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United Nations Mission for Justice Support in Haiti

Report of the Secretary-General

I. Introduction

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

II. Significant developments

A. Political situation and related security developments

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

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



development and failed to garner buy-in from interlocutors across the political spectrum.

4. On 14 January, the National Assembly opened the first regular session of the legislative year against a backdrop of citizen protests against parliamentary performance during the 2018 legislative year, during which fewer than half of scheduled sessions were held and only seven laws were adopted. In his annual state of the nation address, President Moïse focused on the political, economic, social and security challenges that lay ahead. He committed to promoting fair, credible, democratic and transparent elections and urged lawmakers to adopt the electoral law and the 2018/19 budget, to allow for elections.

5. Popular demand for accountability in the alleged mismanagement of PetroCaribe funds continued unabated. From 20 to 22 December 2018, and on 31 December 2018 and 1 January 2019, small demonstrations were organized in front of the Superior Court of Audits and Administrative Disputes. In January 2019, citizens who had filed private criminal complaints against government officials and private companies awarded contracts under the PetroCaribe fund demonstrated against the lack of progress in the investigation. In an attempt to recover a portion of allegedly embezzled funds, the Government announced that it was preparing civil complaints against those suspected of mismanagement. As a result of the publication on 31 January of the report of the Court, which sheds light on the misuse of funds and the abuse of processes, government officials indicated that criminal charges may be filed against those suspected of mismanagement. A final report of the Court is expected in April, while criminal complaints investigated by judges may take several years to be completed, potentially stoking popular frustration.

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

7. On the eighth day of the demonstrations, President Moïse delivered a speech to the nation expressing understanding for the Haitian people's grievances, assessing that the situation in the country had worsened since the first protests in July and condemning the violence and the resulting loss of life. The President announced that specific measures to address the economic crisis would be presented by the Prime

Minister. On 16 February, the Prime Minister, deploring the negative impact the violent demonstrations were having on the economy and the provision of services to the population, identified corruption, economic inequality and bad governance as serious challenges facing the country. Stressing that dialogue was the only way out of the crisis, he promised to tackle corruption, act on the PetroCaribe case, reduce government expenditure, and promote a number of economic measures to provide relief to a population facing serious economic hardship.

B. Humanitarian situation

8. The country continues to face a lingering migration crisis characterized by voluntary and, often, forced repatriation of its citizens and individuals of Haitian origin from neighbouring countries and other countries in the Americas and the Caribbean region. In order to mitigate statelessness, the Government continues to work with the Office of the United Nations High Commissioner for Refugees on a reform of the civil registry to facilitate access to identity documents for Haitians living abroad and in remote areas of the country, in line with its accession to the 1954 Convention relating to the Status of Stateless Persons and ratification of the 1961 Convention on the Reduction of Statelessness in the last quarter.

9. The integrated food security phase classification conducted in October and December 2018 for the whole country identified 5.5 per cent of the surveyed population in the emergency phase and 27 per cent in the crisis phase of food insecurity.¹ A total of 2.26 million people were classified as food insecure and in need of humanitarian food assistance. Food insecurity in the country has been exacerbated by the closure of main road arteries as a result of the February demonstrations, creating difficulties in the delivery of basic foodstuffs. The provision of other basic services, such as health care, including sexual and reproductive services, water and sanitation, has also been affected. The United Nations continues to work closely with the Haitian authorities to assess the humanitarian situation in the country and the needs of the most vulnerable within the population.

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

11. Work on the Development Impact Bond to support track 1A of the new United Nations approach to cholera saw significant progress. A feasibility study was undertaken with financial assistance from the United States Agency for International Development, and work began on developing a potential model for a bond targeting \$25 million to contribute to cholera elimination. The model proposes a blended finance approach by which traditional financing will continue to cover surveillance, rapid response, medical care and coordination interventions in 2019, while the proposed impact bonds would tentatively finance unfunded activities from 2020 to 2022.

¹ Integrated Food Security Phase Classification, "Analysis of acute food insecurity in Haiti, October 2018–June 2019" (19 December 2018); available at www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Haiti_AFI_2018Oct2019Feb.pdf.

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

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

III. Mandate implementation

A. Community violence reduction (benchmark 6)

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

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

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

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

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

18. The Haitian national police have been increasingly self-sufficient in providing security across the country. The positive performance demonstrated during the recent protests is an indication of the force's increased capacity and ability to maintain order across the country. However, since December, 38 of 205 demonstrations required mobilization of internal resources beyond the normal operational capacity of police public order units. In addition, to address the rise in criminal gang activity in the third quarter of 2018, the national police developed a strategy of targeted interventions in the Port-au-Prince neighbourhoods of Village de Dieu, La Saline and, more recently, Savanne Pistache. As a result, 4 of 12 larger operations were conducted by the national police with limited support from MINUJUSTH. The national police have also taken over full operational responsibility in the Grand'Anse Department and have increased their capacity over the West Department following the departure of two formed police units during the current period, thus becoming autonomous in 6 of the 10 departments of Haiti, where crowd control units operate without MINUJUSTH support.

