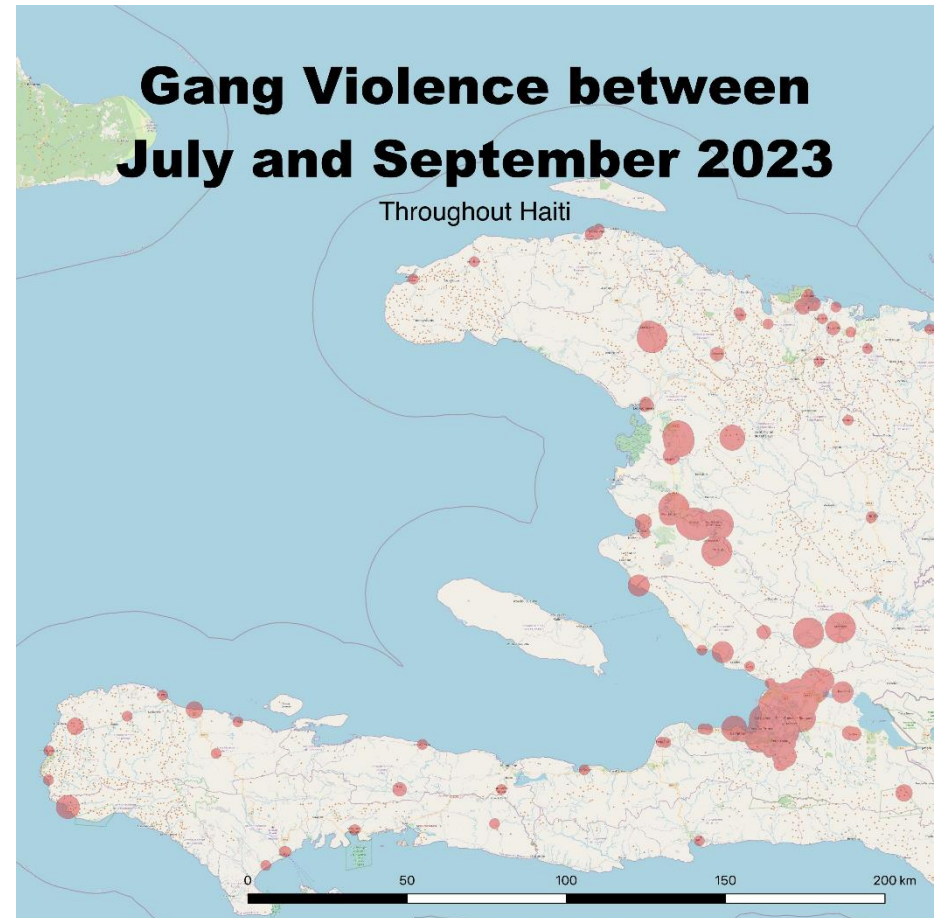


Human rights situation

Main trends

Quarterly report: July - September 2023



Key findings

- With 2,161 people killed, injured, and kidnapped, the third quarter of 2023 saw a 16% increase in victims of criminal groups, compared with the previous quarter (April - June 2023), bringing the total number of victims to over 5,650 since the start of 2023.
- Kidnappings rose by more than 96% nationally, and by 166% in the Artibonite department, compared with the previous quarter.
- Heavily armed gangs carried out coordinated, high-intensity attacks across the capital.
- Popular violence resulting from the "Bwa Kalé" movement and lynchings has diminished and is mainly documented outside the capital.
- Sexual violence continues to be used by gangs as a weapon against the population of the Port-au-Prince metropolitan area and Artibonite.
- The recruitment of children into gangs remains a major concern.

I. Armed violence

In the third quarter of 2023 (July-September), the Human Rights Service (SDH) of the United Nations Integrated Office in Haiti (BINUH) recorded more than 2,161 victims of murder, injury and kidnapping throughout the country; men accounted for 76% of victims, women 22% and children 2%. This represents a 16% increase from the previous quarter (April-June).

Despite announcements of rapprochement or a truce¹ between certain gangs in the Port-au-Prince metropolitan area, the West department continued to record the highest number of people killed, injured, and kidnapped (67% of victims).

At the same time, violence also increased sharply in the Artibonite department, which now accounts for 27% of all recorded victims (compared to 13% in the previous quarter). It should be noted that the number of kidnappings in the Artibonite department has exceeded that observed in the Ouest department. Equally worrying, in certain areas of the capital, gangs intensified their coordinated attacks in an attempt to take control of new areas. During these extremely brutal attacks, gang members indiscriminately killed people trying to flee, including children, gang-raped women and girls in their homes (*see below*) and destroyed numerous houses and buildings. Faced with a weak police response and fears of gang territorial expansion, "vigilante groups" continued to operate, and lynchings by the population against gang members or alleged gang members were documented.

