



# Haiti: Recent Developments and U.S. Policy

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## Haiti: Recent Developments and U.S. Policy

Haiti, located on the island of Hispaniola bordering the Dominican Republic, remains mired in interrelated political, security, and humanitarian crises. Haiti lacks an elected president and legislature following the July 2021 assassination of President Jovenel Moïse. Moïse had named Ariel Henry to be prime minister prior to his death, but Henry had not been sworn in as required under Haitian law. Since the assassination, a political stalemate has persisted over whether Henry or a transitional government should govern until elections are convened. A December 2022 Henry-backed accord aimed to create a path to elect a president by February 7, 2024. As that date has approached, protests against the de facto Henry government have escalated.

The political impasse has hindered Haiti's ability to respond to worsening security and humanitarian crises. In October 2022, Henry asked for a foreign security force to help reestablish control amid rampant gang violence. Although many Haitian civil society groups initially opposed this request due to concerns regarding abuses committed during past interventions and Henry's unelected status, some have since expressed support for a foreign security force presence. After Kenya offered to lead a "multinational security support (MSS) mission," the U.N. Security Council adopted a resolution in October 2023 to authorize a non-U.N. mission funded by voluntary contributions. The status of the MSS is uncertain, however, as Kenya's High Court has ruled the deployment unconstitutional. The crises in Haiti continue to fuel instability and U.S.-bound migration.

### **U.S. Policy**

U.S. policy in Haiti has aimed to support Haitian efforts to restore security, the rule of law, democratic institutions leading to free and fair elections, and economic and social stability. The Biden Administration allocated \$237.4 million in bilateral assistance for Haiti in FY2022 and \$204.5 million in FY2023, including increased support for the Haitian National Police. The Administration requested \$291.5 million for Haiti in FY2024. Separately, the Administration provided more than \$126.5 million in humanitarian assistance to Haiti in FY2023. In March 2023, the Administration released a 10-year plan for promoting peace and stability in Haiti, a priority country under the Global Fragility Act (P.L. 116-94), supported by additional funds. The Administration pledged \$100 million in foreign assistance and \$100 million in Defense Department operational support to the proposed MSS. The U.S. Treasury and State Departments have publicly sanctioned eight current or former Haitian officials, including two former prime ministers, and several gang leaders. The United States co-drafted a U.N. Security Council resolution to sanction gang leaders in Haiti and their financial backers (adopted in October 2022).

### **Congressional Action**

Congress set objectives for U.S. policy toward Haiti through 2025 in the Haiti Development, Accountability, and Institutional Transparency Initiative Act (P.L. 117-103, Division V). The Consolidated Appropriations Act, 2023 (P.L. 117-328), did not designate a total funding level for Haiti but placed democracy-related conditions on some assistance. Neither the House-passed (H.R. 4665/H.Rept. 118-146) nor the Senate Appropriations Committee-reported (S. 2438/S.Rept. 118-71) versions of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024, would designate a specific aid amount for Haiti. However, both measures would place restrictions on assistance to the central government. In addition to foreign assistance, the House passed, and the Senate Foreign Relations Committee reported, bills (H.R. 1684/S. 396) that would require an annual State Department report on ties between gangs and politicians in Haiti and would direct the President to impose sanctions on individuals identified in the report. Bills to renew trade preferences for Haiti (H.R. 5035/S. 552) also have been introduced in both houses. Congressional oversight efforts in the 118<sup>th</sup> Congress have focused on the Administration's plans to improve security and democracy in Haiti, its relationship with the Henry government, and its pledged support for a multinational force deployment to Haiti.

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## Introduction

Haiti, a Caribbean country that shares the island of Hispaniola with the Dominican Republic (see **Figure 1**), has been of ongoing interest to Congress and successive U.S. presidential administrations because of its proximity to the United States, chronic instability, and vulnerability to natural disasters.<sup>1</sup> Although Haiti has endured corrupt, authoritarian leaders for much of its history, governance arguably had improved in the years prior to a 2010 earthquake.<sup>2</sup> That disaster killed more than 200,000 people and set development back significantly. Despite extensive international support for Haiti's recovery, democratic institutions remain weak and the country continues to contend with extreme poverty; wide economic disparities; and both human-made and natural disasters. An August 2021 earthquake killed 2,000 people.

### Haiti at a Glance

**Capital:** Port-au-Prince

**Population:** 12.3 million (2023, IMF est.)

**Languages:** French (official), Creole (official)

**Area:** 10,710 sq. miles, slightly larger than Massachusetts

**GDP:** \$25.9 billion (2023, current prices, IMF est.)

**Real GDP Growth:** -1.8% (2021); -1.7% (2022); -1.5% (2023) (% change, constant prices, IMF)

**Per Capita GDP:** \$2,130 (2023, current prices, IMF)

**Life Expectancy at Birth:** 60.8/66.7 years (male/female) (PAHO, 2022)

**Maternal Mortality Ratio:** 480/100,000 live births (UNDP, 2022)

**Sources:** International Monetary Fund (IMF); Pan American Health Organization (PAHO); United Nations Development Programme (UNDP).

The situation in Haiti further deteriorated after the assassination of President Jovenel Moïse in July 2021 led to uncertainty over who would succeed him. Two days before the assassination, Moïse named Ariel Henry to be prime minister, but Henry was not sworn in. Henry has served as de facto prime minister since mid-July 2021, although protests calling for his resignation have resurged in 2024.

Haiti lacks an elected president, legislature, and local government; the terms of the last 10 elected senators ended in January 2023. A political standoff between Henry's de facto government and opposition political and civil society leaders regarding how to form a transitional government to stabilize the country and convene elections persists amid a

worsening security and humanitarian crisis.

In October 2022, Henry requested international support to help the Haitian National Police restore order. In October 2023, the U.N. Security Council adopted a resolution to authorize the deployment of a non-U.N. multinational security support (MSS) mission to Haiti led by Kenya and supported by voluntary contributions. Kenya had aimed to deploy its police to lead the MSS early this year, but a January 2024 ruling by Kenya's high court ruled the deployment unconstitutional.<sup>3</sup>

The 118<sup>th</sup> Congress may consider options for responding to the interrelated political, security, and humanitarian crises in Haiti, including what, if any, U.S. support should be provided to a potential MSS. This report provides an overview of the situation in Haiti and U.S. policy responses to date.

<sup>1</sup> For background, see Laurent DuBois, *Haiti: The Aftershocks of History* (New York, NY: Picador, 2013); Philippe Girard, *Haiti: The Tumultuous History: From Pearl of the Caribbean to Broken Nation* (New York, NY: Palgrave MacMillan, 2005, 2010).

<sup>2</sup> International Crisis Group, *Consolidating Stability in Haiti*, Latin America/Caribbean Report No. 21, July 18, 2007.

<sup>3</sup> Tom Odula, "Kenya's High Court Rules That Deploying the Nation's Police Officers to Haiti Is Unconstitutional," Associated Press (AP), January 26, 2024.

**Figure 1. Map of Haiti**

**Source:** Congressional Research Service (CRS).

## Political Situation

### Background

Haiti won independence from France in 1804, making it the second independent republic in the Western Hemisphere (after the United States). Since then, the country has experienced long periods of authoritarianism and political fragility, punctuated by foreign interventions and natural disasters.<sup>4</sup> Since the fall of the brutal Duvalier dictatorship (1957-1986), attempts to consolidate democratic rule have had limited success.<sup>5</sup> In 1991, a military coup interrupted the term of Haiti's first president elected in free and fair elections, Jean-Bertrand Aristide of the center-left *Fanmi Lavalas* party (1991; 1994-1996; 2000-2004). The threat of a U.S. military intervention allowed Aristide to return three years later to complete his term. In 2000, Aristide began a second term after the opposition boycotted the presidential election due to flawed parliamentary elections

<sup>4</sup> Rocio Cara Labrador and Diana Roy, "Haiti's Troubled Path to Development," Council on Foreign Relations, September 2022 (hereinafter Labrador and Roy, "Haiti's Troubled Path"). Haiti reportedly paid an indemnity to France of some \$560 million, which caused a significant drain on Haiti's finances well into the 20<sup>th</sup> century. Concerns about the indebted country's ability to pay its creditors prompted a U.S. intervention from 1915 to 1934. Lazaro Gamio et al., "Haiti's Lost Billions," *New York Times*, May 20, 2022; Hans Schmidt, *The United States Occupation of Haiti: 1915-1934* (Rutgers, NJ: Rutgers University Press, 1971).

