



# 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 [2466 \(2019\)](#), by which the Council extended the mandate of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) until 15 October 2019 and requested me to report to the Council on the implementation of the resolution, including any instances of mandate implementation failures and measures taken to address them, every 90 days starting from 12 April 2019. The document covers significant developments that have occurred since the issuance of my previous report ([S/2019/563](#)), an assessment of progress made on the benchmarked exit strategy, elements of the peacekeeping legacy, including lessons learned, and continued priorities to be carried over to the United Nations Integrated Office in Haiti (BINUH). The report also contains an update on the transition, the drawdown of MINUJUSTH, the start-up of BINUH and the preparations for stronger integration of the United Nations country team with BINUH, including a set of strategic benchmarks, as stipulated in resolution [2476 \(2019\)](#).

#### II. Significant developments

##### A. Political situation and related security developments

2. The reporting period was characterized by protracted, and to date unsuccessful, negotiations on the confirmation of a new government, a failed attempt to impeach the President of Haiti, Jovenel Moïse, in the Lower Chamber of Parliament, and a looming constitutional crisis caused by the failure to organize elections in time to renew the current legislature, whose term expires on 13 January 2020. Against this backdrop of political crisis, the security situation remained volatile, as the opposition organized several violent actions during the month of September and armed criminal gangs continued to pose a threat to public order.

3. Haiti has remained without a functional government since the resignation on 21 March 2019 of Mr. Moïse's second Prime Minister, Jean-Henry Céant, following his censure by the Lower Chamber of Parliament. On 22 July, after three failed attempts by the Senate to hold the vote on the general policy statement of the proposed government to be led by his third appointed Prime Minister, Jean-Michel Lapin, Mr. Moïse announced the nomination of a fourth Prime Minister, Fritz William



Michel. On 24 July, a 22-member cabinet, with full gender parity among ministers, was announced in the official gazette, *Le Moniteur*. Its composition was slightly amended on 29 August. Whereas the Lower Chamber endorsed the general policy statement of Prime Minister-designate, Mr. Michel, on 3 September, consultations between the Executive and the Senate on the confirmation of this fourth government have yet to conclude. On 11 and 23 September, attempts by the Senate to consider the proposed government degenerated into mayhem as opposition militants, some of them armed and abetted by a small number of senators, entered the Senate chamber, preventing the session from taking place. On the latter occasion, two civilians were injured after a senator from the leading Parti Haïtien Tèt Kale discharged his personal weapon in front of Parliament. Subsequent allegations of corruption levied against Mr. Michel appeared to have lessened the prospects of his confirmation, and on 25 September, in an address to the nation, Mr. Moïse proposed the formation of a government of national unity to overcome the current impasse. Several opposition leaders rejected the President's proposal and continued to call for protests, almost on a daily basis, to demand his resignation. On 4 October, thousands of protesters marched in the streets of Port-au-Prince, at least 2,000 of whom – including a number of opposition parliamentarians – gathered in front of MINUJUSTH headquarters in Tabarre (West Department). A delegation of officials among the protesters delivered a letter, addressed to the Secretary-General, to draw his attention to what they described as an explosive situation unfolding in the country.

4. Honouring a procedural agreement made on 26 June in order to placate the parliamentary opposition and accelerate the process through which a new government would be approved, the Speaker of the Lower Chamber, Gary Bodeau, allowed the body to hold a debate on the motion to impeach Mr. Moïse for “having violated at least 25 articles of the Constitution”, and on the basis of allegations of corruption and fraud. In a report issued in May, the Superior Court of Audit identified Agritrans, a company led by Mr. Moïse prior to his election, as having been implicated in the alleged mismanagement of PetroCaribe funds. Following two prior sessions dedicated to the debate, on 22 August, the impeachment motion was defeated by a vote of 53 against, 3 in favour, and 5 abstentions. Opposition parliamentarians considered the vote to have been held illegally, given the turnout of Lower Chamber parliamentarians below the two-thirds quorum (80 parliamentarians), which is required by the Constitution to hold a vote on the impeachment of a sitting President.

5. In August, one year after the emergence of the “PetroChallengers” movement and its call for accountability concerning the alleged mismanagement of funds received by the Haitian State through the PetroCaribe agreement, demonstrations were organized to encourage the Superior Court of Audit to issue a third report on the 23 per cent of authorized projects not covered in its reports of 31 January and 31 May, and to call for a public trial to be held to shed light on the allegations. The movement is also increasingly vocal in demanding the resignation of Mr. Moïse, perceived by many to be an obstacle to the holding of a trial.

6. Elections to renew the entire Lower Chamber and one third of the Senate were constitutionally mandated to take place by the end of October 2019. Parliament's failure to approve a new electoral law and budget prior to the end of the legislative year on 9 September, together with the absence of political agreement on a new composition of the Provisional Electoral Council, made it materially impossible to hold elections in 2019, as the electoral body would need between five and six months to organize them. With the term of all Lower Chamber parliamentarians and at least a third of Senators ending on 13 January 2020, the likelihood of a constitutional crisis has significantly increased. In the event of its occurrence, it will be paramount to ensure that the parameters within which Mr. Moïse will be allowed to rule by decree until a new parliament is elected and seated are well defined and transparent.

7. The arrest on 22 July of a notorious gang leader by the Haitian National Police had a positive but limited impact on the reduction of criminality in the Artibonite and West Departments. The continued rise in crime trends highlights the urgent need for national authorities to develop and implement a national strategy to address the root causes of gang violence. On 27 August, Mr. Moïse appointed the Inspector General, Normil Rameau, as Director General ad interim of the Haitian National Police, to replace Michel Ange Gédéon, who completed his three-year term on 25 August. Rameau awaits the confirmation of his nomination by the Senate, in accordance with the Haitian Constitution. An organized movement of protest against the recurring problem of fuel scarcity partially paralysed economic and social activity in Port-au-Prince and other major cities between 14 and 20 September.

8. The protracted political crisis and tense security environment continued to have an adverse impact on the country's economy. The national currency (gourde) has lost 37.6 per cent of its value against the United States dollar over the past 12 months, inflation is now estimated at 19.1 per cent, and gross domestic product is projected to have contracted by over 1 per cent during the recently concluded fiscal year. In the agricultural sector, the effect of localized droughts and low rainfall on aggregate crop production was exacerbated by gang members driving farmers away from their productive land. This has added strain on households, which is reflected by an increase in the index of severe food insecurity in rural areas, from 17 per cent in 2018 to 49.5 per cent since the end of April 2019. Moreover, the ongoing impasse in the effort to confirm a new government continues to impede the passing of important legislative texts, including the 2018–19 and 2019–20 budget laws, as well as the electoral law. In the absence of a fully functioning government and with no budget approved, several bilateral and multilateral donors, including the International Monetary Fund and the Inter-American Development Bank, continue to withhold budgetary support from Haiti.

9. Even though the challenges Haiti faces are understood by all actors, there has been no progress towards the holding of an inclusive and comprehensive national dialogue to lead the country out of the current multidimensional crisis. Since the expiration of the mandate of the committee to facilitate an inter-Haitian dialogue in May, no new serious initiatives towards dialogue have been undertaken.

## **B. Humanitarian situation**

10. The significant decline in agricultural output linked to prolonged periods of drought in the Artibonite and North-East Departments and the continued rise in the price of basic food staples (19 per cent over the past 12 months) have contributed to further worsening of the food security situation in Haiti, including the nutritional status of Haitian children. Some 39,000 children under 5 years of age are projected to suffer from acute malnutrition in 2019. In August, the Central Emergency Relief Fund allocated \$5 million from its rapid response window to enable humanitarian actors to respond to the country's urgent food security and nutrition needs. Through the 2019 Humanitarian Response Plan, which, as of 18 September was 21 per cent funded (\$26.2 million received of \$126.2 million required), humanitarian organizations seek to aid the 1.3 million most vulnerable people.

