

HAITI

SUBMISSION TO THE UN HUMAN RIGHTS COMMITTEE
143RD SESSION, 3-28 MARCH 2025



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Amnesty International submits this document in advance of the review of Haiti by the Human Rights Committee at its 143rd session in March 2025. It focuses on human rights violations and abuses, such as sexual violence, killings, and recruitment and use of children by the gangs. It is not an exhaustive account of the organizations concerns regarding the human rights situation in Haiti.

1. INTRODUCTION

Rooted in the legacy of colonialism and slavery, Haiti's decades-long political, economic, humanitarian and human rights crisis deepened further after the assassination of President Jovenel Moïse in 2021. Political instability and insecurity have exacerbated the weakening of state structures and led to widespread human rights abuses and violations. In addition, during this period, several armed gangs have come to control significant parts of the Port-au-Prince metropolitan areas and its environs and strategic infrastructure, plunging the population into violence and chaos.

In 2023, in an apparent response to the imminent authorization of the Multinational Security Support Mission (MSS) in Haiti by the UN Security Council, the two main gang coalitions – G9 and G-Pèp – announced a short-lived truce in September 2023 and loosely established an umbrella alliance known as *Viv Ansanm*, or living together.¹ In March 2024, the armed gangs orchestrated the escape of more than 3,600 inmates and unleashed a wave of terror in several parts of the country, forcing the resignation of Prime Minister Ariel Henry. The armed gangs, many of whom were engaged in infighting among themselves, joined ranks to attack state institutions, taking control of additional areas and further expanding their grip on up to 80% of the territory of the capital¹.

Prime Minister Ariel Henry resigned on March 11, following diplomatic visits that included Kenya, the lead country of the MSS. In April, a Transitional Presidential Council was set up at a meeting of the Caribbean Community and Common Market (CARICOM) and with the support of countries such as the United States, Canada, France and Mexico. In June 2024 Gary Conille was appointed Prime Minister and faced the task of tackling Haiti's prolonged crisis. In November 2024, a new political crisis led the Transitional Presidential Council to dismiss Gary Conille, appointing businessman Alix Didier Fils-Aimé as the new prime minister². This came on the heels of a new wave of violence that included attacks on aircraft, the cessation of air operations and the closure of Port-au-Prince airport.

Political instability has left the Haitian population even more vulnerable to violence, human rights violations and abuses, such as sexual violence, killings, and recruitment and use of children by the gangs. In addition, violence has continued to worsen the humanitarian crisis, and according to UN estimates nearly half of the country's population requires humanitarian assistance. Haiti is experiencing alarming levels of acute food insecurity and child malnutrition, while access to essential and life-saving healthcare is severely limited, with attacks on hospitals and pharmacies further complicating the work of medical emergency services. The UN's designated expert on human rights in Haiti, William O'Neill, has expressed concern about attacks on the health sector, including murder and kidnapping of medical personnel, and attacks on hospitals and health centers that have left only 37% of health services functioning in Port-au-Prince³. Between January 2023 and February 2024, 59,027 cases of cholera were reported in the country, the highest incidence rate worldwide.

According to estimates from the UN Human Rights Office at least 5,601 people were killed in Haiti in 2024 as a result of gang violence, an increase of over 1,000 on the total killings for 2023. The same source indicates a further 2,212 people were injured and 1,494 kidnapped⁴. Data by IOM as of December 2024 indicates 1,041,229 displaced persons in Haiti, many of them displaced multiple times⁵.

¹ International Crisis Group (ICG), "Haiti's Gangs: Can a Foreign Mission Break Their Stranglehold?", 5 January 2024, <https://tinyurl.com/epjucdev>

² BBC, "Haiti's prime minister ousted after six months", 10 November 2024, [Garry Conille: Haiti's prime minister ousted after six months](#)

³ United Nations Human Rights Office of the High Commissioner, "Haiti: UN expert William O'Neill says deeply concerned by attacks on health care sector", 3 January 2025, [Haiti: UN expert William O'Neill says deeply concerned by attacks on health care sector | OHCHR](#)

⁴ United Nations Human Rights Office of the High Commissioner, "Haiti: over 5,600 killed in gang violence in 2024, UN figures show", 7 January 2025, [Haiti: Over 5,600 killed in gang violence in 2024, UN figures show | OHCHR](#)

⁵ IOM UN Migration, "Haiti: Rapport sur la situation de déplacement interne in Haiti Round 9 December 2024", December 2024, [Haïti — Rapport sur la situation de déplacement interne en Haïti — Round 9 \(Décembre 2024\) | Displacement Tracking Matrix](#)

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2. CHILDREN AND GANG VIOLENCE (ARTICLES 2, 6 AND 7)

In the current context of rampant violence, children have been particularly affected. Amnesty International has documented the impact of gang violence on children in its report “*I’m a child, why did this happen to me?*” *Gangs’ assault on childhood in Haiti*. The report details the violence sustained by girls and boys who have been recruited and used by gangs, sexually abused, severely injured or killed at the hands of these gangs or as a result of confrontations between gangs and the authorities, as well as the disproportionate impact of the violence on children with disabilities.

