2, 2023); Mariana Cabrera Figueroa, "Peacekeeping in Haiti: Successes and Failures," *The Pardee Atlas Journal of Global Affairs*, June 18, 2023, <https://sites.bu.edu/pardeeatlas/back2school/peacekeeping-in-haiti-successes-and-failures/> (accessed August 2, 2023); "Haiti: Over 100 Sri Lankan Blue Helmets Repatriated on Disciplinary Grounds," UN News, November 2, 2007, <https://news.un.org/en/story/2007/11/238162> (accessed August 2, 2023).

<sup>293</sup> Elian Peltier, "U.N. Peacekeepers in Haiti Said to Have Fathered Hundreds of Children," *The New York Times*, December 18, 2019, <https://www.nytimes.com/2019/12/18/world/americas/haiti-un-peacekeepers.html> (accessed August 2, 2023); Lee and Bartels, "They Put a Few Coins in Your Hands to Drop a Baby in You" – 265 Stories of Haitian Children Abandoned by UN Fathers," *The Conversation*, December 17, 2019, <https://theconversation.com/they-put-a-few-coins-in-your-hands-to-drop-a-baby-in-you-265-stories-of-haitian-children-abandoned-by-un-fathers-114854> (accessed August 2, 2023); Paisley Dodds, "AP Exclusive: UN Child Sex Ring Left Victims But No Arrests," Associated Press, April 12, 2017, <https://apnews.com/article/africa-arrests-united-nations-only-on-ap-e6ebc331460345c5abd4f57d77f535c1> (accessed August 2, 2023); Tanasia Kenney, "Analysis: What the UN Could've Done to Protect Vulnerable Haitians Against Sexually Abusive Peacekeepers," *Atlanta Black Star*, April 18, 2017, <https://atlantablackstar.com/2017/04/18/analysis-un-couldve-done-protect-vulnerable-haitians-sexually-abusive-peacekeepers/> (accessed August 2, 2023); Michael Brice-Saddler, "U.N. Peacekeepers Fathered, Then Abandoned, Hundreds Of Children In Haiti, Report Says," *The Washington Post*, December 18, 2019, <https://www.washingtonpost.com/world/2019/12/18/un-peacekeepers-fathered-then-abandoned-hundreds-children-haiti-report-says/> (accessed August 2, 2023); Amy Bracken, "Haitian Moms Demand UN Help for the Babies their Peacekeepers Left Behind," *The World*, August 29, 2014, <https://theworld.org/stories/2014-08-28/un-peacekeepers-destabilize-haiti-babies-they-left-behind> (accessed August 2, 2023); Figueroa, "Peacekeeping in Haiti: Successes and Failures," *The Pardee Atlas Journal of Global Affairs*, June 18, 2023,

were also accused of physically threatening and hurting civilians with the use of disproportionate force during operations to combat criminal groups.<sup>294</sup> The UN Security Council or member states whose troops stand accused have not responded to these allegations. There has been no accountability and no reparations have been made.<sup>295</sup>

Since mid-October 2019, Haiti has hosted BINUH, a UN political mission.<sup>296</sup> Haitian and international human rights organizations and civil society representatives say that BINUH, like other international representatives in Port-au-Prince, has not adequately recognized or addressed the allegations that the governments of the late President Moïse and current Prime Minister Henry have undermined the rule of law and perpetuated political instability and insecurity by failing to enable the creation of a transitional government to organize elections and through corruption and links with criminal groups.<sup>297</sup>

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[https://sites.bu.edu/pardeeatlas/back2school/peacekeeping-in-haiti-successes-and-failures/#\\_ftn23](https://sites.bu.edu/pardeeatlas/back2school/peacekeeping-in-haiti-successes-and-failures/#_ftn23) (accessed August 2, 2023).