<sup>5</sup> Fearing communist rule and/or instability on the island, successive U.S. presidential administrations recognized the regimes of François Duvalier (1957-1971) and his son, Jean-Claude Duvalier (1971-1987), despite concerns about the leaders' authoritarian tendencies. See U.S. Department of State, Office of the Historian, "U.S. Relations with Haiti" in *Foreign Relations of the United States, 1958-1960, American Republics*, vol. V, document 309, at <https://history.state.gov/historicaldocuments/frus1958-60v05/d309>; and U.S. Department of State, Office of the Historian, "Telegram from the Embassy in Haiti to the Department of State" in *Foreign Relations, 1977-1980, Mexico, Cuba, and the Caribbean*, vol. XXIII, document 253, August 14, 1978, at <https://history.state.gov/historicaldocuments/frus1977-80v23/d253>.

favoring *Fanmi Lavalas*. In 2004, Aristide—facing an armed uprising against his rule led by Guy Philipe, a drug trafficker subsequently imprisoned on money laundering charges in the United States, as well as U.S. and international pressure—resigned and went into exile.<sup>6</sup>

From 2004 to 2017, the U.N. Stabilization Mission in Haiti (MINUSTAH), a peacekeeping force that grew to 13,000 at its peak, sought to restore order in the country; build the Haitian National Police (HNP); and, later, help with recovery after a 2010 earthquake. The legacy of MINUSTAH is complicated, as troops helped restore some stability to Haiti but reintroduced cholera into the country and committed human rights and sexual abuses. This experience initially led many Haitians to oppose the type of foreign military involvement requested by the Henry government.<sup>7</sup>

President Michel Martelly (2011-2016) and his chosen successor, Jovenel Moïse (2017-July 2021), who represented the center-right *Tèt Kale* Party (PHTK), both took office after disputed elections and administered governments allegedly rife with corruption.<sup>8</sup> Under Moïse, Haiti experienced political and social unrest, high inflation, antigovernment protests, and gang violence. Like other Haitian politicians, Moïse allegedly provided money and arms to gangs in exchange for favors, including suppressing antigovernment protests such as those that erupted in 2018 after the government announced fuel price hikes.<sup>9</sup> A 2021 report by Harvard Law School's International Human Rights Clinic documented state (primarily police) involvement in attacks on neighborhoods in which some 240 civilians died from 2018 to 2020.<sup>10</sup> Instability increased in 2019 after Haitian auditors issued two reports to the country's chief prosecutor alleging Moïse and other officials had misappropriated and embezzled millions of dollars in public funds.<sup>11</sup>

Political gridlock between the executive and legislative branches led to the government not organizing scheduled October 2019 parliamentary elections. The terms of the entire lower Chamber of Deputies and two-thirds of the Senate expired in January 2020, as did the terms of all local government posts, without newly elected officials to take these positions.<sup>12</sup> Thereafter, Moïse ruled by decree, with some controversy over whether his term was to end in February 2021 or February 2022 (the U.S. State Department did not take a position on that dispute).<sup>13</sup>

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<sup>6</sup> AP, "Supporters of Former Haitian Rebel Leader Guy Philippe Launch Widespread Protests," January 16, 2024. Daniel P. Erikson, "Haiti After Aristide: Still on the Brink," *Current History*, vol. 104, no. 679 (February 2005).

<sup>7</sup> Carla King et al., "'MINUSTAH Is Doing Positive Things Just as They Do Negative Things': Nuanced Perceptions of a UN Peacekeeping Operation Amidst Peacekeeper-Perpetrated Sexual Exploitation and Abuse in Haiti," *Conflict, Security & Development*, vol. 21, no. 6 (November 17, 2021), pp. 749-779. For how past interventions have influenced recent popular opinion in Haiti, see Rafael Bernal, "Human Rights Coalition to Biden: No Military Intervention in Haiti," *The Hill*, November 1, 2022.

<sup>8</sup> On Martelly and Moïse's elections, see Georges Fauriol, "Haiti's Problematic Electoral Dynamics," *Global Americans*, December 21, 2021. On Martelly and drug trafficking, see Jacqueline Charles and Michael Wilner, "Canada Sanctions Former Haiti President Michel Martelly, Two Former Prime Ministers," *Miami Herald*, November 21, 2022. On corruption in the Moïse government, see Maria Abi-Habib, "Haiti's Leader Kept a List of Drug Traffickers. His Assassins Came for It," *New York Times*, December 12, 2021.

<sup>9</sup> Chris Dalby, "International Sanctions Seek to Weaken Haiti's Patronage System Between Politicians, Gangs," *InSight Crime*, November 24, 2022. For Moïse officials' involvement in attacks on neighborhoods where protests occurred, see U.S. Department of the Treasury, "Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day," December 10, 2020.

<sup>10</sup> Harvard Law School International Human Rights Clinic, *Killing with Impunity: State-Sanctioned Massacres in Haiti*, April 2021.

<sup>11</sup> U.S. Department of State, "Appendix C: Major Corruption Cases in Haiti and Government of Haiti Efforts to Address Corruption," November 10, 2022.

<sup>12</sup> The 10 remaining senators' terms expired on January 9, 2023.

<sup>13</sup> U.S. Department of State, "Appendix F: Alleged February 2021 Coup Against President Jovenel Moïse and U.S. and (continued...)

On July 7, 2021, armed assailants assassinated President Moïse in his private home in Port-au-Prince. Details of the attack remain under investigation; however, the U.S. Federal Bureau of Investigation (FBI) has arrested 11 individuals for their role in a plot to kill Moïse, three of whom have been sentenced to life in prison.<sup>14</sup> The FBI also has supported Haitian authorities' investigation of the crime, although threats to the safety of those authorities and turnover among the judges leading the investigation have hindered Haitian efforts.

## Post-Assassination Political Impasse

Moïse's assassination gave rise to uncertainty about who would succeed him as president and who would serve as prime minister. Under the Haitian Constitution (Article 149), if a president dies in the last two years of his term, the legislature should elect a provisional president to serve out the term.<sup>15</sup> As Haiti lacked a functioning legislature at the time of the assassination, the choice of who would succeed Moïse could not follow the prescribed constitutional order.

Three individuals laid claims to serve as prime minister: interim Prime Minister Claude Joseph; Ariel Henry, a neurosurgeon nominated to be prime minister two days before Moïse's death but not sworn in; and Joseph Lambert, then-president of the Haitian Senate. On July 11, an inter-agency U.S. delegation traveled to Haiti in response to a request for security and investigative assistance from the Haitian government. U.S. officials met with all three claimants to prime minister. After days of jockeying among the claimants over who would become prime minister, Joseph agreed that Henry would be prime minister and he foreign minister.<sup>16</sup> Lambert separately gave up his quest to be prime minister; the U.S. government later sanctioned him for drug trafficking. On July 17, the United States, United Nations, and other donors issued a statement calling for the formation of an "inclusive government" and encouraging Prime Minister-designate Ariel Henry to form a government.<sup>17</sup> Henry's irregular path to his position, struggles to address Haitian challenges while in office, and allegations of his possible involvement in Moïse's assassination, have eroded his credibility.<sup>18</sup>

Since the assassination, a political stalemate has persisted over how to convene elections and who should govern until an elected government is in place. In September 2021, de facto Prime Minister Henry and his supporters proposed that Henry name a provisional electoral council to convene elections, and that Henry remain the single head of government until a new elected government takes office. Rival political and civil society leaders, some of whom backed the Montana Accord, a 2021 proposal to form an interim government led by a president and prime minister, argued for a transitional government not led by Henry.<sup>19</sup>

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International Partner Efforts to Support Free and Fair Elections in Haiti," November 2022, at <https://www.state.gov/wp-content/uploads/2022/11/Appendix-F-Developments-in-Haiti-004977.pdf>.

<sup>14</sup> Sarah Morland and Kylie Madry, "Ex-Colombian Soldier Pleads Guilty in Haiti President's Assassination," Reuters, December 22, 2023.

<sup>15</sup> Haiti's Constitution of 1987 with Amendments Through 2012 is available in English at [https://www.constituteproject.org/constitution/Haiti\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/Haiti_2012.pdf?lang=en).

<sup>16</sup> CRS interview with State Department officials, January 9, 2023.

<sup>17</sup> U.N. Integrated Office in Haiti (BINUH), "Core Group Press Release," July 17, 2021.

<sup>18</sup> Monique Beals, "Judge, Investigators say Haitian Prime Minister Involved in President's Assassination," *The Hill*, February 8, 2022.

<sup>19</sup> The Montana Accord proposed a two-year interim government led by a president and prime minister, with oversight committees, to restore order, administer elections, and create a truth and justice commission to address past human rights violations. Georges Fauriol, "Haiti: Betting on the Montana Accord," *Global Americans*, February 9, 2022.

On December 21, 2022, Henry put forth a new transition proposal—the National Consensus for an Inclusive Transition and Transparent Elections (or the December 21<sup>st</sup> agreement)—that was signed by a range of stakeholders, including some former signatories of the Montana Accord.<sup>20</sup> His government established a three-member High Transition Council (HTC) to implement that transition plan in January 2023 and appointed eight judges to the country’s highest court in March 2023. Since May 2023, a group of eminent persons from the Caribbean Community (CARICOM) has facilitated several rounds of talks among Henry and other stakeholders focused on increasing the size of the HTC and possibly expanding its powers, as well as selecting an electoral council. Those talks have yielded limited progress.

