



## Security Council

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### Letter dated 14 August 2023 from the Secretary-General addressed to the President of the Security Council

In resolution [2692 \(2023\)](#), the Security Council requested me to submit a written report, in consultation with Haiti, within 30 days outlining the full range of support options the United Nations could provide to enhance the security situation, including but not limited to support for combating illicit trafficking and diversion of arms and related materiel, additional training for the Haitian National Police, support for a non-UN multinational force, or a possible peacekeeping operation, in the context of supporting a political settlement in Haiti.

Pursuant to the Council's request, the United Nations Secretariat, supported by the United Nations Integrated Office in Haiti (BINUH), consulted the Prime Minister of Haiti, members of his cabinet and the Director General of the Haitian National Police, as well as various stakeholders, including political actors, civil society representatives, women and youth leaders, and the private sector, on the range of support options the United Nations could provide, including those indicated in resolution [2692 \(2023\)](#), to enhance the security situation. During the consultations, the Government reiterated that Haiti is facing extreme violence and human rights abuses committed by armed gangs, which are expanding and controlling large swathes of territory, and carrying out coordinated attacks against the population, the national police, public service officials and infrastructure. Officials stressed that the national police does not have the capacity to restore security without international support, as stated in the letters from the Prime Minister to me dated 9 October 2022 and 7 June 2023. Other Haitian stakeholders echoed the call for a force to support the national police to dismantle the gangs and restore security.

In addition to the consultations with the Government of Haiti and aforementioned sectors of Haitian society, the present letter is a product of extensive inputs from and Secretariat-wide consultations with the peace and security, human rights, humanitarian and operations pillars, in addition to BINUH and the United Nations country team, through the Resident Coordinator Office in Port-au-Prince and the Integrated Task Force for Haiti in the Departments of Political and Peacebuilding Affairs and of Peace Operations. In addition, this letter draws on the assessment of the BINUH mandate and the consultations on enhanced security that I conducted in 2022, as well as the assessment of police needs that I tasked BINUH to undertake prior to the renewal of its mandate in July 2022. Another assessment of police support needs by BINUH ahead of the adoption of resolution [2692 \(2023\)](#) further contributed to the basis on which the options to enhance United Nations support for security have been developed.



I visited Haiti on 1 July 2023 to express the solidarity of the United Nations with the Haitian people. I engaged with the Government, the High Transitional Council and a wide array of Haitian stakeholders on their efforts to enlarge the political consensus and end the protracted dire political and institutional crisis. In numerous interactions during my visit, Haitian interlocutors, including most political parties and groups, both aligned with the Government and within the opposition, as well as the majority of civil society groups and private sector representatives, expressed the urgent need for international support to be given to the national police in the fight against gangs. I noted with concern the slow pace of progress in the Haitian-owned political process since the National Consensus for an Inclusive Transition and Transparent Elections was signed in December 2022. I reiterated my call to the Government and other political and civil society stakeholders to set their differences aside and take decisive action to move forward with a commonly accepted framework. Concrete progress in the political transition must move in tandem with further international engagement to address the security situation through a multinational force and the United Nations.

## **Security update**

Gang violence has escalated since early 2022, with an increase of 62 per cent in gang-related cases of killings, injuries and kidnappings between the first semester of 2022 and the same period in 2023. The threat of gang violence, including sexual violence, extortion, killing and kidnapping, now affects all communes in the Port-au-Prince metropolitan area, obstructing the freedom of movement of residents and hindering access to essential goods and services. The capital is encircled by gangs and effectively cut off by road from the northern, southern and eastern parts of the country. Moreover, the violence is no longer limited to Port-au-Prince and the West Department but is spreading to the Artibonite and other departments. It has generated pressing humanitarian needs and is obstructing the distribution of humanitarian assistance.