<sup>294</sup> Susan Manuel, “Judging the UN in Haiti: ‘We Let the Haitians Down’” *PassBlue*, November 9, 2017, <https://www.passblue.com/2017/11/09/judging-the-un-in-haiti-a-saga-of-missteps-and-scandals-but-glimmers-of-hope/> (accessed August 2, 2023); “The ‘Enforcers’: MINUSTAH and the Culture of Violence in Port-au-Prince,” *Council on Hemispheric Affairs*, November 28, 2011, [https://coha.org/the-enforcers-minustah-and-the-culture-of-violence-in-port-au-prince/#\\_ftn13](https://coha.org/the-enforcers-minustah-and-the-culture-of-violence-in-port-au-prince/#_ftn13) (accessed August 2, 2023); Figueroa, “Peacekeeping in Haiti: Successes and Failures,” *The Pardee Atlas Journal of Global Affairs*, June 18, 2023, [https://sites.bu.edu/pardeeatlas/back2school/peacekeeping-in-haiti-successes-and-failures/#\\_ftn23](https://sites.bu.edu/pardeeatlas/back2school/peacekeeping-in-haiti-successes-and-failures/#_ftn23) (accessed August 2, 2023); Mario Joseph and Brian Concannon, “The Last Thing Haiti Needs is Military Intervention. It Didn’t Work in The Past, and Won’t Work Now,” Institute for Justice and Democracy in Haiti, September 19, 2022, <http://www.ijdh.org/2022/09/democracy-in-haiti/the-last-thing-haiti-needs-is-military-intervention-it-didnt-work-in-the-past-and-wont-work-now-opinion/> (accessed August 2, 2023); Pooja Bhatia, “US-Backed Foreign Intervention Has Led to The Disaster in Haiti,” *The Guardian*, October 19, 2022, <https://www.theguardian.com/commentisfree/2022/oct/19/us-backed-foreign-intervention-disaster-haiti-un> (accessed August 2, 2023).

<sup>295</sup> “The ‘Enforcers’: MINUSTAH and the Culture of Violence in Port-au-Prince,” Council on Hemispheric Affairs, November 28, 2011, [https://coha.org/the-enforcers-minustah-and-the-culture-of-violence-in-port-au-prince/#\\_ftn13](https://coha.org/the-enforcers-minustah-and-the-culture-of-violence-in-port-au-prince/#_ftn13) (accessed August 2, 2023).

<sup>296</sup> BINUH, October 16, 2019, <https://binuh.unmissions.org/en/united-nations-integrated-office-haiti-starts-operations> (accessed August 2, 2023).

<sup>297</sup> Human Rights Watch telephone interview with representatives of an international human rights organization, March 29, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with three separate Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a leader of the Montana Group, Port-au-Prince, May 1, 2023; “Joint Statement to UN Security Council on the Constitutional and Human Rights Crisis in Haiti,” Harvard Law School International Human Rights Clinic, February 22, 2021, <https://humanrightsclinic.law.harvard.edu/joint-statement-to-un-security-council-on-the-constitutional-and-human-rights-crisis-in-haiti/> (accessed August 2, 2023); Chris François, Jake Johnston, “Haiti News Round-Up: Political And Civil Society Leaders Meet In Jamaica,” *CEPR*, June 13, 2023 <https://cepr.net/haiti-news-round-up-political-and-civil-society-leaders-meet-in-jamaica/> (accessed August 2, 2023); @HaitiJustice post to Twitter, June 12, 2023, <https://twitter.com/HaitiJustice/status/1668265906789666822> (accessed August 2, 2023); Jean Daniel Senate, “BINUH Supports Ariel Henry Without Diktat and Without Deadline,” *Le Nouvelliste*, June 9, 2023 <https://lenouvelliste.com/article/242787/le-binuh-supporte-ariel-henry-sans-diktat-et-sans-echeancier> (accessed August 2, 2023); “In Response to Antonio Guterres, Haitian Organizations Point to the Responsibility of the UN in the ‘Gangsterization of Haiti’” *Black Agenda Report*, September 28, 2022, <https://www.blackagenda.com/response-antonio-guterres-haitian-organizations-point-responsibility-un-gangsterization-haiti> (accessed August 2, 2023).