11. Humanitarian partners and development organizations worked closely with the Directorate for Civil Protection to ensure it is prepared and mobilized for the hurricane season, which extends from 1 June to 30 November. While the Directorate has well-established structures and communication procedures at all levels, including an early warning system, United Nations system entities are helping it to address a number of operational challenges. Hence, with the support of the humanitarian community, the Directorate organized a national simulation exercise on 12 and 13 August, in order for

all partners to better understand their respective roles and responsibilities in the management of a hazardous hydro-meteorological event and to test the protocols and procedures in place at the National Emergency Operations Centre.

12. As of 28 August, no laboratory-confirmed cholera case had been recorded in Haiti since the first week of February 2019. Surveillance and laboratory testing continue unabated. Since 1 January, 584 suspected cases of cholera have been registered at the national level, a decrease of 80 per cent compared with the same period in 2018 (2,986 suspected cases). In the light of the positive evolution of the epidemic, the United Nations strategy in support of the government-owned national plan for the elimination of cholera in Haiti, 2013–2022, is being reviewed in coordination with all partners in order to: (a) strengthen the surveillance system at the community level; (b) further develop laboratory capacity to detect possible cases with the shortest delay; (c) carry out awareness-raising and prevention activities at the community level; and (d) maintain and reinforce all water, sanitation and hygiene activities, as a preventive measure, so as to further reduce the possible transmission of cholera and other waterborne diseases. The number of rapid response teams, which have played a significant role in the elimination of transmission, is being gradually reduced as the number of suspected cases continues to decrease. Nevertheless, the United Nations continues to work on the preparedness and response capacities of the Ministry of Health and the National Directorate for Water Supply and Sanitation in order to further reinforce the surveillance, prevention and response system.

13. The United Nations also expanded its support to victims of cholera, under track 2 of the new United Nations approach to cholera in Haiti. Its community-led consultative process has now taken root in 25 communities throughout Haiti, where victims are forming groups to work with local officials, civil society groups and the wider community of cholera victims to identify priorities and develop projects to address them. Each community is receiving \$150,000 to fund such projects. Work on track 2 will continue beyond the closure of MINUJUSTH, with the aim of reaching upwards of 134 communities.

### **III. Mandate implementation**

#### **A. Community violence reduction (benchmark 6)**

14. Since October 2017, a total of 50 community violence reduction projects have been implemented by over 26 partners, to the benefit of 23,051 women and girls and 20,788 men and boys from marginalized and at-risk communities. The projects supported MINUJUSTH objectives concerning the rule of law, police and human rights at the community level. As part of the transition process, MINUJUSTH worked closely with its implementing partners to ensure that all projects will be completed before 15 October. In addition to imparting skills to beneficiaries, the projects, under both MINUSTAH and MINUJUSTH, have been valuable in raising the awareness of national authorities of the multisectoral nature of the gang issue and the importance of working directly with communities to reduce gang violence.

15. The Mission collaborated with the National Commission for Disarmament, Dismantlement and Reintegration on a weapons and ammunition management programme, community violence reduction activities and the development of a national strategy to address gang violence. In order to contribute to the building of national capacity, MINUJUSTH facilitated the participation of one member of the Commission and one representative of the national police in the Caribbean subregional seminar on conventional ammunition management, organized by the United Nations Regional Centre for Peace, Disarmament and Development in Latin

America and the Caribbean, in Kingston, on 10 and 11 September. In addition, two members of the Commission participated in the seventh South-South technical cooperation tour, held in Bogota from 16 to 20 September. Furthermore, a project aiming to reinforce the capacity of the Commission in community violence reduction is being implemented by the United Nations Development Programme (UNDP).

16. The Commission also pursued outreach with local authorities, civil society and, in particular, with gang leaders to encourage the latter to surrender illicit firearms. On 12 August, a Cité Soleil (West Department) gang leader handed over 4 handguns and 50 rounds of ammunitions, following the symbolic handover, on 28 May, of 8 firearms by another gang leader from Cité Soleil. Concurrently, on 18 July, the national police held a ceremony, with the assistance of MINUJUSTH, to destroy 374 obsolete or seized weapons. Following the recommendations made by the technical assessment mission on weapons and ammunition management conducted from 26 August to 6 September, discussions resumed on the amendment to the draft legislation on arms control adopted on 10 July by the Senate and pending adoption by the Lower Chamber.

17. Over the course of its mandate, MINUJUSTH supported 96 countrywide conferences and town hall meetings on the rule of law, attracting 22,335 participants, including 9,963 women. Those activities aimed to further efforts to de-escalate existing conflicts and open spaces for dialogue in communities prone to electoral violence and gang activity. Recurrent themes discussed included the circulation of illegal weapons; the reasons that lead communities to arm themselves; interactions between the police, civil society and the justice system; informal frameworks to address community conflicts; the interrelation between youth, drugs and gang activity; and electoral violence. Along with local authorities, civil society and academia, parliamentarians also participated in the events, thereby strengthening political engagement in the most violence-prone communes across Haiti. All forums concluded with the adoption of recommendations for action, and, in six communes, civil society entities created follow-up committees, endorsed by the local authorities.

18. Four outreach projects were implemented during the reporting period. Two of those, as highlighted in my previous report (S/2019/198), continued to enhance dialogue between parliamentarians and their constituencies across the country, on ways to improve the rule of law, including through the adoption of the draft criminal code and the draft code of criminal procedure. The two other projects are gender-focused, as one aims to promote the leadership of women through dialogue with Haitian women leaders, while the second mobilizes communities around the parliamentary vote on the draft law on the prevention, punishment and elimination of violence against women.

## **B. Security and police development (benchmarks 1, 4, 5 and 6)**

19. Street demonstrations, which had largely subsided during the reporting period, increased in frequency and violence during the month of September, with confrontations occurring between protesters and the national police on 20 and 23 September in Port-au-Prince. The past months have also been marked by a continued increase in major crime trends and gang-related incidents. The number of reported homicides for 2019 has increased by 17 per cent compared with 2018, with 698 cases between 1 January and 8 October, against 594 for the same period last year. Two thirds of the homicides were recorded in the West Department, where gang-related criminality is most prevalent. In addition, 34 police officers were killed between 1 January and 24 September 2019, compared with 17 during the entirety of 2018. The rise in criminality is creating danger zones in areas such as the Port-au-Prince neighbourhood of Martissant, where the population has begun to protest the free rein of armed criminals who act with complete impunity, in defiance of State

authority. The negative crime trends place an additional burden on a national police force already struggling to honour payments to service providers and meet the basic needs of officers, thereby limiting its operational capacities and forcing its leadership to make difficult operational choices.

20. Despite such challenges, the national police pursued anti-gang operations. The arrest on 22 July of an infamous gang leader increased public confidence in the institution and had a positive impact on the perception of security by the population. This intelligence-led investigation, for which MINUJUSTH provided limited support by deploying a drone unit, showcased the capacity of the national police to plan and execute operations. With the impending closure of MINUJUSTH, this was one of the final instances of the United Nations providing operational support to the national police.

21. The recruitment of new police officers, with MINUJUSTH support, further strengthened national police capacity. Since the adoption of the strategic development plan for the national police, 2017–2021, three promotions, comprising 2,370 cadets, including 453 women, have been incorporated into the force, most recently on 8 August, when the thirtieth promotion graduated. These recruits have raised the number of police officers to 15,404 nationwide, 10.5 per cent of whom are women. In addition, 67 national police officers were promoted to the rank of Police Commissioner on 1 August after having successfully completed a seven-month training course. While the national police appears on track to reach the target of 18,000 officers by December 2021, it will need to redouble efforts to achieve the objectives of 1.51 officer per 1,000 inhabitants (currently 1.33) and 12 per cent of women, as set out in its five-year plan.

22. Funding has been secured through UNDP for the construction of the first regional office of the General Inspectorate in Cap-Haïtien (North Department), where a site has been identified, denoting progress in decentralizing the accountability body of the national police. Proposals from potential contractors are being assessed, and the general directive on the organization and functioning of the four future regional offices is pending signature by the Director General.