Gang attacks are characterized by extreme violence. Reports include indiscriminate shooting of people in public spaces or in residences, burning people alive in public transportation vehicles, mutilation and execution of people perceived to be opposed to the gangs. Gangs use sexual and gender-based violence, including rape and collective rape, which disproportionately affects women and girls, to instill fear, punish and control entire communities. The impact on children is severe, as evidenced by gang attacks on schools and hunger-related conditions exacerbated by armed violence. Children and adolescents are being forcibly recruited into gangs. Large-scale attacks by gangs, which involve indiscriminate killing and mass burning of homes, have displaced almost 130,000 people.

The expansion of gang violence has led to an increase in the number of vigilante killings by self-defence groups and individuals since April 2023. In a movement known as “Bwa Kale”, residents of some neighbourhoods, armed with machetes, rocks, fuel cans and sometimes guns, have stoned, mutilated and burned alive anyone considered to be affiliated with gangs. These violent attacks signal a lack of public confidence in the police and in the justice system, as well as pent-up frustration from recurring abuses by gangs, and completely fly in the face of the rights to life and due process. In December 2022 and July 2023, some gangs announced localized ceasefires, which BINUH continues to monitor.

Gangs have become more structured, federated and autonomous in their efforts to confront State authority, weakening State institutions and consolidating control over the population. They target police stations, courts, prisons, schools, hospitals and strategic installations, such as ports, oil terminals and major roadways. Armed

gangs have also challenged the State by occupying government offices and abducting officials. Through social media, gang leaders have questioned the legitimacy of the Government, and in some cases encroached on State responsibilities by providing public services.

Efforts to maintain the size and capacity of the national police are undermined by delays in the recruitment of new cadets and a substantial rise in police attrition, caused by resignations and post abandonment (with many officers leaving the country), dismissals, retirements and fatalities in the line of duty. During the first half of 2023, the national police lost 774 officers (77 of them women) – a staggering loss compared with an average attrition of around 400 police officers per year in the past. The state of police infrastructure is dire, with concerning levels of damage, much of it sustained as a result of gang attacks. Out of the 412 police premises nationwide, around 40 remain non-operational due to gang territorial control, with corrections facilities facing a similar situation. In addition, there are persisting reports of alleged infiltration within the ranks of the national police by gangs, a situation of utmost concern.

### **Drivers of instability**

The current crisis is underpinned by the rapid erosion of State authority which has allowed heavily armed criminal gangs to expand their territorial control and criminal activities around illicit economies. Armed gangs fund their recruitment and procure weapons through kidnapping for ransom, extortion and a variety of illegal rent-seeking and predatory activities against residents, businesses and communities. Impunity, corruption and collusion between individuals in the political, economic and security sectors deepen the lack of trust between citizens and the State.

Elections to restore the executive and legislative branches have not been held since 2017, resulting in critical vacancies across all three branches of State power. The term of office of the last remaining parliamentarians expired in January 2023. The caretaker government and judiciary function under exceptional de facto powers. Two years have passed since the assassination of the President, Jovenel Moïse, that pushed Haiti into further constitutional disorder. The investigation into this heinous crime remains stalled in Haiti, highlighting the dysfunction of the justice system and reinforcing pervasive impunity.

The national police lacks adequate capabilities to deter, neutralize and disarm heavily armed gangs, often with superior firepower, including protection gear, weaponry, ammunition, vehicles and other tactical equipment. Police and corrections infrastructure have not been refurbished for years and many are in a state of dilapidation. Inadequate internal oversight of the national police has fostered corruption, collusion with gangs, as well as diversion of service weapons and ammunition. The precarious state of the criminal justice system will need equivalent support vis-à-vis the national police. Prison conditions remain appalling, with a cell occupancy rate of over 300 per cent for years, allotting each inmate, as at 26 July 2023, 0.30 m<sup>2</sup> of living space on average – not to mention the lack of basic supplies and medical facilities. More than 50 people have died in detention in 2023, mainly owing to malnutrition.