A key moment that many Haitians point to is the July 2021 decision by the Core Group, an informal body composed of international representatives working in Haiti, including BINUH, to issue a statement supporting the appointment of Ariel Henry as prime minister and encouraging him to fulfill his mission of forming a consensual and inclusive government.<sup>298</sup> Many Haitians saw this as unwelcome interference in the country's politics, since they say that Henry, although appointed by Moïse, was not designated according to a constitutionally mandated process.<sup>299</sup>

The US is also viewed as having endorsed Henry since the US embassy in Haiti tweeted the Core Group's statement calling on him to form a government and made subsequent statements in support of Henry's interim government. This is despite continued calls from Haitian and diaspora groups that the US stop doing so, since Henry has not achieved an inclusive democratic transition and since criminal groups have gained in strength under his leadership, aggravating the pre-existing economic and humanitarian crisis.<sup>300</sup>

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<sup>298</sup> The Core Group is an informal body working in Haiti, composed the Ambassadors of Brazil, Canada, France, Germany, Spain, the United States of America, the European Union, the Special Representative of the Organization of American States, and the Special Representative of the Secretary General of the United Nations; Core Group Press Release, BINUH, July 17, 2021, <https://binuh.unmissions.org/fr/communiqu%C3%A9-du-core-group-4> (accessed August 2, 2023); "Haiti: Core Group Endorses Ariel Henry as Prime Minister," Deutsche Welle, July 18, 2021, <https://www.dw.com/es/core-group-apoya-a-ariel-henry-como-primer-ministro-de-hait%C3%AD/a-58303952> (accessed August 2, 2023); Catherine Porter, "Haiti, Urged by Foreign Powers, Announces New Government," *The New York Times*, July 19, 2021, <https://www.nytimes.com/2021/07/19/world/americas/claude-joseph-haiti-stepping-down.html> (accessed August 2, 2023); Dave Graham, Drazen Jorgic, "Ariel Henry Formally Appointed Prime Minister of Haiti in Ceremony," Reuters *Witness*, July 20, 2021, <https://www.reuters.com/world/americas/ariel-henry-formally-appointed-prime-minister-haiti-ceremony-reuters-witness-2021-07-20/> (accessed August 2, 2023); "Haiti's Last Resort: Gangs and the Prospect of Foreign Intervention," International Crisis Group, December 14, 2022, <https://www.crisisgroup.org/latin-america-caribbean/haiti/bo48-haitis-last-resort-gangs-and-prospect-foreign-intervention> (accessed August 2, 2023).

<sup>299</sup> "Haiti Opposition Rejects Support of Prime Minister-Designate," *VOA*, July 19, 2021, [https://www.voanews.com/a/americas\\_haiti-opposition-rejects-support-prime-minister-designate/6208457.html](https://www.voanews.com/a/americas_haiti-opposition-rejects-support-prime-minister-designate/6208457.html) (accessed August 2, 2023); Pierre Espérance, "Wrong US Call — Haiti Needs a Credible Transitional Government," *Just Security*, July 22, 2021, <https://www.justsecurity.org/7752/wrong-us-call-haiti-needs-a-credible-transitional-government/> (accessed August 2, 2023); Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 28, 2023; Human Rights Watch interviews with four Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023.

<sup>300</sup> @USEmbassyHaiti post to Twitter, July 17, 2021, <https://twitter.com/USEmbassyHaiti/status/1416401543629316101> (accessed August 2, 2023); Monique Clesca, "Haitians Have Built Consensus on a Democratic Way Forward. Why Is an Undemocratic Leader Still in Office?" *Just Security*, February 7, 2022, <https://www.justsecurity.org/80117/haitians-have-built-consensus-on-a-democratic-way-forward-why-is-an-undemocratic-leader-still-in-office/> (accessed August 2, 2023); Antony J. Blinken, Secretary Of State, "Announcement of a Unity Government in Haiti," US Department of State, July 20, 2021, <https://www.state.gov/announcement-of-a-unity-government-in-haiti/> (accessed August 2, 2023); @moniclesca post to Twitter, July 17, 2021, <https://twitter.com/moniclesca/status/1416424870355902465> (accessed August 2, 2023); "Turnaround of Core Group in Favor of the PM Named Ariel Henry," *Haiti Libre*, July 18, 2021, <https://www.haitilibre.com/en/news-34260-haiti-flash-turnaround-of-core-group-in-favor-of-the-pm-named-ariel-henry.html> (accessed August 2, 2023); "Urgent Civil Society Appeal for a Rights-Based International Response to the Crisis in Haiti," RNDDH, June 13, 2023, <https://web.rnddh.org/urgent-civil-society-appeal-for-a-rights-based-international-response-to-the-crisis-in-haiti/?lang=en> (accessed August 2, 2023); Alter Presse, "Nou Pap Dòmi Denounces BINUH and the Core Group for

