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Haiti: Recent Developments and U.S. Policy

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Haiti: Recent Developments and U.S. Policy

Haiti, located on the western third of the island of Hispaniola and bordering the Dominican Republic, remains mired in interrelated political, security, and humanitarian crises. Haiti lacks an elected president, legislature, and mayors following the July 2021 assassination of President Jovenel Moïse. Moïse had named Ariel Henry to be prime minister prior to his death, but Henry had not been sworn in as required under Haitian law. Since the assassination, a political stalemate has persisted over whether Henry or a transitional government should govern until elections can be convened and an elected government is in place.

The ongoing political impasse also has hindered Haiti's ability to respond to worsening security and humanitarian crises caused by rampant gang violence, food and fuel shortages, and a resurgence of cholera. In October 2022, Henry asked for a foreign security force to help reestablish control and enable humanitarian aid deliveries. While many Haitian civil society groups initially opposed this request due to concerns regarding abuses committed during past interventions and Henry's unelected status, increased insecurity has led more Haitians to express support for international assistance. Kenya has offered to lead a "multinational security support mission" if authorized by the U.N. Security Council. The compound crises in Haiti continue to fuel instability and U.S.-bound migration.

U.S. Policy

U.S. policy in Haiti has aimed to support Haitian efforts to restore security, the rule of law, democratic institutions leading to free and fair elections, and economic and social stability. In FY2022, the Biden Administration allocated \$237.4 million in bilateral assistance for Haiti, including increased support for the Haitian National Police. In FY2023, an estimated \$204.5 million has been allocated to Haiti; the Administration requested \$291.5 million for Haiti in FY2024. Separately, the Administration has continued to provide humanitarian assistance to Haiti, including more than \$112 million in FY2023. In March 2023, the Administration released a 10-year plan for promoting peace and stability in Haiti, a priority country under the Global Fragility Act (P.L. 116-94), supported by additional funds.

The Biden Administration has encouraged negotiations between Henry and other key stakeholders regarding a pathway to future elections, and has placed increased pressure on Henry in recent months to reach an inclusive political accord. Since October 2022, the U.S. Treasury and State Departments have publicly sanctioned seven current or former Haitian officials, including Laurent Lamothe, former prime minister for President Michel Martelly (2011-2016). The Administration also has sought to facilitate a broader international response to the situation in Haiti. The United States and Mexico drafted a U.N. Security Council resolution to sanction gang leaders in Haiti and their financial backers that was adopted in October 2022. The United States and Ecuador are finalizing a U.N. Security Council resolution to support a Kenyan-led mission to Haiti.

Congressional Action

Congress set objectives for U.S. policy toward Haiti through 2025 in the Haiti Development, Accountability, and Institutional Transparency Initiative Act (P.L. 117-103, Division V) and directed the Secretary of State to prioritize the protection of human rights and anticorruption efforts. The Consolidated Appropriations Act, 2023 (P.L. 117-328), did not designate a total funding level for Haiti but placed democracy-related conditions on some foreign assistance. Neither of the versions of a Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024, reported by the House (H.R. 4665/H.Rept. 118-146) and Senate Appropriations Committees (S. 2438/S.Rept. 118-71) would designate a specific aid amount for Haiti. However, both measures would place restrictions on assistance to the central government. In addition to foreign assistance, the House passed, and the Senate Foreign Relations Committee reported, bills (H.R. 1684/S. 396) that would require an annual State Department report on ties between gangs and politicians in Haiti and direct the President to impose visa- and property-blocking sanctions on certain individuals identified in the report. Bills to renew trade preferences for Haiti (H.R. 5035/S. 552) also have been introduced in both houses. Congressional oversight efforts in the 118th Congress have focused on the Administration's plans to improve security and democracy in Haiti, and could expand to monitor funding and any multinational force deployment to Haiti.

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Introduction

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

Haiti at a Glance

Capital: Port-au-Prince

Population: 12.2 million (2023, IMF est.)

Languages: French (official), Creole (official)

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

GDP: \$26.58 billion (2023, current prices, IMF est.)

Real GDP Growth: -1.8% (2021); -1.7% (2022); 0.3% (2023, forecast) (% change, constant prices, IMF)

Per Capita GDP: \$2,170 (2023, current prices, IMF est.)

Life Expectancy: 60.4/66.1 years (male/female) (UNDP, 2021)

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

Sources: International Monetary Fund (IMF); United Nations Development Programme (UNDP).

The situation in Haiti further deteriorated after the assassination of President Jovenel Moïse in July 2021 led to uncertainty over who would succeed him. Two days before the assassination, Moïse named Ariel Henry to be prime minister, but Henry was not sworn in. Since most legislators' terms had expired at the time of the assassination, the Haitian legislature lacked the quorum needed to select a president to serve out the remainder of Moïse's term, as outlined in the Haitian Constitution.

Haiti still lacks an elected president, legislature, and local government; the terms of the last 10 elected senators ended in January 2023. A political standoff between de facto Prime Minister Henry's government and opposition political and civil society leaders regarding

how to form a transitional government to stabilize the country and convene elections persists amid a worsening security and humanitarian crisis. In October 2022, Henry requested international support to help the Haitian National Police restore order. In August 2023, the United Nations (U.N.) Security-General outlined options for U.N. support for the deployment of a multinational force to Haiti; the United States and Ecuador are preparing to introduce a U.N. Security Council resolution to authorize such a deployment.³

The 118th Congress may consider options for responding to the interrelated political, security, and humanitarian crises in Haiti and the Henry government's request for international intervention. This report provides a brief overview of the situation in Haiti and U.S. policy responses to date.

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

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

³ Jacqueline Charles, "U.N. Leader Calls for Range of Options to Combat Haiti Gangs," *Miami Herald*, August 15, 2023; Michael Wilner, "U.S. Official says U.N. Resolution on Haiti is Urgent: 'We are Moving as Fast as we can,'" *Miami Herald*, September 13, 2023.

Figure I. Map of Haiti

Source: Congressional Research Service (CRS).

Political Situation

Background

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

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

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

favoring *Fanmi Lavalas*. In 2004, Aristide—facing an armed uprising against his rule as well as U.S. and international pressure—resigned and went into exile.⁶

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

Haiti's most recent presidents, Michel Martelly (2011-2016) and his chosen successor, Jovenel Moïse (2017-July 2021), who represented the center-right *Tèt Kale* Party (PHTK), took office after disputed elections and administered governments allegedly rife with corruption.⁸ Under Moïse, Haiti experienced political and social unrest, high inflation, antigovernment protests, and gang violence. Like other Haitian politicians, Moïse allegedly provided money and arms to gangs in exchange for favors, including suppressing antigovernment protests such as those that erupted in 2018 after the government announced fuel price hikes.⁹ A 2021 report by Harvard Law School's International Human Rights Clinic documented state (primarily police) involvement in attacks on neighborhoods in which some 240 civilians died from 2018 to 2020.¹⁰ Instability increased in 2019 after Haitian auditors issued two reports to the country's chief prosecutor alleging Moïse and other officials had misappropriated and embezzled millions of dollars in public funds.¹¹

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

⁶ Daniel P. Erikson, "Haiti After Aristide: Still on the Brink," *Current History*, vol. 104, no. 679 (February 2005), pp. 83-90.

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

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

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

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

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

¹² The 10 remaining senators' terms expired on January 9, 2023.

