

Advance unedited version

Distr.: General
28 March 2025

Original: English

Human Rights Council

Fifty-eight session

24 February–4 April 2025

Agenda items 2 and 10

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

Technical assistance and capacity-building

Situation of human rights in Haiti

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted pursuant to Human Rights Council resolution 55/24. The use of firearms and ammunitions in Haiti, a country that does not manufacture such weapons, has bolstered and empowered criminal gangs, enabling them to commit severe human rights abuses. These gangs have become more united and coordinated, often overpowering national security forces. This situation has dramatically worsened the nation's security, human rights, and humanitarian crises, while also presenting significant ripple effects for the broader region. As clashes between rival gangs declined throughout 2024, gang members increasingly turned their violence against the populations, brutally punishing those who defied their rules or were suspected of collaborating with the police or self-defense groups, instilling fear within the population. Since July 2024, armed violence has remained alarmingly high, fuelled by gang attacks on the population, police operations targeting gangs, and "vigilante justice". Human rights violations and abuses documented by OHCHR have included numerous killings, including targeted killings, kidnappings for ransom, rape and sexual exploitation, destruction of property, and severe restrictions on access to essential services, particularly healthcare and education.

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

I. Introduction

1. In its resolution 55/24, the Human Rights Council requested the United Nations High Commissioner for Human Rights to provide it, within the framework of an interactive dialogue with the participation of the independent expert on the situation of human rights in Haiti, with an interim report on the situation of human rights in Haiti at its fifty-seventh session and a full report on the subject at its fifty-eighth session. The present report also analyses progress made in the implementation of recommendations from previous reports¹.

2. The Office of the United Nations High Commissioner for Human Rights (OHCHR) collected information from a wide range of sources, including government entities and officials, other United Nations entities, in particular findings from monitoring activities conducted by the Human Rights Service of the United Nations Integrated Office in Haiti (BINUH) from 1st July 2024 to 28 February 2025, non-governmental organizations, victims and witnesses. The High Commissioner also draws on findings of the designated expert on the situation of human rights in Haiti² (designated expert) and information from the United Nations country team in Haiti. In accordance with the OHCHR's human rights monitoring and verification methodology, the standard of reasonable grounds was applied to establish the facts regarding individuals, cases, incidents, and behaviours.

II. Legal framework

3. Haiti is party to several international human rights treaties,³ including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. In addition, Haiti has signed and ratified several international treaties on firearms control⁴.

4. International human rights law places obligations on States to respect, protect and fulfil the enjoyment of civil, political, economic, social and cultural rights of everyone within their jurisdiction. Further, under article 2(1) of the ICCPR, State Parties are not only obliged to refrain from violating the rights of individuals, since States have positive obligations against acts committed by private persons or entities that would impair the enjoyment of the rights set forth in the ICCPR in so far as they are amenable to application between private persons or entities. There may be circumstances in which a failure to take appropriate measures or to exercise due diligence to prevent, punish, investigate or redress the harm caused by such acts by private persons or entities would rise to violations of a State⁵.

5. As part of its obligations in relation to the right to life, States have a due diligence obligation to take reasonable, positive measures that do not impose disproportionate burdens on them, in response to reasonably foreseeable threats to life originating from private persons and entities whose conduct is not attributable to the State⁶. The duty to protect life also implies that States should take appropriate measures to address the general conditions in society that may give rise to direct threats to life or prevent individuals from enjoying their right to life with dignity⁷. The Human Rights Committee has stated that States must protect

¹ A/HRC/54/79 and A/HRC/55/76.

² <https://www.ohchr.org/en/hc-expert-haiti>

³ See <https://indicators.ohchr.org/>

⁴ Haiti has signed and ratified several international treaties on firearms control, notably the United Nations Arms Trade Treaty (ATT), the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials of the Organization of American States (OAS).

⁵ Human Rights Committee, general comment No. 31 (2004), paras. 6 and 8.

⁶ Human Rights Committee, general comment No. 36 (2018), para. 21.

⁷ Human Rights Committee, general comment No. 36 (2018), para. 26.

their populations against the risks posed by excessive availability of firearms and that they should reduce the proliferation of potentially lethal weapons to unauthorized individuals⁸.

6. The Human Rights Committee has also noted that, as part of their obligations under right to life, States must take appropriate legislative and other measures to ensure that all activities taking place in whole or in part within their territory and in other places subject to their jurisdiction, but having a direct and reasonably foreseeable impact on the right to life of individuals outside their territory, are consistent with the right to life, taking due account of related international standards of corporate responsibility and of the right of victims to obtain an effective remedy⁹.