Extreme poverty, inequality and social exclusion have fuelled the gang violence crisis. Very limited decent employment opportunities and weak progress in sustainable development have reduced the opportunity cost of illicit activities and eroded the social contract. The illicit trafficking and diversion of weapons and ammunition have provided a reliable supply chain for gangs. Boosted by unobstructed illicit flows through porous borders and ports, gangs have access to powerful

weapons, drones, cameras and technology, and outgun the understaffed and underpaid national police. Few imports are subject to controls by customs, including at a significant number of private ports. The corruption, criminal and patronage networks that incubate the illicit economy also facilitate the patronage of armed gangs by corrupt elites. National anti-corruption and accountability mechanisms are underresourced, and deeply entrenched corruption in the criminal justice sector means that convictions are exceedingly rare.

## **United Nations support options**

The current context in Haiti is not conducive to peacekeeping. Enhancing security requires the restoration of law and order, and vice versa, as well as the reduction of human rights abuses and violence by deterring, neutralizing and disarming heavily armed gangs capable of mounting robust resistance to anti-gang police operations. It requires securing strategic installations and major roadways to restore freedom of movement, and re-establishing State presence to provide basic services. Nothing short of the robust use of force, complemented by a suite of non-kinetic measures, by a capable specialized multinational police force enabled by military assets, coordinated with the national police, would be able to achieve these objectives. Targeted operations against gangs must protect the population living in the largely urban areas they control and be respectful of human rights and due process. I reiterate my appeal to potential force-contributing Member States to act now to deploy a non-United Nations multinational force to assist the national police and my appeal to the Security Council to welcome the deployment of this support to Haiti.

In parallel with the deployment of the non-United Nations multinational force, there are two potential options for the United Nations, namely: (a) logistical support to the multinational force and the national police; and (b) strengthening of BINUH. These options, outlined below, are interoperable with each other, sequentially and concurrently. The extent of infrastructure and resources required to support the national police calls for either a dedicated support entity or a substantially enhanced BINUH with a revised mandate. Given the high need for enhanced security assistance in Haiti, the simultaneous provision of both support options may be required to maximize the impact of the deployment of a non-United Nations multinational force.

In both scenarios, BINUH would continue to implement its mandate, under the leadership of the Special Representative of the Secretary-General and Head of BINUH, who would provide overall leadership to the comprehensive United Nations engagement in Haiti.

The two options would be guided by the following principles and expectations: (a) international action to enhance the security situation should be supported by the Security Council and be guided by the primacy of the political process, anchored in the inter-Haitian political dialogue; (b) any United Nations support must complement and re-empower the national police; (c) close coordination and division of responsibilities between the United Nations and the Haitian national police would be critical and may require dedicated liaison capacities; and (d) the decisions concerning international support for the national police should prioritize the dignity of the Haitian people, respect Haitian institutions and underscore the sovereignty of Haiti.

Logistical and operational support through the United Nations would be provided in strict compliance with the human rights due diligence policy on United Nations support to non-United Nations security forces, a United Nations-wide policy which applies to any United Nations support to security forces which are not part of the Organization.

Humanitarian action must always be safeguarded. It will be crucial to respect humanitarian personnel and assets, facilitate humanitarian movements and maintain a distinction between humanitarian action and security operations, to avoid compromising humanitarian assistance.

While the security situation remains the most overwhelming challenge, the roots of the instability require urgent political solutions. Irrespective of the type of security assistance provided, it will remain necessary to maintain the presence of BINUH in order to be able to continue to offer good offices and to support a Haitian-led and Haitian-owned political process towards the holding of credible, participatory, transparent and inclusive elections, and to carry out other key tasks for which BINUH already holds a mandate, including: (a) reducing community violence; (b) strengthening the rule of law and security sector institutions (police, judiciary, corrections); (c) working with the United Nations Office on Drugs and Crime and other relevant United Nations agencies to support Haitian authorities in combating illicit financial flows as well as trafficking and diversion of arms and related materiel and in enhancing management and control of borders and ports; and (d) protecting human rights. These tasks will need to continue and expand as the needs of the country grow.