¹ Between July and September 2023, several gang members announced truces. In one such truce on September 23, called "viv ansanm" (a Haitian Creole term meaning "to live together"), they declared that they would cease their attacks on the population.

Victims of murder and injury

During the third quarter of 2023, at least 1,576 people were killed or injured as a result of gang violence. Many were victims of large-scale attacks, notably by gangs belonging to the G-Pèp coalition, in neighborhoods such as Carrefour Feuilles (Port-au-Prince), Meyer (Croix-des-Bouquets), and Carradeux (Tabarre).

While some of these attacks were carried out to gain territory under the influence of rival groups and expand their criminal activities, others were carried out to reinforce control over key roads, in order to facilitate the transport of kidnap victims back to their bases.

Large-scale gang attacks in the third quarter of 2023		
Location	Number of people killed and injured	Duration
Meyer (Croix-des-Bouquets commune, West department)	60	1 day
Carrefour Feuilles, Savane Pistache and Decayette (Port-au-Prince commune, West department)	40	8 days
Truitier, Dumornay, Carradeux, Tabarre 52, Tabarre 70 and Maïs Gaté (Tabarre commune, West department)	11	26 days

For its part, the "G-9 en famille et alliés" coalition attempted to consolidate its control over arterial roads and areas near key economic centers in the capital, such as the National Port Authority (NPA) and import/export company warehouses. This tactic took the form of the murder of members

of the coalition who attacked trucks or goods supposedly "protected" by the coalition. On September 26, for example, the leader of the Carrefour Drouillard gang and eleven of his members were killed by their allies because they were hijacking trucks belonging to companies apparently "protected" by the G-9.

Other violent incidents have also been documented in the Centre department in connection with major illicit trafficking operations, such as the trafficking of arms and drugs. Between September 22 and 26, 2023, in the commune of Saut d'Eau (Centre department), over 77 people were killed or wounded during an attack by members of the Village de Dieu gang, who had come to recover, according to some sources, a large shipment of drugs, and during subsequent reprisals by a "self-defense" group accompanied by the police.

In the Artibonite department, attacks by criminal groups were even more violent than those documented in the second quarter of 2023. Farm workers and public transport vehicles were frequently targeted in the communes of Estère, Liancourt and Petite Rivière de l'Artibonite.

In the areas under their control, gangs are increasingly presenting themselves as authorities and mediators in relations between residents. There are regular reports of executions or detention of people challenging their authority or refusing to obey their orders. For example, in August and September, in the Brooklyn neighborhood of Cité Soleil, at least 19 people, including six children, were killed by gang members as punishment for "bad behavior". Among the victims was an eight-year-old boy who was killed for slapping a gang member during a game.

During the period under review, vigilante killings and lynchings by the public killed fewer people than in the second quarter (168 vs. 238). While these murders, now mainly documented outside the capital, initially targeted gang members or suspected gang members, they are increasingly affecting individuals suspected of common crimes such as theft or rape. This phenomenon remains a cause for great concern, as it illustrates the weakness of the police and judicial authorities in protecting the population. During the attacks on the Carrefour-Feuilles (Port-au-Prince) and Bon Repos (Croix-des-Bouquets) neighborhoods, "self-defense" groups

clashed with gangs for several days, due to the weakness of police intervention.

Finally, during the third quarter, at least seven police officers were killed or injured, while at least 458 gang members were killed, including 210 by the police and four by the Miragoâne government commissioner².

Kidnappings

At least 585 people were kidnapped in the third quarter of 2023. This represents an increase of almost 96% on the previous quarter (298) nationwide. Kidnappings in the Artibonite department rose by 166% compared with the previous quarter (from 142 to 378). This sharp rise is directly linked to increased attacks on public transport vehicles on main roads. To a lesser extent, people were also abducted from their places of work and from their homes during attacks on villages. Kidnappings are a major source of income for the gangs, as hostages are only released after a ransom is paid.

What's more, during these abductions, women and girls are often at risk of sexual violence. For example, on 9 July, a 17-year-old girl travelling in a public transport vehicle on National Road No. 1 was abducted along with 27 other people in Croix Périsse (Estère commune), then collectively raped by six gang members.