III. Dynamics of armed violence by criminal gangs

7. In the second half of 2024, clashes for control over territory largely diminished, as in February 2024 gangs united under a coalition known as Viv Ansanm¹⁰. Since then, the Viv Ansanm coalition launched joint attacks on state institutions, infrastructure, private businesses, and residences across the capital. As a result of these violent attacks, they also expanded their control into middle-class neighbourhoods, notably Solino, using them as strategic footholds for easier access to wealthier areas. In November 2024, Viv Ansanm attempted to attack the area of Pétiön-Ville, one of the last remaining gang-free neighbourhoods in the capital, where commercial areas and banks are situated.

8. During the reporting period, there was also a spike in abuses by self-defense groups and unorganized mobs. This uptick occurred amid a surge in human rights abuses linked to gang violence and the inability of law enforcement to protect the population. These groups targeted, not only alleged gang members and their families, but also individuals they suspected of committing crimes. Most of this violence occurred in the capital and in the Artibonite department, mostly controlled by gangs. Peaks in “mob justice” were notably reported after major gang-related incidents, such as the killing on 18 November of at least 77 suspected gang members in Pétiön-Ville, following an attempted gang attack on the area earlier that day.

9. The number of people killed and injured resulting from law enforcement operations against gangs remained extremely high during the reporting period. While most of the victims (73 percent) were reportedly gang members, others (27 percent) were not associated with gangs and were often struck by stray bullets while in the streets or at home. Reports suggest a potential unnecessary or disproportionate use of lethal force during these operations¹¹.

10. The lack of law enforcement in neighbourhoods under the control of gangs enabled them to continue perpetrating acts of sexual violence, mainly against women and girls. Under the threat of arms, many victims were attacked in their homes, while others were abducted, raped in public spaces, or intercepted while traveling on public transportation. Due to the strong grip of gangs over entire neighbourhoods, other women and girls were forced by gang members into so-called “relationships” with them, subjecting the victims to sexual exploitation for months.

11. Gangs’ armed violence continued to disrupt state institutions and public services, further exacerbating the Government’s inability to maintain public order and provide basic services. On 11 November 2024, gangs shot at three commercial planes, causing the suspension of all flights, disrupting both domestic and international air travel until the end of February 2025. This attack came a day after ad interim Prime Minister Gary Conille was

⁸ Human Rights Committee, general comment No. 36 (2018), paras. 9 and 21.

⁹ Human Rights Committee, general comment No. 36 (2018), para. 22. In relation to international standards of corporate responsibility see United Nations Guiding Principles on Business and Human Rights.

¹⁰ See A/HRC/57/41.

¹¹ See below and https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_october-december_2024_-_en.pdf

dismissed by the Transitional Presidential Council (TPC) and replaced by Alix Didier Fils-Aimé.

IV. Impact of the use of firearms by gangs on human rights

12. A wide range of firearms and ammunition are being used by criminal gangs in Haiti. These include AKM and AR-15 series assault rifles, such as AK-308, FN FAL, Galil, H&K G3, BM59 Beretta and VZ58 rifles, according to reports presented by United Nations Office on Drugs and Crime (UNODC) to the United Nations Security Council¹².

13. More recently, media reports have also indicated the trafficking to Haiti of the 50 caliber Barrett M82 anti-materiel rifle¹³. The procurement of increasingly large-calibre rifles and ammunitions is of concern as past reports have noted increased evidence of 7.62 x 39 mm, 7.62 x 51 mm and 12.7 x 99 mm weapons in Haiti with the potential to inflict a greater number of casualties and could result in more killings and severe injuries¹⁴. Experts estimate the number of firearms circulating illicitly in the country to be between 270,000 and 500,000¹⁵. The majority of weapons in circulation were believed to be illegal and were mostly in the hands of criminals but also of other private actors, including private security companies¹⁶. The use of these firearms, has fuelled a destructive cycle of violence in Haiti, leading to severe human rights abuses. The proliferation and use of weapons and ammunitions, including by gangs, has a significant impact on the enjoyment of civil and political rights as well as on economic, social and cultural rights.

14. Between 1 July 2024 and 28 February 2025, OHCHR documented that at least 4,239 persons (3,491 men, 601 women, 94 boys and 53 girls) were killed and 1,356 others (1,036 men, 270 women, 34 boys and 16 girls) were injured. OHCHR estimates that 92 percent of the victims resulted from firearm use¹⁷.

15. Among these incidents, several mass killings involving armed gangs were reported during the reporting period. Between 6 and 11 December in the Wharf Jérémie neighbourhood of Cité Soleil, at least 207 people were allegedly executed by the gangs controlling the area in a matter of few days, most of whom were older people. Similarly, in an attack launched on 3 October on the Artibonite locality of Pont Sondé, the Gran Grif gang killed at least 100 people and injured 16 others, including three babies¹⁸.