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

On July 7, 2021, armed assailants assassinated President Moïse in his private home in Port-au-Prince. Details of the attack remain under investigation; however, the U.S. Federal Bureau of Investigation (FBI) has arrested 11 individuals for their role in a plot to kill Moïse, and one of those individuals was sentenced to life in prison in June 2023.¹⁴ The FBI also has supported Haitian authorities' investigation of the crime, although threats to the safety of those authorities and turnover among the judges leading the investigation have hindered their efforts. Haitian police have arrested at least 23 people accused of planning the plot, including former Colombian soldiers, members of Moïse's security team, a former rebel leader, a former police inspector, and a Haitian-American pastor with ties to Florida.¹⁵

The Aftermath of President Moïse's Assassination

Moïse's assassination gave rise to uncertainty about who would succeed him as president and who would serve as prime minister. Under the Haitian Constitution (Article 149), if a president dies in the last two years of his term, the legislature should elect a provisional president to serve out the term.¹⁶ As Haiti lacked a functioning legislature at the time of the assassination, the choice of who would succeed Moïse could not follow the prescribed constitutional order.

Three individuals laid claims to serve as prime minister: interim Prime Minister Claude Joseph; Ariel Henry, a neurosurgeon nominated to be prime minister two days before Moïse's death but not sworn in; and Joseph Lambert, then-president of the Haitian Senate. On July 8, the Haitian government requested security and investigative assistance from the United States. In response to that request, an inter-agency delegation traveled to Haiti on July 11. U.S. officials met with all three claimants to prime minister. After days of jockeying among the claimants over who would become prime minister, Joseph agreed that Henry would be prime minister and he foreign minister on July 12.¹⁷ Lambert separately gave up his quest to be prime minister; the U.S. government later sanctioned him for drug trafficking. On July 17, the United States, United Nations, and other donors issued a statement calling for the formation of an "inclusive government" and encouraging Prime Minister-designate Ariel Henry to form a government.¹⁸ Henry's irregular path to his position, lackluster efforts while in office, and allegations of his possible involvement in Moïse's assassination, have eroded his credibility.¹⁹

Since the assassination, a political stalemate has persisted over how to convene elections and who should govern until an elected government is in place. In September 2021, de facto Prime Minister Henry and his supporters proposed that Henry name a provisional electoral council to convene elections, and that Henry remain the single head of government until a new elected government takes office, but Henry did not appoint that council. Rival political and civil society leaders, some of whom backed the Montana Accord, a 2021 proposal to form an interim

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

¹⁴ Chris Cameron, "Man Gets Life in Prison in Killing of Haiti Leader," *New York Times*, June 4, 2023; Sarah Morland, "Colombian ex-soldier Pleads Guilty in Plot to Kill Haitian President," Reuters, September 7, 2023.

¹⁵ Jacqueline Charles, "Made in Miami: How a South Florida Plot to Oust Haiti's Jovenel Moïse Led to His Murder," *Miami Herald*, December 8, 2022; "Ex-Rebel Leader Known as 'the Torturer' Is Arrested in Haiti President's Assassination," *Miami Herald*, December 21, 2022.

¹⁶ Haiti's Constitution of 1987 with Amendments Through 2012 is available in English at https://www.constituteproject.org/constitution/Haiti_2012.pdf?lang=en.

¹⁷ CRS interview with State Department officials, January 9, 2023.

¹⁸ U.N. Integrated Office in Haiti (BINUH), "Core Group Press Release," July 17, 2021.

¹⁹ Monique Beals, "Judge, Investigators say Haitian Prime Minister Involved in President's Assassination," *The Hill*, February 8, 2022.

government led by a president and prime minister, argued for a transitional government not led by Henry.²⁰

On December 21, 2022, Henry put forth a new transition proposal—the National Consensus for an Inclusive Transition and Transparent Elections (or the December 21st agreement)—that was signed by a range of stakeholders, including some former signatories of the Montana Accord.²¹ His government established a three-member High Transition Council (HTC) to implement that transition plan in January 2023 and appointed eight judges to the country’s highest court in March 2023. An independent facilitation committee is carrying out consultations between the HTC, civil society, and donors on implementing the agreement. Since May, a three-person eminent persons group from the Caribbean Community (CARICOM) has sought to facilitate intra-Haitian dialogue. High-level talks among Henry and other key stakeholders took place in Jamaica in mid-June 2023, with a focus on increasing the size of the transition council and possibly expanding its powers, as well as selecting an electoral council. The stakeholders did not reach an agreement then nor in follow-up talks held earlier in September 2023, but negotiations continue.

Security Crisis

Relations between Haitian gangs and the country’s political and economic elite are well established (see **Figure 2**). Many of Haiti’s past presidents and prominent politicians have used and received support from gangs. Generally, gangs provide political elites with services such as campaign support, voter intimidation, bribery, fundraising, vandalism, and protest disruption.²² Former President Aristide reportedly relied on support from gangs that engaged in political repression, and the Canadian government sanctioned former President Martelly for his role in financing gangs.²³ Business elites have formed relationships with gangs in order to protect their businesses and enable them to move merchandise throughout the country and abroad.²⁴ In December 2022, the Canadian government imposed sanctions on prominent businessmen—Gilbert Bigio, Reynold Deeb, and Sherif Abdallah—for reportedly providing “illicit financial and operational support to gangs.”²⁵

²⁰ The Montana Accord proposed a two-year interim government led by a president and prime minister, with oversight committees, to restore order, administer elections, and create a truth and justice commission to address past human rights violations. Georges Fauriol, “Haiti: Betting on the Montana Accord,” *Global Americans*, February 9, 2022.

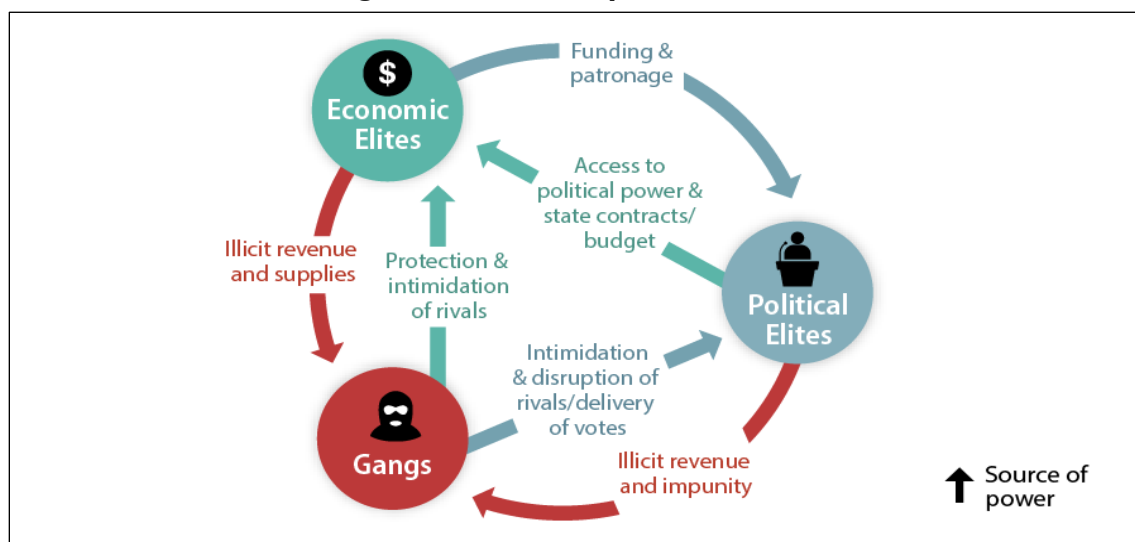
²¹ U.N. Security Council, U.N. Integrated Office in Haiti (BINUH), *Report of the Secretary General*, April 14, 2023.

²² Global Initiative Against Organized Crime, *Gangs of Haiti: Expansion, Power, and an Escalating Crisis*, October 2022. Hereinafter: Global Initiative, *Gangs of Haiti*.

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

²⁴ Alberto Arce and Rodrigo Abd, “In Haiti, the Difficult Relationship of Gangs and Business,” Associated Press, October 21, 2021.

²⁵ Government of Canada, “Canada Imposes Sanctions Against Haitian Economic Elites,” December 5, 2022.

