

Americas

12. The question concerning Haiti

During the period under review, the Security Council held four meetings, adopted one resolution and issued one statement by the President under the item entitled “The question concerning Haiti”. Two meetings took the form of briefings, one was a private (closed) meeting,⁴⁸¹ and one meeting was convened for the adoption of a decision.⁴⁸² More information on the meetings, including participants and outcomes, is provided in table 1 below. Council members also held one open videoconference in connection with this item, more information on which is provided in table 2.⁴⁸³ In addition to meetings and an open videoconference, Council members held a closed videoconference and informal consultations of the whole in connection with this item.⁴⁸⁴

In 2021, the Special Representative of the Secretary-General for Haiti and Head of the United Nations Integrated Office in Haiti (BINUH) briefed Council members three times further to the reports of the Secretary-General on the Mission’s activities,⁴⁸⁵ and once following the assassination of President Jovenel Moïse on 7 July 2021.⁴⁸⁶ The Council was also briefed by three representatives of Haitian civil society.⁴⁸⁷ At the meetings and videoconferences, Haiti was represented by its President, Prime Minister ad interim and Minister for Foreign Affairs.

In her statements to the Council, the Special Representative of the Secretary-General for Haiti reported on the political crisis in the country involving the further postponement of legislative, municipal, local and presidential elections, the security situation in the context of increased levels of gang violence, efforts by the Government and stakeholders in Haiti to address

⁴⁸¹ See [S/PV.8815](#).

⁴⁸² For more information on the format of meetings, see part II, sect. II.

⁴⁸³ For more information on the procedure and working methods developed during the COVID-19 pandemic, see part II.

⁴⁸⁴ See [A/76/2](#), part II, chap. 7. See also [S/2021/1060](#), (at the time, consultations of the Council were held in the form of closed videoconferences, for more details on the procedures developed during the COVID-19 pandemic, see part II of this Supplement as well as *Repertoire, Supplement 2020*, part II) and [S/2021/1032](#).

⁴⁸⁵ See [S/2021/174](#), [S/PV.8799](#) and [S/PV.8871](#). See also reports of the Secretary-General on the United Nations Integrated Office in Haiti ([S/2021/133](#), [S/2021/559](#) and [S/2021/828](#)).

⁴⁸⁶ See [S/PV.8815](#).

⁴⁸⁷ See [S/2021/174](#), [S/PV.8799](#) and [S/PV.8871](#).

the root causes of the crisis, and the socioeconomic and humanitarian situation, including the impact of the COVID-19 pandemic and the earthquake of 14 August 2021.

At the open videoconference held on 22 February 2021, in the presence of President of Haiti, Jovenel Moïse, the Special Representative stated that the institutional crisis in which the country was plunged since Haitian Parliament ceased to function in January 2020, risked growing deeper as relations between the executive and the judicial branches of power appeared increasingly fraught and President Moïse continued to govern by decree.⁴⁸⁸ She explained that the efforts of part of the opposition to unseat the President, as well as the actions taken by the executive branch in reacting to an alleged coup attempt on 7 February 2021 and to the opposition's announcement of the appointment of a Supreme Court judge as the interim Head of State, had further hardened the positions of the principal actors in the crisis. She maintained that, above all else, a minimal consensus among relevant political stakeholders would greatly contribute to creating an environment conducive to the holding of the constitutional referendum and subsequent elections. Moreover, while there existed consensus among stakeholders and the general population on the need to change the country's charter, the process chosen by the Government was perceived by some as lacking legitimacy. All sectors of society should be provided with the opportunity to debate and contribute to the draft text. She added that the Haitian people deserved the opportunity to express themselves through the ballot box in an appeased climate and to actively decide on the direction their country would take, free from the fear of intimidation and political violence. In this regard, noting that meeting the security challenges associated with the referendum and the elections represented a crucial test for the Haitian National Police, the Special Representative expressed confidence that, with the strategic advice from the United Nations and support from both national authorities and international partners, the police force would continue to develop its capacity in accordance with international human rights and policing standards. However, she expressed deep concern with the resurgence in kidnappings and the persistent impunity and lack of accountability for serious crimes, adding that the authorities had to demonstrate their commitment and capacity to arrest and prosecute

⁴⁸⁸ See [S/2021/174](#).

both criminals and perpetrators of human rights violations, as well as to take concrete actions to protect citizens.