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

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

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

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

23. The police component of MINUJUSTH continued to conduct training on sexual and gender-based violence for actors of the judicial chain in order to build a common understanding on victims' care and to share best practices. The community violence reduction project of mobilization against sexual and gender-based violence,

benefiting 11,864 people, including 7,635 women, through sensitization workshops in the Artibonite, Grand'Anse and South departments was completed. An ad hoc task force was established in each department to bring together State and non-State representatives involved in the judicial processing of cases of sexual and gender-based violence and to identify bottlenecks and possible solutions.

C. Justice and the rule of law (benchmarks 1, 2 and 5)

24. President Moïse appointed judges for 10-year terms to the six seats which had been vacant at the Supreme Court since December 2015, including the President of the Court and of the Superior Council of the Judiciary. None of the three women candidates proposed by the Senate was appointed, resulting in only one woman in the 12-judge Court.

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

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

27. As part of ongoing efforts to reduce the rate of pretrial detention, MINUJUSTH participated in the activities of the ministerial committee which prepared a new action plan to address prolonged pretrial detention, launched on 18 January by the Minister of Justice and Public Security. At a meeting on 11 January, the dean and public prosecutor of the court of first instance of Port-au-Prince, and the president of the bar association, adopted a series of measures to promote an increase in the number of hearings at the court, including the mobilization of administrative and judicial staff, and the full operationalization of the courtrooms; they included measures to maintain court records and to ensure that detainees arrive on time for trials. Simultaneously, MINUJUSTH, in coordination with UN-Women, carried out activities to offer legal assistance services to 217 women, in the country's only women's prison, expediting the judicial process and resulting in the release of 12 women. As part of the MINUJUSTH-supported legal aid project which targets minors in conflict with the law, on 14 January, the Port-au-Prince prosecutor ordered the release of 33 minors from pretrial detention, 6 of whom were released while efforts are under way to locate the parents of the remaining 27.

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

29. In parallel, three outreach projects, supported by the community violence reduction programme and implemented with local partners, involved the population in creating momentum and political will for the executive and the legislative branches

of the Government to promulgate legislation that improves access to justice and security, prioritizing women's access and enhanced representation. The projects mobilized popular support for the adoption of the draft criminal code and the draft code of criminal procedure, which, if implemented, will significantly address weaknesses in the justice system, protect human rights and improve people's access to justice.

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

31. As part of an effort to promote judicial inspections, MINUJUSTH, through the joint rule of law programme, handed over two vehicles, office furniture and computer equipment to improve working conditions at the Ministry of Justice, the Superior Council of the Judiciary's judicial inspectorates and the joint vetting commission. This donation will facilitate inspections of the 18 courts of first instance and 5 courts of appeal throughout the country. The programme also supported the first inspection tour in the jurisdiction of Croix des Bouquets (West Department), including the prosecutor's office, the clerk's office, the prison, and four local courts.

D. Corrections (benchmarks 1, 3 and 5)

32. As at 25 January, the prison population, comprising 11,684 detainees, including 412 women, 279 boys and 16 girls, remained almost unchanged compared to the 11,755 detainees recorded during the previous reporting period. The occupancy rate of Haitian prisons stands at 360 per cent, based on a national goal of 2.5 m² per detainee. Extreme overcrowding and poor hygiene conditions in most facilities continue to contribute to health problems, which are compounded by irregular food deliveries and a shortage of medical staff and medication. The death rate has increased from 11.8 to 14 per 1,000 inmates, the leading causes of death among detainees being tuberculosis, malnutrition and cardiovascular diseases. Regular payment of food suppliers remains a chronic challenge. Increased financial and administrative autonomy for the prison administration could alleviate these recurring issues. In order to improve health services in the prisons, MINUJUSTH supported an evaluation of prison health services to define a remedial strategy. In addition, MINUJUSTH continued to encourage partnerships with the Ministry of Public Health and Population, the World Health Organization and the non-governmental organization Health through Walls.

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

34. The Prison Administration continues to welcome new police academy graduates to its ranks. The specialized training programme for candidates to be posted into the prison service ended with the graduation of 50 men and 7 women from the

twenty-ninth police promotion. The total number of prison officers nationwide increased to 1,238, including 161 women. This brings the prison officer to prisoner ratio to 1:9.45, far from the Prison Administration's goal of 1:5. In order to increase the number of dedicated prison officers, the Director-General of the police agreed on a targeted recruitment and training strategy for the Prison Administration to properly address the critical needs of 880 pending staff and reduce the high rate of attrition. MINUJUSTH supported the Prison Administration in the evaluation of 288 uniformed staff, including 63 women, in five prisons, carried out with the human resources performance appraisal tool.

