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Agenda item 10

Technical assistance and capacity-building

Resolution adopted by the Human Rights Council on 4 April 2023

52/39. Technical assistance and capacity-building to improve the human rights situation in Haiti, in connection with a request from the authorities of Haiti for coordinated and targeted international action

The Human Rights Council,

Guided by the principles and purposes of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and its Optional Protocols, the Convention on the Rights of Persons with Disabilities, the International Convention on the Elimination of All Forms of Racial Discrimination and other relevant international human rights conventions and instruments,

Stressing that the prime responsibility for promoting and protecting human rights lies with States,

Expressing grave concern that the resurgence of the violence perpetrated by the armed gangs that control most of the capital, Port-au-Prince, and several other cities is resulting in a shortage of basic necessities and medical care, is undermining the human rights efforts of the Government of Haiti and is impeding the realization of the human rights of the Haitian people, including the right to life, the right to education, the right to work, the right to enjoyment of the highest attainable standard of physical and mental health, the rights to adequate food, housing and security, clean water and sanitation that derive from the right to an adequate standard of living, and the right to participate in the management of public affairs,

Expressing grave concern also about the correlation that exists in Haiti between the power of the armed gangs and the systematic use of sexual and gender-based violence, which has a disproportionate impact on women and girls, leading to an increased risk of non-communicable diseases, in particular anxiety disorders and post-traumatic stress disorder, and communicable diseases, in particular sexually transmitted diseases, which impedes the full realization and enjoyment of the human rights of the Haitian people,

Expressing further grave concern about the physical attacks on individuals, the kidnappings, torture, mutilation and massacres that are leading to significant levels of forced displacement among the Haitian population, through the disproportionate impact of the



violence on women, children, particularly those recruited by the gangs, persons with disabilities and older persons, as well as the repeated attacks on law enforcement officers,

Noting that, despite the efforts of its security forces, Haiti has neither the technical capacity nor the necessary resources to fight effectively against the criminal actions of armed gangs on its territory and consolidate the progress made in human rights,

Deeply concerned about the human rights violations and abuses and the humanitarian crisis in Haiti, which are exacerbated by the violence of the armed gangs and lead to continual forced displacements, very restricted access for most of the population to basic services, and the blocking of humanitarian aid,

Noting the repeated requests by the Government of Haiti for coordinated and targeted international action to put an end to the multiple human rights violations and abuses that can be attributed to armed gangs and to respond to the humanitarian crisis in Haiti,

Recalling the activities in Haiti of the Office of the United Nations High Commissioner for Human Rights, through the Human Rights Component of the United Nations Integrated Office in Haiti, and the visit of the United Nations High Commissioner for Human Rights to Haiti from 8 to 10 February 2023,

Recognizing the vital role of civil society in promoting and protecting human rights in Haiti and the importance of creating and maintaining a safe and enabling environment, in which civil society can operate independently, protected from insecurity,

1. *Affirms* the importance of fighting effectively against the violence of the armed gangs in Haiti and their adverse impact on the realization and enjoyment of human rights by the people of Haiti;

2. *Also affirms* the need for security to be restored in order to ensure the effectiveness of the humanitarian response, the organization of democratic elections and the restoration of democratic institutions in Haiti;

3. *Notes* the efforts made by the Government of Haiti to restore security in the country and its renewed requests for coordinated and targeted international action to support its efforts;

4. *Calls on* the Government of Haiti to step up its efforts to promote and protect human rights and to strengthen the rule of law, including the judicial and prison systems, and the fight against gender-based violence and discrimination, corruption and impunity, by supporting the national human rights institutions and continuing to implement the recommendations made and accepted during the last Universal Periodic Review cycle¹ and the recommendations of other United Nations bodies, in particular those related to the action of armed gangs;

5. *Invites* the Haitian authorities to continue an inclusive dialogue among all the Haitian stakeholders concerned, with the aim of finding a lasting solution to the multidimensional crisis that Haiti is experiencing, specifically by organizing free and transparent elections towards the restoration of the democratic institutions;

6. *Urges* Member States of the United Nations, the Office of the United Nations High Commissioner for Human Rights, relevant United Nations agencies and other stakeholders to continue to support the measures taken and efforts made by the Government of Haiti to combat the violence of the armed gangs and the illicit sale, importation and circulation of firearms and to ensure respect for human rights in Haiti, reflecting, in particular, the repeated requests of the Haitian Government for coordinated and targeted international action, including through the provision of technical assistance and capacity-building;

7. *Requests* the Office of the High Commissioner to cooperate with the Government of Haiti by providing technical assistance and support for capacity-building in the promotion and protection of human rights for the Haitian judiciary, security forces and prison administration, to enable it to pursue its strategy for combating the action of the armed

¹ See [A/HRC/50/15](#) and [A/HRC/50/15/Add.1](#).

gangs and restoring the rule of law and to promote the implementation of the recommendations made and accepted during the last universal periodic review cycle;

8. *Requests* the United Nations High Commissioner for Human Rights to appoint, without delay, for a renewable period of one year, an independent human rights expert tasked with monitoring, with the assistance of the Office of the High Commissioner and in collaboration with the United Nations Integrated Office in Haiti, the development of the human rights situation in Haiti, ensuring, in particular, the inclusion of a gender-based perspective and paying special attention to the situation of children and of human trafficking in all its work, and providing advice and technical assistance to the Haitian Government, national human rights institutions and civil society organizations, to assist in their efforts to ensure respect for and the promotion and protection of human rights;

9. *Also requests* the High Commissioner to provide it, within the framework of an interactive dialogue with the participation of the independent human rights expert, with an interim report on the situation of human rights in Haiti for its consideration at its fifty-fourth session and a comprehensive report on the subject for its consideration at its fifty-fifth session;

10. *Encourages* the Haitian authorities and the Office of the High Commissioner to make progress on the issue of establishing a country office of the Office of the High Commissioner for Human Rights in Haiti, as suggested by the Government of Haiti during the High Commissioner's visit to Haiti from 8 to 10 February 2023;

11. *Requests* the Secretary-General to make available to the Office of the High Commissioner the financial, technical and logistic support required for the creation of a country office in Haiti;

12. *Decides* to remain seized of the matter.

*57th meeting
4 April 2023*

[Adopted without a vote.]