Some Haitians are calling for Henry to step down by February 7, 2024, the date by which the December 21<sup>st</sup> agreement aimed to have an elected government assume office.<sup>21</sup> In recent months, protests calling for Henry’s resignation have increased. Some of those protests have been led by former rebel leader Guy Philippe (repatriated from the United States in December) and members of an armed government environmental protection brigade that have clashed with police.<sup>22</sup>

## Security Crisis

Relations between Haitian gangs and the country’s political and economic elite are well established. Haiti’s past presidents and prominent politicians have used and received support from gangs. Generally, gangs provide political elites with services such as campaign support, voter intimidation, bribery, fundraising, vandalism, and protest disruption. Former President Aristide reportedly relied on support from gangs that engaged in political repression, and the Canadian government sanctioned former President Martelly for his role in financing gangs.<sup>23</sup> Business elites have formed relationships with gangs in order to protect their businesses and enable them to move merchandise throughout the country and abroad. In December 2022, the Canadian government imposed sanctions on three prominent businessmen for reportedly providing “illicit financial and operational support to gangs.”<sup>24</sup>

Since Moïse’s assassination, state authority has collapsed in parts of Port-au-Prince and surrounding areas. As of late 2023, armed gangs reportedly controlled 80% of the capital and other urban areas, as well as major highways and the agricultural region of Artibonite (see **Figure 1**).<sup>25</sup> These gangs are often better armed than the national police.<sup>26</sup> A wave of protests and gang-led violence erupted in September 2022 after de facto Prime Minister Henry announced the end of fuel subsidies. Gangs took over a major port and the country’s main fuel terminal, temporarily grinding the economy to a halt and blocking humanitarian agencies’ access to some areas. As

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<sup>20</sup> U.N. Security Council, U.N. Integrated Office in Haiti (BINUH), *Report of the Secretary General*, S/2023/274, April 14, 2023.

<sup>21</sup> BINUH, *Report of the Secretary General*, S/2024/62, January 15, 2024. Hereinafter: S/2024/62.

<sup>22</sup> AP, “Haiti Cracks Down on Heavily Armed Environmental Agents After Clashes with Police,” January 29, 2024.

<sup>23</sup> Immigration and Refugee Board of Canada, *Haiti: The Chimères, Their Activities and Their Geographic Presence; the Treatment of the Chimères by the Authorities and the Presence of Group Members Within the Government and the Police (2006-May 2008)*, June 3, 2008; Harold Isaac and Brian Ellsworth, “Canada Sanctions Haiti Ex-President Martelly for Financing Gangs,” Reuters, November 20, 2022.

<sup>24</sup> Government of Canada, Global Affairs Canada, “Canada Imposes Sanctions Against Haitian Economic Elites,” December 5, 2022.

<sup>25</sup> AP, “UN Human Rights Official is Alarmed by Sprawling Gang Violence in Haiti,” October 31, 2023. BINUH, *Criminal Violence Extends Beyond Port-au-Prince: the Situation in Lower Artibonite from January 2022 to October 2023*, November 2023. Hereinafter: BINUH, November 2023.

<sup>26</sup> Jon Lee Anderson, “A Land Held Hostage,” *The New Yorker*, July 24, 2023.

noted previously, Henry requested an international force to help quell the security situation in October 2022; however, such a force has yet to be established (see “Multinational Security Support (MSS) Mission” below).<sup>27</sup>

The U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA) estimates that there are at least 300 criminal groups operating in Haiti.<sup>28</sup> However, some local sources suggest the number of criminal groups is closer to 750, including self-defense groups.<sup>29</sup> Many of these groups have developed alliances to amplify their operational capabilities. According to the U.N. Integrated Office in Haiti (BINUH), the number of reported homicides increased by 119% last year, rising from 2,183 in 2022 to 4,789 in 2023.<sup>30</sup> Kidnapping escalated from 1,359 in 2022 to 2,490 in 2023, an 83% increase.<sup>31</sup> Gangs have sought to find new revenue through kidnapping for ransom and other crimes amid diminished support from elites fearful of being designated for U.S. and Canadian sanctions.<sup>32</sup> Gang attacks on government personnel and critical infrastructure have increased as they have grown more autonomous.

According to U.N. reports, gangs have used “collective rape” and other gender-based violence (GBV) against women, children as young as 10, and the elderly to intimidate people.<sup>33</sup> Gender-based and sexual violence, though gravely underreported, is more prevalent in zones contested by gangs in which many inhabitants lack access to basic health, education, and social services. Doctors Without Borders estimates that its staff treated 42% more survivors of GBV in 2023 than in 2022 (some 3,700 victims), a majority of those were victims of armed actors rather than intimate partner violence.<sup>34</sup>

The U.N. Secretary-General described the Haitian National Police (HNP) in 2022 as “spread thin” and lacking weapons, equipment, and capacity.<sup>35</sup> Some 1,663 officers resigned over the course of 2023, leaving the HNP with 13,196 officers as of December.<sup>36</sup> Low pay and poor working conditions have increased attrition among HNP officers available to perform police duties.<sup>37</sup> At any given time, only 4,000 officers are available for policing.<sup>38</sup> In 2023, 45 out of 412 police buildings were non-operational, were under the direct control of armed gangs, or had been subjected to repeated attacks.<sup>39</sup>

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<sup>27</sup> Catherine Osborn, “Haiti’s Crisis Escalates,” *Foreign Policy*, October 14, 2022.

<sup>28</sup> U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA), “Haiti: Humanitarian Response Plan 2023 at a Glance,” Relief Web, April 13, 2023.

<sup>29</sup> BINUH, November 2023.

<sup>30</sup> S/2024/62.

<sup>31</sup> Ibid.

<sup>32</sup> U.N. Security Council, BINUH, *Report of the Secretary General*, S/2023/41, January 17, 2023; BINUH, *Report of the Secretary General*, S/2023/492, July 3, 2023; Reuters, “Haiti Rights Group Records Three-Fold Rise in Kidnapping for Early 2023,” April 4, 2023.

<sup>33</sup> This draws from BINUH and Office of the U.N. High Commissioner for Human Rights (OHCHR), *Sexual Violence in Port-au-Prince: A Weapon Used by Gangs to Instill Fear*, October 14, 2022; OHCHR and BINUH, *Human Rights Situation, Quarterly Report: January-March 2023*; Global Initiative Against Transnational Organized Crime, *Gang Control and Security Vacuums: Assessing Gender-Based Violence in Cité Soleil*, May 2023.

<sup>34</sup> Widlore Mérancourt and Amanda Coletta, “‘Collective Rapes’ Surge as Weapon in Haiti’s Gang War,” *Washington Post*, January 29, 2024.

<sup>35</sup> BINUH, *Report of the Secretary General*, S/2022/747, October 10, 2022. Hereinafter: S/2022/747.

<sup>36</sup> Security Council, S/2024/62.

<sup>37</sup> U.N. Security Council, BINUH, *Report of the Secretary General*, S/2023/492, July 3, 2023.

<sup>38</sup> Institute for Justice and Democracy in Haiti (IJDH), *Human Rights and the Rule of Law in Haiti: Key Recent Developments June Through November 2023*, December 2023.

<sup>39</sup> U.N. Security Council, S/2024/62 and S/2023/769.

A July 2022 International Crisis Group study estimated that 40% of HNP officers had ties to gangs.<sup>40</sup> Corruption, combined with the HNP and Haitian Coast Guard's lack of control over the country's ports and borders, have made Haiti a hub for drug and arms trafficking and worsened gang violence (see "Weapons and Drug Trafficking"). When police have sought to confront gangs, confrontations have often proven deadly. In November 2022, criminals assassinated the director of the HNP's training center at the center.

Impunity prevails in Haiti's weak justice system. In addition to failing to resolve Moïse's assassination, Haitian authorities have yet to arrest Jimmy Chérizier, a former HNP officer turned gang leader who was linked to Moïse, or other Haitian officials implicated in the 2018 La Saline massacre of 71 people.<sup>41</sup> Gangs overtook several of Haiti's main courthouses in summer 2022, and many of the courthouses remain inoperable. Without functioning courts, Haitian prisons continue to hold inmates, 85% of whom were in pretrial detention in June 2023; prisons have a 331% cell occupancy rate.<sup>42</sup> Many inmates lack access to food, water, and medical care. Haitian authorities have increased the prison budget by 87% for 2023/2024, including a 41% increase for food.<sup>43</sup>

The rampant violence in Haiti has left many Haitians hopeless and frustrated. Since April 2023, Haiti has experienced a rise in antigang vigilantism—the *Bwa Kale* movement.<sup>44</sup> On April 24, Port-au-Prince residents lynched and burned 10 alleged gang members. The movement is now in all 10 administrative departments (states) of Haiti; hundreds have been killed.<sup>45</sup>

## Humanitarian Situation

Haiti is a fragile country that is highly vulnerable to natural disasters due to its location and topography (exacerbated by deforestation and climate change), and the Haitian government's limited capacity to respond to such disasters. A decade after the devastating 2010 earthquake, inadequate recovery efforts, combined with subsequent natural disasters (e.g., Hurricane Matthew, a 2021 earthquake) and disease outbreaks (e.g., cholera, Coronavirus Disease 2019 [COVID-19]), have further weakened the state's ability to protect and provide for its citizens.<sup>46</sup> Flooding in June 2023 resulted in more than 40 deaths and left some 13,000 Haitians homeless.<sup>47</sup> The Fund for Peace's 2023 Fragile States Index ranked Haiti as the 10<sup>th</sup> most fragile state in the world due to various factors, including the state's lack of legitimacy and inability to deliver services, uneven economic development, and relatively low levels of social cohesion.<sup>48</sup>

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<sup>40</sup> International Crisis Group, *New Gang Battle Lines Scar Haiti as Political Deadlock Persists*, July 27, 2022.