23. The Mission's sexual and gender-based violence prevention team continued to strengthen the national police unit to combat sexual violence, along with its partners, notably through four workshops on investigation techniques for police and judges, organized with technical and financial support from UNDP. The workshops helped to generate awareness regarding sex crime cases, develop a common understanding regarding the provision of care to victims and disseminate best practices on prevention of such crimes. The fifth international seminar on the fight against sexual and gender-based violence, held from 10 to 12 September, was attended by 149 participants, including 91 women, from the senior leadership of the Haitian National Police, the legal sector and United Nations and civil society partners in Haiti.

24. The results of the second evaluation of the strategic development plan for the national police, 2017–2021, conducted with support from MINUJUSTH, showed continued progress. Such progress notwithstanding, the persistent political crisis, the lack of government engagement and donor fatigue contributed to an overall low implementation rate of 34.5 per cent. Of the 133 priority actions contained in the plan, 2 have been completed, 103 are ongoing and 28 have yet to begin.

25. Whereas progress in national police development over the past 15 years of peacekeeping presence is evident, maintaining the momentum of continued growth and professionalization will require greater attention by national authorities and the international community to resourcing the police. Addressing the acute equipment needs of the police, which lacks both ammunition and armoured vehicles, is urgent. The expansion of territorial coverage, the strengthening of operational capacities –

specifically with regard to crime prevention, crowd control, criminal intelligence and investigation – and increasing the representation of women in the national police, should remain the focus of the next mission.

### **C. Justice and anti-corruption (benchmarks 1, 2, 5, 6 and 10)**

26. In spite of the negative impact that the security situation has had on the functioning of the Port-au-Prince court of first instance, significant progress was made in reducing the rate of prolonged pretrial detention in the jurisdiction, in large part as a result of stronger leadership and more effective collaboration among judicial actors, through the penal chain committee, in handling penal cases. During the month of July, all 76 cases transferred to the Court were processed in real time by the prosecutor's office, investigating judges closed 79 cases, and the Court held 29 judgment sessions, closing 23 cases. During the reporting period, the legal aid offices supported by MINUJUSTH contributed to the release of 34 adults and 18 minors. Overall, the number of pretrial detainees in the Port-au-Prince jurisdiction has decreased by 14 per cent since October 2017.

27. Delays continued in the installation of the National Council on Legal Aid, the body tasked with providing legal assistance to the most vulnerable, following the promulgation of the Legal Aid law on 26 October 2018. The State has yet to define its national legal assistance strategy, draft a related action plan and allocate funding to implement it. MINUJUSTH and UNDP supported the Ministry of Justice and Public Security through the recruitment of a consultant to draft the strategic plan, which will provide the National Council with the tools to establish 18 legal aid offices nationwide. With the support of UNDP, the Mission also facilitated the recruitment of a consultant to help the Superior Council of the Judiciary draft an annual report on its activities and the overall functioning of the judiciary, the third such report since the establishment of the Council in 2012.

28. On 19 August, the Minister of Justice and Public Security informed the President of the Superior Council of the Judiciary of the appointment by Mr. Moïse of 23 judges, including 2 women, to various jurisdictions across the country. According to the Council, 40 judicial appointments were still pending.

29. Important progress has been made with regard to the administration of justice, the functioning of judicial institutions and legislative reform since October 2017. Through the joint rule of law programme, MINUJUSTH and UNDP supported the Superior Council of the Judiciary in developing a five-year strategic plan for 2018–2023 and elaborating a report on the state of the judiciary. Internal oversight and accountability mechanisms have been strengthened both within the Ministry and the Council. The former conducted a nationwide inspection of 18 offices of prosecutors, five appellate courts, over 100 tribunaux de paix and 18 offices of prison clerks between December 2018 and June 2019. The latter published the first results of the vetting of magistrates. Furthermore, all seats on the Supreme Court and the Council have been filled.

30. With respect to legislative reform, the adoption and promulgation of the Legal Aid law will, gradually, allow access to justice for the most vulnerable. Despite the efforts by MINUJUSTH and its partners, the Criminal Code and the Code of Criminal Procedure, as well as the draft organic law of the Ministry of Justice and Public Security, have yet to be debated in Parliament. Their passing and promulgation will constitute key priorities for the new Office. Furthermore, the Mission forged a partnership with the United Nations Office on Drugs and Crime and the State's anti-corruption unit to build the capacities of judicial actors in the fight against

corruption. The partnership will enable the assessment of the current 10-year national anti-corruption strategy, and the drafting of a new one.

31. Nonetheless, the full achievement of justice and rule of law benchmarks will require a long-term effort and sustained engagement by both the national authorities and the international community. Such long-term institution-building would benefit from the adoption of a nationally owned rule of law reform road map, so as to be effective and sustainable. Delays in judicial appointments and appointments not based on merit continue to hinder the smooth functioning of the justice system. As part of such reforms, key oversight and accountability institutions need to be adequately staffed, namely, the Inspectorate of the Superior Council of the Judiciary, starting with the appointment of its director.

32. The past two years have shown that prolonged pretrial detention is not an intractable phenomenon. Strategies supported by MINUJUSTH have been successful in reversing the negative trend in the jurisdiction of Port-au-Prince. From October 2017 to August 2019, the number of inmates in pretrial detention at the national penitentiary decreased from 3,750 to 2,864. During the same period, the number of minors detained at the Rehabilitation Centre for Minors in Conflict with the Law decreased from 114 to 39. Such efforts need to be amplified and replicated nationwide.

#### **D. Corrections (benchmarks 1, 3 and 5)**

33. As of 4 September, Haitian prisons held a total of 10,884 detainees, including 355 women, 204 boys and 8 girls, with a 337 per cent occupancy rate. Of those detainees, 73 per cent were awaiting trial. While important steps have been taken towards enhancing the administrative, managerial and operational capacities, overcrowding, low staffing levels and a lack of resources caused by budgetary constraints, continue to negatively affect the functioning of the prison administration directorate, which remains subsumed under the national police, with no financial or administrative autonomy to undertake basic prison reforms and recruit personnel. Recurrent challenges in ensuring the regular provision of food, medicine and other supplies to detention centres hinder its ability to improve conditions of detention.

34. During the reporting period, the directorate, in collaboration with the Port-au-Prince court of first instance, organized a one-day forum for 84 court clerks, legal assistants, lawyers from the MINUJUSTH-supported legal aid offices, prison registry clerks and other stakeholders from the Port-au-Prince jurisdiction, in order to reinforce the management of inmate records. Through its community violence reduction programme, MINUJUSTH implemented three projects in three prisons for the reinsertion of inmates. A total of 135 inmates, including 14 women, acquired a variety of vocational skills. Moreover, five quick-impact security, energy, water and sanitation infrastructure and rehabilitation projects were completed at the prison in Jérémie (Grand'Anse Department), the national penitentiary (West Department), and the women's prison in Cabaret (West Department), and all 18 Haitian correctional facilities received a supply of security equipment. Furthermore, the Mission facilitated two workshops on performance appraisal techniques for operations chiefs, including one woman, so as to enhance the supervision and evaluation of staff.

35. Between October 2017 and September 2019, 218 deaths were recorded in the Haitian prison system, resulting in an annual mortality rate of 10.44 per 1,000 detainees – a decrease from 16 per 1,000 in 2017, despite perennial shortages of food and medication. Through concerted efforts by the directorate, the World Health Organization, the International Organization for Migration, the Bureau of International Narcotics and Law Enforcement Affairs, and non-governmental organization partners, measures were adopted, such as early screening and feeding programmes for

malnourished, anaemic and tubercular patients in detention, and an outbreak of scabies, which affected 2,520 detainees in four prisons, was contained and treated in a holistic manner. In addition, a training on health care in correctional environments was delivered to 82 corrections officers, including 46 women; and emergency health-care directives were developed by the directorate and MINUJUSTH.

36. The penitentiary system now counts 1,207 corrections officers, 159 of whom are women. A gender-sensitive recruitment needs analysis is awaiting implementation. Moreover, in collaboration with MINUJUSTH, UNDP and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the directorate organized two gender awareness workshops for 286 officers, including 37 women, in eight prisons across the country.