16. All kidnappings documented by OHCHR have been carried out under the threat of firearms to intimidate victims. Information gathered by OHCHR indicates that those who have attempted to resist abduction were often shot and killed. During the period covered by this report, at least 705 people (423 men, 267 women, 12 boys and three girls) were kidnapped for ransom by gangs, mostly in the Artibonite department.

17. Armed gang members continue to commit sexual violence, including collective rape and sexual exploitation, as a tool to coerce, and assert dominance over communities¹⁹. Most of the perpetrators used the threat of firearms to prevent victims from resisting. The ubiquitous presence of guns is central in the gangs' use of violence, such as rape²⁰. It is likely that sexual violence is widespread and underreported, due to fear of retaliation, social stigma,

¹² S/2024/752, para. 14

¹³ Le Placentin, "Urgent : Haïti sous le feu des Barretts", 15 December 2024, and Facebook, "Le chef de gang de 400 Mawozo vient de montrer au public son nouveau fusil surpuissant, le Barrett M82", 14 December 2024. In this video, the leader of the 400 Mawozo gang can be seen displaying his Barrett M-82 rifle.

¹⁴ S/2025/85, para. 26.

¹⁵ S/2024/711, para. 27.

¹⁶ Ibid.

¹⁷ The methodology used to calculate this percentage considers the number of casualties caused by gunfire (92 percent of the total documented), as well as those directly attributed to attacks by gangs (56 percent), whose members acquire their weapons by bypassing national and international legal regulations governing the supply, registration, and possession of firearms.

¹⁸ OHCHR/BINUH, Flash Report, 23 December 2024.

¹⁹ OHCHR/BINUH, Haiti: Gangs use sexual violence to instill fear – UN report, 14 October 2022.

²⁰ Amnesty International, Gangs' assault on children in Haiti, February 2025.

and a lack of trust in institutions, especially the police and judiciary. Despite this, the Monitoring, Analysis and Reporting Arrangements (MARA), established in Haiti in August 2024, documented 477 victims²¹ of sexual violence reportedly committed by gangs. Many victims were attacked in their homes, while others were abducted, raped in public spaces or after being intercepted while travelling in public transport. Some women and girls endured prolonged sexual exploitation by multiple gang members over several months²².

18. Gangs' control of territories severely impacts the enjoyment of the right to liberty of movement. Gangs, equipped with weapons, control key roads in the Port-au-Prince metropolitan area and the Artibonite department, where they have set up checkpoints to extort and force the payment of "circulation taxes" from drivers, passengers and passersby passing through territories under their control. Victims may also be kidnapped or raped at these checkpoints. The gangs' control over these critical routes, where they extort drivers, hijack trucks transporting food and other products, disrupts commerce, stifles economic activity, and hinders the delivery of humanitarian aid.

19. According to testimonies gathered by OHCHR, the access and possession of firearms and ammunition by gangs, reinforces the perception of gangs' power within the community, and contributes to a false sense of security among children and youth, suffering marginalization and social exclusion, that join them despite the inherent risks. It results in child trafficking and recruitment by gangs. Despite many of the recruited children and youth wanting to leave gang life once they realize its implications, armed gang members maintain control through force or the threat of it, preventing children from leaving. Within the gangs, in some instances, children, usually boys, are provided with weapons and coerced into using them, turning them into active participants in criminal acts, such as kidnappings and ransacking, and in violent confrontations with rival gangs or law enforcement. During his last visit to Haiti, the designated expert met with three former gang members who conveyed fearing for their lives and those of their families if they chose to leave the gang that they had joined to secure at least one meal a day.

20. Additionally, the availability of firearms has enabled criminal gangs to expand their influence and territorial control, while further eroding State presence, through destruction and ransacking of public institutions, and social services, including schools, healthcare centres and courts. In this context, the realization of the right to health, including unhindered access to health facilities, goods and services, is severely impacted. On 24 December, gang members stormed the Hospital of the State University of Haiti and opened fire during the reopening ceremony, killing two journalists and a police officer, and injuring seven other journalists. The designated expert highlighted that attacks against health workers and premises have further wakened a health sector already near collapse²³.

21. According to the displacement assessment conducted by IOM²⁴, as of December 2024 at least 1 041 229 people have been displaced in Haiti, primarily due to the escalating armed violence in the metropolitan area of Port-au-Prince. Fifty-two percent of the displaced were children. The displaced people have been forced to seek shelter with host families with limited financial resources or in makeshift shelters that lack basic security standards, where access to food and water is severely limited. Furthermore, many internally displaced people's sites, especially in the capital, have been set up in schools, significantly exacerbating the impact on the right to education.

²¹ 365 women and 87 girls, aged 8 to 17 and 1 male minor, aged 15.

²² For more details on dynamics and challenges related to sexual violence linked to gangs in Haiti, see BINUH and OHCHR, "Sexual violence in Port-au-Prince. A weapon of terror used by gangs to instill fear", October 2022, available at <https://www.ohchr.org/sites/default/files/2022-10/20221014-Report-on-Sexual-Violence-haiti-en.pdf>.