Estimates put the number of children in Haiti living in areas controlled by or under the influence of criminal gangs at more than one million.⁶ Dating back to 2022, child protection actors started sounding the alarm that gang violence was having a disproportionate impact on children, so much so that the UN Secretary-General added Haiti as a “situation of concern” in his 2023 report on Children and Armed Conflict (CAAC).⁷ The CAAC report documents six “grave violations”: recruitment and use by armed actors; killing and maiming; rape and other forms of sexual violence; abduction; attacks on schools and hospitals; and denial of humanitarian access.⁸

This step represented the first time the Secretary-General had called on the UN to verify abuses by criminal gangs for the annual report.⁹ It also could lead to the unprecedented inclusion of these groups in the Secretary-General’s annual “list of shame” of parties who commit grave violations and abuses against children.¹⁰ Adding Haiti to the report does not constitute a legal conclusion that there is an armed conflict in Haiti but rather reflects the gravity of the situation.

In the Secretary-General’s 2024 report, the UN said it verified in Haiti a total of 383 grave violations against 307 children, including 32 who were subjected to multiple violations.¹¹

In this regard, it is the obligation of the Haitian authorities to protect all children from all forms of violence. Addressing and eliminating the widespread prevalence and incidence of violence against children is an obligation of states parties under the Convention.

As the Committee on the Rights of the Child has already stated, the obligations of states parties to assume their responsibilities towards children not only at the national level, but also at the provincial and municipal levels. These special obligations are due diligence and the obligation to prevent violence or violations of human rights, the obligation to protect child victims and witnesses from human rights violations, the obligation to investigate and to punish those found responsible, and the obligation to provide access to redress human rights violations. Regardless of whether violence takes place, States parties have a positive and active obligation to support and assist parents and other

⁶ Save the Children, “More than one million children trapped as gang violence rages in Haiti”, 14 March 2024, <https://tinyurl.com/2kct3457>. UNICEF estimated in 2023 that over 500,000 children are in gang-controlled territories. UN High Commissioner for Human Rights, Report: Situation of human rights in Haiti, 25 September 2023, UN Doc. A/HRC/54/79, para 49.

⁷ Watchlist on Children and Armed Conflict (Watchlist), “*A Credible List*”: Recommendations for the Secretary-General’s 2024 Annual Report on Children and Armed Conflict, April 2024, <https://tinyurl.com/yhs267vb>. In 1999, the UN Security Council issued its first resolution on children and armed conflict, expressing concern about grave violations committed against children and calling for the Secretary-General to present a report the following year, putting the issue within the council’s peace and security agenda. UNSC, Resolution 1261 (1999), adopted on 25 August 1991, UN Doc. S/RES/1261. In 2005, the council created a Monitoring and Reporting Mechanism (MRM) to document and report on six grave violations, and to provide the basis for the Secretary-General to list state forces and non-state groups committing such violations, and for the UN to engage with such actors so as to secure concrete commitments through action plans. UNSC, Resolution 1612 (2005), adopted on 26 July 2005, UN Doc. S/RES/1612.

⁸ Watchlist, “*A Credible List*” (previously cited).

⁹ UN Secretary-General (UNSG), Children and armed conflict, 3 June 2024, UN Doc. A/78/842-S/2024/384, paras 70-77.

¹⁰ The annual “list of shame” comprises state forces and non-state groups listed in the annexes of the Secretary-General’s report on children and armed conflict.

¹¹ UN Secretary-General (UNSG), Children and armed conflict, 3 June 2024, UN Doc. A/78/842-S/2024/384, paras 70-77.

caregivers to secure, within their abilities and financial capacities and with respect for the evolving capacities of the child, the living conditions necessary for the child's optimal development (arts. 18 and 27).¹²

Additionally, protection of children requires cooperation within and between national, regional and international human rights bodies, mechanisms and United Nations agencies. In the context of Haiti, international cooperation is crucial to protect children's lives.

2.1 RECRUITMENT AND USE OF CHILDREN

In September 2024, Amnesty International interviewed 11 boys and three girls who were recruited and used by gangs, including Delmas 6, Baz Pilate, Ti Bwa, Baz Belè, Grand Ravine, 103 Zombie, 5 Segon and Kraze Baryè. Children described being exploited in various ways, including spying on rival gangs and the police, running deliveries, carrying out domestic chores, construction work and vehicle repairs. All 14 children said they had no choice and that their involvement was predominantly out of hunger or fear. The widespread practice of recruitment and use of children by gangs in Haiti is prohibited under international and domestic law; it renders children victims of trafficking in persons, among other abuses.

