

Attached is an advance copy of the **Report of the Secretary-General on United Nations Mission for Justice Support in Haiti** for the information of the members of the Security Council.

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United Nations Mission for Justice Support in Haiti

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2410 (2018), by which the Council extended the mandate of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) until 15 April 2019; requested me to report to the Council every 90 days on the implementation of the resolution, and; requested me to conduct a Strategic Assessment Mission to Haiti and present to the Council recommendations on the future United Nations role including any recommendations for drawdown and exit. The report covers significant developments that have occurred since the issuance of my previous report (S/2018/1059), progress on the benchmarked exit strategy, an update on the transfer of tasks and responsibilities to the Government, and recommendations of the Strategic Assessment Mission.

II. Significant Developments

A. Political situation and related security developments

2. The reporting period was marked by an initial return to relative calm. Simmering political tensions grew as worsening economic conditions and demands for the government to address corruption continued to feature prominently in the public arena. Fuel shortages and further depreciation of the *Haitian gourde* caused no major demonstrations in December and January and gang activity subsided ahead of the holiday season. However, in early February the population responded to calls from the opposition to march in the streets to demand better governance and call for the President to resign.

3. In an effort to lower tensions, three days after the 18 November 2018 demonstrations, President Jovenel Moïse invited all sectors of society to participate in an inclusive national dialogue led by Prime Minister Jean-Henry Céant. A forum to review a proposed “National Pact of Governability”, suggesting a series of possible reforms in areas such as governance, development, rule of law and security was held in Port-au-Prince on 22 January 2019. The document also included a proposal for increasing participation by opposition parties and civil society in government and purported to serve as a basis for resolving the current political crisis. However, it was criticized for lack of inclusiveness and transparency in its development and failed to garner buy-in from interlocutors across the political spectrum.

4. On 14 January, the National Assembly opened the first regular session of the legislative year against a backdrop of citizen protests against parliamentary performance during the 2018 legislative year, which saw less than half of scheduled sessions held and only seven laws adopted. In his annual state of the nation address, President Moïse focused on the political, economic, social and security challenges that lay ahead. He committed to promoting fair, credible, democratic and transparent elections and urged lawmakers to adopt the electoral law and the 2018-2019 budget, to allow for elections.

5. Popular demand for accountability in the alleged mismanagement of PetroCaribe funds continued unabated. From 20 to 22 December 2018, and from 31 December 2018 to 1 January 2019, small demonstrations were organised in front of the Superior Court of Audit and Administrative Disputes (CSC/CA). In January 2019, citizens who had filed private criminal complaints against government officials and private companies awarded contracts under the

PetroCaribe fund, demonstrated against the lack of progress in the investigation. In an attempt to recover a portion of allegedly embezzled funds, the Government announced it was preparing civil complaints against those suspected of mismanagement. As a result of the 31 January publication of the CSC/CA report, which sheds light on the misuse of funds and the abuse of processes, government officials indicated that criminal charges may be filed against those suspected of mismanagement. A final report of the CSC/CA is expected in April, while criminal complaints investigated by judges may take several years to be completed, potentially stoking popular frustration.

6. Following the declaration by Government of a state of economic emergency on 5 February, large-scale demonstrations took place in major cities across the country starting on 7 February, coinciding with the second anniversary of President Moïse's tenure and the thirty third year from the ouster of former President Jean Claude Duvalier, and resulting in the postponement of the formal launch of the National Dialogue by President Moïse. Protesters across the country's urban centres, expressing their discontent over the increased cost of living, called for the President's resignation, vandalized public and private property, used firearms, erected roadblocks and disrupted economic activity in the country's major urban centres. The disturbances affected trade and markets, which had a severe impact in the income generation activities of the population, in particular women headed households which depend on market-based jobs. By 19 February, MINUJUSTH was able to confirm that 34 people were killed, including one minor and three women, 102 were injured, including 23 HNP officers, and 82 people arrested in relation to the unrest. The Haitian National Police (HNP) maintained a visible and continuous presence throughout the protest, patrolling, controlling crowds and removing barricades to keep main access roads open. The perpetuation of the situation prompted the Core Group to call for an inclusive and comprehensive dialogue to be held, while effective economic reforms are carried out, in order for Haiti to emerge from the crisis. In addition, the Caribbean Community (CARICOM), the Haitian Chamber of Commerce and Industry and the Bishop Conference of the Catholic Church called for calm and urged all actors to find a solution to avoid a further deterioration of the situation. By 17 February, the intensity of the demonstration receded, although major roads remained blocked and calls for new demonstrations continued to circulate.

7. On the eighth day of the demonstrations, President Moïse delivered a speech to the nation expressing understanding for the Haitian people's grievances, assessing that the situation in the country had worsened since the first protests in July and condemning the violence and the resulting loss of life. The President announced that specific measures to address the economic crisis would be presented by the Prime Minister. On 16 February, Prime Minister Céant, deploring the negative impact the violent demonstrations were having on the economy and the provision of services to the population, identified corruption, economic inequality and bad governance as serious challenges facing the country. Stressing that dialogue was the only way out of the crisis, he promised to tackle corruption, act on the PetroCaribe case, reduce government spending, and promote a number of economic measures to provide relief to a population facing serious economic hardship.

B. Humanitarian situation

8. The country continues to face a lingering migration crisis characterized by voluntary and, often, forced repatriation of its citizens and individuals of Haitian origin from neighbouring countries and other countries in the Americas and the Caribbean. In order to mitigate statelessness, the Government continues to work with UNHCR on a reform of the civil registry to facilitate access to identity documents for Haitians living abroad and in remote areas

of the country, in line with its accession to the 1954 Convention relating to the Status of Stateless Persons and ratification of the 1961 Convention on the Reduction of Statelessness in the last quarter.

9. The integrated food security phase classification (IPC) conducted in October and December 2018 for the whole country identified¹ 5.5 per cent of the surveyed population in the emergency and 27 per cent in the crisis phases of food insecurity. The IPC further classified 2.26 million people as food insecure and in need of humanitarian food assistance. Food insecurity in the country has been exacerbated by the closure of main road arteries as a result of the February demonstrations, creating difficulties in the delivery of basic foodstuffs. The provision of other basic services, such as health, including sexual and reproductive services, water and sanitation, has also been impacted. The United Nations continues to work closely with the Haitian authorities to assess the humanitarian situation in the country and the needs of the most vulnerable within the population.

10. Substantial progress continued to be registered in the fight against cholera. From January to end-December 2018, the Ministry of Public Health and Population reported 3,794 suspected cholera cases (compared to 13,681 in 2017) and 43 related deaths (compared to 146 in 2017). Compared to the number of weekly cases at the inception of the epidemic, the weekly caseload of suspected cases has been reduced by 99 per cent. The elimination of the transmission now seems within reach, provided funding for cholera response is secured and global control efforts maintained. In that regard, the Central Emergency Response Fund (CERF) recently allotted \$5 million to support cholera response in Haiti throughout 2019.

11. Work on the Development Impact Bond to support Track 1a of the New Approach to Cholera saw significant progress. A feasibility study was undertaken with financial assistance from USAID, and work began on developing a potential model for a bond targeting US \$25 million to contribute to cholera elimination. The model proposes a blended finance approach where traditional financing will continue covering surveillance, rapid response, medical care and coordination interventions in 2019, while the proposed impact bonds would tentatively finance unfunded activities from 2020 to 2022.

12. In the aftermath of the 6 October 2018 earthquake, the CERF Rapid Response Window granted \$3,157,660 to Haiti to address urgent humanitarian needs in education, water, sanitation and hygiene in schools, sexual and reproductive health needs for women and girls, including gender-based violence survivors; it will also facilitate the provision of shelter and non-food assistance in the North-West region benefitting an estimated population of 45,000 for a period of four months.

13. The 2018 humanitarian response plan (HRP) targeting 2.2 million Haitians in vulnerable situation, mobilized \$32.4 million of the \$252.2 million requested (13 per cent), as of 11 January 2019. Additional funding for humanitarian activities was received outside of the HRP for a total of \$47.4 million. The 2019 humanitarian needs overview and the 2019-2020 HRP have been finalized and will be published by 22 February.