Sexual violence

Sexual violence continued to be used by gangs as a weapon to punish populations and extend their territorial control. Every attack on neighborhoods motivated by territorial expansion is accompanied by sexual abuse. For example, between 11 August and 14 September, at least five women living in the Carrefour-Feuilles neighborhood were raped inside their homes. One was killed and her body burned after being raped.

A similar *modus operandi* has been documented in the Artibonite department. On 4 August, during an attack by the Gran Grif gang against the population of Liancourt, three minor girls were raped in their homes.

Child victims of gang violence

As in previous months, children were not spared the violence of criminal groups. At least 36 children were killed or injured during the reporting period, some as young as eight years old. Most of the victims were in their homes or in the streets of their neighborhoods when they were attacked. School buildings and orphanages were also targeted. For example, on 18 August, some forty children living in an orphanage in Rosembert (Croix-des-Bouquets commune) were forced to flee when the Canaan gang attacked their neighborhood. Shortly afterwards, the institution's premises were ransacked.

In addition, during the reporting period, the HRS further investigated the issue of child recruitment into gangs. In this context, ten boys associated with gangs, aged between 15 and 17, were interviewed. They described in detail their role as informers or "antennae", as they are known locally, in facilitating kidnappings and robberies.

They also explained that the lack of economic and social opportunities, including limited access to schools, and food insecurity, were determining factors in their recruitment into the gangs. The gangs regularly provide them with food and some money. Several children said they wanted to leave the gangs but were prevented from doing so for fear of reprisals from gang leaders and their communities. Indeed, children who have tried to get away from the gangs have been sought out and killed.

Socio-economic impact

Gang violence continued to impact economic and social rights. In some areas of Croix-des-Bouquets and Port-au-Prince (Western Department), motorists, passers-by and street vendors are regularly victims of extortion

² At the end of the third quarter of 2023, despite some efforts by the Ministry of Justice and Public Security to investigate and prosecute the executions attributed to the Miragoâne government commissioner, he was still active.

and theft in the streets and at "checkpoints" improvised by gangs along main roads.

Gangs also regularly hijack trucks carrying goods. During the third quarter, at least 34 trucks carrying goods were hijacked, mainly in the communes of Cité Soleil, Croix-des-Bouquets, Delmas, and Port-au-Prince (West department). The stolen goods are sold in local markets or distributed to gang members as "remuneration". Truck hijackings are also a form of extortion, used by gangs to force the company owners of the trucks to pay "illegal taxes" to avoid future attacks.

In addition, between July and September, more than 600 homes and businesses were vandalized, looted, or set on fire by gangs, most during or after large-scale attacks. Five police stations were also torched.

In a practice that has become commonplace in some rural areas of Artibonite, in mid-August, gang members occupied around 300 hectares of land belonging to farmers in the locality of Laverdure (commune of Petite Rivière de l'Artibonite) and demanded a large sum of money to leave the area.

Gang violence, in its various forms, has also provoked large-scale movements of displaced people to makeshift sites or host families, adding considerable economic and social pressure on these families and host areas. For example, in less than three days in August, at least 5,000 people fled the Carrefour-Feuilles district of Port-au-Prince³.

II. Fight against impunity

Overall, the judicial system remained largely dysfunctional due to generalized violence and the persistence of structural problems, notably corruption and political interference. However, there have been some positive developments.

Functioning of the judiciary

The Port-au-Prince and Croix-des-Bouquets courthouses have not been operational since their buildings were attacked in June and July 2022. Since then, government authorities have taken no decision to relocate or reinforce security around these buildings, some of which are reportedly still occupied by gang members. Faced with this situation, the Port-au-Prince court and public prosecutor's office continue to temporarily occupy a small space lent by the Office de la Protection du Citoyen (OPC). However, the magistrates can only visit the court three days a week, which is far from sufficient for the number of cases in their charge. As for the magistrates in Croix-des-Bouquets, they continue to work in a cramped space in the Tabarre town hall.

Detention conditions in Haitian prisons

As of 30 September, 11,784 people were being held in Haitian prisons, representing a 0.2% decrease from the previous quarter. Of these, 84% were in pre-trial detention. The cell occupancy rate exceeded 331%. During the quarter, 73 inmates died, most from illnesses caused by malnutrition.

HRS continued to support habeas corpus sessions and special hearings which facilitated the release of 31 people illegally detained for minor offences in the prisons of Cap Haïtien and Gonaïves. This number is in addition to the 291 people already released following the same approach since October 2022 (when the HRS launched this initiative in support of the judicial authorities).