In her remarks at the open videoconference, the Director of “Plurielles Haiti”, a Haitian non-governmental organization, described her personal experience with insecurity in the country and the work of her organization on helping young people and communities build independence to solve socioeconomic and environmental problems. She emphasized the importance of establishing rehabilitation centres for young prisoners, the development of social and educational programmes, strengthening controls against trafficking in illicit arms and substances, setting up support centres for victims of gang violence, establishing a call centre and providing funding to women suffering domestic violence, funding organizations that worked towards more sustainable peace, and establishing protection networks for young peacebuilders at the local level.

In his remarks after the briefers and Council members, President Moïse noted the concerns expressed by the Secretary-General in his report regarding the fragile political environment, the security situation and financial difficulties and stated that his Government intended to make every effort to improve the sociopolitical climate to ensure that the elections were held under optimal conditions with the broadest possible participation of candidates and voters.⁴⁸⁹

At the meeting held on 17 June 2021, the Special Representative noted the deteriorating situation in Haiti with the postponement of the constitutional referendum, which was scheduled to take place at the end of June 2021, following a resurgence in COVID-19 cases, inter-gang violence in Port-au-Prince, and the absence of an agreement on how to resolve the deep-rooted political crisis among political leaders.⁴⁹⁰ Regarding the new electoral cycle, she stated that the debate over the constitutional referendum should not detract from the timely organization and holding of the overdue polls in 2021, so that an orderly democratic transfer of power to the duly elected representatives of the people could occur in February 2022. She noted that it was the duty of the Haitian authorities to end the violence, protect the population, ensure unfettered humanitarian access, provide emergency assistance to displaced persons and hold perpetrators of human rights abuses accountable. The Special Representative noted progress in the review of the

⁴⁸⁹ Ibid. For the Secretary-General’s report, see [S/2021/133](#).

⁴⁹⁰ See [S/PV.8799](#).

national strategy to address gang violence as well as the headway made by the executive in revising weapons and ammunition management legislation. She noted that incremental progress had also occurred in the judicial realm with the instalment of the Board of the Legal Aid Council, as well as the opening of legal aid offices in the jurisdictions of Les Cayes and Petit-Goâve which would contribute to enhancing access to justice for the least privileged and signal the start of a systemic push to reduce prolonged pretrial detention and overcrowding in prisons. Nonetheless, she criticized that efforts to fight impunity remained woefully inadequate, and would behoove authorities to provide judicial actors with the means required to accomplish their mission.

In her statement, Ms. Chantal Hudicort Ewald, a member of the Port-au-Prince Bar Association and a former member of the Haitian National Assembly from 1986 to 1987, expressed the view that the ongoing constitutional reform process was not legitimate and that the full participation of civil society was required. She argued that, in the absence of a parliament since January 2020, the Government could have instead drawn on the procedure used in 1986, which provided for the holding of elections and the establishment of a constituent assembly to conduct the reform process and allowed for a broad participation of the population. She noted that the sociopolitical context, with a precarious financial and security situation, was making it very difficult – if not impossible – to motivate the population to participate in any form of electoral process. She stated that people residing in underprivileged and densely populated neighborhoods were the main victims of gang violence and noted that the gangs were well supplied with heavy weapons and ammunition in a country, in principle, under a weapons embargo. The briefer observed that the political marginalization of women and their exclusion from all positions of responsibility in public administration continued to perpetuate their lack of participation in the country's governance system. In closing, she noted that there was no trust in the State or political class and that, aware of the State's chronic weakness, civil society was supporting care centres and displaced populations.