## **1. United Nations logistical support operation**

Within the range of its support capabilities, the United Nations could tailor a suite of dedicated logistical support to both the non-United Nations multinational force and the national police, funded through assessed contributions. This could include the provision of food, water, fuel for vehicles, support in establishing medical infrastructure and medical supplies, casualty evacuations, some transportation support, engineering support (accommodation), repair and maintenance of equipment that is provided by the United Nations, communications and information technology support. United Nations logistical support would exclude lethal equipment, which cannot be provided to non-United Nations forces without a specific mandate from the Security Council. It would also exclude strategic capabilities, such as airlifts, for which support from bilateral partners would be needed. The suite of support provided to the national police would be separate and differ in some respects from that for the multinational force.

Support to the non-United Nations multinational force and to the national police would take some time to reach full operating capacities. Ideally, a lead nation for the non-United Nations multinational force would deploy fully self-sustained and with its own integral support arrangements. The active involvement of regional Member States would also be critical in view of supply chain challenges and to enable the timely deployment of United Nations equipment to support the non-United Nations multinational force and the national police. The provision by Member States, in particular from the region, of strategic airlift capabilities and logistical support to the non-United Nations multinational force for its sustenance would be essential for its timely deployment.

In order to further support anti-gang efforts, vetted national police officers taking part in intelligence-led operations could receive a daily subsistence allowance (for example, for meals and incidentals) through a United Nations multiparty trust fund, such as the existing basket fund managed by the United Nations Development Programme to support the professionalization of the Haitian national police, funded by voluntary contributions from Member States.

The successful deployment of the United Nations logistical support operation would hinge on two necessary conditions: decisive and continued action by all Haitian political and social actors to advance the political process and the deployment of a non-United Nations multinational force.

Coordination between the national police and international security actors would be assured by a mechanism comprising the Director General of the police, the commander of the non-United Nations multinational force, the head of the United Nations logistical support operation and BINUH. Similarly, a coordinating structure would need to be established to ensure coordination with police-contributing countries.

## **2. Strengthening of the United Nations Integrated Office in Haiti**

The Security Council could authorize the strengthening of BINUH, further expanding the mission's mandate to train and advise the national police in its efforts to deter, capture and disarm gangs, secure strategic installations and major roadways, allow freedom of movement, and create an enabling environment for a political process leading to credible, inclusive and transparent elections, and the restoration of democratic institutions.

The mandated tasks could include: (a) training the national police on special tactics and the use of specialized equipment required to combat heavily armed gangs, including intelligence systems; (b) advising the national police on anti-gang strategies and police intelligence; and (c) the effective use, management and oversight of equipment, including weapons and ammunition.

The scope of its mandate to train, advise, assist and support the national police in the fight against gangs would require increasing the BINUH police ceiling and a scale-up of support and security capacities. A substantial number of seconded police and military advisers and trainers, with experience in dealing with armed gang violence and criminal networks and with the relevant language skills, would be necessary.

Increasing international support to law enforcement to dismantle armed gangs would demand a simultaneous surge of support to the criminal justice system and community violence reduction, to manage the exit of members from gangs and to guarantee due process of detained gang members, while also improving detention conditions. Furthermore, as recommended in the policy brief on a New Agenda for Peace, it is essential to have non-military approaches to advance disarmament, demobilization and reintegration, and to avoid actions that cause harm to the population and violate human rights. Consistent with this approach, strengthening the justice, corrections, human rights and community violence reduction components of BINUH would be critical. BINUH would have to scale up its support to the longer-term institutional development and professionalization of the national police. The mission would require a specific mandate to advance security sector reform; it would also increase its engagement with communities in marginalized neighbourhoods to support violence reduction initiatives, jointly undertaken with the United Nations country team, and foster inclusive participation in political processes. Such a nexus approach would have to be flexible in order to rapidly stabilize secured neighbourhoods and enable a return of State services to the population.