37. In line with the strategic development plan for the national police, 2017–2021, MINUJUSTH and UNDP, through the joint rule of law programme, continued to strengthen the capacity of the prison administration to autonomously manage its financial and administrative resources. A total of 529 staff, including 164 women, has received relevant training. Draft penitentiary legislation, including the organic law elevating the prison administration to a central directorate within the national police, with autonomy over its own resources, was validated by the Director General of the national police during the reporting period and must now be tabled before Parliament through the Ministry of Justice and Public Security. With technical and financial support from the Mission, the Automated Fingerprint Identification System and the automated inmate records management system have been rolled out in five prisons, and 8,533 files have been processed.

38. After the conclusion of the third round of evaluations in September, the Rehabilitation Centre for Minors in Conflict with the Law, the Cabaret women’s prison, Croix-des-Bouquets Prison in the West Department, and Fort Liberté II in the North-East Department were certified as having met international standards. MINUJUSTH and UNDP supported this certification process, for which the final report was presented to the Director General of the Haitian National Police and the Director of the Prison Administration on 24 September.

## **E. Human rights (benchmarks 4, 5, 6, 7, 8 and 9)**

39. The appointment of a Minister Delegate for human rights and the fight against extreme poverty in September 2018 reinvigorated the work of the Inter-Ministerial Committee on Human Rights and enhanced State compliance with reporting obligations to international human rights mechanisms. During the reporting period, the Inter-Ministerial Committee finalized Haiti’s midterm report as part of the universal periodic review, detailing progress made in the implementation of the recommendations accepted by Haiti during the second cycle of the universal periodic review, in 2016. On 30 July, the Office of the Prime Minister discussed the report with representatives of ministries, public institutions, including the Office of the National Human Rights Ombudsperson, and civil society organizations. In addition, a first draft of the national action plan on human rights was finalized in July, and is pending endorsement by the Executive, following consultations with representatives of public institutions and civil society organizations.

40. During the two-year mandate of MINUJUSTH, the capacity of the national human rights institution to function independently and protect citizens significantly improved. It released its first public annual report since 2013, which included 20 recommendations to State authorities on a broad range of human rights issues. The confirmation of the A status of the national human rights institution by the Global Alliance of National Human Rights Institutions, in May 2019, further showed

international recognition for its efforts to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). The human rights institution also increased its public advocacy on critical human rights issues, and progress was observed in the implementation of its recommendations by national authorities, notably in relation to the reduction of prolonged pretrial detention. Finally, as a result of capacity-building support provided through the joint rule of law programme, the human rights institution is finalizing the drafting of its 2019–2024 internal strategy, as well as a manual on internal rules and regulations.

41. The Mission continued to strengthen the capacities of civil society organizations, notably by facilitating trainings on human rights monitoring and reporting, as well as on partnerships between remote communities and local authorities in promoting human rights, and by conducting advocacy sessions on the implementation of the recommendations accepted by Haiti during the second cycle of the universal periodic review, in 2016, and the preparation of the civil society report for the next cycle of the universal periodic review, in 2021. Special emphasis was put on the role of civil society in advocating the ratification by Parliament of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and in combating the discrimination faced by women electoral contenders. Between 2017 and 2019, civil society organizations significantly increased their reporting and advocacy capacity, collectively producing 48 public reports, 6 of which were submitted to international human rights mechanisms.

42. Significant challenges persist regarding the ability of national authorities to hold agents of the State accountable for current and past serious human rights violations. The publication of the joint report of the Office of the United Nations High Commissioner for Human Rights and MINUJUSTH on the events of November 2018 in La Saline attracted public, diplomatic and media interest. Despite the spotlight on the events, no criminal proceedings have been launched in connection with the alleged implication of national police officers and public officials in the events. The national human rights institution released a statement on 25 August urging the judge investigating the case to act promptly and professionally to ensure that those suspected of having been involved are heard, tried and judged.

43. Throughout its two-year mandate, MINUJUSTH has monitored the authorities' response to four other major instances of serious human rights violations: the killing, arbitrary arrests and forced disappearance of civilians during police operations in October and November 2017, in Lilavois and Grand Ravine, respectively; the beating to death of a disabled 25-year-old man by a police officer in La Victoire, in December 2017; and numerous abuses allegedly committed by the national police during anti-government protests in July, October and November 2018 and February 2019. In the light of the absence of concrete judicial developments to establish accountability and bring justice to the victims of these high-profile cases, advocacy for stronger accountability mechanisms and justice for all victims will remain a key feature of the mandate of BINUH.

## **F. Election preparations (benchmark 11)**

44. The United Nations country team's integrated project on support for the Haitian electoral cycle, 2019–2020, was finalized and signed by UNDP and the Provisional Electoral Council on 2 August. The umbrella project, which features UNDP as the lead agency for technical assistance and institutional strengthening, the United Nations Office for Project Services as the provider of logistical support, UN-Women focusing on women's participation and gender and the United Nations Educational, Scientific and Cultural Organization, on media support, advances a One United

Nations approach to electoral assistance, exemplifying the integrated nature of future United Nations work in Haiti, following the closure of MINUJUSTH.

45. The joint electoral security cell, comprised of officers from the national police and MINUJUSTH, continued to work on the planning process to ensure the security of upcoming electoral contests. The team completed a risk assessment template for voting centres nationwide. A two-day training on the electoral process and the prevention of violence against women has been planned for the benefit of the national police, for its regional directors, electoral focal points, members of the national office for the coordination of women's affairs and trainers from the Police Academy. Members of the cell also established a partnership with the International Foundation for Electoral Systems and the Provisional Electoral Council to provide training for the civilian electoral security officers.

#### IV. Transition planning

46. The United Nations system in Haiti has continued to prepare for the transition to a non-peacekeeping presence, guided by the commitments made in the framework of my Action for Peacekeeping initiative, including stronger integrated analysis and planning. United Nations system entities from the peace, security and development pillars in Haiti and New York held a strategic workshop in Port-au-Prince from 3 to 5 September. The discussions helped develop a common understanding of the respective roles and responsibilities of BINUH and the United Nations country team after 15 October, when the agencies, funds and programmes will take on the programmatic and technical assistance role previously filled by MINUJUSTH. The workshop also helped identify common United Nations priorities in Haiti and a set of strategic benchmarks for BINUH. It advanced the development of collaboration and coordination mechanisms that will integrate the activities of the new mission and the country team. The Departments of Peace Operations and of Political and Peacebuilding Affairs and UN-Women worked jointly to ensure that the reconfigured presence in Haiti fully enables women's participation and leadership in its structures, expertise and coordination frameworks to safeguard and strengthen the gains made in gender equality and in respect of women and peace and security.

47. Following the decision to grant Haiti eligibility to the Peacebuilding Fund for a period of five years, the country team developed four project proposals, with technical advice from relevant Mission components and in consultation with national counterparts and partners. The projects are designed to support and accelerate the transition to a non-peacekeeping presence and foster greater national leadership and ownership in areas that are critical to the promotion of stability and security in the short and medium term, namely, the rule of law and access to justice, weapons and ammunition management, community violence reduction, and electoral security (with a specific focus on women), as well as to enable progress in achieving sustainable development. A fifth project proposal, aimed at establishing a Peacebuilding Fund secretariat within the Resident Coordinator's Office to oversee the effective implementation of the Fund's portfolio in Haiti, was also submitted.

48. Planning for the start-up of BINUH is proceeding in three phases, beginning with the adoption of Security Council resolution [2476 \(2019\)](#) on 25 June, establishing the mission, to the start of its first regular budget, on 1 January 2020. During the first phase, the Department of Political and Peacebuilding Affairs, in close coordination with the Department of Operational Support, assumed the overall leadership for the planning deliverables, such as the mission concept, as required by the planning directive on Haiti issued by the Secretary-General in July. That phase ended in late August with the establishment of an advance team for BINUH, based in Port-au-

Prince, to assume all mission planning and start-up responsibilities. In order to maximize the use of in-country resources, more than half of the advance team members were drawn from MINUJUSTH, with the rest deployed from Headquarters and other missions on temporary assignments. The second start-up phase, ending on 16 October, will achieve initial operational readiness of BINUH from the first day of its mandate. In the third and final phase of the start-up, BINUH will assume responsibility for planning and operations and will establish joint planning and operational mechanisms for the integration of activities and coordination with the country team. The core elements will be an integrated strategic framework and joint teams on electoral and judicial reforms, community violence reduction, as well as disarmament and dismantlement, co-located in shared premises.

