



Security Council

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Letter dated 8 October 2022 from the Secretary-General addressed to the President of the Security Council

In its resolution [2645 \(2022\)](#), the Security Council requested me to consult with the Government of Haiti, relevant countries and regional organizations regarding possible options for enhanced security support for efforts of the Haitian National Police to combat high levels of gang violence, and to report to the Council regarding these consultations.

During the months of August and September 2022, the Secretariat of the United Nations, supported by the United Nations Integrated Office in Haiti (BINUH), undertook consultations with Haitian authorities and other national stakeholders, including the Prime Minister of Haiti, the Minister for Foreign Affairs, the Minister of Interior, the Director General of the Police, the Director General of the Ministry of Justice and the Office of Citizen Protection, as well as civil society representatives, including women leaders. Consultations also included Security Council members, Member States from the region and those that have shown an interest in South-South cooperation, the Caribbean Community and the Organization of American States with a view to identifying key challenges, current capacities and options in Haiti that can receive broad political, technical and financial support.

Current security context

In recent weeks, a dramatic deterioration in security has paralyzed the country. Criminal gangs have taken control of vital strategic installations, such as the international port of Port-au-Prince and the country's main fuel terminal, in Varreux. The blockage of the terminal has brought critical services, such as water distribution and sanitation, garbage collection, electricity and health centres, to a virtual standstill.

In this context, there has been a recent resurgence of cholera, and the current situation has created the perfect conditions for an exponential increase in the disease across Haiti. Last week, the country's National Directorate of Potable Water and Sanitation informed the United Nations that it had only a few days of fuel stocks remaining; in addition, the country's main water supplier announced that it was ceasing operations because the fuel stocks had been completely exhausted.

Movement along the main roads in and out of Port-au-Prince has been prevented by criminal gangs, who also exercise control of large neighbourhoods. In many of these areas, gang violence against the population, in particular women and girls, is rampant, with widespread reports of rape and other forms of sexual violence used as a tool to instil fear and humiliate, control and displace populations. Gangs have increasingly turned to kidnapping for ransom.



The extreme violence and insecurity further imperil the economy, hinder freedom of movement and the enjoyment of other human rights, and obstruct the provision of basic services and the distribution of humanitarian assistance. They also have a severe impact on development efforts. The resurgence of cholera has only exacerbated the population's vulnerability and needs.

Political and economic actors allegedly sponsor the gangs, using them to influence electoral processes and the country's politics generally. The absence or weak presence of State institutions in many areas has allowed these criminal organizations to flourish and go on to exercise effective control over key parts of metropolitan Port-au-Prince and, to a lesser but increasing extent, other parts of the country.

Since mid-September, fuel shortages, the lifting of government fuel subsidies and customs reforms have led to large demonstrations and instances of violence across the country, some of it supported by political and economic elements opposed to the reforms. Grievances relating to extreme violence and insecurity and the dire socioeconomic situation, as well as concerns regarding the Government's response to these challenges, have further exacerbated public anger, leading to attacks and looting, including of the premises of United Nations agencies, funds and programmes, affecting their ability to assist the most vulnerable.

Many interlocutors have stressed the nexus between security, the political context, the lack of accountability and justice, underdevelopment and pressing humanitarian needs. In particular, an urgent need for police action to neutralize gangs was cited during the consultations. A solution to the political crisis – including setting the path towards elections and reforms – was viewed as a condition necessary for sustainable security in the country, including longer-term solutions to the gang phenomenon. Restoring security will also enable an emergency humanitarian response to the cholera outbreak, as well as the delivery of life-saving assistance to people affected by gang violence and the 2021 earthquake.

The easy access of the gangs to weapons and ammunition is a widespread concern, with several interlocutors underscoring the need to support the Ministries of Finance, Justice and Interior, as well as judges and prosecutors, in combating illicit trafficking in and diversion of weapons. Supporting the customs service is especially important to counter trafficking, a task in which the United Nations Office on Drugs and Crime is currently engaged. Widespread corruption, as well as the inability of State institutions to exercise effective control over borders and ports, contributes to making Haiti a key location along illegal trafficking routes. Strong controls and oversight by countries in which the arms originate or pass through were described as a matter of utmost urgency.