Correctional and criminal court hearings intensified during the summer vacations across the country's various jurisdictions, following the lifting of strikes by several actors in the justice system. The HRS was unable to obtain the exact number of cases heard during the third quarter. However, a national human rights organization published a report⁴ indicating that

³ A total of 35364 people were displaced during the quarter, according to the International Organization for Migration (IOM).

⁴ Réseau National de Défense des Droits Humains (RNDDH) (11 October 2023). « Fonctionnement de l'appareil judiciaire haïtien au cours de l'année 2022-2023 »,

during the 2022-2023 judicial year, 417 cases were handled by the courts, contributing to the release of 221 people. The low number of cases handled, and the conviction rate also raises the question of the impact of correctional and criminal hearings on prison overcrowding.

The fight against corruption

On 17 July, a deputy public prosecutor at the Port-au-Prince Court of First Instance was placed on unpaid leave by the Ministry of Justice and Public Security (MJSP) for having released, without a court order, a person under investigation for corruption. The deputy was subsequently charged with abuse of authority. On 27 September, Port-au-Prince examining magistrate Jean Wilner Morin issued an order referring five officials of the Social Assistance Fund (CAS) to the criminal court to stand trial on corruption charges. Among those referred are the current Minister of Social Affairs and Labor and several other members of CAS management. Two of the accused have been in custody since April 2023.

The fight against arms trafficking

Two cases linked to arms and ammunition trafficking have been investigated. On 12 September, Walter Voltaire Wesser, an examining magistrate in Port-de-Paix (North-West department), issued a referral order in a case of alleged arms and ammunition trafficking which allegedly took place in July 2022 in the same North-West department, with ramifications for Port-au-Prince. The order levies charges against two judicial officials, including the former Government Commissioner of Port-de-Paix and the former Director of Judicial Affairs at the Ministry of Justice and Public Security, as well as the former Secretary of the Port-au-Prince Bar Association.

In a second case, on 29 September, investigating judge, Marthel Jean Claude, charged eleven people with arms and ammunition trafficking, counterfeit money, and criminal association, following the seizure in July 2022 of a container full of arms and ammunition that was reportedly

destined for the Episcopal Church of Haiti. However, the court order dismissed the case against the senior church officials.

Emblematic cases

Impunity for serious human rights violations committed in the past remains a major concern.

In the emblematic case of the La Saline massacre in 2018, on 23 June, Fednel Monchery, former Director General of the Ministry of the Interior and Territorial Collectivities (MICT) was the subject of an arrest warrant issued by the investigating judge for failure to appear to answer the charges against him. A former mayor of Port-au-Prince was also heard by the same examining magistrate on 17 July but left free. As the content of these hearings has not been made public, no further information has been released.

According to available information, no action has been taken in the cases concerning the Grand Ravine massacres (2017), Bel Air (2019) and the investigation into the murder of Monferrier Dorval (2020).

As part of the investigation into the assassination of President Jovenel Moïse, on 28 August, two of the 18 former Colombian military personnel detained at the National Penitentiary for their alleged involvement were questioned by the investigating judge in charge of the case. This is the first hearing of these detainees since their arrest a few days after the assassination in July 2021. On 7 September, Germán Rivera, a retired Colombian army officer, pleaded guilty to conspiracy and supporting the plot to assassinate President Moïse. Sentencing is scheduled for 27 October. He faces life imprisonment, a sentence already handed down in June 2023 to a co-defendant, Rodolphe Jaar, in the same case.

Investigations into human rights violations committed by police officers

Support was given to investigations into allegations of human rights violations involving Haitian National Police officers. Between 1 July and 22 September, 34 investigations were opened concerning 36 police officers. During the same period, five investigations were concluded, resulting in dismissal and suspension. Of the five cases investigated, only one was referred to judicial authorities for criminal prosecution.

Sanctions and travel bans

In September, the Dominican Republic took steps to prevent the entry into its territory of nine Haitian economic and political players, on the grounds that they represented a "threat" to Dominican interests and institutions. This measure came against the backdrop of a diplomatic crisis and the closure of the border between the Dominican Republic and Haiti in September.

Also in September, Canada imposed new sanctions against three individuals belonging to Haiti's political and economic elite, considered responsible for fueling the violence in Haiti. This brings the total number of people sanctioned by Canada to 28.

The US has also imposed visa restrictions on at least five Haitian officials and their family members.

III. Support for national institutions and civil society

During the third quarter of 2023, HRS continued to support national authorities and civil society organizations to ensure the respect, protection, and promotion of human rights.