## V. New benchmarks

49. The Security Council requested, in its resolution [2476 \(2019\)](#), that I provide in this report, in partnership with the Government of Haiti, MINUJUSTH and the United Nations country team, strategic benchmarks with indicators for achieving the tasks mandated to BINUH. After a process of consultation that included the strategic workshop held in Port-au-Prince in September, six new benchmarks and 25 indicators have been identified to measure progress towards sustainable stability after the deployment of BINUH (see annex II). Four of the benchmarks are directly related to the areas of the BINUH mandate, pursuant to paragraph 1 of the resolution. The other two function as contextual benchmarks, reflecting minimum conditions for socioeconomic progress to sustain stability in the country, address the root causes of violence and conflict and enable progress towards sustainable development. The benchmarks and indicators are grounded in the 2030 Agenda for Sustainable Development, the realization of which would put Haiti on a definite path of peace and prosperity. BINUH and the country team may identify further benchmarks and indicators, and, together with the Government, will establish targets for all of them, as they develop an innovative integrated strategic framework within the context of the review of the United Nations cooperation framework in Haiti in the fourth quarter of 2019.

50. The new approach to the benchmarks, a result of thorough consultations within the United Nations system, reflects the mutually supportive relationship between the humanitarian, peace and security and development strands, and an acknowledgement of the preventive role of the latter, which are particularly critical in the context of Haiti and underpin the Organization's reform efforts. While progress on the contextual benchmarks may not determine the timeframe for the eventual disengagement of BINUH from Haiti, it should be used as an additional barometer of the country's stability and capacity to remain on a positive path towards sustainable development.

51. The benchmarks represent objectives for the Haitian people and their national institutions to pursue over the horizon of the next two to three years so as to improve the structural foundations of stability and social cohesion. The benchmarks have been informed by national priorities set by the Government of Haiti, the preliminary results of national dialogue processes and the most recent national development strategies. While they incorporate key elements of the MINUJUSTH benchmarks and indicators, the new benchmarks set national accountability and the Sustainable Development Goals at the centre of the relationship of the United Nations with Haiti.

52. Given the current fluid political environment and the pending formation of a new government, continued, multisectoral consultations, led by BINUH leadership, will ensure that the objectives behind these benchmarks enjoy as broad a national understanding and ownership as possible. BINUH and the Government of Haiti will

agree on the specific targets for each indicator in 2020 and 2021. In doing so, some of the indicators may be adjusted as the mission and the country team develop, in consultation with national partners, a fully-fledged integrated strategic framework to ensure an effective transition process. BINUH will also seek to establish a monitoring and data collection mechanism on progress against the benchmarks, in partnership with the government and the country team and drawing on existing data collection mechanisms for the Goals.

53. While the benchmarks are not a tool for assessing the performance of the United Nations in the country, they reflect the initial foundation for the establishment of system-wide critical priorities that the United Nations presence in the country will work towards over the next years. Support for their achievement will be delivered to national actors in an integrated manner by BINUH and the country team, taking into account their distinct capacities and comparative advantages, namely the mission's political and advisory role and the programmatic role of agencies, funds and programmes.

## **VI. Drawdown and closure**

54. In accordance with Security Council resolutions [2410 \(2018\)](#) and [2466 \(2019\)](#), MINUJUSTH continued to gradually drawdown its presence in advance of closure on 15 October. All seven formed police units have been repatriated, except the rear party of the last unit, which ceased operations on 9 September. Of the 295 authorized individual police officers, 10 remain in the mission area as the police and corrections transition team for BINUH.

55. The Mission has implemented a phased drawdown of its civilian staffing articulated around four dates: 30 June, 31 August, 15 September and 15 October. A small liquidation team has been assembled to carry out residual tasks prior to the end of the liquidation period on 31 December 2019. The Mission has sought to secure placement for staff members. For national staff, two job fairs have been held with the United Nations country team, the diplomatic community and the private sector, which has resulted in a number of offers. For international staff, the Mission, supported by Headquarters, has succeeded in securing transfers for many staff members to other peace operations, and those efforts continue. Largely as a result of these actions, the drawdown has proceeded in a smooth fashion, with no major incidents to report.

56. The Mission has progressively closed or handed over the 25 sites it was managing throughout the country. As of the publication of the present report, it retains responsibility for the logistics base in Port-au-Prince. During the reporting period, seven police co-locations were closed and handed over to the national police. Mitigation measures were implemented to prevent the creation of security vacuums in the zones where they were located. The Miragoâne and Gonaïves formed police unit camps were closed and handed over on 31 August and 30 September, respectively.

57. As of 28 August, write-off had been initiated for 47 per cent of MINUJUSTH assets and equipment. In line with the Financial Regulations and Rules of the United Nations, some assets have been transferred to Headquarters, the United Nations Mission in South Sudan, the United Nations Support Office in Somalia and the United Nations Verification Mission in Colombia, and additional assets will be transferred to the Global Service Centre and the United Nations Multidimensional Integrated Stabilization Mission in Mali in October. Other equipment or property that is no longer required by the United Nations, or for which a transfer is not feasible, are being disposed of through commercial sales.

58. Archiving teams securely disposed of more than 4,000 boxes of obsolete MINUSTAH and MINUJUSTH papers. MINUJUSTH and residual MINUSTAH records identified for transfer to Headquarters are being prepared for shipment in accordance with archives and records management standards. In coordination with the Office of Information and Communications Technology, MINUJUSTH digital content will be migrated for access by BINUH.

## **VII. Conduct and discipline**

59. The Mission continued to conduct prevention activities, including training, public information and outreach, in order to raise awareness of the United Nations standards of conduct, in particular the zero-tolerance policy with respect to sexual exploitation and abuse. The Mission also maintained communication with, and provided assistance to, the victims of past acts of sexual exploitation and abuse involving former United Nations personnel, some of whom have pending paternity and child support claims.

60. Continued support to victims and the resolution of pending paternity and child support claims will remain priorities for the United Nations in Haiti. The development of a victim-centred plan under BINUH, led by a victims' rights advocate as envisaged in resolution [2476 \(2019\)](#), is vital to ensure that victims of, and children born of, sexual exploitation and abuse receive appropriate and adequate support in accordance with the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel (General Assembly resolution [62/214](#), annex).

## **VIII. Financial aspects**

61. The General Assembly, in its resolution [73/317](#) and decision [73/555](#) of 3 July 2019, authorized the Secretary-General to enter into commitments in an amount not exceeding \$49.5 million gross for the maintenance of United Nations Mission for Justice Support in Haiti for the period from 1 July to 31 December 2019.

62. The reimbursement of police costs and the reimbursement of the costs of contingent-owned equipment have been made for the period up to 31 December 2018.

## **IX. Observations**

63. The upcoming cessation of MINUJUSTH activities and the departure of its personnel will mark the first time since 2004 that Haiti will not have the presence of a United Nations peacekeeping operation on its soil. Over the past 15 years, the women and men of MINUSTAH and MINUJUSTH have worked closely with national authorities, civil society, national and international partners and the rest of the United Nations system to help solidify political and stability gains, as well as develop and professionalize the national police, in order to foster an environment conducive to the development of the country. Backed by the Action for Peacekeeping initiative and the Organization's ongoing peace and security and development reforms, the transition to a non-peacekeeping United Nations presence in Haiti is taking place through very close cooperation between the Department of Peace Operations, the Department of Political and Peacebuilding Affairs, and the agencies, funds and programmes of the United Nations.