Optimal impact would also be dependent on the availability of sustained and predictable funding to the United Nations entities in Haiti. Integrated action and partnerships between all United Nations entities operating in Haiti in relevant areas of peace and security, including the United Nations Office on Drugs and Crime, would remain essential to leverage the good offices and advisory capacities of BINUH and the programmatic activities of United Nations agencies, funds and programmes, including for community engagement and violence reduction.

Promoting inclusive political processes and governance structures would be critical to restoring the democratic institutions of Haiti and enabling sustainable social and economic development. The participation of women and youth, two groups

victimized by gangs, would be a priority. BINUH's good offices will remain key to supporting Haitian efforts to advance the political process, chart a path out of the long-standing institutional crisis and build support for political reforms to prevent recurrence. Civic and voter education, training for political parties and local mediation initiatives to reduce community violence, advance reintegration of former gang members and rebuild communities torn apart by armed gangs must be seen as important steps to restoring governance and democratic institutions through credible and inclusive elections.

To increase its political impact, the mandate of BINUH would have to be strengthened in the areas of good governance and engagement with civil society and local communities, including in marginalized neighbourhoods of Port-au-Prince that have borne the brunt of gang violence, and across the country. Close coordination and integration of the activities of BINUH and the United Nations country team in these areas under common strategies will remain essential to maximizing their joint impact and optimizing the use of their resources.

Already a central pillar of BINUH, its human rights mandate would have to be further strengthened to ensure the compliance of any operational and logistical support provided by the United Nations to the multinational force and the national police with the human rights due diligence policy on United Nations support to non-United Nations security forces. BINUH, in cooperation with the United Nations country team, could also provide technical support to the Haitian justice system to build and strengthen a specialized judicial task force on complex issues, including sexual violence, vetting of former gang members entering demobilization and reintegration programmes and referral to judicial authorities. Additional capacity-building efforts would be required to ensure the integration of international human rights standards into the training, vetting, recruitment, oversight and disciplinary systems of rule of law and security institutions to prevent human rights violations and foster accountability.

Immediate support could be provided by BINUH to public prosecutors' offices and courts to improve the ability of national authorities to investigate, prosecute and adjudicate serious crimes. This includes gang-related violence, sexual violence-related crimes and crimes related to illicit financial flows and the illicit flow of arms. Resources would be required for the capacity-building of police, corrections and courts to strengthen the rule of law, legal procedures, human rights, transparency, accountability and anti-corruption, and reduce impunity. Efforts to expand support to the legal aid system and achieve the decongestion of prisons would be equally important.

A full, flexible, data-driven and adequately funded community violence reduction programme for BINUH, in coordination with the United Nations country team, and in line with the national disarmament, demobilization and reintegration community violence reduction programme, should be advanced. Such support would be based on real-time and community-driven information provided by community-based mechanisms, to monitor, analyse, respond to and anticipate misinformation and disinformation and inform regular conflict analysis to determine gang and community risk levels. It would also support the design of concrete activities and actionable early warning systems to reduce community violence with the aim of preventing re-recruitment into gangs. Lastly, programmes could support strengthening community awareness and dialogue initiatives to identify the needs of communities and offer short-term reintegration support to ex-gang members.

It is critical to provide BINUH with more agility, allowing the mission to increase its footprint, where necessary, to areas beyond the metropolitan area of Port-au-Prince. This effort should be coupled with an enhanced security and mobility

capability, including through medium-sized rotary wing air assets. The changing operating context and current insecurity levels are expected to substantially increase the volume and complexity of support work for BINUH, in particular in logistical, communication, supply chain and human resource operations.

## **Observations**

I continue to appeal to Member States to deploy a non-United Nations multinational force, composed of police special forces and military support units provided by one or several countries, acting bilaterally in cooperation with the Government of Haiti and welcomed by the Security Council. I welcome the positive consideration by Kenya of the call for the urgently needed non-United Nations multinational force to support the Haitian national police in countering gang violence, and the renewed pledges of support by the Bahamas and Jamaica for this undertaking. I further welcome the announcement made by Antigua and Barbuda that it is considering contributing to the force. I urge additional Member States, in particular from the Americas, to continue to build on this new momentum.