III. Mandate implementation

A. Community Violence Reduction (benchmark 6)

¹ IPC, Analysis of Acute Food Insecurity in Haiti, October 2018-June 2019. Published on 19 December 2018.

14. Addressing gang violence and building stronger links with communities affected by violent crime is a growing priority for Haiti's government. The MINUJUSTH community violence reduction (CVR) programme is mitigating violence in "hot spots" in the Port-au-Prince metropolitan area. Projects focused on promoting dialogue in fragile neighbourhoods affected by chronic lack of socioeconomic opportunities and limited access to basic services, including the police and justice systems. Marginalized and at-risk women, men and youth received vocational training and opportunities to generate income through the distribution of kits, small business incubation and labour-intensive waste management initiatives. Since July 2018 a total of 3,894 women and 2,685 men participated in activities such as football tournaments, capacity-building for community leaders, driving lessons, cultural festivals, neighbourhood-based dialogue to promote peace, and support for children to attend school.

15. In addition, five community violence reduction projects are ongoing in Cap-Haïtien (North region), Mahotièrè (North-West region), Hinche (Centre region) and Port-au-Prince (La Saline, Bel-Air, Carrefour-Feuilles and Martissant). They offer vocational training, professional reinsertion and labour-intensive activities also as part of violence prevention efforts for 904 young women and 896 young men at risk of being recruited by gangs or exploited to trigger violent public protests.

16. MINUJUSTH has so far supported 40 conferences and town hall debates on the rule of law throughout the country, attracting 5,840 participants, including 2,335 women. Within the same framework, a new series of country-wide debates, round tables and core-group discussions were organized to build trust, deescalate existing conflicts, open spaces for dialogue and promote the rule of law targeting communities prone to violence and gang activity.

17. The United Nations Gender Thematic Group facilitated a discussion on the draft law on violence against women. The text, which has been endorsed by the Ministry of Women Affairs and Women Rights and Haiti's only female Senator, Luma Etienne, was shared with 26 civil society organisations and women's groups to ensure an inclusive approach and broad participation.

B. Security and Police Development (benchmarks 1,4,5 and 6)

18. The Haitian National Police (HNP) has been increasingly self-sufficient in providing security across the country. The positive performance demonstrated during the recent protests is an indication of its grown capacity and ability to maintain order across the country. However, since December, 38 of 205 demonstrations required mobilization of internal resources beyond the normal operational capacity of HNP public order units. In addition, to address the rise in criminal gang activity in the third quarter of 2018, the HNP developed a strategy of targeted interventions in the Port-au-Prince neighbourhoods of Village de Dieu, La Saline, and, more recently, Savanne Pistache. As a result, four of twelve larger operations were conducted by the HNP with limited support from MINUJUSTH. The HNP has also taken over full operational responsibility in the Grand'Anse region and has increased its capacity over the West department following the departure of two former police units during the current period, thus becoming autonomous in six of the ten regions of Haiti, where its crowd control units operate without MINUJUSTH support.

19. During a meeting of the steering committee for the HNP strategic development plan held in January, donors were informed that 96 of 133 priority actions were under way. However, the draft 2019/20 budget law, providing for a 6.24 percent allocation to the HNP of the overall state budget, will not allow for sustained momentum in implementation.

20. Through an audit conducted by the High Court of Auditors and Administrative Disputes, the Director-General removed a number of inactive officers from the payroll, lowering the operational number to 15,051, including nearly 10 per cent women with a police officer to population ratio of 1.32 per 1,000 inhabitants. Police personnel deployed to the regions increased to 35 per cent of the overall police force. Meanwhile, recruitment efforts continue with 671 cadets, including 142 women, in the seven-month training programme as part of the 30th national police promotion. MINUJUSTH and UN-Women have been working with the police school to develop strategies to increase the number of female candidates. Still the numbers of women among the ranks need to rise, both for effectiveness generally, security sector reform, and for the impact it will have on appropriately addressing gender-based violence crimes.

21. In January, the HNP rolled out an officer appraisal system, piloted in 2018. The new performance evaluations will become part of a merit-based promotion system. MINUJUSTH funded a 15-day training on internal audit for the General Inspectorate of the HNP and its Finance and Accounting Directorate, to consolidate mechanisms to combat corruption and embezzlement. In order to decentralize its oversight functions beyond Port-au-Prince, the General Inspectorate drafted a proposal for a pilot project to be launched in one of the four regions where this programme will eventually operate.

22. The regional mentoring and advisory program for senior police managers is being revised to better meet needs in light of the upcoming transition of the United Nations presence. The new model makes the transfer of managerial skills and competencies sustainable and to the benefit not only of senior management, but also mid-level personnel and supervisors.

23. The police component of MINUJUSTH continued to conduct trainings on sexual and gender-based violence (SGBV) for actors of the judicial chain in order to build a common understanding on victims' care and to share best practices. The CVR project of mobilization against SGBV benefitting 11,864 people, including 7,635 women through sensitization workshops in the Artibonite, Grand'Anse and South regions was completed. An ad-hoc task force was established in each region to bring together State and non-State representatives involved in the judicial processing of SGBV cases and identify bottlenecks and possible solutions.

C. Justice and Rule of Law (benchmarks 1, 2 and 5)

24. President Moïse appointed judges for ten-year terms to the six seats which had been vacant at the Supreme Court since December 2015 including the President of the court and of the Superior Council of the Judiciary. None of the three women candidates proposed by the Senate was appointed, resulting in only one woman in the 12-judge court.

25. Following the dismissal and replacement of the Port-au-Prince prosecutor on 17 December, the two-month strike by lawyers of the Port-au-Prince Bar Association was finally resolved, and judicial activities resumed. During the penal hearings held at the end of December following the two-month hiatus, 15 detainees were assisted by legal aid offices of Port-au-Prince through the MINUJUSTH CVR programme, 11 of which were released.

26. Between October 2017 and December 2018, prosecutors in the Port-au-Prince jurisdiction received 1,369 penal cases. In 595 cases (43 per cent), the prosecution decided to either bring charges or close the case the same day. In 41.5 per cent of those cases, charges were dropped. During the same period, the 22 investigating judges closed 442 files, an average of 1.3 case per investigating judge per month. As of 31 December, the proportion of detainees in pretrial detention for more than two years at the Port-au-Prince national penitentiary was 65 per cent, compared with 63.6 per cent during the previous reporting period.

27. As part of ongoing efforts to reduce the rate of pre-trial detention, MINUJUSTH participated in the activities of the ministerial committee which prepared a new action plan to address prolonged pretrial detention, launched on 18 January by the Minister of Justice and Public Security. In an 11 January meeting, the dean and public prosecutor of the court of first instance of Port-au-Prince, and the president of the bar association, adopted a series of measures to promote an increase in the number of hearings at the court, including the mobilization of administrative and judicial staff, the full operationalization of the courtrooms, to include measures to maintain court records and to ensure that detainees arrive on time for trials. Simultaneously, MINUJUSTH in coordination with UN Women carried out activities to offer legal assistance services to 217 women, in the country's only women's prison, expediting the judicial process and resulting in the release of 12 women. As part of the MINUJUSTH-supported legal aid project which targets minors in conflict with the law, on 14 January, the Port-au-Prince prosecutor ordered the release of 33 minors from pretrial detention, six of whom were released while efforts are underway to locate the parents of the remaining 27.

28. Following the promulgation of the law on legal aid, MINUJUSTH, through the UN Joint Rule of Law Programme, supported the Ministry of Justice and Public Security in its dissemination. Three workshops were held in Hinche (Centre department), Les Cayes (South department) and Port-au-Prince, reaching 200 participants including 34 women, to raise awareness and promote the law among penal chain actors.