Figure 2. Criminal Dynamics in Haiti

Source: CRS, based on a graphic from *InSight Crime* used in U.S. Agency for International Development, *Mapping Haiti's Criminal Dynamics: Conclusions and Recommendations Brief*, November 2021, at https://pdf.usaid.gov/pdf_docs/PA00ZF3H.pdf.

Since Moïse's assassination, state authority has collapsed in parts of Port-au-Prince and surrounding areas. Armed gangs control parts of the city and other urban areas, as well as major highways. These gangs are often better armed than the national police.²⁶ Protests and gang-led violence erupted following a September 2022 announcement by de facto Prime Minister Henry that fuel subsidies would end. After gangs took over a major port and the country's main fuel terminal, the economy temporarily ground to a halt and humanitarian agencies lost access to some areas. In early October 2022, Henry and his advisors requested an international force to help quell the security situation and allow humanitarian aid to flow as an outbreak of cholera surged; responses to that request remain pending (see "Multinational Force Consideration," below).²⁷

The U.N. Office for the Coordination of Humanitarian Affairs (OCHA) estimates that there are at least 300 criminal groups operating in Haiti.²⁸ In 2022, homicides increased by 35.2% compared with 2021 as gangs, such as G9 and Family (G9) and G-PEP, vied for control of territory.²⁹ More than 2,094 reported homicides occurred between January 2023 and June 2023, 68% more than the last half of 2022.³⁰ In 2022, kidnappings increased by 104.7% compared with 2021. Kidnappings escalated further during the first half of 2023, as gangs sought to find new revenue amid diminished support from elites fearful of being designated for U.S. and Canadian sanctions.³¹ Gang attacks on government personnel and critical infrastructure have increased as they have grown more autonomous.

²⁶ Jon Lee Anderson, "A Land Held Hostage," *The New Yorker*, July 24, 2023.

²⁷ Catherine Osborn, "Haiti's Crisis Escalates," *Foreign Policy*, October 14, 2022.

²⁸ Haiti: Humanitarian Response Plan 2023 at a Glance," Relief Web, April 13, 2023.

²⁹ U.N. Security Council, BINUH, *Report of the Secretary-General*, January 17, 2023; and Scott Mistler-Ferguson, "G9 vs. G-PEP – The Two Gang Alliances Tearing Haiti Apart," *InSight Crime*, July 21, 2022.

³⁰ Ibid; "Haiti: International Support Needed Now to Stop Spiraling Gang Violence," *UN News*, May 9, 2023.

³¹ U.N. Security Council, BINUH, *Report of the Secretary General*, January 17, 2023; U.N. Security Council, BINUH, *Report of the Secretary General*, July 3, 2023; Reuters, "Haiti Rights Group Records Three-Fold Rise in Kidnappings for Early 2023," April 4, 2023.

According to U.N. reports, gangs have used “collective rape” and other gender-based violence against women, children as young as 10, and the elderly to intimidate people.³² From January 2023 to March 2023, at least 652 women and girls were victims of collective rape. Gender-based and sexual violence is more prevalent in zones contested by warring gangs in which many inhabitants lack access to basic health, education, and social services.

The U.N. Secretary-General described the police in 2022 as “spread thin” and lacking weapons, equipment, and capacity.³³ Some studies also indicate the HNP has struggled with widespread criminal cooptation. A July 2022 International Crisis Group study estimated that 40% of HNP officers have ties to gangs.³⁴ Corruption, combined with the HNP and Haitian Coast Guard’s lack of control over the country’s ports and borders, have made Haiti a hub for drug and arms trafficking and worsened gang violence (see “Weapons and Drug Trafficking”). Low pay and poor working conditions have increased attrition among the 10,000 or so HNP officers available to perform police duties.³⁵ When police have sought to confront gangs, confrontations have often proven deadly. In November 2022, criminals assassinated the director of the HNP’s training center at the center. In May 2023, a police officer died as gangs set two Canadian-provided armored vehicles on fire.

Impunity prevails in Haiti’s weak justice system. In addition to failing to resolve Moïse’s assassination, Haitian authorities have yet to arrest Jimmy Chérizier, a former HNP officer turned gang leader who was linked to Moïse, or other Haitian officials implicated in the 2018 La Saline massacre of 71 people.³⁶ Gangs overtook several of Haiti’s main courthouses in summer 2022, and many of the courthouses remain inoperable. Without functioning courts, Haitian prisons continue to hold inmates, 85% of whom were in pretrial detention in June 2023; prisons have a 332% cell occupancy rate.³⁷ Many inmates lack access to food, water, and medical care.

The rampant violence in Haiti has left many Haitians hopeless and frustrated. Since April 2023, Haiti has experienced a rise in antigang vigilantism—the *Bwa Kale* movement.³⁸ On April 24, Port-au-Prince residents confronted, lynched, and burned 10 alleged gang members. The movement is now in all 10 administrative departments (states) of Haiti, with at least 224 people killed from April-June 2023.³⁹

³² This draws from BINUH and Office of the U.N. High Commissioner for Human Rights (OHCHR), *Sexual Violence in Port-au-Prince: A Weapon Used by Gangs to Instill Fear*, October 14, 2022; OHCHR and BINUH, *Human Rights Situation, Quarterly Report: January-March 2023*; Global Initiative Against Transnational Organized Crime, *Gang Control and Security Vacuums: Assessing Gender-Based Violence in Cité Soleil*, May 2023 Human Rights Watch, “Living a Nightmare,” August 14, 2023.

³³ Security Council, S/2022/747.

³⁴ International Crisis Group, *New Gang Battle Lines Scar Haiti as Political Deadlock Persists*, July 27, 2022.

³⁵ U.N. Security Council, BINUH, *Report of the Secretary General*, July 3, 2023.

³⁶ Chérizier, then-Minister of the Interior Fednel Monchery, and President Moïse’s Departmental Delegate Joseph Pierre Richard Duplan allegedly planned an attack carried out by gangs on protesters who had criticized the government. U.S. Department of the Treasury, “Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day,” December 10, 2020.

³⁷ U.N. Security Council, BINUH, *Report of the Secretary-General*, July 3, 2023; Widlore Mérencourt and Amanda Coletta, “He Was Sentenced to a Year in Prison. He Had Been Held More Than Nine,” *Washington Post*, August 11, 2023.

³⁸ Reuters, “Haitian Residents Lynch and Set Fire to Suspected Gang Members,” April 26, 2023.

³⁹ U.N. Security Council, BINUH, *Report of the Secretary General*, July 3, 2023.

Humanitarian Situation

Haiti is a fragile country that is highly vulnerable to natural disasters due to its location and topography (exacerbated by deforestation and climate change), and the Haitian government's capacity to respond to such disasters is limited. A decade after the devastating 2010 earthquake, inadequate recovery efforts, combined with subsequent natural disasters (e.g., Hurricane Matthew, a 2021 earthquake) and disease outbreaks (e.g., cholera, Coronavirus Disease 2019 [COVID-19]), have further weakened the state's ability to protect and provide for its citizens.⁴⁰ Flooding in June 2023 resulted in more than 40 deaths and left some 13,000 Haitians homeless.⁴¹ The Fund for Peace's 2022 Fragile States Index ranked Haiti as the 11th most fragile state in the world due to various factors, including the state's lack of legitimacy and inability to deliver services, uneven economic development, and relatively low levels of social cohesion.⁴²

In contrast to some previous humanitarian crises Haiti has endured, the political and security situation is the primary driver of the current humanitarian emergency.⁴³ According to U.N. officials, as of June 2023, gang violence had displaced at least 195,000 people.⁴⁴ Gang blockades of highways have limited humanitarian access, particularly to the southern peninsula but also to communities to the east and north of the capital. The G9 gang's blockade of the Varreux fuel terminal from mid-September to early November 2022, combined with broad unrest, caused businesses and hospitals to close. During that period, Haitians, fearful of encountering gang violence, sheltered in place amid a lack of water and sanitation services, fuel, electricity, and food. The U.N. OCHA estimates that 5.2 million Haitians are in need of humanitarian aid.⁴⁵ Conditions in Haiti could deteriorate further if the Dominican Republic keeps its borders with Haiti closed.⁴⁶ The closures began in mid-September 2023 in response to a border water dispute.