64. As the United Nations prepares to embark upon a new partnership with Haiti, the country stands at a delicate moment. The protracted multidimensional crisis with

which it has been contending since July 2018 shows little sign of abatement or resolution. The increasingly fraught and violent nature of Haiti's political context has led to the virtual paralysis of most State institutions, including Parliament. The continued decline of its economy, exacerbated by the activities of criminal gangs operating at strategic points between ports and agricultural lands and urban centres, has contributed to a general increase in food insecurity and a marked deterioration in the living conditions of an ever-growing swathe of the population.

65. The need for a broad-based and comprehensive inter-Haitian dialogue to remove political blockages, revitalize the economy and recast the terms of the Haitian social contract has never been more acute. I urge all actors to set aside their differences and particular interests to work together to overcome the increasingly preoccupying situation, as only then will Haiti be able to resume its progress towards sustainable development and the achievement of the 2030 Agenda. The articulation and conduct of such a process would likely require a degree of external facilitation, to which the United Nations, through my Special Representative, stands ready to contribute. The United Nations Integrated Office in Haiti, the United Nations country team and other international partners are poised to support a range of political and economic reform initiatives which might derive from such a dialogue.

66. Impunity continues to hamper progress towards improved governance and genuine accountability. Despite the investigations by police and judicial authorities, 11 months after the extreme violence in La Saline, which resulted in at least 26 killings, the alleged disappearance of 12 persons, and a number of cases of gang rape, negligible progress has been made to ensure justice for the victims. No judicial proceedings have been initiated against those police officers and State officials who are alleged to have been complicit in the violence. I deplore that no legal proceedings have been initiated in relation to the Grand Ravine killings and other serious violations committed in the past two years.

67. The pervasive sense of impunity, whether with regard to corruption or human rights violations, perpetuates a lack of trust in judicial institutions and State authorities, reinforcing a widespread sense of insecurity. The scenes of violence and the allegations of corruption that have affected Parliament over the past months, as political actors struggled to obtain confirmation of not one, but two, governments, are regrettable. Outcomes in the fight against corruption continue to lag. Judicial proceedings on the ongoing embezzlement cases have produced little in the way of prosecutions. It is time that the debate on corruption and reform give rise to concrete measures to tackle the iniquities that are eroding Haiti's institutions and detracting from its domestic and international image.

68. Addressing the question of impunity, through the continued reform of the justice system, the uprooting of corruption and the unfailing prosecution of the perpetrators of human rights violations, will be paramount to restoring Haitian citizens' confidence in their political and economic elites and persuading them to reengage through democratic and peaceful means in the building of their collective future. I encourage the government to adopt a road map for rule of law and justice reforms so as to outline national priorities and ensure sustainable long-term development of the sector. I also encourage the Executive and the Superior Council of the Judiciary to ensure the strict upholding of the legal requirements controlling the integrity and credentials of judges and thus provide for the appointment and confirmation of a greater number of qualified magistrates who deliver effective justice services to the population. In addition, BINUH, the United Nations country team and international partners will continue to provide technical and financial support to the work undertaken by the legal aid offices, as well as to the implementation of the State-provided legal aid programme.

69. As national authorities have fully assumed sole responsibility for the provision of security across the country, and as the Haitian National Police now relies exclusively on its own capacities to conduct operations, it is imperative that the national police be well resourced and equipped in order to fulfil its mandate. Even though BINUH will continue to support the development of its technical capacities, without adequate specialized assets such as armoured vehicles and airlift and aerial reconnaissance capabilities, the task of the national police will remain arduous. It is imperative that the investments made by so many international partners in developing the police force not be squandered, so that it can continue to develop as an exemplary, apolitical, professional force.

70. As the work of the new United Nations presence in Haiti is set to begin, I express my continued commitment to the Haitian people for an effective, impactful and consequential engagement of the United Nations system on the ground. This requires the integration of the political and advisory capacities of BINUH and the programmatic and technical assistance capacities of the country team in the service of a common priority objective that cuts across the peace and security, human rights and development pillars. Together, these capacities, along with full national ownership and accountability, will support the country's vision for stability and prosperity.

71. In conclusion, 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 United Nations country team for their tireless work and dedication to contributing to the stabilization of Haiti and supporting the country on its path to sustainable development. I would also like to thank those Member States that over the course of 15 years have contributed military, police and civilian personnel to the two peacekeeping missions that were deployed in the country.

## 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 (15 indicators, 33 per cent)		Challenges expected to achieve target by the timeline but with a descending trend (0 indicators, 0 per cent)
	Challenges expected to achieve target by the timeline but with a positive trend (13 indicators, 28 per cent)		No progress/not on track to achieve target by timeline (17 indicators, 37 per cent)
	Challenges expected to achieve target by the timeline but with a stagnating trend (0 indicators, 0 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 September (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 the President)	April 2019	3 – New Criminal Code is promulgated	1 – No session in the Parliament dedicated to discussions of the Code owing to the current political situation	
	1.2 Existence of the Code of Criminal Procedure (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by the President)	April 2019	3 – Code of Criminal Procedure is promulgated	1 – No session in the Parliament dedicated to discussions of the Code owing to the current political situation	
	1.3 Existence of the Legal Aid Law (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by the President)	April 2019	3 – Legal Aid Law is promulgated	3 – Target already achieved	
	1.4 Existence of the organic law on the Haitian National Police elevating the Directorate of Prison Administration to a central directorate (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by the President)	April 2019	3 – Organic law on national police is promulgated	1 – Draft organic law submitted to the Ministry of Justice and Public Security, but progress on its adoption stalled owing to the current political situation	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
	1.5 Existence of the Prison Law (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by the President)	April 2019	3 – Prison Law is promulgated	1 – Draft prison law submitted to the Ministry of Justice and Public Security, but progress on its adoption stalled owing to the current political situation	
	1.6 Identification of the implementation requirements by the relevant institutions, including budgetary allocations, for the new legislation (disaggregated by law)	October 2019	Implementation requirements, including budgetary allocations, are determined for the new legislation	<p>Identification of implementation requirements for:</p> <p>(a) Criminal Code: not yet adopted</p> <p>(b) Code of Criminal Procedure: not yet adopted</p> <p>(c) Legal Aid Law: the Ministry of Justice and Public Security hired a consultant to draft a strategic plan to operationalize the state legal aid programme, in accordance with the law; however, the establishment of the legal aid system is pending confirmation of the proposed government by Parliament</p> <p>(d) Organic law on national police: not yet adopted</p> <p>(e) Prison Law: not yet adopted</p>	
	1.7 Number of new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince	October 2019	800 new case files processed in real time by the prosecutors in the jurisdiction of Port-au-Prince	October 2017–August 2019: 1,382 new cases processed in real time by the prosecutors in the Port-au-Prince jurisdiction	
	1.8 Proportion of detainees in pretrial detention in excess of two years at the civil prison of Port-au-Prince	October 2019	50.4 per cent of detainees in pretrial detention at the civil prison of Port-au-Prince	As at 31 July 2019: 63.7 per cent (2,078 out of 3,261 detainees)	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
	1.9 Number of cases closed by investigative judges in the jurisdiction of Port-au-Prince	October 2019	750 orders issued	October 2017–August 2019: 771 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	October 2017–August 2019: the court of first instance of Port-au-Prince adjudicated 611 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 Auditors 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	The Superior Council of the Judiciary appointed a consultant whose main tasks are to: (a) conduct an internal diagnosis of the impediments to the elaboration of the annual reports, with clear recommendations for the devising of a definitive solution to the problem; and (b) prepare a standardized template in order to facilitate the elaboration of the annual reports	
	2.2 Number of seats filled at the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Auditors and Administrative Disputes, disaggregated by gender	April 2019	Superior Council of the Judiciary: 9/9 (3 women)  Court of Cassation: 12/12 (4 women)  Superior Court of Auditors and Administrative Disputes: 9/9 (3 women)	No changes from previous report	
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	17 October 2017–18 September 2019: 10.44/1,000 inmates (218 deaths registered). There has been a very sharp decrease in registered deaths in the past months. If the decrease is partly a consequence of improved health services, there have also been changes in data collection methodology that could have had an impact.	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
	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 are 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	No change from previous report. Since 1 January 2018, a total of 148 cadets, including 22 women, have been recruited, trained and deployed to the Directorate of Prison Administration. There are now 1,207 corrections officers, 159 of whom are women. A gender-sensitive recruitment needs analysis, developed by the Directorate of Prison Administration and approved by the Director of the Haitian National Police, is awaiting implementation.	
	3.4 Number of prisons certified by the Directorate of Prison Administration as being able to operate without full-time support from international actors (MINUJUSTH or others)	October 2019	Nine prisons certified out of 18	Following the conclusion of the third and final round of prison evaluations, from 19 July to 2 August, four prisons in the Haitian correctional system will be certified as having met international standards: the Rehabilitation Centre for Minors in Conflict with the Law, the Cabaret women's prison and the Croix-des-Bouquets and Fort Liberté II prisons.	
4. The national police responds to public disorder and manages security threats throughout Haiti,	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 the strategic development plan)	The overall implementation rate is estimated at 34.5 per cent.	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
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	4.2 Number of police officers per 1,000 citizens	October 2019	1.45	1.33	
	4.3 Percentage of women police officers	October 2019	11 per cent	10.5 per cent (1,611 women out of 15,404 police officers)	
	4.4 Percentage of national police capacity statically deployed outside the Port-au-Prince metropolitan area	October 2019	40 per cent	37.92 per cent	
	4.5 Number of specialized public order units out of the 13 existing units of the national police (12 Unités départementales de maintien d'ordre and 1 Compagnie d'intervention et de maintien de l'ordre) capable of responding to security threats without MINUJUSTH support	October 2019	All 13 units are capable of responding to security threats with no MINUJUSTH support	All 13 units are now operating without MINUJUSTH support, even though some are facing logistical challenges or are understaffed	
	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	For the period from 1 March to 15 September 2019, 339 operations (265 public order operations and 74 operations against criminal gangs) were conducted, of which 237 public order operations and 63 operations against criminal gangs (88.5 per cent) were conducted without MINUJUSTH support.	
	4.7 Percentage of national budget allocated to national police	October 2019	8 per cent of national budget allocated to national police	Currently, 6.6 per cent of the national budget is allocated to the national police, which is consistent with the trend observed over the past five years. The current political situation has not allowed for the adoption of a new budget.	

