



## 安全理事会

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2023 年 9 月 15 日安全理事会第 2653(2022)号决议所设专家小组给安全理事会主席的信

安全理事会第 2653(2022)号决议所设专家小组成员谨随函转递根据第 2653(2022)号决议第 21(c)段提交的最后报告。

报告于 2023 年 8 月 18 日提交给安全理事会关于海地的第 2653(2022)号决议所设委员会，委员会于 2023 年 9 月 8 日审议了该报告。

专家小组谨请安全理事会成员注意本函及最后报告，并将其作为安理会文件分发为荷。

第 2653(2022)号决议  
所设海地问题  
专家小组



## 海地问题专家小组根据第 2653(2022)号决议提交的最后报告

## 摘要

自安全理事会通过第 2653(2022)号决议以来，海地的安全局势进一步恶化，主要是在西部省和阿蒂博尼特省，武装暴力和侵犯人权行为增加，帮派将控制范围扩大到新的地盘。在提交本报告时，帮派暴力影响到整个太子港。虽然帮派控制并强力影响的都市地区占 80%，但其余 20%的领土也未能幸免于他们的侵入。

由于没有任何民选代表、政治分歧严重、政治过渡进展缓慢，当地的治理仍然非常薄弱，阻碍了当局有效应对当前安全、社会和经济危机的努力。在当前面临的政治挑战和如此不安全的状况下，何时举办期待已久的重大选举仍遥遥无期。

海地的经济继续由一小撮有权势的家族控制，并受它们相互竞争的商业利益和网络所左右，一些政治行为体和政府官员也参与其中。一些经济和政治精英一直威胁着该国的和平、安全与稳定，他们侵吞公共资源，利用帮派和暴力来实现其政治和(或)经济目标，同时破坏法治，让自己逍遥法外。

由于近期不可能举行选举，帮派收入变得多样，并且海地一些知名人士受到单边制裁，各帮派似乎越来越脱离其传统支持者的控制。但是，帮派与某些政治经济精英之间明显勾结关系的一时沉寂并不意味着完全脱钩。

在本报告所述期间，G-Pèp 联盟及其盟友在太子港大力加强合作，并广开财路，特别是通过绑架勒索赎金，从而提高了自身战斗能力。5<sup>e</sup> Segond 的领导人约翰逊·安德烈(别名“伊佐”)在更广泛的 G-Pèp 联盟圈中发挥着越来越有影响力的作用，通过提供人员和武器支持盟友，包括为自己的犯罪目标服务。在提交本报告时，吉米·谢里齐耶(别名“烧烤”)(HTi.001)是唯一根据第 2653(2022)号决议被指认的人，他继续领导对立的 G9 联盟对敌对帮派控制的社区发动大规模血腥攻势，造成许多杀戮、强奸和流离失所。在首都以北的阿蒂博尼特省，帮派暴力也大幅增加，多个帮派继续对民众和警察犯下骇人听闻的罪行。

帮派侵犯人权的暴力程度和残忍程度前所未有，经常无差别地袭击民众，阻碍人道主义援助。性暴力和性别暴力，特别是强奸，在过去两年已成为最可怕的暴力表现形式之一。这样的暴力和不安全不仅破坏政治过渡，而且摧毁了国民经济，威胁到国家的未来，许多儿童无法上学，有技能的人出走他国。

由于过去三年几乎没有人被定罪，以及由此产生的不安全感和有罪不罚的观念，2023 年 4 月发起的“Bwa Kale”暴民正义运动已席卷全国各地。Bwa Kale 运动导致数百名被指控为帮派成员的人遭到残忍处决，现有的自卫团体得到加强，新的自卫团体也不断涌现。

安全和体制上的真空以及薄弱的边境管制为包括贩毒者在内的犯罪分子扩大活动提供了有利环境。海地危机正在对该区域的跨国犯罪活动产生影响，海地境内对非法武器的需求和流通助长了多米尼加共和国和牙买加境内的贩运活动。

贩运武器和弹药是扩大帮派控制和该国极端武装暴力的主要驱动力。帮派和平民对武器和弹药的持续需求，以及它们在海地的高昂价格，导致形成了无数跨国小规模“蚂蚁搬家式交易”网络。各帮派正在发展更先进的武器库，其火力超过了海地国家警察，而海地国家警察是该国唯一仍在运作的安全机构，没有足够的能力打击帮派。安理会第 [2653\(2022\)](#) 号决议规定的定向军火禁运，就其目前的设计而言，始终不起效果，应紧急考虑扩大其范围。