<sup>41</sup> Chérizier, then-Minister of the Interior Fednel Monchery, and President Moïse's Departmental Delegate Joseph Pierre Richard Duplan allegedly planned an attack carried out by gangs on protesters who had criticized the government. U.S. Department of the Treasury, "Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day," December 10, 2020.

<sup>42</sup> BINUH, *Human Rights Situation Main Trends, Quarterly Report: July-September 2023*, October 27, 2023.

<sup>43</sup> S/2024/62.

<sup>44</sup> Reuters, "Haitian Residents Lynch and Set Fire to Suspected Gang Members," April 26, 2023.

<sup>45</sup> BINUH, *Report of the Secretary-General*, S/2023/768, October 16, 2023. Hereinafter: S/2023/768.

<sup>46</sup> On recovery and reconstruction, see Jonathan Katz, *The Big Truck That Went by: How the World Came to Save Haiti and Left Behind a Disaster* (New York, NY: St. Martin's Press, 2014); Government Accountability Office (GAO), *Haiti: USAID and State Should Improve Management and Assessment of Reconstruction Activities*, GAO-23-105211, March 2023. Hereinafter: GAO, March 2023. On subsequent disasters, see Labrador and Roy, "Haiti's Troubled Path."

<sup>47</sup> Jacqueline Charles, "At Least 42 Dead, Thousands Homeless in Haiti After a Weekend of Heavy Rains, Flooding," *Miami Herald*, June 5, 2023.

<sup>48</sup> The Fund for Peace, Fragile States Index, at <https://fragilestatesindex.org/country-data/>.

In contrast to some previous humanitarian crises Haiti has endured, the political and security situation is the primary driver of the current humanitarian emergency.<sup>49</sup> According to U.N. officials, as of October 2023, gang violence had displaced at least 195,000 people.<sup>50</sup> Gang blockades of highways have limited humanitarian access, particularly to the southern peninsula but also to communities to the east and north of the capital. The G9 gang's blockade of the Varreux fuel terminal from September to November 2022, combined with broad unrest, caused businesses and hospitals to close. During that period, Haitians, fearful of encountering gang violence, sheltered in place amid a lack of water and sanitation services, fuel, electricity, and food. UNOCHA estimates that 5.5 million Haitians are in need of humanitarian aid.<sup>51</sup> Since mid-September 2023, the Dominican Republic has closed its shared land border with Haiti in response to a water dispute. The continued closure could exacerbate humanitarian conditions in Haiti's border departments.<sup>52</sup>

In 2023, UNOCHA requested \$719.9 million for the Humanitarian Response Plan in Haiti. As of December 2023, donors had provided 33% of the funds requested, or \$242.2 million.<sup>53</sup>

Ongoing humanitarian concerns include food insecurity and inadequate access to health care, protection, and education. In September 2023, the World Food Program and its partners estimated that 4.4 million Haitians, roughly 44% of the population, faced acute levels of hunger.<sup>54</sup> In October 2022, cholera resurfaced in Haiti; as of December 2023, it had claimed 1,156 lives.<sup>55</sup> While cholera is preventable through vaccination and treatable with rehydration, gangs have reportedly prevented patient access to health facilities and denied medical staff entry to affected communities. In March 2023, BINUH reported that 21 health facilities had temporarily shut down or reduced their activities due to violence.<sup>56</sup> Children in Haiti are extremely vulnerable to protection concerns, particularly gender-based violence. They have also lost years of schooling due to COVID-19, insecurity and cholera-related school closures, and armed attacks on schools.<sup>57</sup>

## **U.N. Presence in Haiti and Recent Action**

The U.N. has had a continuous presence in Haiti for almost 20 years, with diplomatic and financial support provided by successive U.S. presidential administrations. Following the collapse of the Aristide government in 2004, the U.N. Security Council established MINUSTAH to help restore order and train the HNP.<sup>58</sup> After the 2010 earthquake, the Security Council expanded MINUSTAH's size and mission.

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<sup>49</sup> UNOCHA, "Seven Things to Know About the Humanitarian Crisis in Haiti," October 26, 2022.

<sup>50</sup> International Organization for Migration (IOM), "Haiti Emergency Response: Situation Report," October 2023.

<sup>51</sup> UNOCHA, *Global Humanitarian Overview 2024*, December 2023.

<sup>52</sup> World Food Program (WFP), "Haiti: Overview of DR Border Closure Impacts," November 3, 2023.

<sup>53</sup> United Nations, "Support to Haiti's Police, Deployment of Multinational Mission Fundamental Towards Restoring Stability in Country, Senior Official Tells Security Council," January 25, 2024.

<sup>54</sup> WFP, "Severe Hunger Persists in Haiti as Violence Intensifies in the Capital," September 19, 2023.

<sup>55</sup> Pan-American Health Organization (PAHO), "Cholera Epidemic in Haiti and the Dominican Republic," December 27, 2023.

<sup>56</sup> OHCHR and BINUH, *Human Rights Situation, Main Trends, Quarterly Report: January-March 2023*, March 8, 2023; Reuters, "Medecins Sans Frontieres Shuts Haiti Hospital amid Gang Violence," March 8, 2023.

<sup>57</sup> U.N. Children's Fund, "Haiti: Armed Violence Against Schools Increases Nine-Fold in One Year," February 9, 2023.

<sup>58</sup> U.N. Security Council, "Resolution 1542 (2004)/Adopted by the Security Council at Its 4961<sup>st</sup> Meeting, on 30 April 2004," S/RES/1542 (2004), June 1, 2004. MINUSTAH's original mission aimed to restore security and stability, (continued...)

A Security Council resolution ended MINUSTAH in 2017, citing Haiti's peaceful completion of a long-delayed electoral process in February 2017 as a milestone.<sup>59</sup> The Security Council also praised MINUSTAH for supporting the political process, professionalizing the police, and improving security and stability in Haiti, achievements that proved short-lived. Haitian and international human rights and health experts criticized MINUSTAH for its role in introducing cholera to Haiti (a disease that had not been present in the country for more than a century) and for allegations of sexual abuse by some of its forces.<sup>60</sup> In 2016, then-Secretary-General Ban Ki-Moon apologized for the U.N.'s role in a cholera outbreak that ultimately caused nearly 10,000 deaths; the U.N. also launched a \$400 million fund to confront the epidemic.<sup>61</sup>

In 2017, the U.N. Mission for Justice Support in Haiti (MINUJUSTH) succeeded MINUSTAH, focusing on strengthening judicial institutions, protecting human rights, increasing the professionalism of the HNP, and reinforcing the rule of law. The mission also supported violence-reduction projects and income-generating activities for youth. During MINUJUSTH's mandate, the number of HNP officers increased by 10% to 15,400 and courts reported a 300% increase in files processed on the day of their reception.<sup>62</sup>

In October 2019, the U.N. transitioned to a political office, the U.N. Integrated Office in Haiti (BINUH), for an initial one-year period that the U.N. Security Council twice extended. BINUH's mandate, which currently runs through July 2024,<sup>63</sup> is to advise the Haitian government on how to establish an inclusive national dialogue on reestablishing stability, security, and the rule of law so elections can be held, among other aims. The mission also emphasizes protecting and promoting human rights, including by documenting recent gender-based violence by gangs and producing reports from Haiti for the U.N. Secretary-General and Security Council.<sup>64</sup> BINUH coordinates with other U.N. agencies, funds, and programs, ranging from humanitarian agencies such as the World Food Program to the U.N. Office on Drugs and Crime.

## Sanctions Resolution

On October 17, 2022, the Security Council discussed a resolution sponsored by the United States and Mexico to establish a U.N. sanctions regime against gang leaders in Haiti and those who finance them. The Security Council unanimously approved the sanctions resolution (Resolution

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promote political processes (including elections), strengthen institutions and rule-of-law-structures, and promote and protect human rights.

<sup>59</sup> U.N. Security Council, "Resolution 2350 (2017)/Adopted by the Security Council at Its 7924<sup>th</sup> Meeting, on 13 April 2017," S/RES/2350 (2017), April 13, 2017. Critics argue, however, that a transitional government, not the U.N.-backed PHTK government, accomplished that goal. Even with MINUSTAH present, Haiti experienced a constitutional crisis after Michel Martelly failed to convene elections to choose his successor. Georges Fauriol, 'A Cycle of Instability': Haiti's Constitutional Crisis," Center for Strategic and International Studies, February 8, 2021.