<i>Benchmark</i>	<i>Indicator</i>	<i>Target timeline</i>	<i>Target</i>	<i>Update as at 15 September (or otherwise specified)</i>	<i>Trend</i>
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 and Public Security	Target achieved during the previous reporting period	
	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 2018–31 August 2019: 87 per cent of allegations against national police officers, including agents of the Directorate of Prison Administration, investigated (299 cases investigated out of 344 cases reported). The lack of disaggregated data on the number of allegations of human rights violations remains a challenge.	
	5.3 Percentage of cases of confirmed misconduct by national police and Directorate of Prison Administration officers disciplined by the national police	April 2019	60 per cent of cases investigated have sanctions implemented	1 January 2018–15 September 2019: 26 per cent (163 cases have been sanctioned out of 622 cases of allegations of misconduct against national police officers, including officials of the Directorate of Prison Administration)	
	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 2018–31 August 2019: police officers were prosecuted in 15.7 per cent of cases of alleged human rights violations (47 officers out of 299 investigated 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 at 15 September 2019, none of the 175 personnel (including 18 women) assigned to the General Inspectorate of the national police were deployed outside the Port-au-Prince metropolitan area.	

<i>Benchmark</i>	<i>Indicator</i>	<i>Target timeline</i>	<i>Target</i>	<i>Update as at 15 September (or otherwise specified)</i>	<i>Trend</i>
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 process of recruiting a consultant to conduct training on a survey of the quality of the services provided by the police to the population has been launched.	
	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 enforcement authorities	April 2019	500 youth at risk and women cooperating with national police community policing and law enforcement authorities (per year)	Target achieved during the previous reporting period. 7,216 youth at risk, including 3,877 women, cooperating with national police community policing and law enforcement authorities between 15 May and 15 September 2019	
	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	1 January–15 September 2019: homicide ratio estimated at 8.25 per 100,000 citizens (717 intentional homicide victims, of whom 674 are men (including 4 minors) and 43 are women (including 2 minors)). There was an average of 22 victims of homicide per week in the first 30 weeks of the year, but in August and September, the number dropped to 8 victims per week, a trend never observed during the previous years. The decrease could also have resulted from the way in which the national police collected data. Nonetheless, if the data collected had remained consistent with the first six months of the year, the homicide rate would be above 9 per 100,000.	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
	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	1 January–15 September 2019: 34 cases of kidnapping concerning 50 people (36 men and 14 women). Of the 34 cases, 19 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	1 January–15 September 2019: 50 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	1 January–16 September 2019: 190 cases have been reported and investigated, involving a total of 194 victims (19 men, including 10 minors, and 175 women, including 79 minors)	
7. The Office of the National Human Rights 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 accordance with the Paris Principles	October 2019	A status according to Paris Principles	Target achieved during the previous reporting period	
	7.2 Number of recommendations of the Office of the Ombudsperson implemented by national rule of law institutions	April 2019	Three recommendations of the Ombudsperson implemented by national rule of law institutions	One recommendation implemented by the Superior Council of the Judiciary, in July 2019. The Council conducted an investigation and suspended a judge who had ordered the release of a pastor suspected of raping a minor. This followed strong condemnation by the Office of the Ombudsperson, who had raised suspicion of corruption of justice and	

Benchmark	Indicator	Target timeline	Target	Update as at 15 September (or otherwise specified)	Trend
				asked for an investigation to be conducted.	
				A total of two recommendations of the Ombudsperson implemented by national rule of law institutions during the two-year mandate of MINUJUSTH	
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	Target achieved during the previous reporting period	
	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	Target achieved during the previous reporting period	
9. National authorities comply with 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	9.1 Availability of national plan of action for human rights	October 2019	National plan of action for the implementation of the recommendations made by human rights mechanisms, in particular through the universal periodic review of the Human Rights Council	In July, an expert national consultant, who had been hired in December 2018, finalized the first draft of a national action plan on human rights. The national action plan will be discussed with representatives of public institutions and civil society organizations, and the final draft will then be approved by the Inter-Ministerial Committee on Human Rights. The final draft will then need to be approved by the next Government, which may cause additional delays, given the challenges encountered in appointing a new government.	

<i>Benchmark</i>	<i>Indicator</i>	<i>Target timeline</i>	<i>Target</i>	<i>Update as at 15 September (or otherwise specified)</i>	<i>Trend</i>
	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	Target achieved during the previous reporting period	
	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	Target achieved during the previous reporting period. During the reporting period, the Inter-Ministerial Committee on Human Rights finalized the midterm report of Haiti for the universal periodic review. The report includes details of the progress made in the implementation of the recommendations accepted by Haiti during the second cycle of the universal periodic review, in 2016, and was disseminated and discussed during a workshop held on 30 July, in which 47 individuals, including 15 women, participated, representing ministries, public institutions and civil society organizations. Three reports were prepared and submitted to international human rights mechanisms by the Government of Haiti during the two-year mandate of MINUJUSTH.	
	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 during the previous reporting period	

<i>Benchmark</i>	<i>Indicator</i>	<i>Target timeline</i>	<i>Target</i>	<i>Update as at 15 September (or otherwise specified)</i>	<i>Trend</i>
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 Auditors and Administrative Disputes	April 2019	The annual report on public spending of Superior Court of Auditors and Administrative Disputes is available	Target achieved during previous reporting period	
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	No progress registered during the period owing to the current political situation	
	11.2 Update of the electoral lists in preparation for the next electoral cycle	October 2019	The electoral lists are updated	No progress registered during the period owing to the current political situation	
	11.3 Existence of the electoral law in preparation for 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	No progress registered during the period owing to the current political situation	

## Annex II

### **Benchmarks for progress in Haiti in accordance with resolution 2476 (2019)**

**Benchmark 1: national political and socioeconomic actors, including civil society, are engaged in inclusive cooperation and consensus-building, resulting in improved functioning of State institutions and good governance.**

Reference: Sustainable Development Goals 5 and 16; 2017–2021 United Nations Development Assistance Framework for Haiti, outcome 5

#### **Indicators**

- 1.1 Extent or level of engagement of the main political, economic and social actors in dialogue and cooperation to support structural, electoral, judicial and governance reforms to underpin long-term stability and development.
- 1.2 Number of consensus-building initiatives undertaken to identify priorities through inclusive dialogue with multiple stakeholders at the national and community levels.
- 1.3 Executive and legislative branches operate in accordance with normative requirements.
- 1.4 Increase in the number of laws and regulations adopted to govern the electoral process and electoral council, and establishment of corresponding mechanisms to ensure free, fair and transparent elections.
- 1.5 Electoral calendar defined and elections organized in accordance with constitutional and legal requirements.
- 1.6 Increase in effective budget delivery and human resources by the Government for longer-term reinforcement of State institutions.