Children spoke of immense fear of the police and community members and of being stigmatized and shamed for merely belonging to neighbourhoods under gang control. Several interviewees shared their concern about being stopped by the police for ID checks and how affiliation to certain areas could lead to being unlawfully killed.

In an effort to address the staggering issue of recruitment and use of children, the Haitian government and the UN signed a protocol to create pathways for the transfer and care of children associated with armed gangs who are encountered during security operations. But funds are needed to build and expand transit centers, and a fully-fledged demobilization and reintegration process is yet to happen amid ongoing insecurity and political instability.

Meanwhile, a now de facto detention facility known as the Centre for the Re-education of Minors in Conflict with the Law, or CERMICOL, is at four times its capacity. Close to 300 men, women and girls share the space with the roughly 100 boys for whom the facility was intended. Such mixing is prohibited under international law and standards. CERMICOL is meant to serve as a rehabilitation center for boys who were taken in by authorities, to provide them with education, vocational training and other support as their situation is reviewed by an investigative judge, as well as after conviction.

But gang attacks on penitentiary facilities in recent years have resulted in the transfer of the remaining adult inmate population to CERMICOL, encroaching on any space the boys had for classes and recreation. In addition, the Port-au-Prince Juvenile Court has not functioned since 2019 due to gang violence; at the time of a visit by Amnesty International to the facility in September 2024, of the 93 boys held there (many of whom are believed to be associated with gangs), none had been convicted.

2.2 RAPE AND OTHER SEXUAL VIOLENCE OF CHILDREN

Emboldened by the gangs' control over large swathes of territory and widespread impunity, gang members have abducted, raped, and sexually assaulted girls during assaults on neighbourhoods or after taking control of areas, both alone and in a group, in the face of a state incapable of guaranteeing the safety of people, especially children. Girls face this risk during large-scale attacks and on a daily basis, on their way to school or while running errands, on foot or on public transport. Patterns of attacks include street harassment, which can escalate to rape and other sexual violence, and deliberately going after certain girls in their homes. Gang members have also sexually exploited girls in "relationships" and for commercial sex.

¹² CRC. General Comment 13 (2011). CRC/C/GC/13. Par. 5.

Amnesty International has documented the cases of 18 girls who were subjected to rape and other forms of sexual violence by gang members. Some were assaulted more than once. In 10 cases, the girls were subjected to collective rape, and in at least nine cases they were abducted. In addition, researchers interviewed two girls who were raped in displacement sites after they fled their homes due to gang violence.

The majority of the girls who were raped said they were not able to identify the specific gangs to which their assailants belonged. Others knew which gang was in control of the area and linked their assailants to certain groups. The gangs involved in the cases documented by Amnesty International include: 400 Mawozo, Grand Ravine, 5 Segon and possibly Chien Méchant. Under international and domestic law, a child who is abducted for sexual or other forms of exploitation is considered a victim of trafficking¹³. International law requires states to protect children from sexual exploitation and abuse, including prostitution, as well as from torture and other cruel, inhuman, or degrading treatment, which includes acts of rape and sexual violence¹⁴.

Several of the girls who spoke with Amnesty International got pregnant as a result of being raped. As abortion is illegal in Haiti, some resorted to harmful methods to attempt to end their unwanted pregnancies.

Children involved in commercial sex acts are victims of sexual exploitation, which the International Labour Organization recognizes as one of the worst forms of child labor and a severe human rights violation. With tens of thousands of people who were displaced by gang violence crammed into various makeshift set-ups, including schools and other government buildings across the Port-au-Prince metropolitan area, the additional risk of sexual violence in those sites is a major concern. Amnesty International researchers observed first-hand the absolute lack of privacy and crowded conditions in two displacement sites they visited. As mentioned, the organization documented the cases of two girls who were raped inside displacement sites.

Girl survivors spoke of their ordeal grappling with the stigma associated with sexual violence and with facing rejection from the wider community and, sometimes, from their own families as well. They also expressed deep fear about the possibility of further attacks by gang members, including perpetrators who continue to reside in the same areas.

Girls who are subjected to sexual violence by gang members – including the pervasive incidence of collective rape – require highly specialized healthcare. But the already limited health services in Haiti have been further crippled by gang attacks, including on medical facilities. A number of the girls interviewed by Amnesty International said they had contracted sexually transmitted infections as a result of being raped and that unplanned pregnancies have left them facing major health risks, including obstetric-related complications. The authorities have an obligation to take all necessary measures to support survivors with their physical and psychological recovery, but it is local and international NGOs that have been juggling as they try to fill some of the gaps.