专家小组会见的海地利益攸关方认为，单靠制裁无法遏制该国目前这种程度的武装暴力，应以强有力的国际安全支助予以补充，但与此同时，他们表示希望迅速扩大落实联合国制裁制度。

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## 一. 导言

### A. 任务授权

1. 安全理事会第 2653(2022)号决议建立了一个制裁制度，对被安全理事会第 2653(2022)号决议所设委员会指认负责、共谋或直接或间接参与威胁海地和平、安全和稳定的行动的个人和(或)实体实施旅行禁令、资产冻结和定向军火禁运等制裁。迄今为止，安全理事会通过该决议指认了一人：吉米·谢里齐耶(Jimmy Chérizier)(别名“烧烤”(“Barbeque”))(HTi.001)。
2. 秘书长设立了一个四人专家小组，协助委员会完成该规定任务，包括提供相关信息，用于日后指认从事第 2653(2022)号决议第 15 和 16 段所述活动的个人和实体。此外，安全理事会还请专家小组收集、审查和分析各会员国、相关联合国机构、区域组织和其他有关各方提供的关于决议所定措施执行情况的信息，尤其是与向海地贩运军火的来源和路线所涉事件以及破坏政治过渡事件有关的信息。
3. 专家小组根据第 2653(2022)号决议第 21(c)段向安全理事会提交本报告。

### B. 实况调查团

4. 自任命以来，专家小组对海地进行了四次访问，包括访问太子港(西部省)、海地角(北部省)、和平港(西北部)，以及边境城镇瓦纳明特(东北省)。
5. 访问期间，专家小组会见了海地各机构包括财政部、司法部、国防部、海地国家警察、金融和反腐败部门、海关的代表，以及政治和私营部门、民间社会组织、前帮派成员、生活在帮派控制区的人和其他帮派暴力包括性暴力和性别暴力受害者的代表。此外，专家小组还约谈了在海地工作或处理海地问题的政治、经济和社会问题国内和国际专家以及侨居国外的分析人士。
6. 专家小组还会晤了负责海地问题秘书长特别代表兼联合国海地综合办事处(联海综合办)主任、特别代表办公室各科室、联合国毒品和犯罪问题办公室(毒罪办)等一系列联合国机构以及国家和国际非政府组织及外交使团的代表。
7. 专家小组还前往加拿大、哥伦比亚、多米尼加共和国、法国、墨西哥和美利坚合众国进行实况调查。在所有访问中，专家小组都得到了所会晤的各国家当局的积极支持。此外，专家小组协调员还陪同安全理事会第 2653(2022)号决议所设委员会主席于 2023 年 6 月访问了海地和多米尼加共和国。<sup>1</sup>

### C. 方法

8. 专家小组恪守透明、客观、公正、独立的原则，以专业、注重技术的方式开展了调查。专家小组的工作方法完全符合安全理事会制裁的一般性问题非正

<sup>1</sup> 见 <https://press.un.org/en/2023/sc15374.doc.htm>。

式工作组建议的最佳做法和方法(见 S/2006/997)。专家小组特别重视透明度和使用可靠来源,包括书面证据、独立可核查来源和答辩机会(见附件 1)。

9. 鉴于海地的极端不安全状况,尽管专家小组致力于提高透明度,但在必要时也非常谨慎,不去披露身份识别信息,以保护消息来源。

10. 专家小组向会员国包括委员会若干成员发出了一系列索取信息的请求(见附件 1)。专家小组感谢对专家小组的请求作出回应的会员国,并进一步强调这些信息对支持专家小组的工作至关重要。

## D. 与其他实体的合作

11. 专家小组依照第 2653(2022)号决议,一直与联海综合办和毒罪办开展非常积极的合作,并一直与加勒比共同体(加共体)包括加勒比共同体犯罪和安全问题执行机构接触。专家小组得到联海综合办和禁毒办的大力支持,包括获准进入若干入境口岸,对此专家小组深表感谢。专家小组对海地政府各部和各部门继续给予合作表示欢迎。

## 二. 政治、安全 and 经济背景

### A. 政治过渡

12. 2021 年 7 月莫伊兹总统遇刺,使该国进一步陷入本已不断恶化的政治和安全危机。深刻的政治分歧和激烈的竞争阻碍了政治过渡。随着该国前一批参议员任期于 2023 年 1 月届满,不再有民选官员任职,导致治理非常薄弱。自 2016 年以来,该国没有举行过总统、立法机构或市政选举。