29. In parallel, three outreach projects, supported by the CVR programme and implemented with local partners, involved the population in creating momentum and political will for the executive and the legislative branches of the Government to promulgate legislation that improves access to justice and security, prioritizing women's access and enhanced representation. These projects mobilized popular support for the adoption of the draft criminal code and the draft code of criminal procedure which if implemented, will significantly address weaknesses in the justice system, protect human rights and improve people's access to justice.

30. On 6 December, UNICEF met with the Prime Minister's Office and the Institution for Social Welfare and Research to highlight the importance of a child protection code and request their support in advocating for the vote and adoption by Parliament of the draft law which it received in 2014. The code promotes justice for children by raising the age of criminal adult accountability from 16 to 18 years, sets limits for the detention of children, and provides alternatives to detention in line with the Convention on the Rights of the Child.

31. As part of an effort to promote judicial inspections MINUJUSTH, through the Joint Rule of Law Programme, handed over two vehicles, office furniture, and computer equipment to improve working conditions at the Ministry of Justice, Superior Council of the Judiciary's judicial inspectorates and joint vetting commission. This donation will facilitate inspections of the 18 courts of first instance and five courts of appeal throughout the country. The Programme also supported the first inspection tour in the jurisdiction of Croix-des-Bouquets (West region), including the prosecutor's office, the clerk's office, the prison, and four local courts.

D. Corrections (benchmarks 1,3 and 5)

32. As of 25 January, the prison population, with 11,684 detainees, including 412 women, 279 boys and 16 girls, remained almost unchanged compared to the 11,755 recorded during the previous reporting period. The occupancy rate of Haitian prisons stands at 360 per cent, based on a national goal of 2.5 square meters per detainee. Extreme overcrowding and poor hygiene conditions in most facilities continue to contribute to health problems with the death

rate increasing from 11.8 to 14 per 1,000 inmates. The leading causes of death among detainees remain tuberculosis, malnutrition, and cardiovascular diseases, in addition to irregular food deliveries and a shortage of medical staff and medication. Regular payment of food suppliers remains a chronic challenge. Increased financial and administrative autonomy for the prison administration could alleviate these recurring issues. In order to improve health services in the prisons, MINUJUSTH supported an evaluation of prison health services to define a remedial strategy. In addition, MINUJUSTH continued to encourage partnerships with the Ministry of Public Health and Population, the World Health Organization, and the non-governmental organization Health through Walls.

33. In a meeting on 3 December, MINUJUSTH reiterated to the Director-General of the HNP the importance of progressing on the draft prison law and the organic law elevating the Directorate of Prison Administration to a central directorate within the national police, thereby strengthening and formalising its scope of responsibilities and ensuring more effective action in related areas. These two draft laws have not yet been submitted to the Ministry of Justice and Public Security and are being revised by the HNP. Pending their promulgation, MINUJUSTH continued to reinforce the administrative, managerial and operational capacities of the Directorate through colocations at headquarters and prisons.

34. The prison administration continues to welcome new police academy graduates to its ranks. The specialized training program for candidates to be posted into the prison service ended with the graduation of 50 men and 7 women from the 29th HNP promotion. The total number of prison officers nationwide increased to 1,238, including 161 women. This brings the prison officer to prisoner ratio to 1:9.45, far from the prison administration's goal of 1:5. In order to increase the number of dedicated prison officers, the Director-General of the HNP agreed on a targeted recruitment and training strategy for the Prison Administration to properly address the critical needs of 880 pending staff and reduce the high rate of attrition. MINUJUSTH supported the Prison Administration in the evaluation of 288 uniformed staff, including 63 women, in five prisons based on the human resources performance appraisal tool.

35. The Directorate of the Prison Administration carried out the first round of prison evaluations in December 2018, based on the recently defined certification criteria with MINUJUSTH technical and logistical support. The results will guide the Prison Administration in ensuring Haiti's prisons meet the new standards.

E. Human Rights (benchmarks 4,5,6,7,8, and 9)

36. With the support of MINUJUSTH, the Inter-ministerial Committee on Human Rights began work on the development of a National Action Plan on Human Rights per the April 2017 recommendation of the United Nations Human Rights Council. This will allow Haitian authorities to tackle the structural deficiencies while also positioning them to address recommendations issued by the United Nations Human Rights mechanisms, thereby ensuring that indicator 9.1 of the MINUJUSTH Benchmarked Exit Strategy is eventually met.

37. MINUJUSTH continues to investigate allegations of human rights violations reportedly committed by the HNP, including during the October and November 2018 demonstrations (see S/2018/1059, paras 3 to 6) and during the more recent February 2019 protests. According to MINUJUSTH findings, during the demonstrations of 17 October police officers were responsible for 57 human rights violations including 3 summary executions and 47 cases of excessive use of force, resulting in the death of 3 protesters and injuries to 44 others. Of 72 casualties recorded between 18 to 23 November, 51 were attributable to armed elements not belonging to the police forces and 21, including 6 deaths, allegedly resulted from excessive

use of force by police officers. The HNP General Inspectorate opened multiple investigations, and a number of judicial investigations have also been launched. Although the violations attributable to the HNP are of great concern, I am encouraged by the prompt response by the national authorities.

38. In November, confrontations between rival gangs in the La Saline neighbourhood of Port-au-Prince resulted in the killing of several individuals. Local civil society organizations released public reports on the findings of their investigations into the crimes. According to these, between 25 and 71 people were killed by members of a criminal gang, up to 11 women and girls raped, and up to 150 houses looted. While these organizations attribute the responsibility for the crimes predominantly to criminal gangs competing for control over the local market, it is troubling that they all allege some level of complicity with State actors. Two police officers already under investigation, including one in relation to the Grand Ravine case of November 2017 when eight persons were killed during a police operation, also allegedly participated in the La Saline incident.

39. In December, 35 victims filed a complaint before the Port-au-Prince court of first instance against nine persons for murder, sexual violence and destruction of property in connection to the events in La Saline. On 16 January, the Office of the National Human Rights Ombudsperson released a report on these events, its first public report on a major incident, in which it highlighted the positive actions taken by the HNP and the judicial system, including intervention of the HNP to secure the area, the opening of a police investigation, the appointment of a judge and, subsequently, conducting interviews and sending officials to take statements. The ensuing investigation resulted in the arrest of 19 individuals. In parallel, MINUJUSTH continues its own investigation of these events.

40. While MINUJUSTH notes a general improvement in the capacity of the HNP General Inspectorate, it should be noted that it has investigated less than half of the 229 violations documented by the Mission between October 2017 and October 2018. During the reporting period, 105 disciplinary cases were reported to the General Inspectorate, including 55 allegations of human rights violations. The Directorate recommended sanctions in 21 cases, 11 of which were implemented. Only 6 allegations of human rights violations have been transferred for judicial proceedings. Out of the 216 cases investigated by the Inspectorate from January 2017 to November 2018, 30 were transferred for prosecution with proceedings initiated in 20 cases. The violations that await effective judicial investigation include the emblematic cases of Lilavois and Grand Ravine in October and November 2017 (see S/2018/241, paras. 34 and 35).

41. On 10 December, in the presence of President Moïse, national authorities, local civil society organizations and international partners, MINUJUSTH celebrated the 70th anniversary of the adoption of the Universal Declaration of Human Rights. In his speech, the President reaffirmed his commitment for the respect of human rights and reiterated his determination to improve the living conditions of Haitians.

F. Election Preparations (benchmark 11)

42. An electoral needs assessment mission, deployed to Haiti from 3 to 7 December 2018, recommended a positive response to the request by the Government for electoral support, to be delivered through a UNDP-led integrated project under a One-UN approach, up to 31 December 2020. It also recommended that my Special Representative establish a mechanism among the international community to coordinate messaging and approach and that a UN electoral task force be set up within the office of my Special Representative, including the Deputy Special Representative in his role as head of the United Nations country team. The

Government has included an amount of approximately \$40 million in its 2018-2019 draft budget law to address operational costs in 2019.