²³ Haiti: UN expert William O'Neill says deeply concerned by attacks on health care sector, 3 January 2025.

²⁴ International Organization for Migration, "Haiti — Report on the internal displacement situation in Haiti — Round 9", December 2024, available at <https://dtm.iom.int/fr/reports/haiti-rapport-sur-la-situation-de-deplacement-interne-en-haiti-round-9-decembre-2024>.

22. The latest Integrated Food Security Phase Classification (IPC) report for Haiti, estimates that armed gang violence has pushed 5.4 million people into conditions of high levels of acute food insecurity²⁵.

V. Obstacles to Effective Law Enforcement and Firearms Control

23. Effective law enforcement and robust firearms control and accountability mechanisms, are essential to stem illicit flows of weapons and ammunition, including stop the trafficking and circulation of illicit firearms. It is also vital that this approach remains firmly grounded in human rights to ensure long-term sustainability.

A. Law enforcement

Ongoing efforts by Haitian authorities to curb illicit firearms and ammunitions trafficking into the country

24. Currently, national authorities are increasing their efforts to curb the illicit trafficking of firearms and ammunition into Haiti, with the support of the international community. Two specialized units of the Haitian National Police are actively contributing to the fight against arms trafficking as part of their broader mandates: the Anti-Narcotics Unit (*Bureau de Lutte contre le Trafic de Stupéfiants*, BLTS) and Polifront, a unit responsible for border security. Additionally, the Transnational Criminal Investigation Unit of Haiti (*Unité d'Enquête Criminelle Transnationale d'Haïti*, UECT), a unit dedicated to investigating transnational crimes, was established in February 2024, although it is still in its early stages of development. Operations led by the Haitian National Police appear to have generated multiple instances of firearms and ammunition seizures throughout August 2024²⁶.

25. Despite ongoing efforts to disrupt the trafficking of firearms and ammunition into Haiti in the framework of the 2023 national action plan to address the illicit trafficking of firearms into the country²⁷, traffickers have continued to exploit ineffective and inadequate border control systems to facilitate the illegal importation of weapons into the country²⁸.

26. The ability of the General Administration of Customs and specialized police units to combat weapons smuggling is significantly hindered by several interconnected challenges. According to information received by OHCHR, it would include severe underfunding and understaffing, inadequate resources and technology to effectively monitor ports, airports, and land border crossings, the inefficiency of inter-agency cooperation, as well as corruption and lack of oversight.

Law enforcement operations against gangs

27. During the reporting period, despite limited and sometimes inadequate resources, the Haitian National Police regularly conducted operations along key roadways in areas controlled by gangs. These operations temporarily slowed the advance of gangs toward strategic areas such as the communes of Pétiön-Ville and Léogâne, but they did not result in significant territorial regains or conditions that would enable the return of state authorities to these areas.

28. According to OHCHR, in 2024, the number of persons killed and injured during these police operations has risen. During the reporting period, at least 2,012 people were killed or injured during these operations, an increase of 60 percent compared to the previous one (from

²⁵ IPC, Haiti: Acute Food Insecurity Situation for August 2024 - February 2025 and Projection for 2025.

²⁶ S/2024/752

²⁷ The national plan is in line with the Road Map for Implementing the Caribbean Priority Actions on the Illicit Proliferation of Firearms and Ammunition across the Caribbean in a Sustainable Manner by 2023.

²⁸ S/2024/554, <https://documents.un.org/doc/undoc/gen/n24/210/78/pdf/n2421078.pdf>.

29 February to 1 July 2024, when 1,253 casualties were documented). While the majority of the victims (73 percent) were reportedly affiliated with gangs and sustained injuries or death during exchanges of fire with the police, others (27 percent) were hit when they were not involved in acts of violence, often struck by stray bullets while in the streets or at home.

29. Information suggests a possible unnecessary or disproportionate use of lethal force by the police²⁹. OHCHR has documented incidents in zones like Carrefour Drouillard and Carrefour Vincent, where police fired gunshots from their armoured vehicles into areas where people were walking or selling goods on the streets. Additionally, there has been a growing involvement of some police officers in reportedly summary execution of suspected gang members³⁰, their families, or individuals who, when intercepted, were unable to provide identification or offer a sufficient explanation for their presence in the area, or selling goods on the streets. According to OHCHR, during the reporting period, at least 219³¹ people were allegedly killed under these circumstances, including children as young as 10-year-old.