Further to the private meeting held on 8 July 2021, following the assassination of President Moïse on 7 July,⁴⁹¹ on 4 October 2021, the Special Representative provided a briefing

⁴⁹¹ See [S/PV.8815](#). The Security Council issued a press statement on 7 July 2021 (see [SC/14574](#)).

to the Council at which she informed that, already reeling from the President's assassination, Haiti was struck on 14 August 2021 by a devastating earthquake that affected over 800,000 people in its southwestern peninsula.⁴⁹² The two events had led to the further postponement of the long-awaited national and local elections. After assuming office on 20 July 2021, Prime Minister ad interim Ariel Henry spared no effort to reach a political agreement with the various factions of the Haitian polity, resulting in the conclusion of an agreement on 11 September 2021 which captured key demands expressed by national stakeholders, such as the formation of a new provisional electoral council and the inclusion of the diaspora, and foresaw the holding of elections no later than the second half of 2022. The Special Representative stated that the draft constitution submitted to the Prime Minister by the Independent Consultative Committee on 8 September 2021 should provide for further constructive and inclusive debate on ways to reshape the Haitian political system. Furthermore, she noted that Haitian citizens unanimously condemned the assassination of President Moïse and called for a thorough investigation that followed due process and the rule of law. The Special Representative stated that, even as relief operations were still ongoing, early recovery and restoration of livelihoods had to be strongly supported in areas affected by the earthquake. She therefore urged Member States to contribute to the flash appeal launched on 25 August 2021 to respond to the needs of those affected by the earthquake, as well as the 2021-2022 humanitarian response plan.

The Executive Director of "Policité," a Haitian civil society organization, reported that the ongoing political crisis was deepening since the assassination, as there was no president, the acting Prime Minister had little to no popular legitimacy, the Parliament was non-functional since 2020, and the judiciary was effectively non-functional, with courts operating three to four months a year. She recommended for elections to occur when they could be fair, not imposed by arbitrary timelines, and to abandon the constitutional referendum. Member States and the Council should break with traditional ways of intervening in Haiti and support nationally led initiatives to create conditions for free, fair, and inclusive elections, strengthen the police, work with the judiciary to end impunity and fight corruption, and direct funding to qualified and

⁴⁹² See [S/PV.8871](#).

capable civil society groups. Finally, she called on BINUH to work with civil society to promote dialogue, reforms and accountability and reduce gang violence.

In their statements at the meetings and the open videoconference held in 2021, Council members expressed concern regarding the deteriorating political, security and humanitarian situation in Haiti, including in the aftermath of the assassination of President Moïse, the earthquake and tropic storm “Grace” in August 2021. They called on political stakeholders to engage in an inclusive dialogue to determine the way forward on the holding of peaceful, free and fair legislative and presidential elections and constitutional referendum, with several of their statements highlighting the importance of the participation of women,⁴⁹³ and youth.⁴⁹⁴ Council members condemned the rising levels of human rights violations and abuses and gang violence, including kidnappings and sexual and gender-based violence, with many of them urging the Government to protect civilians and ensure security and accountability for such acts.⁴⁹⁵ Multiple Council members emphasized the need to protect women and children.⁴⁹⁶ Speakers also addressed the importance of judicial reform, strengthening the Haitian National Police Service and the full implementation of the national strategy on community violence reduction and the national action plan on human rights. Noting the socioeconomic and humanitarian challenges, including the impact of the earthquake, tropic storm and the COVID-19 pandemic, speakers highlighted the need for the international community to increase humanitarian assistance to Haiti.⁴⁹⁷ The representative of Norway underscored the need to prioritize disaster risk reduction and climate change adaptation in Haiti.⁴⁹⁸ In the lead up to the renewal of the mandate of BINUH, the representative of China expressed the view that the existing model of United Nations support to Haiti appeared to be unsustainable and expressed the readiness of his

⁴⁹³ See [S/2021/174](#), Ireland, Norway and Viet Nam; [S/PV.8799](#), Norway, Viet Nam and Ireland; and [S/PV.8871](#), Mexico, Norway, Viet Nam, India, Saint Vincent and the Grenadines and Ireland.