Ongoing humanitarian concerns include food insecurity and inadequate access to health care, protection, and education. In October 2022, the U.N. Food and Agriculture Organization estimated that a record 4.7 million Haitians, roughly 50% of the population, faced acute levels of hunger.⁴⁷ In October 2022, cholera resurfaced in Haiti, and as of mid-April 2023 it had claimed 686 lives.⁴⁸ While cholera is preventable through vaccination and treatable with rehydration, gangs have reportedly prevented patient access to health facilities and denied medical staff entry to affected communities. In March 2023, the U.N. Integrated Office in Haiti (BINUH) reported

⁴⁰ On recovery and reconstruction, see Jonathan Katz, *The Big Truck That Went by: How the World Came to Save Haiti and Left Behind a Disaster* (New York, NY: St. Martin's Press, 2014); Government Accountability Office (GAO), *Haiti: USAID and State Should Improve Management and Assessment of Reconstruction Activities*, GAO-23-105211, March 2023. Hereinafter: GAO, March 2023. On subsequent disasters, see Labrador and Roy, "Haiti's Troubled Path."

⁴¹ Jacqueline Charles, "At Least 42 Dead, Thousands Homeless in Haiti After a Weekend of Heavy Rains, Flooding," *Miami Herald*, June 5, 2023.

⁴² The Fund for Peace, Fragile States Index, at <https://fragilestatesindex.org/country-data/>.

⁴³ U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA), "Seven Things to Know About the Humanitarian Crisis in Haiti," October 26, 2022.

⁴⁴ International Organization for Migration (IOM), "Haiti Emergency Response: Situation Report," June 2023.

⁴⁵ UNOCHA, *Global Humanitarian Overview 2023*, December 2022.

⁴⁶ "Dominican Republic Closes all Borders with Haiti in Escalation of Diplomatic Crisis," *PBS*, September 15, 2023.

⁴⁷ U.N. Food and Agriculture Organization of the United Nations (FAO), "Catastrophic Hunger Levels Recorded for the First Time in Haiti," October 14, 2022.

⁴⁸ Pan-American Health Organization (PAHO), "Cholera Epidemic in Haiti and the Dominican Republic," May 19, 2023.

that 21 health facilities had temporarily shut down or reduced their activities due to violence.⁴⁹ Children in Haiti are extremely vulnerable to protection concerns, particularly gender-based violence. They have also lost years of schooling due to COVID-19; insecurity and cholera-related school closures; and, most recently, armed attacks on schools.⁵⁰

U.N. Presence in Haiti and Recent Action

The U.N. has had a continuous presence in Haiti for almost 19 years, with diplomatic and financial support provided by successive U.S. presidential administrations. Following the collapse of the Aristide government in 2004, the U.N. Security Council established MINUSTAH to help restore order and train the HNP.⁵¹ After the 2010 earthquake, the Security Council expanded MINUSTAH's size and mission.

A Security Council resolution ended MINUSTAH in 2017, citing Haiti's peaceful completion of a long-delayed electoral process in February 2017 as a milestone.⁵² The Security Council also praised MINUSTAH for supporting the political process, professionalizing the police, and improving security and stability in Haiti, achievements that proved short-lived. Haitian and international human rights and health experts criticized MINUSTAH for its role in introducing cholera to Haiti (a disease that had not been present in the country for more than a century) and for allegations of sexual abuse by some of its forces.⁵³ In 2016, then-Secretary-General Ban Ki-Moon apologized for the U.N.'s role in a cholera outbreak that ultimately caused nearly 10,000 deaths; the U.N. also launched a \$400 million fund to confront the epidemic.⁵⁴

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

⁴⁹ OHCHR and BINUH, *Human Rights Situation, Main Trends, Quarterly Report: January-March 2023*, March 8, 2023; Reuters, "Medecins Sans Frontieres Shuts Haiti Hospital amid Gang Violence," March 8, 2023.

⁵⁰ U.N. Children's Fund, "Haiti: Armed Violence Against Schools Increases Nine-Fold in One Year," February 9, 2023.

⁵¹ U.N. Security Council, "Resolution 1542 (2004)/Adopted by the Security Council at Its 4961st Meeting, on 30 April 2004," S/RES/1542 (2004), June 1, 2004. MINUSTAH's original mission aimed to restore security and stability, promote political processes (including elections), strengthen institutions and rule-of-law-structures, and promote and protect human rights.

⁵² U.N. Security Council, "Resolution 2350 (2017)/Adopted by the Security Council at Its 7924th Meeting, on 13 April 2017," S/RES/2350 (2017), April 13, 2017. Critics argue, however, that a transitional government, not the U.N.-backed PHTK government, accomplished that goal. Even with MINUSTAH present, Haiti experienced a constitutional crisis after Michel Martelly failed to convene elections to choose his successor. Georges Fauriol, 'A Cycle of Instability': Haiti's Constitutional Crisis," Center for Strategic and International Studies, February 8, 2021.

⁵³ For background, see CRS In Focus IF10502, *Haiti: Cholera, the United Nations, and Hurricane Matthew*, by Maureen Taft-Morales and Tiaji Salaam-Blyther.

⁵⁴ U.N. News, "U.N.'s Ban Apologizes to People of Haiti, Outlines New Plan to Fight Cholera Epidemic and Help Communities," December 1, 2016. By the end of 2021, donors had contributed only \$21.8 million to support the pledged \$400 million fund. See U.N. Haiti Cholera Response Multi-Partner Trust Fund, *2021 Annual Report*.

processed on the day of their reception.⁵⁵ However, Haitians continued to report increased sexual violence.⁵⁶

In October 2019, the U.N. transitioned to a political office, the U.N. Integrated Office in Haiti (BINUH), for an initial one-year period that the U.N. Security Council twice extended. BINUH's mandate, which currently runs through July 2024,⁵⁷ is to advise the Haitian government on how to establish an inclusive national dialogue on reestablishing stability, security, and the rule of law so elections can be held, among other aims. The mission also emphasizes protecting and promoting human rights, including by documenting recent gender-based violence by gangs and producing reports from Haiti for the U.N. Secretary-General and Security Council.⁵⁸ BINUH coordinates with other U.N. agencies, funds, and programs, ranging from humanitarian agencies such as the World Food Program to the U.N. Office on Drugs and Crime.

Sanctions Resolution

On October 17, 2022, the Security Council discussed a resolution sponsored by the United States and Mexico to establish a U.N. sanctions regime against gang leaders in Haiti and those who finance them. The Security Council unanimously approved the sanctions resolution (Resolution 2653) on October 21, 2022; an expert committee is guiding its implementation.⁵⁹

Multinational Force Consideration

On October 6, 2022, de facto Prime Minister Henry and his ministers requested the deployment of an international force to help Haitian forces quell the security situation and allow humanitarian aid to flow. On October 8, U.N. Secretary-General António Guterres sent a letter to the Security Council recommending various approaches to respond to that request. Such approaches included deploying a non-U.N. rapid action force (probably composed of some military forces) to support the HNP, forming a multinational police task force, creating a multinational antigang force, expanding BINUH's budget and mandate, bolstering the HNP and the justice sector, and combating arms trafficking.⁶⁰ On October 17, 2022, the Security Council discussed a proposed resolution by the United States and Mexico, which reportedly would have authorized the deployment of a non-U.N. multinational force to Haiti.⁶¹ From October 2022 through mid-2023, few countries publicly offered to send their forces to Haiti and many countries, including Canada, declined U.S. requests to lead such a force.