Haitian National Police

Government officials and some civil society representatives noted that the Haitian National Police had recently made some strides in countering gangs, recording modest successes in operations in Croix-des-Bouquets. Notably, from 1 January to 31 August 2022, authorities registered 877 abductions, including of 182 women, 13 girls and 15 boys. Although the number of abductions remained high, it declined, from 198 in May alone to 72 registered in August.

Nonetheless, the Haitian National Police is spread thinly. The force counts nearly 14,161 officers, including 1,567 women. Some 13,000 officers are reportedly assigned to law enforcement activities, with the ratio of police officers to the population standing at 1.06 police officers per 1,000 inhabitants. This is well below the United Nations-suggested international ratio of 2.2 per 1,000. Of all the police officers involved in law enforcement, only a third are believed to be operational and

undertaking public security functions at any given time. Several gang-controlled areas, including Martissant and Cité Soleil, do not have operational police stations, which contributes to an environment in which gang leaders exercise unfettered power.

Several national interlocutors noted improvements in Haitian National Police leadership, including with respect to boosting force morale, for example through incentives provided to officers involved in dangerous operations. Notably, the number of officers killed since the upsurge in gang activities has increased, with 21 officers killed in 2021 and 13 killed before August 2022. Some 28 police stations were vandalized or destroyed from January to August 2022, reducing, and in some cases eliminating, police and State authority in vast neighbourhoods and leaving them under the control of gangs. Worryingly, the national police workforce has decreased by 1,343 since October 2019, a reduction blamed mainly on the challenging work environment that police officers face. There is an urgent need to dramatically increase the size of the national police force and to put in place the conditions necessary to ensure that most of its members are dedicated to active-duty policing functions.

There are concerns regarding existing safeguards to prevent human rights violations and to investigate and act when they occur. The concerns include questions about the adequacy and effectiveness of internal and external Haitian National Police oversight mechanisms and the general weakness of Haitian judicial institutions. In addition, there are serious concerns regarding instances of police collusion and complicity with gangs, which, among other things, illustrate the risk of police weapons and ammunition falling into the hands of gangs. A stringent vetting mechanism, as well as adequate internal oversight and control mechanisms, must be put in place, with the support of the international community.

The national authorities cited a lack of adequate individual protection gear, weaponry, ammunition and other tactical equipment, as well as of the capacity to use them effectively, as a key obstacle to progress in anti-gang efforts. The Haitian National Police is faced with criminal gangs in possession of higher-calibre weapons and better equipment than its own. For example, the national police has a very limited amount of operational tactical armoured vehicles, which significantly limits its ability to undertake operations against gangs. Furthermore, the overall capacity of the national police to undertake intelligence-led operations is seriously hampered by a lack of appropriate and coordinated intelligence-gathering and sharing capabilities. Some interlocutors have voiced concern about corruption within the police ranks and collusion with gangs, as well as the associated risk of new equipment and materiel provided to the national police ending up in the hands of criminal groups. National authorities stressed the need for further training and capacity-building to enable the national police to develop and conduct anti-gang operations successfully.

There is a lack of effective coordination among relevant Haitian National Police units dealing with investigation of sexual violence crimes, namely the Unit against Sexual Crimes, the Brigade for the Protection of Minors and the Anti-Kidnapping Cell, all of which face significant operational logistical and resource shortfalls.

The situation is compounded by the precarious state of the justice system, which has been further weakened by gang violence. Gangs attacked the Courts of First Instance of Port-au-Prince and Croix-des-Bouquets in July 2022, bringing judicial proceedings to a halt. Any improvement in the ability of the Haitian National Police to address gang violence must be accompanied by a similar effort to strengthen the ability of the criminal justice system to process arrested gang members expeditiously and to ensure that charges are brought against them, with full respect for due process and fair trial guarantees. Similarly, efforts to improve the penitentiary system must also be made, considering the alarmingly overcrowded prison system, which, according to information provided by the Ministry of Justice, includes in its large

majority (83 per cent) pretrial detainees, many of whom may have served longer detention periods than their alleged offences could have warranted. Justice Ministry officials indicated that detainees count on only 0.34 square metres of space in detention facilities, where there are many instances of severe malnutrition, leading to over 180 deaths since January 2022.