⁴⁹⁴ See [S/2021/174](#), Estonia, Ireland and Viet Nam; [S/PV.8799](#), Viet Nam and Ireland; and [S/PV.8871](#), Saint Vincent and the Grenadines and Ireland.

⁴⁹⁵ See [S/2021/174](#), France, Ireland, Norway, Saint Vincent and the Grenadines, United States and Viet Nam; [S/PV.8799](#), Viet Nam and Estonia; [S/PV.8799](#), United States, Saint Vincent and the Grenadines, Norway, United Kingdom, Viet Nam and Estonia; and [S/PV.8871](#), United States, Norway, Estonia and France.

⁴⁹⁶ See [S/2021/174](#), Ireland, Norway, United Kingdom and Viet Nam; [S/PV.8799](#), Norway and Viet Nam; and [S/PV.8871](#), Norway and Viet Nam.

⁴⁹⁷ See [S/2021/174](#), Saint Vincent and the Grenadines; [S/PV.8799](#), Saint Vincent and the Grenadines and India; [S/PV.8871](#), United States, United Kingdom, Saint Vincent and the Grenadines, Ireland and China.

⁴⁹⁸ [S/PV.8799](#) and [S/PV.8871](#).

delegation to join Council members in addressing the systemic and structural impediments to peace and development in Haiti and to consider adopting a novel approach in order to help the country.⁴⁹⁹

With respect to decisions, in the presidential statement issued on 24 March 2021, the Council expressed deep concern regarding the protracted political, constitutional, and security crises in Haiti and stressed the primary responsibility of the Government to address the underlying drivers of instability.⁵⁰⁰ The Council stressed that the democratic will of the Haitian people had to be respected, urged that all preparations be made for free, fair, transparent, and credible elections in 2021 and that all political stakeholders to engage constructively to enable their organization and to ensure that they take place in a peaceful environment.⁵⁰¹ The Council stressed in the presidential statement the importance of an independent judiciary, urged the Government to step up its efforts against corruption and emphasized the need for an immediate and coordinated response by Haitian authorities to address the deteriorating security situation.⁵⁰² The Council further stressed the urgency of accountability for human rights violations and noted its concern regarding the humanitarian situation, including growing food insecurity and malnutrition exacerbated by the COVID-19 pandemic.⁵⁰³ Finally, the Council encouraged continued close collaboration and coordination between BINUH and the United Nations country team in Haiti with a view to helping the Government to take responsibility to realize the long-term stability, development and economic self-sufficiency of the country.⁵⁰⁴

On 15 October 2021, the Council unanimously adopted resolution [2600 \(2021\)](#), by which it extended the mandate of BINUH for a period of nine months until 15 July 2022, without introducing changes to the Mission's tasks.⁵⁰⁵ The resolution requested the Secretary-General to conduct an assessment within six months of the mandate of BINUH, including whether and how it could be adjusted to address the ongoing challenges faced by Haiti, to increase the

⁴⁹⁹ [S/PV.8799](#) and [S/PV.8871](#).

⁵⁰⁰ [S/PRST/2021/7](#), second paragraph.

⁵⁰¹ *Ibid.*, third paragraph.

⁵⁰² *Ibid.*, fourth, fifth and sixth paragraphs.

⁵⁰³ *Ibid.*, eighth and ninth paragraphs.

⁵⁰⁴ *Ibid.*, twelfth paragraph.