43. While little action has been taken to review the draft organic law on a Permanent Electoral Council, a draft law covering several aspects of the organisation of elections is currently being reviewed by Parliament. The draft law incorporates a 30 per cent constitutional quota for women candidates on party lists, as well as incentives and sanctions for not meeting this standard. In supporting the effort to enhance woman participation, UN-Women has developed a partnership with the Federation of Women Mayors to tackle issues faced by women running for political office.

IV. Mission Support

44. Mission Support repatriated two Formed Police Units, one in December 2018 and one in January 2019. A third was redeployed from Jérémie (Grand'Anse) to Miragoâne (Nippes).

45. The Mission is further reducing its footprint by closing three camps by March 2019. In anticipation of the closure of Delta camp and the relocation of UNPOL headquarters to Logbase, Mission Support completed the construction of UNPOL headquarters in Logbase and the renovation of the former aviation camp to accommodate UNPOL personnel.

46. Since July 2018, the Mission has implemented a series of rightsizing activities geared towards achieving a lean supply chain management. In championing inventory rightsizing activities, it has also implemented the Asset Distribution Project (ADP), an innovative approach which pairs mission surplus with substantive program and police projects, making efficient use of excess assets, while also positively impacting mandate delivery.

V. Conduct and Discipline and related issues

47. There have been no new allegations of sexual exploitation and abuse since the previous reporting period. MINUJUSTH continued to implement the three-pronged conduct and discipline strategy for all categories of United Nations personnel, including trainings, risk assessments and public information, to sensitize the Haitian population to United Nations standards of conduct, in particular the zero-tolerance policy towards sexual exploitation and abuse. As part of the remedial action, the Mission maintained a continuous communication and referral for assistance of the victims of sexual exploitation and abuse. A number of claims remain pending before local courts involving both confirmed and alleged mothers of children fathered by former MINUSTAH peacekeepers. These are being addressed in consultation with the claimants, the host authorities, and the relevant contributing countries. A strategy is being developed to ensure continued monitoring of these cases, as well as support as applicable to the claimants in Haiti, notwithstanding the possible transition to a non-peacekeeping presence.

VI. Financial Aspects

48. The General Assembly, by its resolution 72/260 B, appropriated the amount of \$121.5 million gross for the maintenance of United Nations Mission for Justice Support in Haiti for the period from 1 July 2018 to 30 June 2019. As of 8 February 2019, unpaid assessed contributions to the Special Account for United Nations Mission for Justice Support in Haiti amounted to \$54.9 million. Reimbursement of police costs has been made for the period up to 31 October 2018, while reimbursement of the costs of contingent-owned equipment has been made for the period up to 31 March 2018.

VII. Strategic Assessment and Transition Planning

49. In responding to the Security Council request pursuant to resolution 2410 (2018), the United Nations Secretariat, in cooperation with UN agencies, funds and programmes present in the country, undertook a thorough and inclusive strategic assessment of the situation in Haiti with a view to recommend the appropriate timing for closing MINUJUSTH and ending peacekeeping; identify areas where continued UN support would best contribute to sustaining peace and Haiti's path towards sustainable development; and, on that basis, recommend an appropriate UN configuration in the country following the end of MINUJUSTH.

50. The assessment process was conducted over a period of five months through joint analysis and planning and close coordination between Headquarters and the United Nations system in the field, resulting in a unified vision that included a regional perspective on the situation in the country and its ongoing challenges as well as a detailed analysis of the comparative advantages of the engagement by UN and non-UN partners. Consultations held throughout the process with Haitian interlocutors, regional partners, key bilateral donors and IFIs as well as MINUJUSTH's assessments of progress in the achievement of the benchmarks and the results of ongoing planning to increase the preparedness of the UN Country Team informed the findings and recommendations of this report.

51. The United Nations Development Assistance Framework (UNDAF) for 2017–2021 continues to serve as the main planning vehicle between the Mission and the United Nations country team to prepare for a smooth transition to a non-peacekeeping presence in Haiti. The transition programming task force that brings together the Mission leadership and the United Nations country team supported the development of a new joint work plan on governance and rule of law (UNDAF outcome 5) for 2019–2020, that bridges the transition period. The work plan includes the identification of resources currently available to the country team and potential gaps following the withdrawal of MINUJUSTH, including HNP development, penitentiary administration, justice reform, reduction of community violence, implementation of a comprehensive human rights agenda, gender justice and implementation of a national plan for the elimination of violence against women.

52. In parallel, a joint resource mobilization strategy was finalized by the Country Team, in collaboration with MINUJUSTH and Headquarters, to support the implementation of strategic priorities, while also taking into account requirements arising from the transition to a non-peacekeeping presence and the new United Nations approach to cholera. An action plan developed to operationalize aspects of the joint resource mobilization strategy mapped the support provided by other stakeholders and prepared concept notes to support engagement with national authorities, traditional and non-traditional donors, civil society and other partners.

53. The process culminated in a Strategic Assessment Mission (SAM) to Haiti from 16 to 20 January 2019, led by Under-Secretary-General for Peace Operations, Mr. Jean-Pierre Lacroix, and Assistant Secretary-General for the Europe, Central Asia and Americas, Mr. Miroslav Jenča. The visit, which built on extensive consultations led by my Special Representative, Ms. Helen La Lime, focused on consultations with the Haitian Presidency, government, stakeholders representing diverse political affiliations, institutional sectors, civil society, private sector, and human rights and women's organizations. These consultations ensured that the findings and recommendations of the strategic assessment would be primarily anchored on the Haitian people's vision for their country.

VIII. Findings: achievements and challenges

54. Since the closure of MINUSTAH and the deployment of MINUJUSTH, Haiti has remained on a positive trajectory. The cumulative impact of 14 years of national efforts towards stabilization and reform, accompanied by United Nations support through peacekeeping, as well as development and humanitarian support, is visible in the democratic functioning and institutional strengthening, albeit to varying degrees. A number of current initiatives for dialogue by the Executive demonstrate a willingness to address complex political and socio-economic issues to improve social cohesion and the daily lives of the Haitian people.

55. MINUJUSTH's work in the past year sought to help Haiti address structural and operational shortcomings in the areas of police development, human rights, justice, corrections and strengthening institutional responses to promote public trust in these sectors. As reflected in the benchmark assessment contained in my reports, there has been an incremental progress across the areas of MINUJUSTH's mandate with an improvement in the professionalism and efficiency of rule of law and security institutions, as well as in the protection of human rights. In parallel, public awareness and support for rule of law reform, accountable institutions and curbing corruption has grown.

56. In no other sector has headway been so evident as in security and HNP development, continuing the trend observed since the full withdrawal of peacekeeping military contingents completed in October 2017. The important strides in increasing HNP capacities are reflected in its current strength of 15,051 officers, up from an initial 2,500 recorded in 2004; its handling of major security incidents; its significantly strengthened leadership capacities; along with the force's ability to independently conduct crime prevention operations and manage public protests across the country. The steadily decreasing criminal activity reported year by year is a concrete indication of the continuously improving security situation in the country.

57. Despite the considerable progress, challenges remain in HNP's capacity to deliver on its constitutional mandates. With 27.6 per cent of its five-year, 2017-21 Strategic Development Plan implemented in the initial two years, the force lacks an adequate budget and remains underequipped with limited logistics such as vehicles, protection equipment and medical support to achieve its full capacity. Addressing performance issues related to human rights, such as the excessive use of force and illegal arrests, which contribute to prison overcrowding, remain critical priorities.

58. In addition, the resurgent security threat posed by armed gangs, in particular in the capital, remains a significant challenge. Efforts to dismantle gangs should be accompanied by political and socio-economic reinsertion alternatives, sustained engagement with community members, as well as weapons and ammunition management programmes. The Government has expressed its intention to re-establish a National Commission to foster gang disarmament and labour-intense projects on infrastructure and sanitation. In conclusion, the growing HNP is still in an evolving phase and the preservation of its gains could benefit from continued international accompaniment to consolidate its full effectiveness and operational integrity.