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

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

36. With the support of MINUJUSTH, the Inter-Ministerial Committee on Human Rights began work on the development of a national action plan on human rights pursuant to the recommendation of the Human Rights Council of April 2017. This will allow Haitian authorities to tackle the structural deficiencies while also positioning them to address recommendations issued by the United Nations human rights mechanisms, thereby ensuring that indicator 9.1 of the MINUJUSTH benchmarked exit strategy is eventually met.

37. MINUJUSTH continues to investigate allegations of human rights violations reportedly committed by the national police, including during the demonstrations in October and November 2018 (see S/2018/1059, paras. 3–6) and during the more recent protests in February 2019. According to MINUJUSTH findings, during the demonstrations of 17 October police officers were responsible for 57 human rights violations, including three summary executions and 47 cases of excessive use of force, resulting in the death of three protesters and injuries to 44 others. Of 72 casualties recorded from 18 to 23 November, 51 were attributable to armed elements not belonging to the police forces and 21, including six deaths, allegedly resulted from excessive use of force by police officers. The General Inspectorate of the police opened multiple investigations, and a number of judicial investigations have also been launched. Although the violations attributable to the national police are of great concern, I am encouraged by the prompt response of the national authorities.

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

39. In December, 35 victims filed a complaint before the Port-au-Prince court of first instance against nine persons for murder, sexual violence and destruction of property in connection with the events in La Saline. On 16 January, the Office of the National Human Rights Ombudsperson released a report on the events, its first public

report on a major incident, in which it highlighted the positive actions taken by the national police and the judicial system, including the intervention of the police to secure the area, the opening of a police investigation, the appointment of a judge and, subsequently, the conducting of interviews and the sending of officials to take statements. The ensuing investigation resulted in the arrest of 19 individuals. **In parallel, MINUJUSTH continues its own investigation of the events.**

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

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

F. Election preparations (benchmark 11)

42. An electoral needs assessment mission, deployed to Haiti from 3 to 7 December 2018, recommended a positive response to the request by the Government for electoral support, to be delivered through an integrated project led by the United Nations Development Programme under a “One United Nations” approach, until 31 December 2020. It also recommended that my Special Representative establish a mechanism in the international community to coordinate messaging and approach and that a United Nations electoral task force be set up within the office of my Special Representative, including the Deputy Special Representative in his role as head of the United Nations country team. The Government has included an amount of approximately \$40 million in its 2018/19 draft budget law to address operational costs in 2019.

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

IV. Mission support

44. Mission support repatriated two formed police units, one in December 2018 and one in January 2019. A third was redeployed from Jérémie (Grand’Anse) to Miragoâne (Nippes).

45. The Mission is further reducing its footprint by closing three camps by March 2019. In anticipation of the closure of Delta camp and the relocation of United Nations police headquarters to the Log Base, Mission support completed the construction of the United Nations police headquarters at the Log Base and the renovation of the former aviation camp to accommodate United Nations police personnel.

46. Since July 2018, the Mission has implemented a series of rightsizing activities geared towards achieving management of a lean supply chain. In championing inventory rightsizing activities, it has also implemented the asset distribution project, an innovative approach which pairs mission surplus with substantive programme and police projects, making efficient use of excess assets, while also having a positive impact on mandate delivery.

V. Conduct and discipline and related issues

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

VI. Financial aspects

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

VII. Strategic assessment and transition planning

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

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

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

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

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

VIII. Findings: achievements and challenges

54. Since the closure of MINUSTAH and the deployment of MINUJUSTH, Haiti has remained on a positive trajectory. The cumulative impact of 14 years of national efforts towards stabilization and reform, accompanied by United Nations support through peacekeeping, as well as development and humanitarian support, is visible in the democratic functioning and institutional strengthening, albeit to varying degrees. A number of current initiatives for dialogue taken by the executive branch

demonstrate a willingness to address complex political and socioeconomic issues to improve social cohesion and the daily lives of the Haitian people.

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

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

57. Despite the considerable progress, challenges remain in the capacity of the national police to deliver on their constitutional mandates. Given that 27.6 per cent of the five-year (2017–2021) strategic development plan has been implemented in the initial two years, the force lacks an adequate budget and remains underequipped, with limited logistics such as vehicles, protection equipment and medical support to achieve its full capacity. Addressing performance issues related to human rights, such as the excessive use of force and illegal arrests, which contribute to prison overcrowding, remains a critical priority.