13. 在本报告所述期间(2022 年 10 月至 2023 年 8 月),实现政治过渡的努力取得了进展,总理和一系列政治行为体以及民间社会、宗教团体及私营部门的代表于 2022 年 12 月 21 日签署了《包容性过渡和透明选举全国共识》,也称“12 月 21 日协定”。虽然部分政界和民间社会人士质疑总理的正当性和合法性并拒绝加入《协定》,但它仍然是迄今凝聚最多共识的努力结果。《协定》包括了拟在 2023 年组织全国选举和 2024 年 2 月前组建新政府的若干步骤,以及关于修订《宪法》的各项条款。

14. 虽然《协定》的执行仍然缓慢,拟议的时限也似乎不切实际,但已取得两项重大进展。第一项进展是成立了高级过渡委员会,负责确定过渡的战略方向并协调政治对话。第二项进展是恢复了最高上诉法院,负责组织选举的临时选举委员会的未来成员将在该法院宣誓就职。

15. 最近为扩大政治共识作出了努力,包括高级过渡委员会在 5 月组织了一个政治论坛,以及加共体推动了对话。2023 年 6 月,加共体在金斯敦组织了磋商,总理以及海地政治和民间社会利益攸关方参加了磋商,其中包括来自反对派的利益攸关方,如海地光头党和海地人解决危机委员会(又称“蒙大拿专家小组”)

监督局。在磋商期间，总理重申愿意扩大全国共识，并通过扩大过渡委员会、启动宪法审查和组建民族团结政府，推动举行选举。<sup>2</sup>

16. 虽然对话努力对恢复该国的安全和民主体制至关重要，但许多海地和国际观察员对该国主要政治行为体缺乏妥协意愿感到痛惜。此外，尽管为确定临时选举委员会的架构作出了努力，但民间社会的一些群体拒绝参与这一进程，认为鉴于目前的不安全状况，举行选举是不现实的。

## B. 安全形势

### 1. 安全环境

17. 自第 2653(2022)号决议通过以来，海地的安全局势进一步恶化，主要是在西部省和阿蒂博尼特省，武装暴力事件增加，帮派将控制范围扩大到新的地盘。如今，帮派控制和影响着太子港都会区 80%的地区(见第 45-50 段)。

18. 帮派变得更加强大、富有、武装更加精良、更加自主。在过去三年中，帮派的收入来源进一步多样化，特别是为此进行的绑架案增多(见第三.A.3 节)。此外，他们还购置了大量半自动步枪，从而建成了更先进、更致命的武器库，使其火力超过了警察(见第 45-50 段)。

19. 帮派侵犯人权的暴力程度和残忍程度是前所未有的(见第三.C 节)。这样的暴力和不安全不仅破坏政治过渡，而且摧毁了国民经济(见下文第 42-44 段)，威胁到国家的未来，许多儿童无法上学，有技能的人出走他国。安全和体制真空也为犯罪分子包括跨国犯罪网络扩大其活动提供了独特的机会(见第三.B 节)。

20. 普遍的有罪不罚感、司法系统薄弱、警察应对能力有限，导致自卫团体激增，这是一个真正令人关切的问题。自卫团体只是给本就复杂的局势增加了更多的武装行为体，<sup>3</sup> 犯下侵犯人权的行为，而且往往本身也发展成帮派(见第 56-60 段)。2023 年 4 月以来，一场暴民正义运动在全国蔓延。在所谓的 Bwa Kale 运动<sup>4</sup> 中，数百名据称是或被误认为是帮派成员的人被民团成员以骇人听闻的方式处决(见附件 15)。为了报复，一些帮派一直在袭击民众。

21. 专家小组会见的绝大多数海地对话者都对该国日益恶化的局势表示强烈关切，因为政府没有足够的手段来解决这一问题，他们主张建立一支国际专门部队，以支持警察打击帮派暴力。

### 2. 执法

22. 海地国家警察是海地唯一的执法机构，也是该国最后一批仍在运作的机构之一。专家小组会见了警察领导人和几个警察部门的成员，尽管面临挑战，但

<sup>2</sup> 见 <https://caricom.org/statement-from-the-meeting-of-the-caricom-eminant-persons-group-with-haitian-stakeholders-in-kingston-jamaica/>。