In July 2023, Kenya announced its willingness to "positively consider" leading a multinational force in Haiti and sending 1,000 police to support the HNP if authorized by the Security Council.⁶² Once announced, the State Department and CARICOM praised Kenya's disposition

⁵⁵ U.N. Mission for Justice Support in Haiti, "MINUJUSTH Completes Its Mandate, Putting an End to 15 Consecutive Years of Peacekeeping in Haiti," October 16, 2019.

⁵⁶ International Justice Resource Center, "U.N. Transitions from Peacekeeping to Governance, Amid Crisis in Haiti," October 17, 2019.

⁵⁷ For background, see BINUH, "Mandate," at <https://binuh.unmissions.org/en/mandate>.

⁵⁸ BINUH and OHCHR, *Sexual Violence*.

⁵⁹ Security Council, "Resolution 2692 (2023)," July 14, 2023.

⁶⁰ Security Council, S/2022/747.

⁶¹ United States Mission to the United Nations, "Remarks by Ambassador Linda Thomas-Greenfield at a U.N. Security Council Briefing on Haiti," October 17, 2022. Security Council Report, "Haiti: Briefing," in *What's in Blue* (blog), December 21, 2022 (hereinafter Security Council Report, "Haiti").

⁶² Reuters, "Kenya Ready to Lead Multinational Force to Haiti," July 29, 2023.

even as some questioned the human rights record of the Kenyan police.⁶³ Other countries that have considered contributing troops to a mission to Haiti include the Bahamas, Antigua and Barbuda, and Jamaica.⁶⁴ Kenya deployed an assessment mission accompanied by U.S. officials to Haiti in August and is discussing the scope and mission of a “multinational security support mission” with the Security Council, donors, Haitian officials, and other stakeholders.⁶⁵ The United States and Ecuador plan to present a U.N. Security Council resolution to support a Kenyan-led multinational force in Haiti financed by voluntary contributions as soon as possible.⁶⁶

Such a mission would likely require many more troop contributing countries, which U.S. officials have predicted will come forward after a favorable Security Council vote, as well as significant training, equipment, and logistical support from the United States, Canada, and others.⁶⁷ In his August 15 letter to the Security Council, the Secretary-General reportedly said that the mission should focus on disarming the gangs, securing key installations and highways, and reasserting state presence to enable basic services to reach the population.⁶⁸ He also asserted that “the robust use of force by a specialized multinational police force,” likely supported by military assets, is needed to help the HNP reestablish law and order. He reportedly outlined how the U.N. could provide logistical support to the multinational force and the HNP, while also expanding and strengthening BINUH to facilitate a political accord and train the police, among other tasks. Any units or participants in a mission to Haiti (whether police or military troops) would be subject to U.N. vetting, while those receiving U.S. support would be subject to U.S. Leahy vetting (22 U.S.C. §2378d and 10 USC §362). Kenyan officials have said that the soonest they could arrive in Haiti would likely be three months after a Security Council vote.⁶⁹

U.S. Policy and Issues for Congress

Biden Administration policy goals in Haiti include supporting Haitian-led efforts to confront gangs and insecurity; resolve the political and constitutional crisis; revive the economy; and address poverty and a lack of access to health care, education, and other basic services.⁷⁰ Since Moïse’s assassination, U.S., Canadian, and U.N. officials—among others criticized for past interventions in the country—have emphasized their support for “Haitian-led solutions” to the country’s challenges. In March 2023, the Biden Administration issued a 10-year plan for Haiti, as mandated by the Global Fragility Act (GFA; P.L. 116-94), with a long-term, interagency goal of

⁶³ U.S. Department of State, Press Statement, Antony J. Blinken, Secretary of State, “Kenya Considering Leading a Multinational Force in Haiti,” August 1, 2023; CARICOM, “Statement on Multi-national Force to Support Haiti,” August 4, 2023; Luke Taylor, “Kenya’s Offer to Send Police to Haiti Sparks Human Rights Concerns,” *The Guardian*, August 5, 2023; Human Rights Watch, *Kenya: End Abusive Policing of Protests*, May 31, 2023.

⁶⁴ “Antigua Considers Role as Ja Confirms Plan to Send Troops to Haiti,” *The Gleaner*, August 4, 2023.

⁶⁵ CRS phone interview with State Department officials, September 13, 2023.

⁶⁶ Michael Wilner, “U.S. Official says U.N. Resolution on Haiti is Urgent: ‘We are Moving as Fast as we can,’” *Miami Herald*, September 13, 2023.

⁶⁷ Woodrow Wilson Center, “Two Years After Moïse Assassination: The Impact of Gang Violence in Haiti,” September 13, 2023, available at <https://www.wilsoncenter.org/event/two-years-after-moise-assassination-impact-gang-violence-haiti>.

⁶⁸ Jacqueline Charles, “U.N. Leader Calls for Range of Options to Combat Haiti Gangs,” *Miami Herald*, August 15, 2023; Edith M. Lederer, “UN Chief Urges Deployment of Police Special Forces and Military Support to Combat Gangs in Haiti,” Associated Press, August 15, 2023.

⁶⁹ CRS phone interview with State Department officials, September 13, 2023.

⁷⁰ U.S. Department of State, *Integrated Country Strategy: Haiti*, approved March 18, 2022, https://www.state.gov/wp-content/uploads/2022/04/ICS_WHA_Haiti_Public.pdf.

helping the government and citizenry of Haiti work together to develop a shared vision and plan to achieve long-term stability.⁷¹

U.S. officials have pursued several courses of action to advance those goals. Secretary of State Antony Blinken and other top U.S. officials have stressed the increasing urgency of reaching a political consensus on how to reestablish constitutional order to de facto Prime Minister Henry and other key stakeholders.⁷² The U.S. government has sanctioned corrupt officials and encouraged other countries to do so, supported efforts to facilitate dialogue by CARICOM and others, expanded support for the HNP, and sought a partner country to lead a non-U.N. “multinational force” to help stabilize the country.⁷³ U.S. officials have pledged to provide significant funding, equipment, and logistical support to any multinational force deployed to Haiti that would expand on U.S. assistance to the HNP.⁷⁴

On many U.S. policy issues regarding Haiti, Congress has had a direct role in shaping policy or conducting oversight of policy development and implementation. Those policy issues include, but are not limited to, foreign assistance, trade preferences, sanctions policy, and migration. Should a multinational force be deployed to Haiti, Congress could engage in oversight or consider legislative options related to the mission. For example, Congress could provide or withhold funding for such a force and/or seek to ensure that such a force respects human rights and that those who receive U.S. training or equipment are rigorously vetted, as required by U.S. law.⁷⁵

Foreign Assistance

Bilateral Assistance

Congress has appropriated foreign assistance to support Haiti’s recovery from recurrent natural disasters and foster long-term stability. In addition to significantly expanding such assistance in the aftermath of a massive 2010 earthquake, Congress has closely monitored the implementation and impact of U.S. assistance activities.⁷⁶ Congress also shapes U.S. policy toward Haiti through appropriations, conditions on appropriations, and reporting requirements linked to the obligation of U.S. assistance.

Congress enacted the Haiti Development, Accountability, and Institutional Transparency Initiative Act (HAITI Act) as part of the FY2022 Consolidated Appropriations Act, 2022 (P.L. 117-103, Division V). The HAITI Act stated that U.S. policy should support sustainable rebuilding and development efforts in Haiti that recognize Haitian independence, are led by the people and government of Haiti, and contribute to international efforts to support broad and inclusive dialogue to restore democratic institutions and legitimacy in the country.⁷⁷ The HAITI Act also

⁷¹ U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

⁷² U.S. Department of State, “Secretary Blinken’s Meeting with Haitian Prime Minister Henry,” July 5, 2023.

⁷³ Adams, “U.S. and Canada Turn to Sanctions”; International Crisis Group, *Haiti’s Last Resort: Gangs and the Prospect for Foreign Intervention*, Briefing No. 48, December 14, 2022.