Multinational Security Support (MSS) Mission to support efforts of the Haitian National Police

30. Security Council Resolutions S/RES/2699 (2023) and S/RES/2743 (2024) authorized the formation and the deployment of a Multinational Security Support (MSS) Mission. They also requested the MSS to cooperate with BINUH and relevant United Nations agencies, including but not limited to the United Nations Office on Drugs and Crime (UNODC) and OHCHR, to support the efforts of Haitian National Police to re-establish security in Haiti. This includes their efforts to combat illicit trafficking and the diversion of arms and related materials, including ammunition, as well as enhancing the management and control of Haiti's borders and ports.

31. The Security Council, in its resolution 2699 (2023), called the MSS Mission to establish an oversight mechanism to prevent human rights violations or abuses, in particular sexual exploitation and abuse, and to ensure that the planning and conduct of operations during deployment would be in accordance with applicable international law. OHCHR has been providing advice in relation to the development and implementation of the human rights compliance mechanism requested by the Security Council.

32. As of March 2025, the deployed personnel of the MSS amounted to about 40% percent of the 2,500 personnel to be deployed. As a result of the MSS Mission deployment and its operation, there was reopening of schools, businesses, and healthcare facilities in some parts of Port-au-Prince. Yet, the lack of sufficient operational capacities, coupled with other operational challenges, such as adequate equipment, has limited the Mission's effectiveness.

Corruption in the police

33. Information gathered by OHCHR indicates passive corruption³² within the police institution, potentially undermining its effectiveness in combating the availability of firearms and ammunition and gang activities, undermining any effective strategy to restore security in Haiti³³. For instance, the World Bank reported that the police would demand at least \$200 per container from economic operators to provide escort services for convoys transporting goods through gang-controlled areas³⁴.

²⁹ https://binuh.unmissions.org/sites/default/files/human_rights_quarterly_report_-_october-december_2024_-_en.pdf.

³⁰ <https://www.ohchr.org/en/press-releases/2025/01/haiti-over-5600-killed-gang-violence-2024-un-figures-show>.

³¹ Among the victims of summary executions, 65 percent were alleged gang members (129 men, six women and eight boys) and 38 percent were individuals not associated with gangs (61 men, 14 women and one girl).

³² Commission of the European Communities, "Communication from the Commission to the Council and the European Parliament on A Union Policy against Corruption", 21 May 1997 A/HRC/54/79.

³⁴ World Bank, "Haiti: Strengthening Customs Administration in an Insecure Environment", April 2024, available at <https://documents.worldbank.org/en/publication/documents-reports/documentdetail/099051724102532865/P18025713dadcb0bf1aa581c9ab8215e82b>, paras. p 8.

34. The UN Panel of Experts on Haiti has expressed concerns regarding the lack of oversight and control over firearms and ammunition held by the Haitian National Police, highlighting frequent diversions towards the illicit market that contribute to the escalation of armed violence³⁵. According to the Experts, over the past four years, close to 1,000 firearms have been diverted from the relatively limited Haitian national police stockpiles³⁶. In addition, despite standard procedures for destroying seized firearms and ammunition, credible sources suggest that some are being diverted by police officers and sold on the black market.

35. Authorities, such as the General Inspectorate of the HNP (IGPPNH) have raised resource limitations and logistical challenges arising from gang-related insecurity as reasons for the delay related to the investigations and accountability measures in relation to allegations of human rights violations by the police forces. Despite vetting process in place, since its inception in 2023, no police officer has been thoroughly investigated by the General Police Inspectorate. According to the information gathered by OHCHR during the reporting period, only 23 cases of human rights violations involving police officers were investigated by the General Police Inspectorate, with 3 of these cases being referred to the justice system for prosecution.

36. A case in point of this lack of accountability in relation to the execution of two Medecins Sans Frontieres' (MSF) patients by alleged police elements on 11 November 2024. Further, according to information in the public domain during and after this incident, police officers reportedly threatened MSF personnel on at least four occasions³⁷. As of February 2025, the IGPPNH had yet to conclude its investigation into these alleged violations, and no one has been held accountable.

B. Justice and Penitentiary

37. The justice system's functions remain severely undermined due to a prolonged shortage of resources, staffing constraints, and frequent strikes by justice sector actors, all of which are further compounded by the paralysis caused by widespread gang violence which has targeted justice infrastructure³⁸. As stressed in previous reports, corruption and poor oversight, are deeply entrenched in the criminal justice sector³⁹. Convictions for corruption are exceedingly rare and national anti-corruption and accountability mechanisms remain under-resourced⁴⁰.

38. In addition, reports highlight a continued lack of independence within the judiciary⁴¹ and pressure from influential figures, undermining the integrity of the legal system and eroding public trust in its ability to fairly uphold the law. This includes reports of several magistrates handling sensitive and emblematic cases being forced to leave Haiti due to threats, in order to protect themselves and their families.