<sup>60</sup> For background, see CRS In Focus IF10502, *Haiti: Cholera, the United Nations, and Hurricane Matthew*, by Maureen Taft-Morales and Tiaji Salaam-Blyther.

<sup>61</sup> U.N. News, "U.N.'s Ban Apologizes to People of Haiti, Outlines New Plan to Fight Cholera Epidemic and Help Communities," December 1, 2016. By the end of 2021, donors had contributed only \$21.8 million to support the pledged \$400 million fund. See U.N. Haiti Cholera Response Multi-Partner Trust Fund, *2021 Annual Report*.

<sup>62</sup> U.N. Mission for Justice Support in Haiti, "MINUJUSTH Completes Its Mandate, Putting an End to 15 Consecutive Years of Peacekeeping in Haiti," October 16, 2019.

<sup>63</sup> For background, see BINUH, "Mandate," at <https://binuh.unmissions.org/en/mandate>.

<sup>64</sup> BINUH and OHCHR, *Sexual Violence*.

2653) on October 21, 2022; an expert committee has recommended, and the Security Council has added, four gang leaders to its sanctions list (See “Sanctions: U.S. and Multilateral”).<sup>65</sup>

## **Multinational Security Support (MSS) Mission**

On October 6, 2022, de facto Prime Minister Henry and his ministers requested the deployment of an international force to help Haitian forces quell the security situation and allow humanitarian aid to flow. On October 8, U.N. Secretary-General António Guterres sent a letter to the Security Council recommending various approaches to respond to that request.<sup>66</sup> On October 17, 2022, the Security Council discussed a proposed resolution by the United States and Mexico, which reportedly would have authorized the deployment of a non-U.N. multinational force to Haiti.<sup>67</sup> From October 2022 through mid-2023, few countries publicly offered to send their forces to Haiti and many countries, including Canada, declined U.S. requests to lead such a force.

In July 2023, Kenya announced its willingness to “positively consider” leading a multinational force in Haiti and sending 1,000 police to support the HNP if authorized by the Security Council.<sup>68</sup> The State Department and CARICOM praised Kenya’s disposition even as some questioned the human rights record of the Kenyan police.<sup>69</sup> In August 2023, Kenya deployed an assessment mission accompanied by U.S. officials to Haiti. In an August 15 letter to the Security Council, the Secretary-General said the mission should focus on disarming gangs, securing key installations and highways, and reasserting state presence to enable basic services to reach the population.<sup>70</sup> He also asserted that “the robust use of force by a specialized multinational police force,” likely supported by military assets, is needed to help the HNP reestablish law and order. He outlined how the U.N. could provide logistical support to the multinational force, while also expanding BINUH to facilitate a political accord and train the police, among other tasks.

On October 2, 2023, the Security Council approved Resolution 2699 to support a Kenyan-led multinational force financed by voluntary contributions to provide security for critical infrastructure, training, and operational support to the HNP.<sup>71</sup> Russia and China abstained from the vote. The resolution called on member states to contribute personnel, equipment, financial, and logistical support for the MSS.

In late January 2024, Kenya’s High Court blocked the Kenyan government from deploying police officers to Haiti, ruling that police officers cannot be deployed on foreign operations missions.<sup>72</sup>

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<sup>65</sup> Security Council, “Resolution 2692 (2023),” July 14, 2023, U.N. Security Council, “Security Council 2653 Sanctions Committee Adds 4 Entries to its Sanctions List,” SC/15520, December 8, 2023.

<sup>66</sup> Such approaches included deploying a non-U.N. rapid action force (probably composed of some military forces) to support the HNP, forming a multinational police task force, creating a multinational antigang force, expanding BINUH’s budget and mandate, bolstering the HNP and the justice sector, and combating arms trafficking. Security Council, S/2022/747.

<sup>67</sup> United States Mission to the United Nations, “Remarks by Ambassador Linda Thomas-Greenfield at a U.N. Security Council Briefing on Haiti,” October 17, 2022.

<sup>68</sup> Reuters, “Kenya Ready to Lead Multinational Force to Haiti,” July 29, 2023.

<sup>69</sup> U.S. Department of State, Press Statement, Antony J. Blinken, Secretary of State, “Kenya Considering Leading a Multinational Force in Haiti,” August 1, 2023; CARICOM, “Statement on Multi-national Force to Support Haiti,” August 4, 2023; Luke Taylor, “Kenya’s Offer to Send Police to Haiti Sparks Human Rights Concerns,” *The Guardian*, August 5, 2023..

<sup>70</sup> Security Council, “Letter Dated 14 August 2023 from the Secretary-General Addressed to the President of the Security Council,” S/2023/596, August 15, 2023.

<sup>71</sup> Security Council, “Resolution 2699 (2023),” October 2, 2023.

<sup>72</sup> Jacqueline Charles, “No Cops for Haiti: Kenya Court Blocks Sending Police to Help Fight Kidnapping Gangs,” *Miami Herald*, January 26, 2024.

The Kenyan government reportedly plans to challenge the ruling. While the U.S. State Department has reaffirmed its support for an MSS mission to Haiti, the composition, budget, and timing of a potential deployment remain unclear.<sup>73</sup>

Any units or participants in a mission to Haiti (whether police or military troops) would be subject to U.N. vetting, while those receiving U.S. support would be subject to U.S. human rights vetting (22 U.S.C. §2378d and 10 USC §362). Human rights experts have suggested additional training that should be provided to MSS members as well as mechanisms to prevent, investigate, and punish any potential human rights violations.<sup>74</sup>

## **U.S. Policy and Issues for Congress**

Biden Administration policy goals in Haiti include supporting Haitian-led efforts to confront gangs and insecurity, resolve the political and constitutional crisis, revive the economy, and address the root causes of emigration from the country.<sup>75</sup> Since Moïse's assassination, U.S., Canadian, and U.N. officials—among others criticized for past interventions in the country—have emphasized their support for “Haitian-led solutions” to the country’s challenges. In March 2023, the Biden Administration issued a 10-year plan for Haiti, as mandated by the Global Fragility Act (GFA; P.L. 116-94), with a long-term, interagency goal of helping the government and citizenry of Haiti work together to develop a shared vision and plan to achieve long-term stability.<sup>76</sup> (See “Global Fragility Act Implementation.”)

U.S. officials have pursued several courses of action to advance those goals. Secretary of State Antony Blinken and other top U.S. officials have stressed the urgency of reaching a political consensus on how to reestablish constitutional order to de facto Prime Minister Henry and other key stakeholders.<sup>77</sup> The U.S. government has sanctioned corrupt officials and encouraged other countries to do so, supported efforts to facilitate dialogue by CARICOM and others, expanded support for the HNP, and sought a partner country to lead a non-U.N. multinational force to help stabilize the country.<sup>78</sup> U.S. officials have pledged to provide significant funding, equipment, and logistical support to any multinational force deployed to Haiti that would expand on U.S. assistance to the HNP.<sup>79</sup> Despite the current uncertainty surrounding the MSS, U.S. officials have asked countries to donate funding and troops to support the mission.<sup>80</sup> While some analysts have urged U.S. policymakers not to support a multinational mission, others have recommended

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<sup>73</sup> U.S. State Department, “United States Reiterates Support for Multinational Security Support Mission to Haiti,” January 27, 2024; and International Crisis Group, *Haiti’s Gangs: Can a Foreign Mission Break Their Stranglehold*, January 5, 2024.

<sup>74</sup> See, for example, Tirana Hassan, “Remarks Delivered at a U.N. Security Council Meeting on Haiti,” Human Rights Watch, January 25, 2024.

<sup>75</sup> U.S. Department of State, *Integrated Country Strategy: Haiti*, revised and updated March 27, 2023.

<sup>76</sup> U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

<sup>77</sup> U.S. Department of State, “Secretary Blinken’s Meeting with Haitian Prime Minister Henry,” July 5, 2023.

<sup>78</sup> David C. Adams, “U.S. and Canada Turn to Sanctions against Haitian Politicians and Businessmen Accused of Ties to Gangs,” Univision, December 19, 2022; International Crisis Group, *Haiti’s Last Resort: Gangs and the Prospect for Foreign Intervention*, Briefing No. 48, December 14, 2022.

<sup>79</sup> U.S. Department of State, “Department Press Briefing,” August 14, 2023.

<sup>80</sup> U.S. State Department, “United States Reiterates Support for Multinational Security Support Mission to Haiti,” January 27, 2024.

greater, more multifaceted U.S. support for the MSS and redoubled efforts to broker a political consensus in Haiti.<sup>81</sup>

Congress has had a direct role in shaping U.S. policy toward Haiti and conducting oversight of U.S. policy development and implementation. Among other policy areas, Congress has influenced decisions regarding foreign assistance, trade preferences, sanctions policy, and migration. Individual Members have differed, however, on policy approaches and priorities. In December 2023, for example, six Members of Congress wrote a letter asking the Administration to withdraw its support for the MSS, while five Senators wrote a letter asking the Administration for clarification on issues ranging from dialogue in Haiti to sanctions to arms trafficking policy.<sup>82</sup> Should a multinational force be deployed to Haiti, Congress could determine what, if any, support the United States would provide for such a force and/or use its legislative and oversight tools to ensure that such a force respects human rights and that those who receive U.S. training or equipment are rigorously vetted, as required by U.S. law.<sup>83</sup>

## Foreign Assistance

### Bilateral Assistance

Congress has appropriated foreign assistance to support Haiti's recovery from recurrent natural disasters and foster long-term stability. In addition to significantly expanding such assistance in the aftermath of a massive 2010 earthquake, Congress has closely monitored the implementation and impact of U.S. assistance activities.<sup>84</sup> Congress also shapes U.S. policy toward Haiti through appropriations, conditions on appropriations, and reporting requirements linked to the obligation of U.S. assistance.