59. Despite best-intended national efforts, supported by the United Nations and bilateral and multilateral programmes over the past 25 years, progress in the justice sector has been modest. The absence of a sectoral reform strategy has limited impact to fragmented and uncoordinated initiatives within the state. The persistent high rate of prolonged pre-trial detention – 65 per cent and above – and overcrowding in prisons exemplifies the sector's dysfunctions. In turn, the perception of inability by the Judiciary to achieve full independence is seen as one of the main drivers of governance challenges favouring corruption and impunity. In that

context, the quest for accountability in the high-profile PetroCaribe case is viewed as an important test for the governance and judicial systems that is having a catalytic impact on public opinion. Establishing a pragmatic dialogue to promote progress in the justice sector by setting a nationally-owned roadmap remains a fundamental need over the coming years.

60. While the country has continued to make some progress in the area of human rights, the overall situation and protection framework remain fragile. State institutions have an uneven record of upholding rights guaranteed under Haiti's international human rights obligations and domestic legislation. Many civil society organisations lack a strong voice and are fragmented as they strive to fully assume a monitoring and advocacy role and serve as part of a national human rights protection system. Lack of access to justice for vulnerable groups and impunity for human rights violations are pervasive, and sexual and gender-based violence (SGBV) remains a serious concern. Public confidence in security and justice institutions, including in addressing SGBV and gang violence, remains low, also because of the lack of recognition of SGBV as a crime as well as the absence of gender-sensitive justice mechanisms.

61. Haiti continues to struggle with significant, interlinked development challenges ranging from high underemployment levels, poor secondary educational attainment, limited and regressive tax revenues, high levels of poverty and inequality (41.1 Gini coefficient), low productivity and limited private investments (181st World Bank's ease of doing business index). Access to health care is scant, compounded by 72 and 42 per cent of the population respectively not having access to adequate sanitation and potable water, directly impacting the mitigation and eradication of water-borne diseases, including cholera. Combined with high-level exposure to natural and climate-related hazards, and continued humanitarian needs arising from food insecurity and the repatriation of migrants, these factors severely test Haiti's resilience.

62. Boosting private investment and productivity is key for future economic growth, which needs to address deeply-rooted inequalities to ensure stability. A combination of political will, trust in public administration, efficiency in tax collection and rationalization of the current expenditure is essential. Progress in the socio-economic situation, in an equitable manner and in line with the 2030 Agenda, remains a critical underpinning for longer-term stability. A strong preparedness system to respond to natural disasters through the continued strengthening of the Directorate of Civilian Protection is also critical, together with recognition of its leadership role and allocation of adequate resources.

63. The political situation however remains fragile, marked by complex and at times destabilizing dynamics. The fragmented and polarised political landscape between government and opposition affects the implementation of much-needed reforms, including in the justice and economic sectors. There is broad consensus across society on the need to amend the 1987 constitution, including the unaligned timing of electoral terms leading to elections on an almost yearly basis. However, the scale and scope of the envisaged amendments is unlikely to materialize in the medium term, due to, inter alia, the complex amendment process provided in the constitution, requiring two successive legislatures to vote on proposed changes. While there has been some progress regarding women's representation, such as the 24 per cent presence in the current cabinet, serious challenges remain regarding inequalities and limitations affecting women's political voice, meaningful participation in governance and access to leadership roles, as is the case in Parliament where only one senator and three members of the Lower Chamber are women.

64. The situation is currently dominated by the economic and political crisis and an apparent shortage of government resources to provide basic needs of the state. If the crisis is successfully averted and political groupings agree to move forward towards constitutionally scheduled elections, focus in the upcoming period will shift to the legislative and possibly local elections in October 2019, followed by presidential elections in 2021. Political tensions are expected to increase again around the adoption of the electoral law, the establishment of a provisional electoral council and nominations to municipal and departmental electoral offices. Electoral delays however, would not only fuel tensions but also paralyze Parliament, as was the case in 2015.

IX. Options

65. The risks for renewed instability arising from the political, security, human rights, economic and humanitarian challenges outlined above have been carefully considered in assessing the timeframe for the conclusion of the peacekeeping chapter and the preferred post-peacekeeping presence in Haiti. As seen in the recent crisis, it is clear that, while national capacities to handle internal security and public order threats are considerable, the key to preventing relapses lie at the political level, and political stability in the country should continue to be nurtured. Similarly, as a number of the objectives set through the two-year exit strategy of MINUJUSTH relating to the rule of law and human rights are not expected to be fully achieved by October this year, the continuation of efforts in related sectors will remain critical for achieving the benchmarks' end state articulated in my report S/2018/241.

66. In light of the above, the SAM discussed with President Moïse and his government the duration of the MINUJUSTH mandate, foreseen by the Council to end no sooner than October 2019, as well as options for a UN configuration that best corresponds to the current situation on the ground, taking into account its significant evolution since 2004. Two broad models, and their variations, were considered: transition to a Special Political Mission which, under different degrees and formats, would offer varying political and advisory capacities alongside the technical and programmatic support provided by the UN Country Team, and; transition to a United Nations Country Team configuration coordinated by a Resident and Humanitarian Coordinator.

67. Under the UN Country Team option, Haiti would no longer feature on the agenda of the Security Council and the UN presence would focus on supporting national efforts to advance sustainable development and system-wide accountability for implementing the UNDAF. This option, however, would not allow for the retention of a Police Commissioner and some International Police Officers under a Security Council mandate whose presence through a mentoring and advisory role has been critical in ensuring the performance and development of the Haitian National Police.

68. The establishment of a Special Political Mission would still support a strong development focus, since the Mission would complement the more technical and longer-term development-focused role of the UN agencies, funds and programmes. The UNDAF would continue to be the main planning vehicle for coordinating the integrated activities of the Mission and the United Nations country team. A Special Political Mission would allow the Security Council to continue accompanying Haiti's efforts toward sustainable peace and would enhance the good offices role of the United Nations through the mandate provided to my Special Representative. Potential risks of relapse into political instability, as are currently being experienced and which also have implications on the human rights situation, highlight the comparative advantage of this option. Various configurations for this option were reviewed ranging from a small political office to larger Mission structures that include advisory functions

for further police development and mentoring, strategic and focused justice reform, corrections, elections, Human Rights and community violence reduction, to support the Government in the delivery of its strategic rule of law priorities in the short to medium term. In the planning of the transition particular emphasis has been placed on ensuring a smooth transition of the new configuration. A robust gender analysis will be needed to identify risks and opportunities for women's participation and security under the different potential configurations.

69. Throughout these discussions, Haitian interlocutors reiterated their view that it was time to conclude the United Nations peacekeeping engagement and the application of Chapter VII of the Charter. No request was made for an extension of the MINUJUSTH mandate beyond 15 October 2019.

70. At the same time, in recognition of continuing needs in the country, the Haitian authorities expressed support for the deployment of a Special Political Mission under Chapter VI of the Charter designed to accompany current priorities in specific and strategic rule of law, security, human rights and development areas for a transitional period, so that Haiti would be subsequently removed from the Security Council agenda.

X. Observations and Recommendations

71. The conclusion of the strategic assessment process took place amidst a context of renewed demonstrations which reconfirmed key elements of its findings and recommendations. I am encouraged by the continuous progress in the development of the HNP, whose widely-acknowledged professional and effective performance during the demonstrations showcased its capacities in addressing security challenges in the country. In line with the vision of the Haitian leadership and its people, it is my assessment that unless there are mounting challenges to the government's capacity to respond to the crisis, the HNP will be able to fully assume responsibility for security and protection of Haitian by 15 October 2019, at the end of the two-year exit strategy foreseen by the Council. I will continue to monitor the evolution of the situation in the country against this assessment in order to keep the Security Council informed.

72. The end of peacekeeping represents a substantive and symbolic recognition of Haiti's own achievements and increased capacities. The United Nations stands ready to continue to support the country's transition toward sustainable development. In this context, a period of continued assistance may be key to address unresolved drivers of instability, support governance reform, promote human rights and the rule of law and ensure that the country achieves further positive transformation.