Meanwhile, survivors of sexual violence continue to face several barriers to justice amid the general impunity that plagues Haiti. Fear of reprisals prevents survivors from coming forward to the police. Many interviewees scoffed at the idea of reporting their attacks to authorities due to the absolute absence of law-enforcement personnel in gang-controlled areas. UN and NGO representatives said more facilities were needed to take in child survivors of sexual violence and provide the needed rehabilitation and care, as well as protection during and after legal proceedings.

2.3 KILLINGS AND INJURIES

Children continue to be killed and injured during gang incursions into neighbourhoods. In areas under gang control, they face both indiscriminate and direct fire. Amnesty International has documented the cases of 10 children who were injured and two who were killed as a result of gang-related violence

¹³ Report of the UN Secretary-General, Children and armed conflict UN Doc. A/77/895-S/2023/363 11 (June 5, 2023) and Antitrafficking Law, Republic of Haiti. IBESR. (2024) Art. 12.

¹⁴ UN Convention of the Rights of the Child, (1990). Arts. 19, 34 and 37.

and associated incidents. Their ages ranged from five to 17. The gangs linked to these cases include Brooklyn, Simon Pelé, Belekou, Boston and Grand Ravine. At least two cases involved crossfire between gangs and the police.

International human rights law recognizes the right to life. Haitian law requires the state to guarantee the right to life and criminalizes killing. But gang violence has become such a daily reality that many families include more than one victim, at times the same victim experiencing multiple attacks.

2.4 IMPACT ON CHILDREN WITH DISABILITIES

Research has consistently shown that situations of conflict and crisis disproportionately impact children with disabilities. Amnesty International documented the experiences of 11 children with disabilities, eight of whom have been displaced due to gang violence. They included children with physical and psycho-social disabilities. Researchers from Amnesty International also documented attacks on two facilities – a school and a clinic – that had historically been among the very rare establishments that offer education, vocational training, and medical services to children with disabilities.

As a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of Persons with Disabilities (CRPD), Haiti has several obligations, including non-discrimination and ensuring the protection and safety of children with disabilities in situations of risk. Children with disabilities face a bigger risk fleeing violence, including due to limited mobility and having to abandon their assistive devices. In the context of Haiti, many have faced multiple recent displacements.

Amnesty International interviewed three children who said that when gangs attacked their neighbourhoods and their families left, assistive devices such as wheelchairs and crutches were left behind.

Even before the current crisis, the availability of quality assistive devices and technologies was a challenge in Haiti, a common issue in low-income countries. Gang violence has disrupted every facet of life, including the already limited access to these crucial products, as well as to specialist services. Of the six children with disabilities, interviewed by the organization, who need and would benefit from assistive devices, only two had any equipment – one had a wheelchair, the other crutches, though their quality was in question. Assistive devices and prostheses particularly affect the developmental and educational outcomes of children with disabilities.

Several children with different types of disabilities whose situations were examined by Amnesty International said that they required access to specialized healthcare and related services, including physiotherapists occupational therapists, and psychosocial support. While some NGOs have been catering to basic health needs, including through mobile clinics, the government needs to spearhead a significantly more robust response, in partnership with donors, to fulfil the rights and needs of children with disabilities.

Amnesty International also documented, both through interviews and site visits, the additional challenges and significant barriers to accessibility for children with disabilities in displacement sites. Several children with physical disabilities said their sleeping conditions exacerbated their pain. Latrines and washing facilities are not accessible, leaving many children with disabilities dependent on others. Such shelter and sanitation conditions affect their equal ability to practise self-care and undermine autonomy, privacy and inherent dignity.

3. RECOMENDATIONS

Amnesty International calls on Haitian Authorities to:

- Prioritize the creation of a comprehensive child protection roadmap and plan, including by actively seeking technical and financial assistance from international donors and agencies, and countries with experience in addressing gang violence as well as those with experience in disarmament, demobilization and reintegration (DDR) programmes targeting children.
- Allocate and increase funds to child protection entities, including the Institute of Social Welfare and Research (IBESR) and the Haitian National Police's Brigade for Protection of Minors (BPM) to ensure that their mandates are effectively implemented and strengthened.
- Ensure that the Haitian National Police and the Multinational Security Support Mission (MSS) effectively implement the protocol signed with the UN for the transfer and care of children associated with armed gangs encountered during security operations to civilian child protection actors. Crucially, draft an operational framework to support the application of the protocol.
- Independently document and enable and support conditions for the UN and its partners to effectively monitor the six "grave violations" against children as identified in the UN Secretary-General's report on Children and Armed Conflict (CAAC).
- Ensure that child protection plans and measures factor the rights and needs of displaced children, including children with disabilities, given the heightened risks they face in displacement.
- Put in place human rights safeguards and mechanisms to protect against and prevent possible human rights violations in the course of force deployment be taken into account.

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Index: **AMR 36/8996/2025**

Publication: **January 2025**

Original language: **English**

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