39. Legal proceedings against those suspected of committing human rights violations and abuses have consistently failed to result in trials or convictions in Haiti, hindered by different factors such as corruption and the ongoing security crisis. Entrenched impunity remains prevalent regarding killings committed by gangs possessing firearms as well as their alleged enablers. Investigations regarding massacres committed by gangs in the last years, which have claimed the lives of thousands of people, such as the massacres of Grand Ravine (2017), La Saline (2018) and Bel Air (2019)⁴², continue without significant progress during the reporting period, and perpetrators have not yet been held accountable. In July 2024, the

³⁵ S/2024/704, paras 77 and 78.

³⁶ Ibid.

³⁷ Consequently, MSF suspended all its activities in the capital on November 20 for 22 days

³⁸ A/HRC/57/41.

³⁹ A/HRC/55/76.

⁴⁰ A/HRC/55/76.

⁴¹ S/2024/320.

⁴² These cases are considered "emblematic" in Haiti because they exemplify systemic issues such as widespread violence, impunity, and the alleged complicity between powerful elites, criminal gangs, and state authorities, including the distribution of weapons by the elites and authorities to the gangs.

investigative judge concluded his investigation and indicted 30 individuals in relation to the 2018 massacre in La Saline, including political figures and gang leaders, without any convictions to date. OHCHR is not aware of any other investigations or prosecutions against alleged perpetrators of killings, including massacres occurred in the last years.

VI. Trafficking of weapons and ammunition to Haiti

40. Compliance with international law, including the United Nations Security Council arms embargo, is critical for reducing the flow of uncontrolled firearms into Haiti. The United Nations Security Council imposed a range of sanction measures under Chapter VII of the Charter of the United Nations, a travel ban, and asset freeze, as well as an arms embargo, through Resolution 2653 (2022), effective since 2022 and subsequently renewed by resolutions 2700 (2023) and 2752 (2024)⁴³. Through the arms embargo, the Security Council decided that all Member States shall take the necessary measures to prevent the direct or indirect supply, sale, or transfer to Haiti, from or through their territories or by their nationals, or using their flag vessels or aircraft, of arms and related materials of all types, including weapons, ammunition, and military vehicles and equipment⁴⁴. In addition, the Council decided that Member States shall take appropriate steps to prevent the illicit trafficking and diversion of arms and related material in Haiti⁴⁵.

41. According to UNODC, despite the reinforcement of the arms embargo, trafficking in weapons and ammunition persists and armed violence continues to rise, with increasingly high-calibre firearms and ammunition being obtained by gangs in Haiti⁴⁶. In September 2024, the UN Panel of Experts on Haiti's reports, established pursuant to Security Council Resolution S/RES/2653 (2022), stated that reinforcement of the embargo remained weak, with regular violations occurring⁴⁷.

42. The trafficking of weapons and ammunition in Haiti is linked to regional and sub-regional dynamics, in which illicit firearms are a growing concern⁴⁸ ⁴⁹. Trafficking of weapons and ammunition is often intertwined with other gang activities, such as drug trafficking, fuelling insecurity and violence in the region. Trafficking routes to gangs in Haiti involve several countries across the Americas region, including Colombia, the Dominican Republic, the United States of America, the Bahamas and Turks and Caicos⁵⁰.

43. According to UNODC, there is a persistent flow of firearms trafficked to Haiti from the United States, and specifically Florida.⁵¹ Weapons are frequently procured through straw man purchases in the States of United States with looser gun laws and fewer purchasing restrictions⁵². Once acquired, firearms and ammunition are then transported to Florida where they are concealed and shipped to Haiti. Consignments may be assembled and delivered in containers directly from ports in South Florida, with items hidden inside consumer products, electronic equipment, garment linings, frozen food items or even the hulls of freighters⁵³. An administrative loophole allows cargo with handwritten manifests valued under \$2,500 to

⁴³ S/RES/2653 (2022) imposed an arms embargo on Haiti in 2022. It banned all supplies of arms and related materiel to individuals and entities. In 2023, it was modified to an arms embargo on transfers of small arms and light weapons to any non-government individuals and entities and in 2024 this was expanded to include arms and related equipment of all types.

⁴⁴ S/RES/2752 (2024).

⁴⁵ S/RES/2752 (2024).

⁴⁶ S/2025/85.

⁴⁷ S/2024/704, para. 12.

⁴⁸ S/2024/79.

⁴⁹ States in the Caribbean collectively voiced their concerns about the proliferation of illegal firearms in the region and stressed the urgency of addressing that concern by implementing comprehensive measures outlined in the Caribbean Firearms Road Map by 2030. Key objectives include curtailing the flow of illicit arms, reinforcing regulatory frameworks, empowering law enforcement and enhancing data collection and reporting mechanisms. See: https://unlirec.org/wp-content/uploads/PRESS-RELEASE_-Annual-Meeting-CFRM.pdf.

⁵⁰ S/2025/85.

⁵¹ S/2025/85, para. 34.