Congress enacted the Haiti Development, Accountability, and Institutional Transparency Initiative Act (HAITI Act) as part of the FY2022 Consolidated Appropriations Act, 2022 (P.L. 117-103, Division V). The HAITI Act stated that U.S. policy should support sustainable rebuilding and development efforts in Haiti that recognize Haitian independence, are led by the people and government of Haiti, and contribute to international efforts to support broad and inclusive dialogue to restore democratic institutions and legitimacy in the country.<sup>85</sup> The HAITI Act also required U.S. agencies to measure the progress of post disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti. The State Department submitted the reports required by the act and made them public on November 10, 2022.<sup>86</sup>

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<sup>81</sup> Daniel Larison, "No Matter how Well-Intentioned, Armed Mission in Haiti is a Mistake," *Responsible Statecraft*, October 4, 2023; Georges Fauriol, *Wanted: A Reset of Haiti Policy*, United States Institute of Peace, January 25, 2024.

<sup>82</sup> Rafael Bernal, "House Democrats ask Biden Administration to Reverse Course in Haiti," *The Hill*, December 8, 2023; Senator Ed Markey, "Senators Markey and Warnock, Colleagues Urge Biden Administration to Address Humanitarian Crisis and Insecurity in Haiti," December 19, 2023.

<sup>83</sup> CRS In Focus IF10575, *Global Human Rights: Security Forces Vetting ("Leahy Laws")*, by Michael A. Weber.

<sup>84</sup> See, as an example, GAO-23-105211, March 2023.

<sup>85</sup> Other elements of U.S. policy cited in the act include building the long-term capacity of the government, civil society, and private sector to foster economic development in Haiti; fostering collaboration with the Haitian diaspora and the business community in Haiti; supporting anticorruption, press freedom, and human rights protection, including through the imposition of sanctions; restoring the natural resources of Haiti; promoting political stability and free and fair elections; providing comprehensive reporting on the goals and progress of the Haitian government and the U.S. government; and promoting the participation of Haitian women and youth in U.S. assistance programs.

<sup>86</sup> U.S. Department of State, Bureau of Western Hemisphere Affairs, "Haiti: Reports," November 10, 2022, at <https://www.state.gov/haiti-reports/>.

In addition to the HAITI Act, current and future U.S. programming and budget requests are likely to reflect the priorities of the State Department and USAID's two-year Integrated Country Strategy for Haiti, adopted in March 2022 and updated in March 2023, and the GFA-mandated *U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, released in March 2023 (see "Global Fragility Act Implementation").<sup>87</sup>

The FY2023 Consolidated Appropriations Act (P.L. 117-328), did not specify a comprehensive appropriations level for Haiti. The act required the State Department to withhold any aid to support the Haitian government until the Secretary of State certifies that a new president and parliament have taken office following free and fair elections or that a broadly representative transitional government is in place and it is in the U.S. interest to provide such assistance. The withholding requirement does not apply to aid intended to support free and fair elections; antigang police and justice administration; disaster relief and recovery; and education, public health, food security, and other basic human needs. As in prior years, the act prohibited assistance for the armed forces of Haiti. The explanatory statement accompanying P.L. 117-328 urged the Secretary of State to use "every appropriate diplomatic tool to press for dialogue" among key stakeholders and to take "strong legal action" against those engaged in human rights abuses, corruption, and other illicit activities.<sup>88</sup> The State Department has allocated an estimated \$204.9 million in foreign assistance to Haiti for FY2023 (see **Table 1**).

The Administration has requested \$291.5 million for Haiti in FY2024, with the largest increase in funding requested under the International Narcotics Control and Law Enforcement (INCLE) foreign assistance account to support the HNP and other justice sector actors. This prioritization of restoring security and justice coincides with the phase one activities outlined by the GFA strategic plan for Haiti. Congress has not yet concluded action on FY2024 appropriations but it has enacted continuing resolutions (P.L. 118-15, P.L. 118-22, and P.L. 118-35) that fund most foreign aid programs at the same level and under the same conditions as FY2023 until March 8, 2024. The FY2024 foreign assistance appropriations measures approved by the House (H.R. 4665/H.Rept. 118-146) and reported in the Senate (S. 2438/S.Rept. 118-71) do not specify funding levels for Haiti. However, both measures would place restrictions on assistance to the central government.

**Table I. U.S. Foreign Assistance to Haiti by Account: FY2018-FY2024**

(appropriations in thousands of current U.S. dollars)

Account	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023 (Estimate)	FY2024 (Request)
DA	32,000	51,000	51,000	52,000	59,000	46,400	113,200
ESF	8,500	—	—	14,800 <sup>a</sup>	20,500 <sup>b</sup>	7,000	—
FFP	3,244	11,719	7,996	3,110	—	—	—
GHP (State)	99,386	103,011	78,765	99,822	103,081	102,505	100,000
GHP (USAID)	24,200	24,500	24,500	24,500	24,500	30,000	33,000
INCLE	12,000	22,800 <sup>c</sup>	33,000 <sup>d</sup>	57,600 <sup>e</sup>	33,300 <sup>f</sup>	33,300	45,000

<sup>87</sup> State Department, *Integrated Country Strategy*, updated March 2023; and State Department, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*.

<sup>88</sup> "Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023," *Congressional Record*, vol. 168, no. 198—book II (December 20, 2022), p. S9299.

IMET	233	241	96	255	47	—	255
FMF	5,000	—	—	—	—	—	—
<b>Total</b>	<b>184,563</b>	<b>213,471</b>	<b>195,357</b>	<b>252,087<sup>a</sup></b>	<b>240,434<sup>b</sup></b>	<b>204,905</b>	<b>291,455</b>

**Sources:** U.S. Department of State, Congressional Budget Justification, Supplementary Tables-Foreign Operations, FY2020-FY2024 and U.S. Department of State, FY2023 estimate data, August 2023; and email from State Department official, September 13, 2023.

**Notes:** DA = Development Assistance; ESF = Economic Support Fund; FFP = Food for Peace; GHP = Global Health Programs; INCLE = International Narcotics Control and Law Enforcement; IMET = International Military Education and Training; FMF = Foreign Military Financing.

- a. This sum includes \$14.8 million of ESF appropriated through the American Rescue Plan Act of 2021 (P.L. 117-2).
- b. This sum includes \$15.0 million of ESF appropriated through the Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-128).
- c. This includes \$8 million reprogrammed in FY2021.
- d. This includes \$15 million reprogrammed in FY2021 and FY2022.
- e. This includes \$44.6 million reprogrammed in FY2022.
- f. This includes \$3 million provided through the Global Fragility Act.

## Humanitarian Assistance

The United States is the largest humanitarian donor to Haiti. In response to the worsening humanitarian situation in Haiti, USAID sent a Disaster Assistance Response Team (DART) to the country in October 2022 that has been coordinating the delivery of relief supplies and other assistance to a portion of the estimated 5.5million Haitians in need of humanitarian assistance.<sup>89</sup> In FY2022 and FY2023, USAID provided a total of more than \$206 million in humanitarian assistance, including \$179.8 million in emergency assistance.<sup>90</sup> FY2023 programs focused on providing in-kind food aid and emergency cash for people to purchase food; medical, psychosocial, and other assistance to victims of GBV; and, water, sanitation, and hygiene programs to prevent the spread of cholera and other diseases. In addition to responding to these immediate needs, USAID helped fund programs to reduce the country's risk of disasters and improve Haiti's capacity to respond to emergencies.

U.S. agencies also helped Haiti respond to the COVID-19 pandemic and related health needs. The United States has donated nearly 1.1 million COVID-19 vaccines to Haiti.<sup>91</sup> As of January 5, 2024, 3.2% of Haiti's population had completed the COVID-19 vaccination schedule, one of the lowest vaccination rates in the world.<sup>92</sup> USAID is working with the Haitian government to implement media campaigns encouraging vaccination, provide COVID-19 immunization services, and strengthen health care facilities' access to oxygen.

## Funds to Support the Multinational Security Support Mission

The Biden Administration has committed to providing support to the MSS mission to Haiti, although fulfilling that pledge is likely to require congressional support. The United States has pledged \$100 million in foreign assistance, likely to consist of International Narcotics Control

<sup>89</sup> USAID, Bureau for Humanitarian Assistance, "Haiti Assistance Overview," November 2023.

<sup>90</sup> Ibid.