Most Haitian civil society representatives and international human rights officials who spoke with Human Rights Watch said the current crisis will not end until the Haitian people can choose their own leaders and the country experiences a true democratic transition.<sup>301</sup> Many also noted that the harms and abuses associated with previous international interventions, the legacies of slavery and colonialism, and continuing anti-Black racism have contributed to the insecurity, corruption, and poverty in Haiti, and repeatedly shattered the Haitian people's democratic aspirations.<sup>302</sup> Haiti's economy and politics are affected to this day by Western countries, mainly the US. Some international responses to the present crisis, including the migration-related abuses on the border with the Dominican Republic, are rooted in anti-Blackness.<sup>303</sup>

These are the reasons why Haitian civil society representatives argue that support for a democratic transition and for the rule of law, while critical, is only one part of future international engagement with Haiti. The other part, they say, has to encompass acknowledgment of and accountability for ongoing harms caused by historic legacies and support from France and the US to a reparations process led by the Haitian people.<sup>304</sup>

UN Secretary-General Guterres also recognized at a CARICOM meeting in early July 2023 that "it is impossible to look at the [Haitian] crisis without seeing the long shadow of centuries of colonial exploitation, extortion, dictatorship and other screaming injustices."<sup>305</sup>

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Attempting to Sideline the "Montana Accords," *The Canada-Haiti Information Project*, November 13, 2021, <https://canada-haiti.ca/content/nou-pap-domi-denounces-binuh-and-core-group-attempting-sideline-montana-accords> (accessed August 2, 2023).

<sup>301</sup> Ibid.

<sup>302</sup> Human Rights Watch interviews with four Haitian civil society representatives, Port-au-Prince, April 29, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023; Human Rights Watch telephone interview with a Haitian women rights' leader, June 5, 2023.

<sup>303</sup> Ibid.

<sup>304</sup> Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, April 29, 2023; Human Rights Watch interview with the Special Representative of the UN Secretary General in Haiti, May 1, 2023; Human Rights Watch interview with a Haitian human rights representative, Port-au-Prince, May 2, 2023; Human Rights Watch interview with an international human rights official, Port-au-Prince, May 4, 2023; Human Rights Watch interview with a Haitian civil society representative, Port-au-Prince, May 5, 2023.

<sup>305</sup> "Secretary-General's remarks to the 45<sup>th</sup> regular meeting of the Conference of the Heads of Government of the Caribbean Community," United Nations, July 3, 2023, <https://www.un.org/sg/en/content/sg/statement/2023-07-03/secretary-generals-remarks-45th-regular-meeting-of-the-conference-of-the-heads-of-government-of-the-caribbean-community> (accessed August 2, 2023); @UN\_Spokesperson post to Twitter, July 3, 2023, [https://twitter.com/UN\\_Spokesperson/status/1675993071471796225](https://twitter.com/UN_Spokesperson/status/1675993071471796225) (accessed August 2, 2023).

Haiti needs a multi-faceted and rights-based response to address the longstanding, ongoing, and escalating crisis. Despite the efforts of the Haitian government, Haitian civil society, political actors, and other stakeholders to find a solution to the crisis, the security and humanitarian situation in the country continues to worsen, and millions of Haitians are bearing the cost. Haiti needs help now. The failures and abuses of past international interventions should not be an excuse for inaction; it should instead be a call to action to do what it takes to right past wrongs and help Haiti get back on the path towards true democratic governance, the rule of law, basic security, and respect for fundamental rights.

The victims of the abuses documented by Human Rights Watch are calling for concrete actions that will enable them to live a life free from violence and fear, where they can meet their basic needs, work, send their children to school, choose their government and elected leaders, and finally, where they can live in peace.