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

59. Despite best-intentioned national efforts, supported by the United Nations and bilateral and multilateral programmes over the past 25 years, progress in the justice sector has been modest. The absence of a sectoral reform strategy has limited the impact to fragmented and uncoordinated initiatives within the State. The persistent high rate of prolonged pretrial detention – 65 per cent and higher – and overcrowding in prisons exemplifies the sector's dysfunctions. The inability of the judiciary to achieve full independence is seen as one of the main drivers of corruption and impunity and a challenge to good governance. In that context, the quest for accountability in the high-profile PetroCaribe case is viewed as an important test for the governance and judicial systems and is having a catalytic impact on public opinion. Establishing a pragmatic dialogue to promote progress in the justice sector by setting a nationally owned road map remains a fundamental need over the coming years.

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

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

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

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

64. The situation is currently dominated by the economic and political crisis and an apparent shortage of government resources to provide the basic needs of the State. If the crisis is successfully overcome and political groupings agree to move forward towards constitutionally scheduled elections, focus in the upcoming period will shift to the legislative and possibly local elections in October 2019, followed by presidential elections in 2021. Political tensions are expected to increase again around

the adoption of the electoral law, the establishment of a provisional electoral council and nominations to municipal and departmental electoral offices. Electoral delays, however, would not only fuel tensions but also paralyse Parliament, as was the case in 2015.

IX. Options

65. The risks for renewed instability arising from the political, security, human rights, economic and humanitarian challenges outlined above have been carefully considered in assessing the timeframe for the conclusion of the peacekeeping chapter and the preferred post-peacekeeping presence in Haiti. As seen in the recent crisis, it is clear that, while national capacities to handle internal threats to security and public order are considerable, the key to preventing relapses lies at the political level, and political stability in the country should continue to be nurtured. Similarly, as a number of the objectives set in the two-year exit strategy of MINUJUSTH relating to the rule of law and human rights are not expected to be fully achieved by October 2019, the continuation of efforts in related sectors will remain critical for achieving the benchmarks' end state articulated in my report (S/2018/241).

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

67. Under the United Nations country team option, Haiti would no longer feature on the agenda of the Security Council and the United Nations presence would focus on supporting national efforts to advance sustainable development and system-wide accountability for implementing the United Nations Development Assistance Framework. This option, however, would not allow for the retention under a Security Council mandate of a police commissioner and some international police officers, whose presence in a mentoring and advisory role has been critical in ensuring the performance and development of the Haitian national police.

68. The establishment of a special political mission would still support a strong development focus, since the mission would complement the more technical and longer-term development-focused role of the United Nations agencies, funds and programmes. The Development Assistance Framework would continue to be the main planning vehicle for coordinating the integrated activities of the mission and the United Nations country team. A special political mission would allow the Security Council to continue to accompany the efforts of Haiti towards sustainable peace and would enhance the good offices role of the United Nations through the mandate provided to my Special Representative. The potential risks of relapse into political instability, as are currently being experienced and which also have implications for the human rights situation, highlight the comparative advantage of this option. Various configurations for this option were reviewed, ranging from a small political office to larger mission structures that include advisory functions for further police development and mentoring, strategic and focused justice reform, corrections, elections, human rights and community violence reduction, to support the Government in the delivery of its strategic rule of law priorities in the

short-to-medium term. In the planning of the transition particular emphasis has been placed on ensuring a smooth transition to the new configuration. A robust gender analysis will be needed to identify risks and opportunities for women's participation and security under the different potential configurations.

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

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

X. Observations and recommendations

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

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

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

74. Drawing upon lessons from previous transitions in Haiti and other country contexts, I recommend that the implementation of the MINUJUSTH mandate be gradually phased out during the last six months, with a proper handover of all security responsibility by the five remaining formed police units to their national police counterparts, and that a seamless passage to a special political mission ensure the

uninterrupted continuity of my good offices. Accordingly, for MINUJUSTH to be able to maintain adequate capacities until the end of its mandate, sustain support to the political processes in the lead-up to the elections, and not place an undue burden on the ensuing special political mission, I recommend that the Council consider providing a separate liquidation period for MINUJUSTH, after 15 October 2019.

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

(a) Good offices related to national dialogue, elections and constitutional reform processes;

(b) Strategic advice on police development, with a view to supporting the operational integrity of the national police and further progress in the national police strategic development plan 2017–2021. This would require a capacity of a limited number of United Nations police advisers, under the leadership of a high-ranking police commissioner, embedded within the senior ranks of the national police;

(c) Strategic advice on catalytic justice reform initiatives, within the framework of the United Nations global focal point for the rule of law, including curbing corruption and the adoption and implementation of key legislation through a nationally owned reform road map;

(d) Strategic advice on community violence reduction, in support of a national strategy to address the challenges posed by the recruitment of young people into gangs, including links to community policing and a weapons and ammunition management programme;

(e) Strategic advice on corrections, to complement efforts through justice and police reform to continue to improve prison conditions and the welfare of inmates, and sustain progress in promoting the autonomy of the Directorate of Prison Administration;

(f) Strategic advice on the protection and promotion of human rights, women's protection and women's empowerment, as informed by human rights monitoring and reporting.