<sup>91</sup> U.S. Department of State, "COVID-19 Vaccine Distribution," at [https://www.state.gov/countries-areas/haiti/#covid\\_map\\_link](https://www.state.gov/countries-areas/haiti/#covid_map_link).

<sup>92</sup> Pan American Health Organization, "COVID-19 Vaccination in the Americas," [https://ais.paho.org/imm/IM\\_DosisAdmin-Vacunacion.asp](https://ais.paho.org/imm/IM_DosisAdmin-Vacunacion.asp), accessed January 24, 2024.

and Law Enforcement (INCLE) funds, to support the MSS.<sup>93</sup> Additionally, the U.S. Department of Defense is prepared to provide up to \$100 million in training, equipment, technical assistance, and other logistical support to the mission.

## **Global Fragility Act Implementation**

The 116<sup>th</sup> Congress enacted the GFA, which directed the executive branch to develop a 10-year strategy to prevent conflict globally and stabilize conflict-affected areas. It also directed the executive branch to select priority countries or regions to execute such efforts through 10-year plans. In April 2022, the Biden Administration announced one region and four priority countries for GFA implementation; Haiti was among them. The GFA also authorized three distinct funds: the Prevention and Stabilization Fund (PSF), the Complex Crisis Fund (CCF), and the Multi-Donor Global Fragility Fund. In March 2023, the Biden Administration released a 10-year plan for Haiti, as mandated by the GFA. According to a summary of the plan, the U.S.-interagency seeks to help “Haiti’s citizens and government advance a shared vision and a permissive environment for long-term stability.” It prioritizes security and justice sector sectors first, then broadens to focus on economic and development goals, as well as civil society strengthening.<sup>94</sup> The Administration has allocated at least \$15.0 million of FY2021 PSF assistance, \$13.0 million of FY2022 PSF assistance, and \$3.3 million of FY2023 CCF assistance to Haiti.<sup>95</sup>

## **Donor Coordination**

The United States is the leading bilateral donor in Haiti, and Congress has encouraged U.S. executive agencies to coordinate foreign assistance priorities with key countries and international organizations represented in Haiti. Active since 2004, the “Core Group” has shaped international responses to key events in Haiti, as when it called on Henry to form a “consensual and inclusive government” in July 2021.<sup>96</sup> In addition to the U.S. Ambassador, the Core Group comprises the Special Representative of the U.N. Secretary-General; the Ambassadors of Brazil, Canada, France, Germany, Spain, and the European Union (EU); and the Special Representative of the Organization of American States.

Many members of the Core Group (including the EU, Spain, and France) have expressed interest in contributing to a multidonor basket fund on security that aims to support the long-term development of the HNP; Canada and the U.N. Development Program (UNDP) administer the fund. UNDP estimated the fund needs at least \$28 million over two years to achieve its aims. According to BINUH, donations stood at roughly \$25.5 million in October 2023.<sup>97</sup>

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<sup>93</sup> U.S. Department of State, Antony J. Blinken, Secretary of State, “U.N. Security Council Authorizes Multinational Security Support Mission to Haiti,” October 2, 2023.

<sup>94</sup> U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

<sup>95</sup> U.S. Department of State, Congressional Notification (CN) 23-300, August 14, 2023; USAID, CN 146, May 16, 2023.

<sup>96</sup> BINUH, “Core Group Press Release,” July 17, 2021.

<sup>97</sup> Electronic correspondence with U.N. official, January 26, 2024.

## Trade Preferences<sup>98</sup>

Congress has extended unilateral trade preferences to Haiti through several trade preference programs enacted since 1975. The Caribbean Basin Economic Recovery Act (P.L. 98-67, subsequently amended, with no expiration), for example, provides limited duty-free entry of selected Caribbean products as a core element of the U.S. foreign economic policy response to uncertain economic and political conditions in the region. The current Haiti-specific preferences, which expire in 2025, provide unilateral preferences to the country's apparel sector.<sup>99</sup> The value of U.S. imports from Haiti entering under Caribbean preference programs increased from \$25 million in 2000 to \$253.3 million in 2022, an increase of over 900%. Those imports accounted for about 31.9% of total U.S. merchandise imports from Haiti. Over 90% of U.S. imports from Haiti in 2022 consisted of apparel items or clothing; knitted or crocheted apparel imports totaled \$807.0 million, while other apparel items or clothing totaled \$155.0 million.<sup>100</sup>

The Haiti Economic Lift Program Extension Act of 2023 (S. 552), introduced in the Senate in February 2023, would renew U.S. trade preferences for Haiti through 2035. In the House, H.R. 5035, introduced in July 2023, would modify and extend trade preferences for Haiti under the Caribbean Basin Economic Recovery Act.

## Sanctions: U.S. and Multilateral

In 2020, as part of its policy toward Haiti, the U.S. government began to impose economic sanctions and visa restrictions on those responsible for significant human rights abuses and/or corruption.<sup>101</sup> In December 2020, pursuant to Executive Order (E.O.) 13818, issued to implement requirements enacted in the Global Magnitsky Human Rights Accountability Act (P.L. 114-328), the U.S. Department of the Treasury (Treasury) imposed asset blocking sanctions on Jimmy Chérizier (gang leader and former HNP officer) and two former Moïse officials for involvement in the La Saline massacre. In April 2023, Treasury designated Gary Bodeu, former head of Haiti's Chamber of Deputies, for corruption (E.O. 13818). In December 2023, Treasury sanctioned the leaders of four of Haiti's largest gangs for involvement in sexual violence and other gross human rights violations (E.O. 13818). These individuals are barred from entry into the United States.

Pursuant to Section 7031(c) of annual foreign operations appropriations acts (P.L. 117-103, Division K and P.L. 117-328, Division K), the State Department has imposed visa restrictions on eight Haitian officials who have committed human rights violations and/or corruption. In 2022, the State Department imposed visa restrictions on then-Senator Lambert for corruption and gross violations of human rights, as well as former Haitian Customs Director Rommel Bell and then-Senator Celestin for corruption. In 2023, the State Department invoked section 7031 (c) authorities to impose visa restrictions on Gary Bodeau, former senator Nenel Cassey, former prime minister Laurent Lamothe, and former prime minister Jean-Marie Bellerive for corruption. The State Department has reportedly privately revoked the visas of dozens of other officials and their families.

<sup>98</sup> For additional information, see CRS Report R47432, *Caribbean Trade Preference Programs*, by Liana Wong and M. Angeles Villarreal.

<sup>99</sup> For a description of how the Haiti-specific preference programs have evolved and have affected Haitian exports and Haitian workers, see U.S. International Trade Commission, *U.S.-Haiti Trade: Impact of U.S. Preference Programs on Haiti's Economy and Workers*, December 2022.

<sup>100</sup> Compiled by CRS using data from U.S. International Trade Commission DataWeb.

<sup>101</sup> See U.S. Department of the Treasury, Office of Foreign Assets Control (OFAC), available at <https://ofac.treasury.gov/>.

In addition, Haitian officials have been designated for drug trafficking pursuant to E.O. 14059, which implements the Fentanyl Sanctions Act (P.L. 116-92); this E.O. results in visa bans and economic sanctions. Treasury designated Joseph Lambert, then-president of the Haitian senate, and former Senator Youri Latortue for involvement in drug trafficking in November 2022. Treasury designated then-Senator Rony Celestin and former Senator Herve Fourcand pursuant to E.O. 14059 in December 2022.

The United States has encouraged other international partners and the U.N. Security Council to impose sanctions on gang leaders and on the financial backers of Haitian gangs, recognizing that targeted sanctions imposed in a multilateral manner may have a better chance of affecting change than unilateral sanctions.<sup>102</sup> U.S. sanctions have been closely coordinated with those announced by the Government of Canada, which also imposed sanctions on former President Martelly for drug trafficking—a move U.S. officials have welcomed.<sup>103</sup> In October 2022, the U.N. Security Council unanimously approved Resolution 2653 to require member states to impose sanctions on Jimmy Chérizier.<sup>104</sup> The Security Council established a panel of experts to assess sanctions compliance and recommend additional individuals and entities to be subject to travel bans, asset blocking, and an arms embargo. The committee added the same four gang leaders designated by the United States to its list in December 2023. The United Kingdom and the European Union have also added those gang leaders to their sanctions lists.

Congress is considering legislation that would require reporting from the State Department and potential sanctions on Haitians who back criminal gangs. In July 2023, the House passed an amended version of the Haiti Criminal Collusion Transparency Act of 2023 (H.R. 1684), aimed at identifying and penalizing ties between Haitian political and economic elites and criminal gangs. The Senate Foreign Relations Committee reported a companion bill, S. 396, in May 2023. The bills would require the Secretary of State, in coordination with the intelligence community, to report annually to specific congressional committees identifying Haitian political and economic elites tied to gangs, among other topics. They also would require the President to impose visa restrictions and economic sanctions on those individuals pursuant to Section 7031(c) of annual foreign operations appropriations, Section 1263 of the Global Magnitsky Human Rights Accountability Act (Title XII, Subtitle F of P.L. 114-328), or any other provision of law. The President could waive those sanctions requirements if the President certifies that it is in the U.S. national interest to do so or is necessary for the delivery of humanitarian or related assistance.