**Benchmark 2: State institutions, local authorities and community-based civil society, youth and women's organizations are engaged in consultation, cooperation, decision-making processes and programmes that reduce community violence, in particular violence associated with gangs and sexual and gender-based crimes.**

Reference: Sustainable Development Goals 5 and 16, national prioritized Sustainable Development Goal targets; 2017–2021 United Nations Development Assistance Framework for Haiti, outcomes 3 (outputs 2 and 3), 5 and 11

#### **Indicators**

- 2.1 Finalization and implementation of a comprehensive and multisectoral national strategy to address violence, in particular in relation to gang and community-based violence, and to build stronger links with affected communities, including through the development of socioeconomic programmes, community violence reduction programmes and the implementation of a weapons and ammunition management programme to strengthen the foundations for peace and development.
- 2.2 Capacities of State institutions strengthened for comprehensive care and protection of victims of violence.
- 2.3 Decrease in the number of people reported killed or wounded in gang-related incidents.

- 2.4 Decrease in the number of victims of intentional homicide per 100,000 persons, disaggregated by sex, age and cause.
- 2.5 Decrease in the number of cases of sexual and gender-based violence reported by communities to the police.
- 2.6 Increase in the number of cases of sexual and gender-based violence processed by the police.
- 2.7 Existence and implementation of comprehensive programmes to prevent and respond to sexual and gender-based violence, especially during emergencies, and to prevent such violence in the longer term.
- 2.8 Increase in the number of children, including teenage girls, and young people who are employed or are enrolled in education or training institutions, in selected municipalities.

**Benchmark 3: the national police, corrections services, justice and anti-corruption institutions operate under improved legal and management frameworks, as well as oversight mechanisms.**

Reference: Sustainable Development Goal 16, national prioritized Sustainable Development Goal targets; 2017–2021 United Nations Development Assistance Framework for Haiti, outcome 5 (outputs 5, 6, 7 and 11)

**Indicators**

- 3.1 Increase in government investment to sustain and further develop Haitian National Police capacities.
- 3.2 Adoption and start of implementation of legislation and regulations to advance reforms in the justice and corrections sectors.
- 3.3 Proportion of legislation for which implementation has started in order to advance reform in the justice sector.
- 3.4 Increase in the number of national laws or regulations successfully implemented.
- 3.5 Strengthened independence of judicial and anti-corruption institutions to address corruption and impunity.
- 3.6 Reduction in the percentage of unsentenced detainees illegally or arbitrarily detained in excess of two years, as a proportion of the overall prison population.
- 3.7 The Directorate of Prison Administration performs key management functions and provides basic services to all detainees.

**Benchmark 4: State institutions, in collaboration with an independent national human rights institution (Office of the National Human Rights Ombudsperson) and civil society organizations, protect, promote and ensure respect for human rights and fundamental freedoms, women's rights and gender equality, and uphold accountability for human rights violations.**

Reference: Sustainable Development Goals 5 and 16; 2017–2021 United Nations Development Assistance Framework, outcome 5 (output 1)

**Indicators**

- 4.1 National authorities improve compliance with international human rights obligations and fulfil their reporting obligations to United Nations human rights mechanisms.

- 4.2 The national human rights institution functions independently, promotes human rights and protects the rights of citizens, in accordance with the Paris Principles.
- 4.3 Government and State institutions promote accountability for human rights violations and abuses through internal oversight, investigations and judicial proceedings, including for serious misconduct committed by police and prison officials.
- 4.4 Civil society organizations are enabled to engage with the Haitian authorities to advocate the promotion and protection of human rights and submit reports to United Nations human rights mechanisms.

**Benchmark 5 (contextual): State institutions, local authorities and the private sector provide access for young persons, women and vulnerable groups to employment opportunities, including jobs, education and training, contributing to reduce socioeconomic grievances and address drivers of instability and inequality.**

Reference: Sustainable Development Goals 4, 8 and 10; 2017–2021 United Nations Development Assistance Framework for Haiti, outcome 1 (outputs 1 and 5)

#### **Indicators**

- 5.1 Reduction in unemployment within a year, in particular for women and young persons.
- 5.2 Number of young persons, women and members of vulnerable groups who had access to education, training and employment opportunities and benefited from productive activities (entrepreneurship and small and medium-sized enterprises) in the previous 12 months, disaggregated by gender, age and group.
- 5.3 Existence and implementation of policies that support the creation of gender-responsive employment opportunities, entrepreneurship and the growth of small and medium-sized enterprises.
- 5.4 Laws and policies are in place that facilitate the transition of young people from school to work and increase youth employability through improvements in the quality and relevance of education and vocational training, so as to adapt to technological advances and future challenges in Haiti.
- 5.5 Fiscal policies for inclusive growth are implemented, including pro-poor and gender-responsive budgeting, progressive taxation and effective measures against tax evasion.

**Benchmark 6 (contextual): State institutions are reinforced to effectively implement policies and programmes that ensure the delivery of quality basic services in the most underserved communities and increase their resilience to climate-related threats, including through disaster management and risk mitigation.**

Reference: Sustainable Development Goals 1, 2, 3, 5, 6, 7, 10 and 13; Sendai Framework for Disaster Risk Reduction 2015–2030; national disaster management plan

#### **Indicators**

- 6.1 Capabilities of State institutions for evidence-based policymaking are strengthened, including through the increased capacity of the national statistical system for the collection and analysis of data on the Sustainable Development Goals.

- 6.2 Proportion of the population using safely managed drinking water and sanitation services.
- 6.3 Amount of water- and sanitation-related official development assistance that is part of a government-coordinated spending plan.
- 6.4 Prevalence of moderate or severe food insecurity in the population, based on the Food Insecurity Experience Scale.
- 6.5 Reduction in maternal mortality rate and mortality rate for children under 5 years of age, per 100,000.
- 6.6 Proportion of State agencies and local authorities that adopt policies and implement local disaster risk reduction and climate resilience strategies, including agriculture sector plans, watershed management and sanitation, in the most underserved rural and urban communities, in line with community vulnerability assessments and national disaster risk reduction strategies.
- 6.7 Full and sustainable eradication of cholera.

## Annex III

**Composition and strength of the police component of the  
United Nations Mission for Justice Support in Haiti as at  
4 October 2019**

<i>Country</i>	<i>United Nations police officers</i>		<i>Formed police units</i>	
	<i>Women</i>	<i>Men</i>	<i>Women</i>	<i>Men</i>
Bangladesh		1		
Benin		3		
Canada	5			
Colombia		1		
El Salvador	1			
Madagascar	1			
Mali		2		
Niger		2		
Republic of Korea	2			
Romania		1		
Russian Federation		1		
Senegal		1	2	12
Spain		1		
Tunisia	1	1		
<b>Subtotal</b>	<b>10</b>	<b>14</b>	<b>2</b>	<b>12</b>
<b>Total</b>		<b>24</b>		<b>14</b>
				<b>38</b>

Annex IV

United Nations Mission for Justice Support in Haiti: deployment map



Map No. 4579 Rev.7 UNITED NATIONS  
October 2019 (Colour)

Office of Information and Communications Technology  
Geospatial Information Section