⁵⁰⁵ Resolution [2600 \(2021\)](#), para. 1. For further information on the mandate of the United Nations Integrated Office in Haiti, see part X, sect. II.

effectiveness of the Mission and its efforts to support engagement between Haitian national authorities, civil society and other stakeholders, to strengthen the rule of law, and to promote respect for human rights.⁵⁰⁶ Furthermore, the Council condemned in the strongest terms the assassination of President Moïse and urged the Government to hold the perpetrators accountable in a timely manner.⁵⁰⁷ The Council also urged all Haitian stakeholders to commit to an inclusive inter-Haitian national dialogue to address longstanding drivers of instability by creating a sustainable and commonly accepted framework to permit the organization of inclusive, peaceful, free, fair and transparent legislative and presidential elections as soon as technically feasible, and with the full, equal and meaningful participation of women.⁵⁰⁸ In his statement after the vote, the representative of China noted that the Secretary-General's latest report stated that the huge aid efforts made by Haiti's international partners had yet to deliver the expected results and that a novel approach was required to address the challenges that were holding Haiti back.⁵⁰⁹ The renewal of the mandate of the Mission provided an opportunity to discuss how to help Haiti more effectively. He thanked specifically the joint efforts of China, the Russian Federation and Saint Vincent and the Grenadines for substantive improvements to the text, in particular the requested assessment which created an opportunity to update the Mission's mandate in the light of changing circumstances on the ground. While stating that the assessment provided an opportunity to further strengthen BINUH's mandate and effectiveness in helping to address the ongoing challenges facing Haiti, the representative of the United States opined that it was not the time for the Council to walk away from Haiti and stressed the need to ensure that the country received the assistance and support that it needed. The representative of Mexico maintained that the mandate renewal provided the Mission certainty and that the assessment would allow States to effectuate the changes necessary to make it more effective.

⁵⁰⁶ Resolution [2600 \(2021\)](#), para. 2.

⁵⁰⁷ *Ibid.*, fourth preambular paragraph.

⁵⁰⁸ *Ibid.*, para. 5.

⁵⁰⁹ See [S/PV.8881](#).

Table 1
Meetings: The question concerning Haiti

| <i>Meeting record and date</i> | <i>Sub-item</i> | <i>Other documents</i> | <i>Rule 37 invitations</i> | <i>Rule 39 and other invitations</i> | <i>Speakers</i> | <i>Decision and vote (for-against-abstaining)</i> |
|--|---|---|----------------------------|---|---|---|
| S/PV.8799 17 June 2021 | Report of the Secretary-General on the United Nations Integrated Office in Haiti (S/2021/559) | | Haiti | Special Representative of the Secretary-General for Haiti and Head of BINUH, Practicing lawyer of the Port-au-Prince Bar Association and former member of the 1986-1987 Haitian Constitutional Assembly | 12 Council members ^a , all invitees ^b | |
| S/PV.8815 8 July 2021 (closed) | | | Haiti | Special Representative of the Secretary-General for Haiti and Head of BINUH | 12 Council members ^a , all invitees | |
| S/PV.8871 4 October 2021 | Report of the Secretary-General on the United Nations Integrated Office in Haiti (S/2021/828) | | Haiti | Special Representative of the Secretary-General for Haiti and Head of BINUH, Executive Director of Pôлицité | 12 Council members ^a , all invitees ^d | |
| S/PV.8881 15 October 2021 | Report of the Secretary-General on the United Nations Integrated Office in Haiti (S/2021/828) | Draft resolution submitted by Mexico and the United States (S/2021/877) | | | Four Council members (China, Kenya, Mexico, United States) | Resolution 2600 (2021) 15-0-0 |

^a The representative of Saint Vincent and the Grenadines also spoke on behalf of Kenya, Niger and Tunisia.

^b Haiti was represented by its Prime Minister a.i.

^c The representative of Niger also spoke on behalf of Kenya, Saint Vincent and the Grenadines and Tunisia.

^d Haiti was represented by its Minister for Foreign Affairs.

Table 2
Videoconferences: The question concerning Haiti

| <i>Videoconference date</i> | <i>Videoconference record</i> | <i>Title</i> | <i>Decision and vote (for-against-abstaining) and record of written procedure</i> |
|-----------------------------|---|--|---|
| 22 February 2021 | S/2021/174 | Letter dated 24 February 2021 from the President of the Security Council addressed to the Secretary-General and the Permanent Representatives of the members of the Security Council | |
| 24 March 2021 | No record (see A/76/2 , part II, chap. 7) | | S/PRST/2021/7 |