Support for civil society

As part of an anti-corruption project funded by the United Nations Peacebuilding Fund (PBF), HRS has provided technical and financial support to four national human rights organizations in carrying out anti-corruption awareness-raising activities across the country. Community

dialogues, conference-debates, radio campaigns, a mock trial and theatrical activities were organized in the departments of Artibonite, Centre, Grand'Anse, Nord-Est, Nord-Ouest, Sud and Sud-Est.

Police support

During the quarter, the HRS also supported the Central Direction of the Police Judiciary (DCPJ), in close collaboration with the United Nations Police Division (UNPOL), in training their personnel on human rights principles. In August, the HRS supported the General Inspectorate of the Haitian National Police (IGPNH) in organizing a workshop on leadership, command, and human rights, which brought together 60 police commanders from the Ouest department.

The IGPNH also received support from the HRS to organize two awareness-raising sessions on the fight against corruption within the police force, which were held in September in Port-au-Prince. Sessions will also be organized in October in provincial towns, notably in Les Cayes (South department) and Jérémie (Grand'Anse department).

Support for judicial authorities

On 19 and 20 September, HRS supported the Superior Council of the Judiciary (CSPJ) and the School of Haitian Magistrature (EMA) in launching a training course on sexual violence investigation techniques in Cap Haïtien (North department). Delivered by training magistrates, this initiative brought together participants from the jurisdictions of the Courts of First Instance of Cap-Haïtien, Fort-Liberté (North-East department) and Grande-Rivière-du-Nord (North department). The next training session will take place in Les Cayes during the next quarter.

Support for the Interministerial Committee for Human Rights

As part of the awareness-raising campaign on the recommendations of the third cycle of the Universal Periodic Review (UPR), the HRS and the Interministerial Committee for Human Rights (CIDP) organized an awareness-raising workshop on 5 September in Jacmel (South-East department), aimed at civil society organizations and state entities. A similar session was held in Gonaïves on 13 September. This was the last

session held as part of the campaign, which began in June 2023 and covered the departments of Artibonite, Centre, Grand'Anse, Nippes, Nord, Nord-Est, and Sud.

Protection

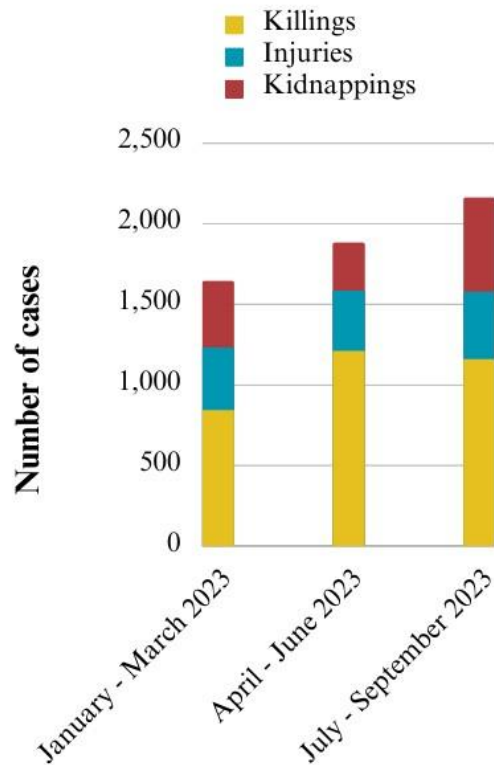
Between July and September, thanks to the UN's Central Emergency Response Fund (CERF), HRS was able to provide protection responses to 394 people in extremely vulnerable situations. These responses took various forms including support for victims of sexual violence to access medical care and legal advice, provision of medicines for pregnant women, travel assistance for people at risk living with disabilities, and payment of communication costs to contact response services. The HRS has also referred 3,205 cases of victims of protection incidents.

Recommendations:

- *To the international community:* keep Haiti on the international agenda and accelerate the deployment of the multinational security support mission in conditions that comply with human rights norms and standards, as adopted by Security Council resolution 2699 (2023).
- *To the Government of Haiti:* with the support of countries in the region, combat the illicit trafficking and diversion of firearms and ammunition.
- *To the government of Haiti:* with the support of the international community, restore social services and projects, particularly for vulnerable young people living in gang-controlled areas.
- *To the government of Haiti:* with the support of the international community, support the judicial system, in particular by establishing specialized judicial poles to combat corruption and mass crimes, including those involving sexual violence.

Appendix - Tables

Temporal evolution of gang-related incidents



Evolution of kidnappings by area