76. The United Nations presence in the country would comprise this small strategic advisory office and the United Nations country team, which will be integrated through multi-disciplinary teams and cross-cutting priorities. The two entities will be co-located and function hand in hand, structurally and substantively. Capacities from the advisory office and the United Nations agencies, funds and programmes will address shared priorities, within the broader framework of the Haitian vision for a secure, democratic, middle-income country based on the 2030 Agenda. The Office of the United Nations High Commissioner for Human Rights will continue to provide support to the United Nations joint efforts in Haiti to foster the human rights agenda of the national authorities, including by providing additional capacity and resources.

77. The role of the United Nations country team in supporting institutional action towards progress in achieving the Sustainable Development Goals would have renewed focus on areas previously receiving MINUJUSTH programmatic support. In particular, the United Nations agencies, funds and programmes would assume responsibility for technical support in the areas of justice, police and corrections, as well as elections, and work hand-in-hand with the new office in its advisory and good offices role, ensuring coherence between strategic and technical engagements. Strong cooperation and coordination with bilateral partners, who continue to provide considerable programmatic support and resources to the development of the rule of

law in Haiti, would ensure coherence in international engagement, in addition to ensuring adequate allocation of resources to gender equality and women's empowerment within the rule of law sector. The United Nations country team would also play a major role in continuing outreach to the population outside Port-au-Prince on critical areas of reform, currently undertaken by the MINUJUSTH mobile teams, in the light of lessons learned from the long-standing United Nations engagement in Haiti on the need to sustain a bottom-up approach.

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

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

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

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







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




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





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






Annex I





Benchmark indicators, targets and baselines







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





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





| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|-----------|--|-----------------|---|--|---|
| | 1.4 Existence of the organic law on the Haitian national police elevating Directorate of Prison Administration to a central directorate (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by President) | April 2019 | 3 – Organic law on national police is promulgated | 1 – Draft organic law is pending validation by the Director General of the national police |  |
| | 1.5 Existence of the Prison Law (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by President) | April 2019 | 3 – Prison Law is promulgated | 1 – Draft Prison Law validated by Directorate of Prison Administration and submitted to the national police |  |
| | 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 new legislation | <p>Identification of implementation requirements for:</p> <p>(a) Draft Criminal Code: not yet adopted</p> <p>(b) Code of Criminal Procedure: not yet adopted</p> <p>(c) Legal Aid Law: a technical committee on the implementation of the law has been set up by the Ministry of Justice and Public Security</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 per year | October 2017–December 2018: 595 new cases processed in real time by Port-au-Prince jurisdiction prosecutors |  |






| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|---|--|-----------------|---|---|---|
| | 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 | 31 December 2018: 64.9 per cent (2,408 out of 3,705) |  |
| | 1.9 Number of cases closed by investigative judges in the jurisdiction of Port-au-Prince | October 2019 | 750 orders issued per year | October 2017–December 2018: 442 orders issued |  |
| | 1.10 Number of penal cases adjudicated by the court of first instance of Port-au-Prince | October 2019 | 800 penal cases adjudicated by the court of first instance of Port-au-Prince | October 2017–December 2018: court of first instance of Port-au-Prince adjudicated 452 penal cases |  |
| 2. The Haitian authorities make timely, gender-balanced and merit-based appointments in the justice sector, including in the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and Administrative Disputes | 2.1 Existence of the annual report of the Superior Council of the Judiciary, to include: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process. | April 2019 | Annual report of the Superior Council of the Judiciary available, including: judiciary staffing by gender; judiciary inspection results; number of certified judges; and implementation of judge evaluation process | Preliminary report on the state of the judiciary finalized and submitted to the Superior Council of the Judiciary. Drafting of the body's annual reports yet to be initiated. |  |
| | 2.2 Number of seats filled at the Superior Council of the Judiciary, the Court of Cassation and the Superior Court of Audits and Administrative Disputes, disaggregated by gender | April 2019 | Superior Council of the Judiciary: 9/9 (3 women) Court of Cassation: 12/12 (1 woman) Superior Court of Audits and Administrative Disputes: 9/9 (3 women) | President Moïse filled, on 31 January, the six seats which had been vacant at the Court of Cassation since December 2015. The new judges are appointed for a 10-year term. As none of the three women candidates proposed by the Senate was appointed, there is one woman in the 12-judge Court. One of the six |  |




| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|--|--|-----------------|---|---|---|
| | | | | new judges was also appointed President of the Court and President of the Superior Council of the Judiciary. | |
| 3. The Directorate of Prison Administration performs key management functions providing basic services to all detainees and ensures respect for their rights | 3.1 Number of deaths per 1,000 inmates | October 2019 | Ratio equal to or below 10/1,000 inmates | 1 January 2018 to 15 January 2019: 12.9/1,000 inmates |  |
| | 3.2 Number of prisons supported by functioning health services for inmates, disaggregated by gender | October 2019 | Nine out of 18 prisons and four largest national police holding facilities supported by adequate health-care facilities for inmates | Seven out of 18 prisons supported by functioning health services for inmates |  |
| | 3.3 Number of Directorate of Prison Administration officers recruited through a dedicated process, disaggregated by gender, out of the 941 new officers required by 2021 to meet the Directorate's needs | October 2019 | 300 Directorate of Prison Administration officers recruited, of whom 30 per cent are women, out of the total 941 new officers to meet the Directorate's needs by 2021 | 1 January 2018–15 January 2019: a total of 151 cadets including 21 women have been recruited, trained and deployed to the Directorate of Prison Administration |  |
| | 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 | First round of prison evaluations, based on the defined certification criteria, completed by Joint Directorate of Prison Administration/MINUJUSTH Monitoring and Evaluation Committee on the basis of the defined certification criteria. Report with recommendations to be discussed with DAP senior management of the Directorate of Prison Administration. |  |






| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|---|---|-----------------|--|---|---|
| 4. The national police respond to public disorder and manage security threats throughout Haiti, demonstrating elevated levels of professionalism, human rights awareness and gender sensitivity, without requiring international support, as a result of the implementation of the relevant priorities of the strategic development plan of the national police for 2017–2021 | 4.1 Implementation rate of the strategic development plan of the national police for 2017–2021 | October 2019 | 43 per cent implemented (57 of 133 priorities in strategic development plan) | Current implementation rate: 27.6 per cent. Out of the 133 priority actions comprising the plan, 96 are foreseen to be implemented during 2017–2019. To date, no priority action is completed, 14 are at an advanced stage, 82 have been initiated and 37 have not started. |  |
| | 4.2 Number of police officers per 1,000 citizens | October 2019 | 1.45 | 1.32 after a readjusting process following an exercise to clean up the payroll |  |
| | 4.3 Percentage of women police officers | October 2019 | 11 per cent | 9.89 per cent (1,498 women out of 15,154 officers) |  |
| | 4.4 Percentage of national police capacity statically deployed outside the Port-au-Prince metropolitan area | October 2019 | 40 per cent | 35.04 per cent |  |
| | 4.5 Number of specialized public order units out of the 13 existing units of the national police (12 Unités départementales pour le maintien de l'ordre and 1 Compagnie d'intervention et de maintien de l'ordre) capable of responding to security threats with no MINUJUSTH support | October 2019 | All 13 units are capable of responding to security threats with no MINUJUSTH support | Seven of the 13 units operate without MINUJUSTH support |  |
| | 4.6 Percentage of public order/security operations planned and executed by national police without MINUJUSTH support | October 2019 | 100 per cent of operations without MINUJUSTH support | 95 per cent of operations without MINUJUSTH support |  |




| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|--|--|-----------------|--|--|---|
| | 4.7 Percentage of national budget allocated to national police | October 2019 | 8.0 per cent of national budget allocated to national police | Currently, 6.6 per cent of national budget is allocated to the national police. If most recent draft of 2018/19 budget law is adopted by Parliament, the national police would receive 6.2 per cent of the national budget. |  |
| 5. Strengthened internal oversight and accountability mechanisms in the justice, corrections and police sectors address misconduct and ensure increased effectiveness and compliance with human rights | 5.1 Number of courts of first instance inspected (out of 18) | April 2019 | All 18 courts of first instance and 5 appeal courts inspected by the Ministry of Justice | Inspection tour launched in December 2018, starting with Croix des Bouquets jurisdiction. The Port-de-Paix and Anse-à-Veau jurisdictions are scheduled to be visited by end of January 2019. |  |
| | Number of appeal courts inspected (out of 5) | | | | |
| | 5.2 Percentage of allegations of human rights violations against public officials (national police officers, Directorate of Prison Administration officials) investigated by the General Inspectorate of the national police | April 2019 | 80 per cent of all allegations investigated by the General Inspectorate of the national police | 1 January–31 December 2018: 75.7 per cent of human rights allegations against national police officers, including Directorate of Prison Administration agents, investigated (196 investigations out 259 allegations received) |  |
| | 5.3 Percentage 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–31 December 2018: 21.5 per cent (87 cases) have yielded sanctions, out of 404 allegations of misconduct against national police officers, including Directorate of Prison Administration officials. The General Inspectorate of the police launched an investigation for 353 of those cases. |  |

| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|--|---|-----------------|---|--|---|
| | 5.4 Percentage of confirmed crimes or human rights violations committed by national police and Directorate of Prison Administration officers prosecuted by judicial authorities | April 2019 | 100 per cent of confirmed crimes or human rights violations committed by national police officers prosecuted by judicial authorities | 1 January–31 December 2018: police officers were prosecuted in 12.4 per cent of cases of human rights violations (32 officers prosecuted out of 259 cases) |  |
| | 5.5 Percentage of staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area, disaggregated by gender | April 2019 | 30 per cent of projected 340 staff of the General Inspectorate of the national police deployed outside the Port-au-Prince metropolitan area | As of January 2019, none of the 194 personnel assigned to the General Inspectorate of the national police are deployed outside the Port-au-Prince metropolitan area. However, a draft plan to open a regional office of the General Inspectorate in the North Department is under consideration by the Directorate General of the national police. |  |
| 6. Haitian women and men, in particular those from the most vulnerable and marginalized communities, demonstrate increased trust in the capability and willingness of the justice system to address crime and of the national police to provide security | 6.1 Proportion of the population expressing satisfaction on how the national police performs at reducing crime | April 2019 | 88 per cent | The survey has yet to be conducted. |  |
| | 6.2 Number of youth at risk and women benefiting from community violence reduction/reinsertion programmes demonstrating willingness to work with national police community policing initiatives and law enforcement authorities | April 2019 | 500 youth at risk and women cooperating with national police community policing and law enforcement authorities (per year) | 3,326 at-risk youth and 2,027 women cooperating with national police community policing and law enforcement authorities |  |

| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|--|--|-----------------|---|---|---|
| | 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–31 December 2018: homicide ratio estimated at 6.63 per 100,000 citizens (757 intentional homicide victims – 697 male (including 13 minors) and 60 female (including 10 minors)) |  |
| | 6.4 Number of kidnappings reported in the Port-au-Prince metropolitan area | April 2019 | 50 or fewer kidnappings reported in the Port-au-Prince metropolitan area (per year) | 1 January–31 December 2018: 46 cases of kidnapping concerning 49 people (21 men and 28 women). Of the 46 cases, 29 were reported in the Port-au-Prince metropolitan area. |  |
| | 6.5 Number of gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant | April 2019 | 18 or fewer gang-related incidents in the hotspot zones of Cité Soleil, Bel-Air and Martissant (per year) | 1 January–31 December 2018: 32 incidents |  |
| | 6.6 Number of sexual and gender-based violence cases investigated by national police, reflecting enhanced national police capacity | April 2019 | At least 275 cases of sexual and gender-based violence are investigated (per year) | 1–31 December 2018: 213 cases are investigated, all of them involving women (58 women and 155 female minors) |  |
| 7. The national Office of the Ombudsperson functions independently and protects citizens whose rights have been violated | 7.1 Level of compliance of the Office of the Ombudsperson with international standards on the work of national human rights institutions, and structural capacity to operate as an independent and effective institution in accordance with the Paris Principles | October 2019 | Status A according to Paris Principles | Status A according to Paris Principles until next decision of the Global Alliance of National Human Rights Institutions, due May 2019 |  |

| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|---|--|-----------------|--|--|---|
| | 7.2 Number of recommendations of the Office of the Ombudsperson implemented by national rule of law institutions | April 2019 | Three recommendations of the of the Ombudsperson implemented by national rule of law institutions | No recommendations made |  |
| 8. Civil society organizations, including those representing women, engage with the Haitian authorities to advocate the promotion and protection of human rights, and are empowered to bring allegations of human rights violations to the competent judicial or administrative authorities | 8.1 Number of alternative reports prepared and submitted by civil society organizations to international human rights mechanisms | April 2019 | Two reports prepared and submitted by civil society organizations to international human rights mechanisms | <p>Since October 2017, special procedures mandate holders of the Human Rights Council have been seized of three cases of allegations of human rights violations as a result of reports submitted by civil society organizations.</p> <p>On 5 December, the Inter-American Commission on Human Rights held a hearing in Washington on the situation of “persons deprived of liberty in Haiti”, based on a report submitted by one Haitian civil society organization. The Commission recommended that its Rapporteur on the Rights of Persons Deprived of Liberty conduct an official visit to Haiti.</p> |  |
| | 8.2 Number of cases reported by local civil society organizations monitoring human rights violations | April 2019 | 10 reports published by local civil society organizations monitoring human rights violations (per year) | In 2018, a total of 17 reports were published |  |