Addressing the security situation in Haiti requires a range of coercive law enforcement measures, including active use of force in targeted police operations against heavily armed gangs. Member States are better suited to provide such support to the national police through bilateral assistance. Protection of the population not associated with the gangs and full respect of human rights and due process must be overriding priorities during coercive enforcement operations. The enhanced security support provided to Haiti must re-empower the national police and provide it with adequate capabilities, lethal and non-lethal equipment, and specialized expertise to sustain the fight against armed gangs.

The United Nations logistical support operation option described above provides an initial infrastructure of support that can be adapted over time. The evolving and unpredictable situation in Haiti may require novel and more impactful approaches following the restoration of security through police enforcement action supported by the multinational force.

A non-United Nations multinational force should be part of a broader strategy, led by Haitian stakeholders and supported by BINUH and international partners. It should be undertaken alongside United Nations sanctions and regional cooperation to prevent illicit arms trafficking and illicit financial flows, as well as expertise to assist investigations and prosecutions to end impunity.

I would like to draw attention to the realistic time frames for establishing new security support operations and for scaling up BINUH and its personnel. I urge Member States to step forward with bilaterally provided logistical support to ensure the scale-up of international support in the shortest possible time frame.

There can be no sustainable security without broad political agreement for the restoration of democratic institutions. I appeal to all Haitian stakeholders to accelerate their efforts in the political dialogue to urgently reach an agreement on a sustainable, time-bound and commonly accepted road map for the organization of credible, participatory, inclusive and transparent elections. Without a meaningful reform of the political system, Haiti will continue to face these cycles of crises and instability emanating from weak political representation and disenfranchisement, a polarized political climate, and fragile and politicized State institutions.

In the immediate term, the stabilization of the security environment requires significant international support not only to the national police to restore security, but also to corrections, justice, custom controls, border management and security. This

needs to be matched by equally significant political will and commitment to adequate, predictable and sustained financing to preserve institutional gains in the long term. It will be essential to scale up interventions aimed at reducing violence at the community level and at providing alternatives to violence, especially for youth at risk of recruitment into gangs.

Strong bilateral support will be required for a large-scale plan to renovate police stations and meet prison needs. Substantial and sustained international support will also be required to address the significant reduction in the operational capability of the national police. Support will further be required to address the lack of an effective national public security strategy, the inadequate pace of vetting and the absence of a dedicated, vetted and strong anti-gang unit, which severely hamper the ability of the national police to curb gang violence.

In the medium term, the security institutions in Haiti will require an in-depth exercise in security sector reform for State and security institutions to improve efficiency and impact. Haiti must also develop a comprehensive strategy to address the corruption, criminal and patronage networks that incubate illicit activities and facilitate the patronage of armed gangs by a corrupt elite. Supporting national anti-corruption and accountability mechanisms will also ensure that those who prop up and finance gang activities will face justice.

In designing a response to this security crisis, the international community must not neglect the underlying sustainable development challenges, including governance weaknesses and economic and social issues that have supported the phenomenon of gangs. The United Nations Sustainable Development Cooperation Framework (2023–2027), recently signed by the Government and the United Nations, sets the strategic priorities and a pathway forward to accelerate sustainable development that leaves no one behind. I encourage further exploration by the international financial institutions of how to best help to address the structural inequality and socioeconomic exclusion that has limited opportunities for young people in Port-au-Prince and across Haiti. Due to the prevailing dire humanitarian crisis, we must also secure the necessary resources to alleviate immediate humanitarian suffering, including addressing food insecurity, health and protection needs. It is imperative for humanitarian and development partners to work together to contribute towards comprehensive and coherent solutions to the complex challenges that Haiti is facing.

In keeping with my position on networked multilateralism, which I have raised before the Security Council in recent months, I will continue to ensure that the development actors of the United Nations work in tandem with the operational activities and mandate of BINUH as well as in close coordination with the international financial institutions.

*(Signed)* António **Guterres**