⁷⁴ U.S. Department of State, “Department Press Briefing,” August 14, 2023.

⁷⁵ CRS In Focus IF10575, *Global Human Rights: Security Forces Vetting (“Leahy Laws”)*, by Michael A. Weber.

⁷⁶ See, as an example, GAO-23-105211, March 2023.

⁷⁷ Other elements of U.S. policy cited in the act include building the long-term capacity of the government, civil society, and private sector to foster economic development in Haiti; fostering collaboration with the Haitian diaspora and the business community in Haiti; supporting anticorruption, press freedom, and human rights protection, including through the imposition of sanctions; restoring the natural resources of Haiti; promoting political stability and free and (continued...)

required U.S. agencies to measure the progress of postdisaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti. The State Department submitted the reports required by the act and made them public on November 10, 2022.⁷⁸

In addition to the HAITI Act, current and future U.S. programming and budget requests are likely to reflect the priorities of the State Department and USAID's two-year Integrated Country Strategy for FY2022-FY2024, adopted in March 2022, and the GFA-mandated *U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, released in March 2023 (see "Global Fragility Act Implementation").⁷⁹

The FY2023 Consolidated Appropriations Act (P.L. 117-328), enacted in December 2022, did not specify a comprehensive appropriations level for Haiti. The accompanying explanatory statement designated \$8.5 million for reforestation efforts and "not less than" \$5.0 million to help meet the sanitary, medical, and nutritional needs of Haitian prisoners. The act required the State Department to withhold any aid to support the Haitian government until the Secretary of State certifies that a new president and parliament have taken office following free and fair elections or that a broadly representative transitional government is in place and it is in the U.S. interest to provide such assistance. The withholding requirement does not apply to aid intended to support free and fair elections; antigang police and justice administration; disaster relief and recovery; and education, public health, food security, and other basic human needs. As in prior years, the act prohibited assistance for the armed forces of Haiti. The explanatory statement accompanying P.L. 117-328 urged the Secretary of State to use "every appropriate diplomatic tool to press for dialogue" among key stakeholders and to take "strong legal action" against those engaged in human rights abuses, corruption, and other illicit activities.⁸⁰ The State Department has allocated an estimated \$204.9 million in foreign assistance to Haiti for FY2023 (see **Table 1**).

U.S. foreign assistance to Haiti has ranged from a low of \$184.6 million in FY2020 to \$252.1 million in FY2021 (see **Table 1**). The Administration has requested \$291.5 million for Haiti in FY2024, with the largest increase in funding requested under the International Narcotics Control and Law Enforcement (INCLE) foreign assistance account to support the HNP and other justice sector actors. This prioritization of restoring security and justice coincides with the phase one activities outlined by the P.L. 116-94 GFA strategic plan for Haiti.

fair elections; providing comprehensive reporting on the goals and progress of the Haitian government and the U.S. government; and promoting the participation of Haitian women and youth in U.S. assistance programs.

⁷⁸ U.S. Department of State, Bureau of Western Hemisphere Affairs, "Haiti: Reports," November 10, 2022, at <https://www.state.gov/haiti-reports/>.

⁷⁹ State Department, *Integrated Country Strategy*; and State Department, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*.

⁸⁰ "Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023," *Congressional Record*, vol. 168, no. 198—book II (December 20, 2022), p. S9299.

Table 1. U.S. Foreign Assistance to Haiti by Account: FY2018-FY2024

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

| Account | FY2018 | FY2019 | FY2020 | FY2021 | FY2022 | FY2023 (Estimate) | FY2024 (Request) |
|----------------|----------------|---------------------|---------------------|----------------------------|----------------------------|----------------------|---------------------|
| DA | 32,000 | 51,000 | 51,000 | 52,000 | 59,000 | 46,400 | 113,200 |
| ESF | 8,500 | — | — | 14,800 ^a | 20,500 ^b | 7,000 | — |
| FFP | 3,244 | 11,719 | 7,996 | 3,110 | — | — | — |
| GHP (State) | 99,386 | 103,011 | 78,765 | 99,822 | 103,081 | 102,505 | 100,000 |
| GHP (USAID) | 24,200 | 24,500 | 24,500 | 24,500 | 24,500 | 30,000 | 33,000 |
| INCLE | 12,000 | 22,800 ^c | 33,000 ^d | 57,600 ^e | 33,300 ^f | 33,300 | 45,000 |
| IMET | 233 | 241 | 96 | 255 | 47 | — | 255 |
| FMF | 5,000 | — | — | — | — | — | — |
| <i>Total</i> | <i>184,563</i> | <i>213,471</i> | <i>195,357</i> | <i>252,087^a</i> | <i>240,434^b</i> | <i>204,905</i> | <i>291,455</i> |

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

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

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

Humanitarian Assistance

The United States is the largest humanitarian donor to Haiti. USAID's Bureau of Humanitarian Assistance (BHA) provided more than \$92.1 million in humanitarian assistance to Haiti in FY2021 and \$79.2 million in FY2022. Of the total amount of humanitarian assistance provided over those two fiscal years, \$152.8 million represented emergency funding, much of which responded to humanitarian needs (i.e., concerns about food; health; water, sanitation, and hygiene; and protection) exacerbated by an August 2021 earthquake that killed some 2,250 people and damaged 115,000 homes and other structures.

As the humanitarian situation in Haiti worsened, USAID sent a Disaster Assistance Response Team (DART) to the country in October 2022. The DART is coordinating the delivery of relief supplies to a portion of the estimated 5.2 million Haitians in need of humanitarian assistance. Since October, USAID/BHA has helped transport 450 metric tons of relief supplies to help Haiti respond to the cholera outbreak and redoubled efforts to help communities access clean water and prevent the spread of communicable diseases. BHA and other partners have scaled up programs to address food insecurity and the protection needs of the estimated 1.9 million Haitians most

vulnerable to GBV and gang violence. Total USAID humanitarian funding for Haiti in FY2023 stood at \$112.6 million as of August 2023.⁸¹

U.S. agencies also helped Haiti respond to the COVID-19 pandemic and related health needs. The United States has donated nearly 1.1 million COVID-19 vaccines to Haiti.⁸² As of August 11, 2023, 3.1% of Haiti's population had completed the COVID-19 vaccination schedule.⁸³ In FY2022, USAID provided \$51.3 million to help Haiti address the health and humanitarian impacts of COVID-19.⁸⁴ In December 2022, DOD deployed the U.S. Naval Ship *Comfort* to deliver medical care to Haitians as part of a multicountry deployment.

Global Fragility Act Implementation

The 116th Congress enacted the GFA, which directed the executive branch to develop a 10-year strategy to prevent conflict globally and stabilize conflict-affected areas. It also directed the executive branch to select priority countries or regions to execute such efforts through 10-year plans. In April 2022, the Biden Administration announced one region and four priority countries for GFA implementation; Haiti was among them. The GFA also authorized three distinct funds: the Prevention and Stabilization Fund (PSF), the Complex Crisis Fund (CCF), and the Multi-Donor Global Fragility Fund. In March 2023, the Biden Administration released a 10-year plan for Haiti, as mandated by the GFA. According to a summary of the plan, the U.S.-interagency seeks to help “Haiti’s citizens and government advance a shared vision and a permissive environment for long-term stability.” It prioritizes security and justice sector sectors first, then broadens to focus on economic and development goals, as well as civil society strengthening.⁸⁵ The Administration has allocated at least \$15.0 million of FY2021 PSF assistance, \$13.0 million of FY2022 PSF assistance, and \$3.3 million of FY2023 CCF assistance to Haiti.