73. It is significant that the Haitian leadership supports the deployment of a special political mission, mandated to provide good offices and advise the government on specific areas in political reform, elections, justice, corrections, police development, community violence reduction and human rights. I recommend that the Security Council approves its establishment in the form of a small strategic advisory office led by a Special Representative of the Secretary-General functioning alongside the technical capacities of the United Nations Country Team, supported by a triple hatted Deputy Special-Representative of the Secretary-General, Resident Coordinator and Humanitarian Coordinator, for a period of one year, starting on 16 October 2019. I look forward to working with the Haitian institutions in designing this new, small office in a manner that fits Haitian expectations.

74. Drawing from lessons from previous transitions in Haiti and other country contexts, I recommend that the implementation of the MINUJUSTH mandate be gradually phased out

during the last six months with a proper handover of all security responsibility by the five remaining FPU's to their HNP counterparts and that a seamless passage to a special political mission ensures the uninterrupted continuity of my good offices. Accordingly, for MINUJUSTH to be able to maintain adequate capacities until the end of its mandate, sustain support to the political processes in the lead up to the elections, and not place undue burden on the ensuing special political mission, I recommend that the Council considers providing a separate liquidation period for MINUJUSTH, following 15 October 2019.

75. The small strategic advisory office, based in Port-au-Prince, would focus on supporting and advising the Haitian government and institutions on national priority areas, targeting strategic reform that can be catalytic for longer-term stability and change in the country in the areas outlined below:

- Good offices related to national dialogue, elections and constitutional reform processes;
- Strategic advice on police development, with a view to supporting the HNP's operational integrity and further progress in the HNP Strategic Development Plan 2017-21. This would require a capacity of a limited number of UN police advisers embedded within the senior ranks of the HNP, under the leadership of a high-ranking Police Commissioner;
- Strategic advice on catalytic justice reform initiatives, within the framework of the United Nations Global Focal Point on rule of law, including curbing corruption and the adoption and implementation of key legislation through a nationally-owned reform roadmap;
- Strategic advice on community violence reduction, in support of a national strategy to address the challenges posed by the recruitment of youth into gangs, including links to community policing and a weapons and ammunition management program;
- Strategic advice on corrections, to complement efforts through justice and police reform to continue to improve prison conditions and welfare of inmates, and sustain progress in promoting the autonomy of the directorate of prison administration;
- Strategic advice on the protection and promotion of human rights, women's protection and women's empowerment, as informed by human rights monitoring and reporting.

76. The United Nations presence in the country would comprise of this small strategic advisory office and the United Nations Country Team which will be integrated through multi-disciplinary teams and cross-cutting priorities. This presence will be collocated and function hand in hand, structurally and substantively. Capacities from the advisory office and the UN Agencies, Funds and Programmes will address shared priorities, within the broader framework of the Haitian vision for a secure, democratic, middle income country based on the 2030 Agenda. The Office of the UN High Commissioner for Human Rights (OHCHR) will continue providing its support to the United Nations' joint efforts in Haiti to foster the national authorities' human rights agenda, including through providing additional capacity and resources.

77. The role of the United Nations Country Team in supporting institutional action towards progress in the Sustainable Development Goals would have renewed focus on areas previously receiving MINUJUSTH programmatic support. In particular, the UN Agencies, Funds

and Programmes would assume responsibility for technical support in areas of justice, police and corrections, as well as elections, and work hand-in-hand with the new office in its advisory and good offices role ensuring coherence between strategic and technical engagements. Strong cooperation and coordination with bilateral partners who continue to provide considerable programmatic support and resources to the development of the rule of law in Haiti would ensure coherence in international engagement, including ensuring adequate allocation of resources to gender equality and women's empowerment within the rule of law sector. In addition, the United Nations Country Team would play a major role in continuing outreach to the population outside Port-au-Prince on critical areas of reform, currently undertaken by the MINUJUSTH mobile teams, in light of lessons learned from the longstanding United Nations' engagement in Haiti on the need to sustain a bottom-up approach.

78. Progress in these efforts should continue to be assessed through the benchmarks used for the MINUJUSTH exit strategy, to the extent that these are not fully achieved and as reviewed in light of the mandate of the strategic advisory office. The specific objectives of the office should be articulated in partnership with the Haitian leadership, on the basis of its vision for the country. As part of the establishment process of the new Mission I will enter into negotiations with the Government of Haiti on a Status of Mission Agreement (SOMA).

79. In order to complement the good offices and advisory tools of the new, small strategic advisory office, there is a need to continue scaling up United Nations Country Team technical assistance programmes in the areas of justice, corrections and police development. I call on member States to provide the voluntary funding necessary to build capacities in these priority areas as a prerequisite for a successful transition, in line with the "Declaration of Shared commitments on UN Peacekeeping Operations" and Security Council resolution 2447 (2018). Continued discussions between the Haitian leadership and the Secretariat on possibilities for accessing the Peacebuilding Fund should be further pursued.

80. Despite the regrettable absence of any newly appointed women judges, the conclusion of the appointment process to the Cour de Cassation is welcomed and shows that progress is possible even in areas where gridlocks have been persistent. I also welcome the preparation of a new action plan to address prolonged pretrial detention and call for concerted action to make substantive progress in its implementation.

81. Recognising the country's overall achievements in recent years, I commend the governments and people of Haiti for their efforts to advance political and security stability in their country, despite the many challenges. The recent violent demonstrations as reported, despite an initial period of relative calm, bring into focus the urgent need for national dialogue to underpin longer-term stability. It is the responsibility of all Haitian leaders, in government and opposition, and in other sectors of society, to support it.







82. Considerable progress has been made in institutional development, while longer-term stability will require further consolidation of the political system and collaborative relationships between the three branches of power, which, in turn, can only be achieved through strong political leadership and courageous action by the current and future administrations.




83. As we move towards an adjustment of the United Nations partnership with Haiti, I encourage the Haitian leadership and people to take full advantage of and continue working with MINUJUSTH to prepare for a successful end of peacekeeping in Haiti and the beginning of our new relationship. I therefore hope that the impending transition will provide renewed impetus for faster progress in the benchmarks.






84. Lastly, I would like to express my sincere gratitude to my Special Representative for Haiti, Helen La Lime, and the women and men of MINUJUSTH and the UN country team for their work and dedication in contributing to the stabilization of Haiti and supporting the country on its path to development. I would also like to thank those Member States that have continued to provide police and corrections personnel to the Mission.





Annex I





Benchmark indicators, targets and baselines






<i>Symbol</i>	<i>Equivalent</i>	<i>Symbol</i>	<i>Equivalent</i>
	On track to achieve target by the timeline (8 indicators, 17 per cent)		Challenges expected to achieve target by the timeline but with a descending trend (4 indicators, 8 per cent)
	Challenges expected to achieve target by the timeline but with a positive trend (15 indicators, 32 per cent)		No progress / Not on track to achieve target by timeline (7 indicators, 15 per cent)
	Challenges expected to achieve target by the timeline but with a stagnating trend (11 indicators, 23 per cent)		No update on progress was expected during the reporting period (1 indicator, 2 per cent)






<i>Benchmark</i>	<i>Indicator</i>	<i>Target timeline</i>	<i>Target</i>	<i>Update as at 15 January (or otherwise specified)</i>	<i>Trend</i>
1. The executive and legislative branches have promulgated legislation that improves access to justice, enhances the development of the national police and addresses prolonged pretrial detention, which is a cause of prison overcrowding; all branches have initiated implementation of the new legislation, including through sustainable budget allocations	1.1 Existence of the new Criminal Code (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — New Criminal Code is promulgated	1 — Senate Justice and Security commission issued its report on the draft law. Lower Chamber commission is finalizing its report and preparing a summary of the draft law.	
	1.2 Existence of the Code of Criminal Procedure (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Code of Criminal Procedure is promulgated	1 — Senate Justice and Security commission issued its report on the draft law. Lower Chamber commission is finalizing its report and preparing a summary of the draft law.	
	1.3 Existence of the Legal Aid Law (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)	April 2019	3 — Legal Aid Law is promulgated	3 — Law on the creation, organization and functioning of the National Council on Legal Aid adopted by both chambers on 10 September 2018, transferred to President on 27 September and published in the official gazette on 26 October.	