While the general weakness of Haitian rule of law institutions should be noted, the most urgent need now is to bolster the ability of the Haitian National Police to counter and contain gangs. In this effort, the Haitian authorities underscored that solutions need to be Haitian-led and that the national police should be in the lead, supported by international partners to improve its ability to provide security. The challenge remains bolstering the ability of the national police to deliver as a robust and effective law enforcement agency that can tackle the current gang threats effectively, contributing to security in communities. The national police must regain the trust of the population, given that broad engagement in and support of policing will be crucial to long-term success.

Recommended approach and actions

Considering the extremely grave situation, international efforts to enhance support for the Haitian National Police must be aimed at reducing the ability of armed gangs to block access to and carry out attacks on strategic infrastructure and threaten the livelihood of communities. To achieve this goal, the following are considered key priority objectives: restoring freedom of movement for Haitians throughout Port-au-Prince and across the country, including, crucially, ensuring their access to essential supplies and basic services; providing security for vital installations such as ports, airports and oil terminals, as well as key roadways, to allow for the normal functioning of the State and daily life; and deterring gang activities, including homicides, sexual violence and kidnappings, to reduce violence against the population. Addressing these objectives is imperative to halt the country's spiralling instability.

The Haitian authorities emphasized the need for specialized hands-on support to the Haitian National Police in the design, planning and oversight of anti-gang operations through the deployment of internationally provided advisers (unarmed or armed police and experts) embedded in relevant national police specialized units over an extended period. In past consultations, the Haitian authorities indicated a preference for support options that fell short of action under Chapter VII of the Charter of the United Nations. International advisers, including those with experience in anti-gang operations and dedicated expertise in areas such as sexual and gender-based violence, would work side by side with the national police command, contributing to the return of State control over vital installations and roadways.

Following unsuccessful efforts to regain control of the oil terminal in Varreux, the Prime Minister of Haiti had indicated to the Secretariat that the deployment of a multinational special force for a short period to temporarily reinforce the Haitian National Police could be contemplated in view of the deteriorating security environment. Subsequently, on 6 October, the Council of Ministers authorized the Prime Minister to request the immediate deployment of an international specialized armed force to address the insecurity resulting from criminal action by armed gangs.

In these circumstances, an immediate response is required, followed by more medium- to long-term interventions.

In the short term, the steps outlined below are proposed.

Rapid action force

One or several Member States, acting bilaterally at the invitation of and in cooperation with the Government of Haiti, could deploy, as a matter of urgency, a rapid action force to support the Haitian National Police. Such a force would, in particular, support the national police primarily in the Port-au-Prince metropolitan area in securing the free movement of water, fuel, food and medical supplies from main ports and airports to communities and health-care facilities. To this end, the force would support efforts of the national police to remove the threat posed by armed gangs and provide immediate protection to critical infrastructure and services. The force would bring the national police much-needed respite through complementary operational capacity and would enable it to reassess needs and assign overstretched resources to normal public security priorities.

The Security Council could welcome the force in response to the request made by the Government of Haiti on 6 October.

The force would be composed of special armed forces personnel provided by one or several Member States, with one Member State providing leadership to the effort, including in terms of the planning, start-up, command and direction of operations. Member States not contributing armed personnel could provide financial and materiel support to the force.

The Secretary-General may deploy additional United Nations capacities to support a ceasefire or humanitarian arrangements and ensure coordination of the efforts with the international force.

The deployment of the force would be phased out gradually as the Haitian National Police regained State control of critical infrastructure targeted by gangs and began to restore general security and freedom of movement. At that point, two options could be considered to enhance support to the national police in the longer term.

In the medium term, the two follow-on options in relation to the rapid action force could be envisaged, as detailed below.