Donor Coordination

The United States is the leading bilateral donor in Haiti, and Congress has encouraged U.S. executive agencies to coordinate foreign assistance priorities with key countries and international organizations represented in Haiti. Active since 2004, the “Core Group” has shaped international responses to key events in Haiti, as when it called on Henry to form a “consensual and inclusive government” in July 2021.⁸⁶ In addition to the U.S. Ambassador, the Core Group comprises the Special Representative of the U.N. Secretary-General; the Ambassadors of Brazil, Canada, France, Germany, Spain, and the European Union (EU); and the Special Representative of the Organization of American States.

Many members of the Core Group (including the EU, Spain, and France) have expressed interest in contributing to a multidonor basket fund on security that aims to support the long-term development of the HNP; Canada and the U.N. Development Program (UNDP) administer the

⁸¹ USAID, “Haiti-Complex Emergency,” Fact Sheet #6, FY2023, August 9, 2023.

⁸² U.S. Department of State, “COVID-19 Vaccine Distribution,” at https://www.state.gov/countries-areas/haiti/#covid_map_link.

⁸³ Pan American Health Organization, “COVID-19 Vaccination in the Americas,” https://ais.paho.org/imm/IM_DosisAdmin-Vacunacion.asp, accessed August 8, 2023.

⁸⁴ USAID, “COVID-19: Latin America and the Caribbean,” Fact Sheet #6, FY2022, September 30, 2022.

⁸⁵ U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

⁸⁶ BINUH, “Core Group Press Release,” July 17, 2021.

fund. UNDP estimated the fund needs at least \$28 million over two years to achieve its aims. According to BINUH, donations stood at roughly \$17.7 million in June 2023.⁸⁷

In October 2022, the U.S. and Canadian governments accelerated the delivery of armored vehicles and other tactical equipment purchased by the Haitian government for the HNP.⁸⁸ In March 2023, Canada pledged to provide C\$100 million (about \$74 million) in additional aid for the HNP.⁸⁹

Trade Preferences⁹⁰

Congress has extended unilateral trade preferences to Haiti through several trade preferences programs enacted since 1975. The Caribbean Basin Economic Recovery Act (P.L. 98-67, subsequently amended, with no expiration), for example, provides limited duty-free entry of selected Caribbean products as a core element of the U.S. foreign economic policy response to uncertain economic and political conditions in the region. The current Haiti-specific preferences, which expire in 2025, provide unilateral preferences to the country's apparel sector.⁹¹ The value of U.S. imports from Haiti entering under Caribbean preference programs increased from \$25 million in 2000 to \$253.3 million in 2022, an increase of over 900%.⁹² Those imports accounted for about 31.9% of total U.S. merchandise imports from Haiti. Over 90% of U.S. imports from Haiti in 2022 consisted of apparel items or clothing; knitted or crocheted apparel imports totaled \$807.0 million, while other apparel items or clothing totaled \$155.0 million.

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

Sanctions: U.S. and Multilateral

In 2020, as part of its policy toward Haiti, the U.S. government began to impose sanctions against those responsible for significant human rights abuses, corruption, and drug trafficking. In December 2020, pursuant to Executive Order (E.O.) 13818, which built upon and expanded the Global Magnitsky Human Rights Accountability Act (P.L. 114-328), the U.S. Department of the Treasury imposed asset blocking and visa restrictions on Chérizier (the gang leader and former HNP officer) and two former Moïse officials for involvement in the La Saline massacre.⁹³

Since fall 2022, the U.S. Treasury and State Departments have publicly imposed financial sanctions and/or visa restrictions on seven current or former Haitian officials and their families

⁸⁷ BINUH, *Report of the Secretary General*, July 3, 2023.

⁸⁸ Reuters, "U.S., Canada Deliver Armored Vehicles to Haitian Police to Fight Gangs," October 15, 2022.

⁸⁹ White House, "Remarks by President Biden and Prime Minister Trudeau of Canada in Joint Press Conference," March 24, 2023.

⁹⁰ For additional information, see CRS Report R47432, *Caribbean Trade Preference Programs*, by Liana Wong and M. Angeles Villarreal.

⁹¹ For a description of how the Haiti-specific preference programs have evolved and have affected Haitian exports and Haitian workers, see U.S. International Trade Commission, *U.S.-Haiti Trade: Impact of U.S. Preference Programs on Haiti's Economy and Workers*, December 2022.

⁹² Compiled by CRS using data from U.S. International Trade Commission DataWeb.

⁹³ E.O. 13818, "Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption," December 20, 2017; U.S. Department of the Treasury, "Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day," December 10, 2020.

for corruption, drug trafficking, and/or human rights violations.⁹⁴ In November 2022, the U.S. Department of the Treasury imposed sanctions pursuant to E.O. 14059 on Joseph Lambert, then-president of the Haitian senate, and former Senator Youri Latortue for involvement in drug trafficking. The Treasury imposed the same sanctions on then-Senator Rony Celestin and former Senator Herve Fourcand in December 2022. In April 2023, the Department of the Treasury sanctioned Gary Bodeu, former head of Haiti's Chamber of Deputies, for corruption. Pursuant to Section 7031(c) of P.L. 117-103, Division K, the State Department imposed visa restrictions on then-Senator Lambert for corruption and involvement in a gross violation of human rights. The State Department also imposed visa restrictions on former Haitian Customs Director Rommel Bell and then-Senator Celestin for corruption. In June 2023, the State Department sanctioned Laurent Lamothe, former prime minister under President Martelly, for corruption. Those subject to recent public sanctions represents a range of political parties. The U.S. State Department has privately revoked the visas of dozens of officials and their families.

The United States has encouraged other international partners and the U.N. to sanction the financial backers of Haitian gangs, recognizing that targeted sanctions imposed in a multilateral manner may have a better chance of affecting change than unilateral sanctions.⁹⁵ U.S. sanctions have been closely coordinated with those announced by the Government of Canada, which also imposed sanctions on former President Martelly for drug trafficking—a move U.S. officials have “welcomed.”⁹⁶ In October 2022, the U.N. Security Council unanimously approved Resolution 2653 imposing sanctions on Jimmy Chérizier.⁹⁷ The Security Council named a panel of experts to recommend further individuals and entities to be subject to travel bans, asset seizures, and an arms embargo. In July 2023, the EU created a mechanism to impose such sanctions on Haitians.

Congress is considering legislation that would require reporting from the State Department and potential sanctions on Haitians who back criminal gangs. In July 2023, the House passed an amended version of the Haiti Criminal Collusion Transparency Act of 2023 (H.R. 1684), aimed at identifying and penalizing ties between Haitian political and economic elites and criminal gangs. The Senate Foreign Relations Committee reported a companion bill, S. 396, in May 2023. The bills would require the Secretary of State, in coordination with the intelligence community, to produce an unclassified annual report, which may have a classified annex, to specific congressional committees identifying Haitian political and economic elites tied to gangs, among other topics. They also would require the President to impose visa restrictions and sanctions on those individuals pursuant to Section 7031(c) of annual Department of State, Foreign Operations, and Related Programs Appropriations legislation, Section 1263 of the Global Magnitsky Human

⁹⁴ Sources for this paragraph include E.O. 14059, “Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade,” December 15, 2021; U.S. Department of the Treasury, “Treasury Sanctions Corrupt Haitian Politicians for Narcotics Trafficking,” November 4, 2022; U.S. Department of the Treasury, “U.S. Sanctions Additional Corrupt Haitian Politicians for Drug Trafficking,” December 2, 2022; U.S. Department of State, “Treasury Sanctions Former President of Haiti’s Chamber of Deputies,” April 5, 2023; U.S. Department of State, Antony J. Blinken, Secretary of State, “Designation of Haitian Senate President, Joseph Lambert, for Involvement in Significant Corruption and a Gross Violation of Human Rights,” December 4, 2022; U.S. Department of State, “Combating Global Corruption and Human Rights Abuses,” December 9, 2022; The State Department, Antony J. Blinken, Secretary of State, “Designation of Laurent Salvador Lamothe—Former Haitian Prime Minister and Minister of Planning and External Cooperation—for Involvement in Significant Corruption,” June 2, 2023.