	<p>1.4 Existence of the organic law on the Haitian National Police elevating Directorate of Prison Administration to a central directorate (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)</p>	<p>April 2019</p>	<p>3 — Organic law on national police is promulgated</p>	<p>1 — Draft organic law is pending validation by the HNP Director General.</p>	
	<p>1.5 Existence of the Prison Law (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by President)</p>	<p>April 2019</p>	<p>3 — Prison Law is promulgated</p>	<p>1 — Draft Prison Law validated by Directorate of Prison Administration and submitted to the HNP</p>	
	<p>1.6 Identification of the implementation requirements by the relevant institutions, including budgetary allocations, for the new legislation (disaggregated by law)</p>	<p>October 2019</p>	<p>Implementation requirements, including budgetary allocations, are determined for new legislation</p>	<p>Identification of implementation requirements for: - Draft Criminal Code: not yet adopted - Code of Criminal Procedure: not yet adopted - Legal Aid Law: a technical committee on the implementation of the law has been set up by the MJSP - Organic law on national police: not yet adopted - Prison Law: not yet adopted</p>	
	<p>1.7 Number of new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince</p>	<p>October 2019</p>	<p>800 new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince per year</p>	<p>October 2017-December 2018: 595 new cases processed in real time by Port-au-Prince jurisdiction prosecutors</p>	
	<p>1.8 Proportion of detainees in pretrial detention</p>	<p>October 2019</p>	<p>50.4 per cent of detainees in pretrial</p>	<p>31 December 2018: 64,9% (2,408 out of 3,705)</p>	






	in excess of two years at the civil prison of Port-au-Prince		detention at the civil prison of Port-au-Prince		
	1.9 Number of cases closed by investigative judges in the jurisdiction of Port-au-Prince	October 2019	750 orders issued per year	October 2017-December 2018: 442 orders issued	
	1.10 Number of penal cases adjudicated by the court of first instance of Port-au-Prince	October 2019	800 penal cases adjudicated by the court of first instance of Port-au-Prince (per year or quarter?)	October 2017-December 2018: Court of First Instance of Port-au-Prince adjudicated 452 penal cases	
2. The Haitian authorities make timely, gender-balanced and merit-based appointments in the justice sector, including in the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and Administrative Disputes	2.1 Existence of the annual report of the Superior Council of the Judiciary, to include: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process.	April 2019	Annual report of the Superior Council of the Judiciary available, including: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process	Preliminary report on the state of the judiciary finalized and submitted to the Council of the CSPJ. Drafting of the body's annual reports yet to be initiated.	
	2.2 Number of seats filled at the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and	April 2019	Superior Council of the Judiciary: 9/9 (3 women) Court of Cassation:	President Moïse filled, on 31 January, the six seats which had been vacant at the Court of Cassation since December 2015. The new judges are appointed for a 10-year term. As none of the three women	





	Administrative Disputes, disaggregated by gender		12/12 (1woman) Superior Court of Audits and Administrative Disputes: 9/9 (3 women)	candidates proposed by the Senate was appointed, there is one woman in the 12-judge Court. One of the six new judges was also appointed President of the Court and President of the Superior Council of the Judiciary.	
3. The Directorate of Prison Administration performs key management functions providing basic services to all detainees and ensures respect for their rights	3.1 Number of deaths per 1,000 inmates	October 2019	Ratio equal to or below 10/1,000 inmates	1 January 2018 to 15 January 2019: 12.9 / 1,000 inmates	
	3.2 Number of prisons supported by functioning health services for inmates, disaggregated by gender	October 2019	Nine out of 18 prisons and four largest national police holding facilities supported by adequate health-care facilities for inmates	Seven out of 18 prisons supported by functioning health services for inmates	
	3.3 Number of Directorate of Prison Administration officers recruited through a dedicated process, disaggregated by gender, out of the 941 new officers required by 2021 to meet the Directorate's needs	October 2019	300 Directorate of Prison Administration officers recruited, of whom 30 per cent are women, out of the total 941 new officers to meet the Directorate's needs by 2021	From 1 January 2018 to 15 January 2019, a total of 151 cadets including 21 women have been recruited, trained and deployed to the DAP.	
	3.4 Number of prisons certified by the Directorate of Prison Administration as being able to operate without full-time support	October 2019	Nine prisons certified out of 18	First round of prison evaluations, based on the defined certification criteria, completed by Joint DAP/MINUJSTH Monitoring and Evaluation Committee based the defined certification	





	from international actors (MINUJUSTH or others)			criteria. Report with recommendations to be discussed with DAP senior management.	
4. The national police responds to public disorder and manages security threats throughout Haiti, demonstrating elevated levels of professionalism, human rights awareness and gender sensitivity, without requiring international support, as a result of the implementation of the relevant priorities of the strategic development plan of the national police for 2017–2021	4.1 Implementation rate of the strategic development plan of the national police for 2017–2021	October 2019	43 per cent implemented (57 of 133 priorities in strategic development plan)	Current implementation rate: 27.6 per cent. Out of the 133 priority actions consisting the plan, 96 are foreseen to be implemented during 2017-2019. To date, no priority action is completed, 14 are at an advanced stage, 82 have been initiated and 37 have not started).	
	4.2 Number of police officers per 1,000 citizens	October 2019	1.45	1.32 after a readjusting process following an exercise to clean up the payroll	
	4.3 Percentage of women police officers	October 2019	11 per cent	9.89 per cent (1498 women out of 15,154 officers.)	
	4.4 Percentage of national police capacity statically deployed outside the Port-au-Prince metropolitan area	October 2019	40 per cent	35.04 percent	
	4.5 Number of specialized public order units out of the 13 existing units of the national police (12 Unités départementales pour le maintien de l'ordre and 1 Compagnie d'intervention et de maintien de l'ordre) capable of responding to security threats with no MINUJUSTH support	October 2019	All 13 units are capable of responding to security threats with no MINUJUSTH support	Seven of the 13 units operate without MINUJUSTH support	




	4.6 Percentage of public order/security operations planned and executed by national police without MINUJUSTH support	October 2019	100 per cent of operations without MINUJUSTH support	95 % operations without MINUJUSTH support	
	4.7 Percentage of national budget allocated to national police	October 2019	8.0 per cent of national budget allocated to national police	Currently, 6.6 per cent of national budget is allocated to HNP. If most recent draft of 2018-19 budget law is adopted by Parliament, the HNP would receive 6.2% of the national budget.	
5. Strengthened internal oversight and accountability mechanisms in the justice, corrections and police sectors address misconduct and ensure increased effectiveness and compliance with human rights	5.1 Number of courts of first instance inspected (out of 18) Number of appeal courts inspected (out of 5)	April 2019	All 18 courts of first instance and 5 appeal courts inspected by the Ministry of Justice	Inspection tour launched in December 2018, starting with Croix des Bouquets jurisdiction. The Port de Paix and Anse-à-Veau jurisdictions are scheduled to be visited by end of January 2019.	
	5.2 Percentage of allegations of human rights violations against public officials (national police officers, Directorate of Prison Administration officials) investigated by the General Inspectorate of the national police	April 2019	80 per cent of all allegations investigated by the General Inspectorate of the national police	1 January - 31 December 2018: 75.7% of human rights allegations against HNP officers, including DAP agents, investigated (196 investigations out 259 allegations received).	
	5.3 Percentage of confirmed misconduct by national police and Directorate of Prison Administration officers disciplined	April 2019	60 per cent of cases investigated have sanctions implemented	1 January - 31 December 2018: 21.5 per cent (87 cases) have yielded sanctions, out of 404 allegations of misconducts against HNP officers, including DAP officials. The General Inspectorate of the Police launched an	