“We suffer a lot in Cité Soleil,” said Rosie P., a 42-year-old mother of five. “There’s no water, no electricity, no food, no peace. There are gunshots all the time, and the kids can’t go to school. I want the international community to bring peace if they can.”<sup>306</sup>

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<sup>306</sup> Human Rights Watch interview with Rosie P., a victim from Cité Soleil, Port-au-Prince, May 4, 2023.

## Acknowledgments

This report was researched and written by Nathalye Cotrino, crisis and conflict division researcher, and Ida Sawyer, crisis and conflict division director. The report was edited by Anagha Neelakantan, senior editor in the crisis and conflict division. Nīa Knighton, crisis and conflict division associate, provided research, editing, and production support.

Devon Lum, research assistant, and Lèo Martine, senior analyst for the digital investigations lab, and Robin Taylor, open-source research assistant for the crisis and conflict division, provided research support. Fred Abrahams, associate program director, provided programmatic review, and Michael Garcia Bochenek, senior legal advisor, provided legal review. Specialist reviews were provided by Juanita Goebertus, director of the Americas division; César Muñoz Acebes, associate director in the Americas division; Nicole Widdersheim, deputy advocacy director in Washington; Akshaya Kumar, advocacy director in New York; Bruno Stagno, deputy executive director for advocacy; Alison Leal Parker, deputy director of the US program; Mark Hiznay, associate director in the Arms division; Sam Dubberley, managing director of the digital investigations lab; Bill Frelick, director of the refugee and migrant rights division; Kayum Ahmed, special advisor on health and human rights; Margaret Wurth, senior researcher in the children's rights division; Almaz Teffera, researcher in the Europe and Central Asia division; Cristina Quijano, researcher in the women's rights division; Hanna Gros, researcher in the disability rights division; and Elizabeth Campa, director in the development and outreach department.

The report was prepared for publication by Travis Carr, publications officer; Fitzroy Hepkins, administrative manager; and José Martínez, senior administration coordinator. Johan Romero, Americas division associate, provided the Spanish translation of the report. The French and Creole translations of the report were provided by David Boratav and Remixon Guillaume, respectively. Léa Pernot, officer in the communications department, provided logistical and editing support for the French version.

We would like to thank the National Human Rights Defense Network (RNDDH) and other Haitian civil society, human rights, diaspora, and community organizations, as well as the international agencies, who provided critical advice and support for this research.

Above all, we are deeply grateful to the victims and their families who generously shared their stories with us.



## “Living a Nightmare”

### Haiti Needs an Urgent Rights-Based Response to Escalating Crisis

Haiti is gripped by an unprecedented security, human rights, humanitarian, and political crisis. Killings, kidnappings, sexual violence, and other abuses by criminal groups occur daily. Thousands fell victim to these abuses in the first half of 2023 and hundreds of thousands are internally displaced or have been forced to flee the country. The insecurity compounds a dire humanitarian situation, with nearly half the population acutely food insecure.

Haitian authorities have been unable to stop criminal groups from taking over swathes of the country and have failed to protect people from the violence. Some residents have turned to “popular justice,” forming the Bwa Kale movement.

*“Living a Nightmare”*: *Haiti Needs an Urgent Rights-Based Response to Escalating Crisis* documents abuses committed by criminal groups and the state’s inaction in four communes of the metropolitan area of Port-au-Prince between January and April 2023. It describes the context in which the violence is occurring, with alleged collusion between criminal groups and political and economic actors, a profound political deadlock, a dysfunctional judicial system, long-running impunity for human rights abuses, alleged police complicity in criminal activity, an increase in arms trafficking from the US, and the ongoing legacies from past international interventions.

The United Nations, the US, and other concerned governments should urgently respond to the call from many Haitians for a rights-based international response to the crisis, including by facilitating establishment of a transitional government to restore the rule of law and ensuring that any deployment of an international force is based on clear human rights protocols.

*(above)* Smoke rises between houses in the Debussy neighborhood during clashes between criminal groups in Port-au-Prince, Haiti, April 24, 2023.

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*(front cover)* Families leave their homes in the Pétion-ville commune in Port-au-Prince, Haiti, on March 23, 2023, as criminal groups take over areas of Haiti.

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