⁹⁵ U.S. Department of the Treasury, *Treasury 2021 Sanctions Review*, October 2021.

⁹⁶ Government of Canada, “Sanctions: Grave Breach of International Peace and Security in Haiti,” updated December 19, 2022, at <https://www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=eng>; Jacqueline Charles and Michael Wilner, “Canada Sanctions Former Haiti President Michel Martelly, Two Former Prime Ministers,” *Miami Herald*, November 21, 2022.

⁹⁷ U.N. Security Council, “Security Council Committee Established Pursuant to Resolution 2653 (2022) Concerning Haiti,” at <https://www.un.org/securitycouncil/sanctions/2653>.

Rights Accountability Act (Title XII, Subtitle F of P.L. 114-328), or any other legal provision. The President could waive those sanctions requirements if the President certifies that said waiver is in the U.S. national interest or is necessary for the delivery of humanitarian or related assistance.

U.S. Department of Justice Cooperation

The U.S. Department of Justice (DOJ) has obtained one indictment in the Moïse assassination, assisted Haitian officials investigating the assassination, and pursued cases involving those complicit in arms trafficking, gang violence, and drug trafficking in and through Haiti. In November 2022, DOJ indicted seven leaders of five Haitian gangs, including additional individuals involved in kidnappings of U.S. missionaries that took place in 2021.⁹⁸ DHS has established a vetted Transnational Criminal Investigative Unit within the HNP to work with U.S. prosecutors on cases affecting both countries, including the trafficking of arms, drugs, and people.

Weapons and Drug Trafficking

In March 2023, the U.N. Office on Drugs and Crime issued a report on how illicit drug and weapons trafficking have exacerbated gang-related violence in Haiti. The report includes recommendations for national, regional, and international responses to address illicit trafficking, strengthen port security, reinforce the capabilities of the HNP, and promote stability in Haiti.⁹⁹

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

U.S. agencies have taken some steps to combat illicit trafficking to Haiti. In August 2022, the U.S. Department of Homeland Security (DHS) Homeland Security Investigations office in Miami, FL, announced new initiatives to counter reported spikes in arms trafficking to Haiti.¹⁰⁰ In December 2022, the State Department sanctioned Rommel Bell, former customs director in Haiti, for corruption after Haiti's anticorruption unit launched an investigation into Bell's alleged participation in arms trafficking.¹⁰¹ U.S. law enforcement agencies are also supporting a new CARICOM Crime Gun Intelligence Unit in Trinidad that is to investigate regional arms trafficking cases alongside national officials.¹⁰²

Migration Issues

Stemming irregular migration to the United States continues to be a high priority for U.S. policy and Congress. U.S. government apprehensions of Haitian migrants have risen notably, both at sea

⁹⁸ U.S. Department of Justice, "Criminal Charges Unsealed Against Gang Leaders for Kidnappings of U.S. Citizens," November 7, 2020.

⁹⁹ U.N. Office on Drugs and Crime, *Haiti's Criminal Markets: Mapping Trends in Firearms and Drug Trafficking*, March 2023.

¹⁰⁰ U.S. Department of Homeland Security, "Homeland Security Investigations (HSI) Announces Crackdown on Firearms, Ammunition Smuggling to Haiti, the Caribbean," August 19, 2022.

¹⁰¹ U.S. Department of State, "Combating Global Corruption and Human Rights Abuses," December 2, 2022; Jacqueline Charles, "U.S. Sanctions More Haitians, Including the Relatives of People Accused of Corruption," *Miami Herald*, December 11, 2022.

¹⁰² U.S. Embassy in Trinidad and Tobago, "Launch of CARICOM Crime Gun Intelligence Unit (CCGIU)," November 17, 2022, <https://tt.usembassy.gov/launch-of-caricom-crime-gun-intelligence-unit-ccgiu/>.

and on the U.S. Southwest border. During the first nine months of FY2023, U.S. Customs and Border Protection (CBP) encountered 105,369 Haitians, up from 56,596 Haitians encountered in all of FY2022.¹⁰³ Some of those Haitians had resided in third countries (particularly Brazil and Chile) since the 2010 earthquake and had few ties to Haiti.¹⁰⁴ From October 2022 to mid-July 2023, U.S. Coast Guard-reported interdictions and/or encounters of Haitian migrants totaled roughly 5,100.¹⁰⁵

On January 5, 2023, DHS announced the expansion of a set of new immigration policies to Haitians, Nicaraguans, and Cubans, which started in October 2022 for Venezuelans.¹⁰⁶ Haitians who have a U.S. sponsor can apply for immigration parole and fly directly into the United States after U.S. vetting. In April 2023, DHS added another requirement for participation in the program making any Haitian interdicted at sea after April 27 ineligible for the parole program.¹⁰⁷ As of June 2023, some 63,000 Haitians had been vetted, and 50,000 had arrived in the United States under the program, with demand far outpacing the program's 30,000 aggregate monthly cap for parolees accepted from all four countries.¹⁰⁸

In contrast, Haitians apprehended crossing the U.S. Southwest border between ports of entry were subject to the public health-related Title 42 policy until it ended on May 11, 2023.¹⁰⁹ Title 42 allowed DHS to expel migrants back to Mexico (in coordination with the government of Mexico). Following the end of Title 42, some Haitians encountered by DHS have been deemed ineligible for asylum, deported to Mexico under Title 8 expedited removal procedures, and banned from reentry for at least five years.¹¹⁰

The United States also has taken steps to provide other legal migration and protection pathways for some Haitians. Some 155,000 Haitians may be eligible for relief from removal under the Temporary Protected Status (TPS) designation announced in May 2021, and an estimated 105,100 additional Haitians are eligible under the extension announced in December 2022.¹¹¹ In August 2023, the Biden Administration announced a modernized Haitian Family Reunification Parole Program. As in the past, the program will allow certain U.S. citizens and legal permanent residents to seek parole for family members in Haiti (or other countries); most of the process can now be completed online.¹¹²

¹⁰³ U.S. Customs and Border Protection, "Nationwide Encounters," <https://www.cbp.gov/newsroom/stats/nationwide-encounters>.

¹⁰⁴ Caitlyn Yates, *Haitian Migration Through the Americas: A Decade in the Making*, Migration Information Source, September 30, 2021.

¹⁰⁵ United States Coast Guard News, "Coast Guard Repatriates 143 People to Haiti, Cuba," July 18, 2023.

¹⁰⁶ Department of Homeland Security (DHS), "DHS Implements New Processes for Cubans, Haitians, and Nicaraguans and Eliminates Cap for Venezuelans," January 6, 2022.

¹⁰⁷ DHS, "Implementation of a Change to the Parole Process for Haitians," 88 FR 26327 *Federal Register* 26327-26329, April 28, 2023.

¹⁰⁸ DHS, "Fact Sheet: Data from First Six Months of Parole Processes for Cubans, Haitians, Nicaraguans, and Venezuelans Shows That Lawful Pathways Work," July 25, 2023; Camilo Montoya-Galvez, "1.5 Million Apply for U.S. Migrant Sponsorship Program with 30,000 Monthly Cap," *CBS News*, May 22, 2023.

¹⁰⁹ CRS Report R47343, *U.S. Border Patrol Apprehensions and Title 42 Expulsions at the Southwest Border: Fact Sheet*, by Audrey Singer and Sylvia L. Bryan.

¹¹⁰ CRS Insight IN12159, *Post-Title 42: U.S. Foreign Policy Initiatives to Manage Regional Migration*.

¹¹¹ See CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*, by Jill H. Wilson.

¹¹² DHS, "DHS Modernizes Cuban and Haitian Family Reunification Parole Processes," August 10, 2023.

Outlook

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

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