<sup>3</sup> 虽然大多数自卫团体使用钝器，但有些团体配备了火器，有时是帮派或其他行为体提供的。

<sup>4</sup> Bwa Kale 是克里奥尔语，大意为“剥了皮的木头”。



他们都非常愿意合作。警察预算有限，人员严重不足，缺乏应对当地复杂局面的装备和训练，也没有能力收复被帮派占领的地区(见第 182(f)段)。

23. 尽管总理在 2023 年 3 月呼吁支持国家武装部队，但警察仍然是抵御武装团伙的唯一防线。海地武装部队于 1995 年解散，后由莫伊兹总统重新组建，但几乎没有什么国防和安全行动能力。

24. 现役警察的确切人数很难准确确定。截至 2023 年 6 月 30 日，官方数据显示警察人数为 14 087 人；然而，这一数字包括了海岸警卫队和消防队，并未反映最近弃岗、出国或被派往近身保护部门的大量警官。考虑到这一点，全国可 12 小时轮班的警察人数可能接近 4 000 人左右，这在任何情况下都是非常低的数字，但在海地就更是如此。<sup>5</sup>

25. 警察经常成为帮派的袭击目标。2023 年 1 月至 2023 年 8 月中旬，有 36 名警察在与帮派有关的暴力事件中丧生。<sup>6</sup>在内部，警察部队面临着一系列挑战，包括腐败、侵犯人权的指控(见第 163-167 段)以及警察与帮派勾结。

26. 联合国和国际伙伴设立了安全篮子基金，作为向警察提供支助的框架。虽然该基金是通过提供培训和装备加强警察能力的关键，但不太可能在中短期内解决人员不足的问题。

### 3. 司法系统

27. 海地司法系统长期以来一直受到政治化和根深蒂固的腐败之害，并受到历届政府的有意削弱。因此，该系统现在几乎无法运作。起诉率和定罪率极低也导致监狱生活条件恶劣，人满为患，牢房占用率高达 332%。截至 2023 年 8 月，全国 11 816 名<sup>7</sup>囚犯中只有 1 892 人被定罪。

28. 检察官(政府专员)由行政部门任命，可随时免职，这往往导致缺乏独立性，政治和经济行为体对该系统的影响很大。由于贿赂、威胁或通过以权谋私进行恐吓，被指控的罪犯经常不经审判就获释，或调查陷入僵局，从而进一步助长了有罪不罚的观念。<sup>8</sup>

29. 司法建筑和行为体经常成为以破坏法治为目的的强大行为者的目标。一些关键设施被利用帮派和抗议活动冲击、占领、洗劫或破坏，这对法律程序产生了严重的负面影响，并导致关键档案和证据遭破坏或盗窃。太子港初审法院于 2022 年被洗劫一空，目前仍在 5<sup>e</sup> Segond 帮的控制之下。同样，戈纳伊夫的法院也于 2022 年 10 月遭人纵火。

<sup>5</sup> 这一比率远低于每 1 000 名居民 1 名警察，而联合国建议的比率为每 1 000 名居民 2.2 名警察。见 [S/2022/747](#)。

<sup>6</sup> 海地国家警察/联合国警察，2023 年。

<sup>7</sup> 同上。这一数字含 288 名妇女、240 名未成年男童和 11 名未成年女童。

<sup>8</sup> 2022 年 8 月 27 日发布在海地国家警察官方脸书页面上的信息。

30. 自 2000 年代初成立以来，两个专门的政府反腐败部门——金融情报中心和反贪局，已向法院移交了 140 多起案件。迄今只有一人被定罪。<sup>9</sup> 2023 年 6 月，经过调查，一名法官将前参议员 Youri Latortue 移交刑事法院审理，罪名是挪用公款。

31. 关于性暴力和性别暴力，尽管受害者人数众多，但在过去两年中没有提出起诉，也没有人被定罪(见第 129-136 段)。

32. 不安全和威胁一直阻碍着全国各地许多法官的工作，特别是那些起诉涉及到强大政治和经济行为体的关键案件的法官。2023 年 5 月，一名正在审理主要腐败案件的法官的车辆遭到多次枪击(该法官未受伤)。极端危险的环境和缺乏对法官的人身保护，使司法人员难以开展有意义的工作，也难以推动对敏感档案的起诉(见第 182(g)和(i)段)。在前总统莫伊兹被暗杀两年后，尽管逮捕了 40 多名嫌疑人，包括有几人在美国被定罪，但海地的调查没有取得什么明显进展。

33. 一个运作良好的司法系统对于解决帮派暴力和恢复法治，包括瓦解那些通过资助帮派、煽动示威和封锁或挪用公共资金威胁海地稳定的行为体，至关重要。此外，这种情况对海地系统内警察等其他行为体的士气产生了消极影响，许多警察因很少能成功起诉而灰心丧气。