| Benchmark | Indicator | Target timeline | Target | Update as at 15 January (or otherwise specified) | Trend |
|---|--|-----------------|--|---|---|
| 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 | The Inter-Ministerial Committee on Human Rights has begun to work on the development of a national action plan on human rights, pursuant to the recommendation of the Human Rights Council of April 2017. |  |
| | 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 | Of the 16 recommendations issued by the Human Rights Committee in 2014, the State has shown in the periodic report prepared in 2018 that action was taken to partially implement eight. |  |
| | 9.3 Number of reports prepared and submitted to international human rights mechanisms by the Government of Haiti | April 2019 | Two reports prepared and submitted to international human rights mechanisms by the Government of Haiti | On 20 December, Haiti submitted to the Human Rights Committee its second report on the implementation of the International Covenant on Civil and Political Rights. |  |
| | 9.4 Appointment by the Government of Haiti of a high-level human rights focal point within the executive branch | April 2019 | One high-level focal point within the executive branch appointed by the Government of Haiti | Target achieved in the previous reporting period |  |
| 10. Rule of law and anti-corruption institutions demonstrate increased capacity to fight corruption | 10.1 Availability of annual report on public spending by Superior Court of Audits and Administrative Disputes | April 2019 | The annual report on public spending of Superior Court of Audits and Administrative Disputes is available | Report being finalized prior to publication |  |

| <i>Benchmark</i> | <i>Indicator</i> | <i>Target timeline</i> | <i>Target</i> | <i>Update as at 15 January (or otherwise specified)</i> | <i>Trend</i> |
|--|---|------------------------|--|--|---|
| 11. The Permanent Electoral Council is established through a credible and transparent process and exercises its electoral responsibilities in an independent and transparent manner, without requiring international support | 11.1 Nomination by the three branches of their three members for the Permanent Electoral Council, with a view to establishing the Council as an operational and independent body | October 2019 | The nine members are nominated, and the Permanent Electoral Council is established, is operational and functions independently | Nomination process has been initiated by each branch of power |  |
| | 11.2 Update of the electoral lists in preparation of the next electoral cycle | October 2019 | The electoral lists are updated | Action has yet to be taken |  |
| | 11.3 Existence of the Electoral Law in preparation of the next electoral cycle (1 – draft law initiated; 2 – draft law voted by each chamber; 3 – law promulgated by the President) | October 2019 | 3 – Electoral Law is promulgated | Draft Electoral Law and Draft Organic Law on Permanent Electoral Council were submitted to Parliament on 14 November 2018. The former is currently being reviewed by the Lower Chamber of Parliament. On 11 December 2018, the Government also submitted a draft 2018/19 budget, which includes \$40 million for the Provisional Electoral Council for that fiscal year. |  |

Annex II

**Composition and strength of the police of the United Nations
Mission for Justice Support in Haiti as at 7 February 2019**

| Country | United Nations police officers | | Formed police unit members | |
|--------------------------|--------------------------------|-----|----------------------------|-----|
| | Women | Men | Women | Men |
| Argentina | | 4 | | |
| Benin | | 29 | | |
| Bangladesh | | 3 | | |
| Burkina Faso | | 13 | | |
| Canada | 5 | 13 | | |
| Chad | 1 | 3 | | |
| Cameroon | 5 | 1 | | |
| Colombia | 1 | 1 | | |
| Côte d'Ivoire | 7 | 30 | | |
| Djibouti | | 1 | | |
| El Salvador | | 2 | | |
| Germany | 1 | | | |
| Guinea | | 2 | | |
| India | | | | 140 |
| Jordan | | 6 | | 140 |
| Madagascar | 1 | 14 | | |
| Mali | | 9 | | |
| Mexico | | 1 | | |
| Nepal | 2 | 4 | 7 | 133 |
| Niger | | 21 | | |
| Nigeria | 1 | 3 | | |
| Norway | 3 | | | |
| Pakistan | | 1 | | |
| Republic of Korea | 3 | 1 | | |
| Romania | 2 | 11 | | |
| Russian Federation | | 5 | | |
| Rwanda | | 6 | 14 | 126 |
| Senegal | 8 | 6 | 18 | 122 |
| Slovakia | | 2 | | |
| Spain | | 2 | | |
| Sri Lanka | | 1 | | |
| Sweden | 1 | 2 | | |
| Togo | 2 | 5 | | |
| Tunisia | 4 | 16 | | |
| Turkey | | 10 | | |
| United States of America | | 4 | | |

| <i>Country</i> | <i>United Nations police officers</i> | | <i>Formed police unit members</i> | |
|-----------------|---------------------------------------|------------|-----------------------------------|------------|
| | <i>Women</i> | <i>Men</i> | <i>Women</i> | <i>Men</i> |
| Uruguay | | 1 | | |
| Subtotal | 47 | 233 | 39 | 661 |
| Total | | 280 | | 700 |
| | | | | 980 |

Annex III

United Nations Mission for Justice Support in Haiti: deployment map