## **U.S. Department of Justice Cooperation**

The U.S. Department of Justice (DOJ) has obtained three convictions in the Moïse assassination, assisted Haitian officials investigating the assassination, and pursued cases involving those complicit in arms trafficking, gang violence, kidnapping, and drug trafficking in and through Haiti. In November 2022, DOJ indicted seven leaders of five Haitian gangs involved in kidnappings of U.S. missionaries that took place in 2021; one of those individuals also has been charged with participating in a kidnapping that resulted in the death of a U.S. citizen in Haiti in

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<sup>102</sup> U.S. Department of the Treasury, *Treasury 2021 Sanctions Review*, October 2021.

<sup>103</sup> Government of Canada, “Sanctions: Grave Breach of International Peace and Security in Haiti,” updated December 19, 2022, at <https://www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=eng>; Jacqueline Charles and Michael Wilner, “Canada Sanctions Former Haiti President Michel Martelly, Two Former Prime Ministers,” *Miami Herald*, November 21, 2022.

<sup>104</sup> U.N. Security Council, “Security Council Committee Established Pursuant to Resolution 2653 (2022) Concerning Haiti,” at <https://www.un.org/securitycouncil/sanctions/2653>.

October 2022.<sup>105</sup> DHS has established a vetted Transnational Criminal Investigative Unit within the HNP to work with U.S. prosecutors on cases affecting both countries, including the trafficking of arms, drugs, and people.

## Weapons and Drug Trafficking

In March 2023, the U.N. Office on Drugs and Crime (UNODC) issued a report that examined how illicit drug and weapons trafficking have exacerbated gang-related violence in Haiti. The report includes recommendations for national, regional, and international responses to address illicit trafficking, strengthen port security, reinforce the capabilities of the HNP, and promote stability in Haiti.<sup>106</sup>

The State Department's *International Narcotics Control Strategy Report (INCSR)*, issued in March 2023, asserts that continuing instability, a weak justice system, corruption, and the HNP's inability to patrol the country's extensive borders have kept drug seizures low and inhibited bilateral antidrug efforts. Haiti's porous border with the Dominican Republic and corruption in the Haitian customs authority have enabled gangs to obtain illicit arms.

U.S. agencies have taken some steps to combat illicit trafficking to Haiti. In August 2022, the U.S. Department of Homeland Security (DHS) Homeland Security Investigations office in Miami, FL, announced new initiatives to counter reported spikes in arms trafficking to Haiti.<sup>107</sup> In December 2022, the State Department sanctioned Rommel Bell, former customs director in Haiti, for corruption after Haiti's anticorruption unit launched an investigation into Bell's alleged participation in arms trafficking. The U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) signed an agreement with the HNP in November 2023 to help Haitian police use ATF's e-Trace system to investigate crimes involving firearms. U.S. law enforcement agencies are also supporting a new CARICOM Crime Gun Intelligence Unit in Trinidad to investigate regional arms trafficking cases alongside national officials.

In December 2023, legislation was introduced in the House, H.R. 6618, that would, among other provisions, transfer the regulatory control of certain arms exports from the Department of Commerce to the Department of State. The bill also would require the State Department and other relevant agencies to produce a report within 180 days on illegal arms trafficking to Haiti and other countries covered by the bill (including Mexico and Central American and Caribbean countries). It would require that report to inform a subsequent U.S. strategy on how to better combat the trafficking of arms exported from the United States to those countries.

## Migration Issues

Stemming irregular migration to the United States continues to be a high priority for U.S. policy and Congress.<sup>108</sup> U.S. government apprehensions of Haitian migrants have risen notably, both at sea and on the U.S. Southwest border. In FY2023, U.S. Customs and Border Protection (CBP)

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<sup>105</sup> U.S. Department of Justice, "Criminal Charges Unsealed Against Gang Leaders for Kidnapping of U.S. Citizens," November 7, 2020; "Haitian Gang Leader Charged with Hostage Taking Offenses That Resulted in the Death of a U.S. Citizen in Haiti in October 2022," October 24, 2023.

<sup>106</sup> U.N. Office on Drugs and Crime, *Haiti's Criminal Markets: Mapping Trends in Firearms and Drug Trafficking*, March 2023.

<sup>107</sup> U.S. Department of Homeland Security, "Homeland Security Investigations (HSI) Announces Crackdown on Firearms, Ammunition Smuggling to Haiti, the Caribbean," August 19, 2022.

<sup>108</sup> The International Organization for Migration (IOM) defines *irregular migration* as "movement of persons that takes place outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit or destination." IOM, "Key Migration Terms," at <https://www.iom.int/key-migration-terms>.

encountered 163,781 Haitians nationwide, up from 56,596 Haitians encountered in FY2022.<sup>109</sup> Some of those Haitians had resided in third countries (particularly Brazil and Chile) since the 2010 earthquake and had few ties to Haiti.<sup>110</sup> From October 2022 to January 2023, U.S. Coast Guard-reported interdictions and/or encounters of Haitian migrants exceeded 1,700.<sup>111</sup> From January–November 2023, Mexican officials encountered roughly 21,100 Haitians in an irregular status.<sup>112</sup> Some 44,200 Haitians requested asylum in Mexico during that period, making Haiti the largest source country of asylum seekers in Mexico.<sup>113</sup>

On January 5, 2023, DHS announced the expansion of an immigration parole program for Venezuelans to include Haitians, Nicaraguans, and Cubans.<sup>114</sup> Haitians who have a U.S. financial sponsor can apply for up to two years of immigration parole, and, after being vetted, fly directly into the interior of the United States. In April 2023, DHS added another requirement for participation in the program making any Haitian interdicted at sea after April 27 ineligible for the parole program.<sup>115</sup> As of December 2023, some 133,000 Haitians had been vetted and approved for travel to the United States under the program and 126,000 Haitians had been paroled into the United States under this process.<sup>116</sup>

In contrast, Haitians apprehended crossing the U.S. Southwest border between ports of entry are subject to removal (deportation) under immigration law and they may apply for asylum. The Biden Administration removed 717 individuals to Haiti in FY2023, down from 1,532 in FY2022.<sup>117</sup> Human rights advocates have urged U.S. officials to suspend removals to Haiti amid the country's deteriorating security situation.<sup>118</sup>

The United States also has taken steps to provide other legal migration and protection pathways for some Haitians. Some 155,000 Haitians may be eligible for relief from removal under the Temporary Protected Status (TPS) designation announced in May 2021, and an estimated 105,100 additional Haitians are eligible under the extension announced in December 2022.<sup>119</sup> In August 2023, the Biden Administration announced a modernized Haitian Family Reunification Parole Program. As in the past, the program will allow certain U.S. citizens and legal permanent residents to seek parole for family members in Haiti (or other countries); most of the process can now be completed online.<sup>120</sup>

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<sup>109</sup> U.S. Customs and Border Protection, “Nationwide Encounters,” <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

<sup>110</sup> Caitlyn Yates, *Haitian Migration Through the Americas: A Decade in the Making*, Migration Information Source, September 30, 2021.

<sup>111</sup> United States Coast Guard News, “Operation Vigilant Sentry: Stopping Illegal Migration at sea,” January 27, 2023.

<sup>112</sup> Gobierno do México (GOM), *Boletín Mensual de Estadísticas Migratorias*, 2023, accessed January 30, 2024.

<sup>113</sup> GOM, Comisión Mexicana de Ayuda a Refugiados (COMAR), “La COMAR en Números,” January 9, 2024.

<sup>114</sup> Department of Homeland Security (DHS), “DHS Implements New Processes for Cubans, Haitians, and Nicaraguans and Eliminates Cap for Venezuelans,” January 6, 2022.

<sup>115</sup> DHS, “Implementation of a Change to the Parole Process for Haitians,” 88 FR 26327 *Federal Register* 26327-26329, April 28, 2023.

<sup>116</sup> DHS, U.S. Customs and Border Protection (CBP), “CBP Releases December 2023 Monthly Update,” January 26, 2024.

<sup>117</sup> DHS, U.S. Immigration and Customs Enforcement (ICE), *FY2023 Annual Report*, December 29, 2023.

<sup>118</sup> Human Rights Watch, *US/Haiti: Suspend Deportation Flights to Haiti*, September 27, 2023.

<sup>119</sup> See CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*, by Jill H. Wilson.

<sup>120</sup> DHS, “DHS Modernizes Cuban and Haitian Family Reunification Parole Processes,” August 10, 2023.

## Outlook

The 118<sup>th</sup> Congress has maintained a keen interest in developments in Haiti, as deteriorating security and humanitarian conditions in the country intersect with a broad range of U.S. interests and policy responses. Among other actions, Congress has directly engaged with U.S. policy approaches toward Haiti in relation to foreign assistance, trade preferences, sanctions policy, and migration. Congress may fund, oversee, and assess new policy approaches to address the situation in Haiti, including the deployment of a U.S.-backed, multinational security force to the country.

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