Option 1: multinational police task force

Member States, acting bilaterally at the invitation of and in cooperation with the Government of Haiti, could establish an international police task force to enhance the tactical and operational capabilities of the Haitian National Police to combat gang violence. The national police would remain the only force on the front line of operational policing and anti-gang operations. The international police task force would undertake the following activities: advising on the design and conduct of operations against armed gangs; advising on and observing law enforcement activities and procedures; vetting police personnel who receive tactical training; advising on systems and practices, as well as on the effective use, maintenance and control of equipment, including weapons and ammunition; training national police personnel on anti-gang strategies and on community-oriented policing to regain the trust of the population in gang-affected neighbourhoods; and assessing the threats to national security and public order posed by criminal gangs and advising on the capability of the national police to deal with such threats in full respect of human rights. The task force would offer a guarantee and confidence to Member States willing to provide equipment and technology to enhance security support for the national police. The Security Council could welcome a request for such assistance from the Government of Haiti and encourage Member States to respond by contributing to the task force.

Such a task force would be composed of police advisers from a small group of Member States with relevant expertise in anti-gang operations and community-

oriented policing. Together with the advisers, the task force would deploy equipment, materiel and technology provided by Member States, including those not deploying advisers, required for the Haitian National Police to undertake anti-gang operations (for example, advanced technology to intercept gang communications and drones). Member States not contributing advisers or equipment to the task force would be invited to contribute funds to support its deployment and operations. Members of the task force would not be involved in front-line operations themselves.

This option would allow operational agreements to be concluded more expeditiously and would facilitate the provision to the Haitian National Police of critically needed equipment and support that cannot be provided by the United Nations.

The leadership and command of the international police task force would be exercised by one of the contributing Member States. A tripartite board, composed of the head of the task force, the Director General of the Haitian National Police and the United Nations Police Commissioner, would provide coordination and ensure the compliance of the support provided with the relevant human rights norms and standards. To this end, BINUH could be provided with the mandate to participate in the tripartite board.

Option 2: multinational special force

A group of Member States, acting bilaterally at the invitation of the Government of Haiti, could establish a special force to support the Haitian National Police in tackling gangs, including through joint strike, isolation and containment operations across the country. The Security Council could welcome such a special force, the viability of which would be strengthened by the existence of broad political and social support for its deployment and a meaningful agreement between the Government and the opposition on a political way forward for Haiti. The special force would be composed of well-equipped special police units provided by a group of Member States, with one of them serving as the lead country in terms of the command and direction of operations. BINUH would monitor and report on the compliance of the support provided with the relevant human rights norms and standards.

Under this option, support could be provided to the Haitian National Police at land border crossing points and in efforts to extend State authority, including the reopening of police stations and a police presence at official border crossing points to help to provide a climate for improved revenue collection. Should Member States not step forward with bilateral support and financing for this option, contributions under a United Nations operation may provide an alternative. However, as indicated, a return to United Nations peacekeeping was not the preferred option of the authorities.

Successive United Nations peacekeeping operations deployed since 2005 have made significant progress in containing the control of gangs over communities and in restoring State authority in areas affected by gang violence over decades. However, the transition from peacekeeping was predicated on the assumption that the institutional capacities of the Haitian National Police would continue to be strengthened and to operate within an environment of relative political stability to be able to maintain the security gains achieved throughout the years. The same assumption stands for the current situation: any action to contain the gangs will have only a temporary effect unless framed within the context of parallel, sincere Haitian and international efforts to address the root causes of the gang phenomenon, which are poor fiscal governance and corruption abetted by political and economic interests that have little interest in building a well-managed State where the rule of law prevails.

In parallel with the proposed rapid action force and follow-on options, the Security Council could decide on the additional courses of action described below.

Further strengthening the United Nations Integrated Office in Haiti police component by increasing its authorized ceiling

Any support provided to the Haitian National Police to enhance its ability to combat gangs effectively must be complemented by strengthened training efforts by BINUH and international partners to expand the overall capacities of the national police beyond security operations. This includes expanding the number of national police officers, continued vetting, enhancing community-oriented policing skills, strengthening capacity to prevent and respond to sexual violence, and restoring police stations that have been destroyed in gang-controlled areas. Successful operations to dislodge gangs must be complemented by ensuring the ability to establish and maintain the presence of public security forces and relevant State institutions to prevent the return of criminal groups, as well as securing the ability to deliver needed basic services and assistance. Such an approach is indispensable for the required bonds of trust between the security forces and the population, as well as to strengthen the social contract.