	by the national police			investigation for 353 of those cases.	
	5.4 Percentage of confirmed crimes or human rights violations committed by national police and Directorate of Prison Administration officers prosecuted by judicial authorities	April 2019	100 per cent of confirmed crimes or human rights violations committed by national police officers prosecuted by judicial authorities	1 January - 31 December 2018: Police officers were prosecuted in 12.4 per cent of cases of human rights violations (32 officers prosecuted out of 259 cases).	
	5.5 Percentage of staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area, disaggregated by gender	April 2019	30 per cent of projected 340 staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area	As of January 2019, none of the 194 personnel assigned to the General Inspectorate of the national police are deployed outside the Port-au-Prince metropolitan area. However, a draft plan to open a regional office of the General Inspectorate in the North Department is under consideration by the DGHNP.	
6. Haitian women and men, in particular those from the most vulnerable and marginalized communities, demonstrate increased trust in the capability and willingness of the justice system to address crime and of the national police to provide security	6.1 Proportion of the population expressing satisfaction on how the national police performs at reducing crime	April 2019	88 per cent	The survey has yet to be conducted.	
	6.2 Number of youth at risk and women benefiting from community violence reduction/reinsertion programmes demonstrating willingness to work with national police community policing initiatives and law	April 2019	500 youth at risk and women cooperating with national police community policing and law enforcement authorities (per year)	3,326 at-risk youth and 2,027 women cooperating with national police community policing and law enforcement authorities	

	enforcement authorities				
	6.3 Number of victims of intentional homicide per 100,000 citizens, disaggregated by gender and age	April 2019	Rate of 9.3 or less of intentional homicide, disaggregated by gender and age	From 1 January to 31 December 2018: homicide ratio estimated at 6.63 per 100,000 citizens (757 intentional homicides – 697 male (including 13 minors) and 60 female (including 10 minors) victims.	
	6.4 Number of kidnappings reported in the Port-au-Prince metropolitan area	April 2019	50 or fewer kidnappings reported in the Port-au-Prince metropolitan area (per year)	From 1 January to 31 December 2018: 46 cases of kidnapping concerning 49 people (21 men and 28 women). Out of the 46 cases, 29 were reported in the Port-au-Prince metropolitan area.	
	6.5 Number of gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant	April 2019	18 or fewer gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant (per year)	From 1 January to 31 December 2018): 32 incidents	
	6.6 Number of sexual and gender-based violence cases investigated by national police, reflecting enhanced national police capacity	April 2019	At least 275 cases of sexual and gender-based violence are investigated (per year)	From 1 January to 31 December 2018: 213 cases are investigated out of which all women (58 women and 155 female minors)	
7. The national Office of the Ombudsperson functions independently and protects citizens whose rights have been violated	7.1 Level of compliance of the Office of the Ombudsperson with international standards on the work of national human rights institutions, and structural capacity to operate as an independent and effective institution in	October 2019	A status according to Paris Principles	Status A according to Paris Principles until next decision of the Global Alliance of National Human Rights Institutions due for May 2019	

	accordance with the Paris Principles				
	7.2 Number of recommendations of the Office of the Ombudsperson implemented by national rule of law institutions	April 2019	Three recommendations of the the Ombudsperson implemented by national rule of law institutions	No recommendations made	
8. Civil society organizations, including those representing women, engage with the Haitian authorities to advocate the promotion and protection of human rights, and are empowered to bring allegations of human rights violations to the competent judicial or administrative authorities	8.1 Number of alternative reports prepared and submitted by civil society organizations to international human rights mechanisms	April 2019	Two reports prepared and submitted by civil society organizations to international human rights mechanisms	<p>Since October 2017, UN Special Procedures mandate holders of the Human Rights Council have been seized of 3 cases of allegations of human rights violations as a result of reports submitted by civil society organizations.</p> <p>On 5 December, the Inter-American Commission for Human Rights (IACHR) held a hearing in Washington on the situation of “persons deprived of liberty in Haiti”, based on a report submitted by one Haitian civil society organization. The IACHR recommended that its Rapporteur on the Rights of Persons Deprived of Liberty conduct an official visit to Haiti.</p>	
	8.2 Number of cases reported by local civil society organizations monitoring human rights violations	April 2019	10 reports published by local civil society organizations monitoring human rights violations (per year)	In 2018, a total of 17 reports were published.	
9. National authorities comply with	9.1 Availability of national plan of	October 2019	National plan of action for the	Inter-ministerial Committee on Human Rights has begun to work	

international human rights obligations, including holding individuals responsible for current and past human rights violations and fulfilling their reporting obligations to human rights treaty bodies	action for human rights		implementation of the recommendations made by human rights mechanisms, in particular through the universal periodic review of the Human Rights Council	on the development of a National Action Plan on Human Rights, as per the April 2017 recommendation of the United Nations' Human Rights Council.	
	9.2 Number of recommendations made by the human rights mechanisms accepted by the Government of Haiti	April 2019	Three recommendations made by human rights mechanisms accepted by the Government of Haiti	Out of the 16 recommendations issued by the Human Rights Committee in 2014, the State has shown in the periodic report prepared in 2018 that action was taken to partially implement eight.	
	9.3 Number of reports prepared and submitted to international human rights mechanisms by the Government of Haiti	April 2019	Two reports prepared and submitted to international human rights mechanisms by the Government of Haiti	On 20 December, Haiti submitted to the Human Rights Committee its second report on the implementation of the International Covenant on Civil and Political Rights.	
	9.4 Appointment by the Government of Haiti of a high-level human rights focal point within the executive branch	April 2019	One high-level focal point within the executive branch appointed by the Government of Haiti	Target achieved in the previous reporting period.	
10. Rule of law and anti-corruption institutions demonstrate increased capacity to fight corruption	10.1 Availability of annual report on public spending by Superior Court of Audits and Administrative Disputes	April 2019	The annual report on public spending of Superior Court of Audits and Administrative	Report being finalized prior to publication.	

			e Disputes is available		
11. The Permanent Electoral Council is established through a credible and transparent process and exercises its electoral responsibilities in an independent and transparent manner, without requiring international support	11.1 Nomination by the three branches of their three members for the Permanent Electoral Council, with a view to establishing the Council as an operational and independent body	October 2019	The nine members are nominated, and the Permanent Electoral Council is established, is operational and functions independently	Nomination process has been initiated by each branch of power.	
	11.2 Update of the electoral lists in preparation of the next electoral cycle	October 2019	The electoral lists are updated	Action has yet to be taken	
	11.3 Existence of the Electoral Law in preparation of the next electoral cycle (1 — draft law initiated; 2 — draft law voted by each chamber; 3 — law promulgated by the President)	October 2019	3 — Electoral Law is promulgated	Draft Electoral Law and Draft Organic Law on Permanent Electoral Council were submitted to Parliament on 14 November 2018. The former is currently being reviewed by the Lower Chamber of Parliament. On 11 December 2018, the Government also submitted a draft 2018/19 budget, which includes a USD 40 million for the Provisional Electoral Council for that year.	

Annex II

Composition and strength of the police of the United Nations Stabilization Mission in Haiti as at 7 February 2019

Country	United Nations police officers		Formed police unit members	
	Women	Men	Women	Men
Argentina	0	4		
Benin		29		
Bangladesh		3		
Burkina Faso		13		
Brazil				
Canada	5	13		
Chad	1	3		
Chile				
Cameroon	5	1		
Colombia	1	1		
Djibouti		1		
El Salvador		2		
Ethiopia				
France				
Germany	1			
Guinea		2		
India				140
Indonesia				
Jordan		6		140
Korea South	3	1		
Madagascar	1	14		
Mali		9		
Mexico		1		
Nepal	2	4	7	133
Niger		21		
Nigeria	1	3		
Norway	3			
Pakistan		1		
Philippines				
Portugal				
Romania	2	11		
Russia		5		
Rwanda		6	14	126
Senegal	8	6	18	122
Slovakia		2		
Spain		2		
Sri Lanka		1		

Sweden	1	2		
Togo	2	5		
Tunisia	4	16		
Turkey		10		
Uruguay		1		
USA		4		
	47	233	39	661
Total		280		700
				980

Annex III

United Nations Mission for Justice Support in Haiti: deployment map