⁵² UNODC, Haiti's criminal markets: Mapping trends in Firearms and drug trafficking, March 2023.

⁵³ Ibid.

bypass inspection⁵⁴. Export controls are scarce, with the vast majority of containers heading from south Florida to Haiti remaining uninspected⁵⁵.

44.. Reports highlight that the United States' administration and lawmakers are taking steps to curb the illicit flows of firearms and ammunition to Haiti, as well as other countries in the Caribbean and Latin America^{56 57}. According to UNODC, United States Customs and Border Protection officers recently confirmed a reduction in maritime trade between the Miami River and Haiti⁵⁸. However, a marked increase in trade between the Miami River and the Bahamas and Turks and Caicos, with possible trans-shipments to Haiti has been observed⁵⁹.

45. In January 2024, UNODC noted that weapons and ammunition also arrive illegally in Haiti from the Dominican Republic and that these were often illegally transported to several seaports in the Dominican Republic, after being purchased in the United States⁶⁰. During his recent mission to Haiti, information received by the designated expert confirmed that this situation has not changed. The recent "Pandora" affair in the Dominican Republic has revealed concerns of diversion of ammunition from national stockpiles⁶¹. According to an investigation initiated in November 2024 by the Dominican Republic's Public Prosecutor's Office, high-ranking Dominican army officers are alleged to have been implicated in selling ammunition and modified blank-firing weapons from domestic security forces to police and private actors. Subsequently, some of these ammunition and weapons were reportedly smuggled across the border to individuals who used them in criminal activities in Haiti⁶².

46. In September 2024, the UN Panel of Experts on Haiti noted that prosecuting traffickers and preventing illicit exports, provide the main starting points for combating transnational arms trafficking⁶³. In this regard, in 2024, Germine Joly, former leader of one of the largest gangs in Haiti, was sentenced to 35 years in prison by a United States court, for charges related to money laundering and firearms trafficking from the United States to support criminal activities, including the kidnapping of United States citizens in Haiti⁶⁴.

47. The security vacuum in Haiti has fueled the demand for private security companies and concomitant demand for weapons in recent decades⁶⁵. Estimates indicate that between 75,000 and 90,000 individuals would be working with roughly 100 private security companies in Haiti⁶⁶. Despite the arms embargo, some private security companies operating in Haiti continue to procure weapons and ammunition, contributing to its trafficking into Haiti⁶⁷. According to the Panel of Experts, much of the material used by private companies is acquired illicitly and regularly ends up with gangs⁶⁸. Private companies' stockpile of weapons is often mismanaged with unregistered weapons, including semi-automatic rifles, illegal in Haiti, and the quantity of firearms exceeds what is legally authorized. Most of the

⁵⁴ S/2024/554, para.16.

⁵⁵ S/2024/704, para. 62.

⁵⁶ S/2024/752, para. 17.

⁵⁷ This includes the signing of the Bipartisan Safer Communities Act into law in 2022, which established federal criminal offenses for firearms trafficking and granted the government expanded authority to prosecute these crimes. Additionally, in July 2023, a Coordinator for Caribbean Firearms Prosecutions was appointed to strengthen the investigation and prosecution of firearms trafficking in the region. See United States Government Accountability Office, "Agencies Have Anti-Trafficking Efforts in Place, But State Could Better Assess Activities", October 2024, available at GAO-25-107007, CARIBBEAN FIREARMS: Agencies Have Anti-Trafficking Efforts in Place, But State Could Better Assess Activities

⁵⁸ S/2025/85, para. 35.

⁵⁹ Ibid.

⁶⁰ S/2024/79.

⁶¹ Ministerio Público pone en marcha la Operación Pandora contra red criminal integrada por policías", 17 November 2024.

⁶² S/2025/85, paras. 36-41

⁶³ S/2024/704, para. 61.

⁶⁴ Case Text, "United States of America v. Joly Germine et al.", 2 January 2024, available at <https://casetext.com/case/united-states-v-germine>.

⁶⁵ UNODC, Haiti's criminal markets: mapping trends in firearms and drugs trafficking, March 2023.

⁶⁶ UNODC, Haiti's criminal markets: mapping trends in firearms and drugs trafficking, March 2023.

⁶⁷ S/2024/704.

⁶⁸ S/2024/704.

diversions from stockpiles of private security companies occur from loss and theft, but local prominent figures owning the companies also allegedly use their own illicit stockpiles to arm gangs. Based on its investigation, the Panel has found that a former prominent official sanctioned by Canada and the United States has used their own private security companies to acquire firearms for gangs⁶⁹.

VII. Violence: Prioritizing protection and prevention

48. Security policies based on a law enforcement approach would be insufficient to effectively address violence in Haiti and prevent firearms-related deaths and injuries. Efforts to reduce deaths, injuries, and other violations of human rights will be ineffective without a comprehensive strategy that includes prevention, regulation, enforcement and socio-economic reforms.