Bilateral training and equipment support to the Haitian National Police

The Security Council could call upon Member States to urgently provide equipment, training and materiel to the Haitian National Police, thus improving its ability to contain criminal groups currently in control of key locations, with a focus on areas in Port-au-Prince, in particular access to ports and roads that are key to the transport of essential goods and the free movement of people within the country.

The Haitian authorities indicated that the Haitian National Police was already poised to receive several shipments of armoured tactical vehicles, which were scheduled to arrive by the end of the year. The authorities also noted that they were expecting the prompt shipment of weapons and ammunition required to conduct operations. The leadership of the national police has expressed some confidence in its ability to build on recent modest successes and gradually regain control of key areas of the capital through this equipment and additional materiel support. Important efforts by two Member States are already under way to develop special weapons and tactics capacity, expected to be completed by the end of 2023. In the meantime, the national police is seeking to bolster a temporary anti-gang unit. I strongly encourage Member States to enhance their provision of security assistance to Haiti, notably of the wherewithal for the national police to conduct operations, in complement to current efforts to strengthen the police through the basket fund.

In this respect, I also call upon the Haitian authorities to put in place adequate, effective and transparent mechanisms and safeguards to ensure the management and control of armouries and the upkeep of equipment. BINUH stands ready, through its police component, to support the development of guarantees regarding the storage and supervision of equipment, firearms and ammunition provided to the Haitian National Police. Such safeguards should help to overcome the misgivings expressed by some Member States during the consultations regarding possible misuse or misappropriation of equipment. The national police must also have in place effective and transparent accountability mechanisms to investigate and act when alleged human rights violations occur.

Thwarting the flow of funding and illicit arms to gangs

As indicated by the Security Council in paragraph 4 of resolution [2645 \(2022\)](#), further efforts must be made by Member States to prohibit the transfer of small arms,

light weapons and ammunition to non-State actors engaged in or supporting gang violence, criminal activities or human rights abuses in Haiti. During the consultations, multiple interlocutors, including the national authorities, spoke about the importance of effective controls to prevent arms and equipment from reaching gangs. Some emphasized the importance of giving due consideration to sanctions in accordance with paragraph 5 of resolution [2645 \(2022\)](#), also including the possibility of measures adopted on a bilateral basis to limit arms transfers and financial support to gangs.

Technical assistance support to the justice sector

Haiti must take steps to address holistically the links between policing and the rule of law chain to ensure the ability to conduct successful investigations and prosecutions, trials, sentencing and imprisonment. Given the long-standing weakness of the judicial system, special measures are likely to prove necessary to address the situation of detained gang members. Successful operations will place additional strains on overburdened justice and corrections systems, which will need to deal with a growing number of detainees and legal proceedings. The creation of specialized judicial units to ensure accountability for the crimes committed by gangs, including those involving sexual violence, could help to speed up the processing of cases as arrests increase. The United Nations is supporting such an effort.

In all scenarios, BINUH would continue to provide assistance to the Haitian National Police in line with its mandate, bearing in mind the need to monitor compliance with human rights norms and standards, as well as the necessary application of the United Nations Due Diligence Policy on Human Rights with respect to any United Nations support provided to non-United Nations security forces. Enhancing not only the support and coordination functions of BINUH but also the Office's ability to monitor and make relevant recommendations to the Haitian authorities will be of crucial importance for a stepped-up effort to assist the police.

Lastly, in addition to the above-mentioned options, Haiti and the international community must continue to deploy sustained efforts to ensure that the human rights of the population, including in the areas of education and health, are promoted and protected throughout the country, including through the effective delivery of basic services. Unless real and sustainable development opportunities are afforded to the population, gangs will continue to exploit systemic weaknesses. A return to a more robust United Nations engagement in the form of peacekeeping remains a last resort if no decisive action is urgently taken by the international community, in line with the options outlined, and if the national law enforcement capacity proves unable to reverse the deteriorating security situation.

To conclude, I reiterate that urgent progress towards a nationally led solution to the long-standing political impasse is fundamental to restore security sustainably and durably.

(Signed) António **Guterres**