49. Based on past disarmament programmes in the country and the current National Strategy of Disarmament, Demobilization, Reintegration, and Community Violence Reduction (SNDDR-CVR), some have advocated for the implementation of voluntary returns or buy-back schemes to reduce the availability of firearms among gang members⁷⁰. These types of initiatives have yielded some positive results in similar contexts. However, they should be firmly rooted in human rights to ensure their sustainability and, therefore, exclude amnesty for perpetrators of serious human rights abuses.

50. Efforts should also increase community-based violence prevention programmes, including with the aim to reducing the availability of firearms in the society. These programmes should raise awareness about the dangers of illicit arms, promote peaceful conflict resolution, and involve local leaders, schools, and youth organizations to encourage public order and reduce gang involvement and violence. Additionally, addressing the underlying socio-economic factors contributing to gang violence, such lack of access to education, poverty, limited economic opportunities, is crucial.

51. During his visits to Haiti, the designated expert has discussed with Haitian authorities the creation of a “Youth Corps” in the form of a civil or community service or rehabilitation centre that offers job training, the contribution to public works such as planting trees and clearing drainage canals, literacy courses, and compensation, to Haitian youth enrolled in the service. This programme would enable the Haitian youth, especially those in gang-controlled territory and former gang members, to receive education and employment opportunities so that they would not need to join a gang to survive.

VIII. Conclusions and recommendations

52. Since the publication of the previous report, human rights abuses and violations in Haiti have remained alarmingly high. A key driver is the widespread possession of a broad range of trafficked firearms and ammunition by gangs, mainly facilitated by corruption, impunity and poor governance. In addition, despite the Security Council’s arms embargo, the trafficking of weapons and ammunition to Haiti have not been curbed.

53. The Government of Haiti, with support from the international community, including the MSS Mission, has deployed significant, though insufficient, resources to combat gang expansion, yielding mixed results. However, far fewer resources and efforts have been dedicated to neutralizing the actors involved in facilitating the diversion of firearms and ammunition and its trafficking into Haiti. In addition, the police and justice system’s responses to arrest, prosecute, and try gang leaders and arms traffickers have been limited.

54. Haiti’s ability to curb the illicit flow of weapons and ammunition into the country remains heavily dependent on the support of and cooperation with other States and firearms

⁶⁹ S/2024/704

⁷⁰ <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-OP14-Haiti-FR.pdf>.

manufacturers. Therefore, the strict enforcement of applicable obligations of States to address illicit trafficking, including international human rights law, remains critical.

55. The High Commissioner reiterates prior recommendations⁷¹ and urges action by all national stakeholders and Government authorities.

56. In addition, the High Commissioner calls upon the Haitian authorities to:

(a) **Strengthen the Haitian National Police, including with adequate resources and equipment, to respond to gang violence, protect and secure public buildings, in particular those used to provide essential services to the population; as well as expedite the vetting process of police officers in the Haitian National Police, and hold accountable all those involved in human rights violations, including those described in this report, as well as misconduct and criminal acts, in accordance with international human rights norms and standards;**

(b) **Establish, specialized judicial units to address mass killings and crimes related to sexual violence.**

(c) **Establish an integrated protection system to provide comprehensive support for victims of gang violence. This support should include access to immediate and long-term medical care, psychological counselling, legal assistance and social reintegration programmes;**

(d) **Relocate immediately all internally displaced persons living in squalid conditions to safe and appropriate facilities, in line with international law and standards;**

(e) **Provide a safe and enabling civic space for civil society actors;**

(f) **Address the involvement of children and youth in gangs by creating educational and socio-economic opportunities, particularly in marginalized areas. This could include establishing a Youth Corps or rehabilitation centres where children and youth can receive literacy courses, job training, and be engaged in public works projects.**

57. The High Commissioner calls upon Member States to:

(a) **Support the continued deployment of the Multinational Security Support Mission, as authorized by Security Council resolution 2699 (2023), to assist the Haitian National Police in re-establishing security in Haiti, ensuring strict compliance with international law, including human rights law, and integrating a gender-responsive approach.**

(b) **In the light of Security Council resolutions 2653 (2022), 2700 (2023), and 2752 (2024):**

(c) **Ensure the strict application of both domestic and international regulations on arms control, as well as adherence to the UN arms embargoes on Haiti;**

(d) **Continue updating the list of individuals and entities subject to Security Council sanctions on Haiti for engaging in or supporting criminal activities that violate international human rights law;**

(e) **Strengthen community-based violence prevention programs that reduce firearm availability, raise awareness about the dangers of firearms, and promote peaceful conflict resolution.**

⁷¹ See A/HRC/57/41, A/HRC/55/76, A/HRC/54/79.