34. 2022 年 11 月，前司法部长因受到一个会员国的制裁而辞职，此后，新的领导层正在努力建设廉政，并对司法人员实行业绩控制。2023 年 1 月至 7 月，最高司法委员会审查了 91 名法官，其中 32 人没有获得认证，<sup>10</sup> 主要原因是担心他们有廉正问题或恐吓勒索诉讼当事人。有鉴于此，目前正在更认真地调查涉嫌参与腐败和犯罪活动包括武器贩运的几起引人注目的案件。

#### 4. 区域影响

35. 海地局势的恶化对该区域的会员国产生了影响。多米尼加共和国、墨西哥和美国当局向专家小组通报了与移民现象及毒品和武器贩运有关的挑战。

36. 该区域的武器和毒品贩运导致一些加勒比国家的武装暴力和不安全程度很高。<sup>11</sup> 海地危机正在进一步影响该区域的跨国犯罪活动，海地境内对非法武器的需求和流通助长了区域贩运活动(见第 45-50 段)。

37. 在多米尼加共和国，当局最近逮捕了几名海地帮派成员，并挫败了跨界犯罪活动，包括武器贩运。不过，海地人在多米尼加共和国的待遇，特别是那些非正常身份的海地人的待遇，一直是地方、区域和国际人权组织极为关切的问题。

38. 在过去三年中，墨西哥已成为海地人试图抵达美国的旅途中的重要目的地，导致海地人成为在墨西哥寻求难民地位的前三大来源国之一。虽然墨西哥最近

<sup>9</sup> 与司法系统专家和海地反腐败机构代表的访谈(2023 年 4 月)。

<sup>10</sup> 资料来源：最高司法委员会(2023 年)，以及认证和非认证治安法官(2023 年 7 月 19 日)。

<sup>11</sup> 如见 A.S. Fabre et al., *Weapons Compass: The Caribbean Firearms Study* (CARICOM IMPACS and Small Arms Survey, 2023 年 4 月)。

积极主动地对海地人实施了一项不驱回政策，但仍然需要对移民以及寻求庇护者和难民采取全面的人权办法(见第 182(c)段)。

### C. 单方面制裁和措施

39. 一些海地国民最近成为单边制裁、包括旅行禁令和资产冻结的对象。迄今为止，加拿大已对 25 人实施制裁，<sup>12</sup> 美国则已对 9 名海地国民实施制裁，并拒绝或吊销了更多海地国民的签证。<sup>13</sup> 此外，还有 52 名海地人被禁止进入多米尼加共和国。<sup>14</sup> 虽然专家小组重申独立于这些国家进程，但这些进程对海地局势的影响令人关注。

40. 虽然专家小组会见的海地和国际利益攸关方认为，单靠国际制裁无法遏制该国目前的武装暴力程度，但许多人承认，单方面制裁和联合国制裁都产生了一些相对影响，最明显的是改变了行为，特别是一些政治和金融行为体的行为。

41. 大多数海地对话者表示希望能迅速制定和执行联合国制裁制度。

### D. 经济状况

42. 2023 年，海地的总体经济表现继续下滑，由于政治动荡、不安全、体制和社会经济危机以及自然灾害，约 59% 的人口处于极端贫困中，很难获得基本服务。<sup>15</sup> 随着国家粮食产量减少，进口值不断增加。<sup>16</sup> 如今，进口占正规经济商品销售的 70% 左右。2022 年，国内生产总值连续第四年再次萎缩，这次收缩幅度为 1.5%，而通胀率达 38.7%。相应地，粮食价格上涨最高达 44%，与此同时粮食进口增加，并且帮派暴力和一些经济行为体不时造成燃料等基本供应中断(见第 69-81 段)。<sup>17</sup>

43. 该国公共财政治理和司法系统固有的体制弱点，如缺乏问责制，使犯罪网络更加胆大妄为，挪用本应用于海地经济稳定的公共资金。造成经济疲软和国家不稳定的一些体制因素包括：

(a) 挪用、贪污公款。由于本应用于发展的公共资金(例如 2010 年地震后用于应急和重建的公共资金)遭到挪用，国家经济受到影响；专家小组记录了“石

<sup>12</sup> 见 [www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/haïti.aspx?lang=eng](http://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/haïti.aspx?lang=eng)。

<sup>13</sup> 见 <https://sanctionssearch.ofac.treas.gov/>；和 [www.state.gov/actions-to-impose-visa-restrictions-on-haitians-involved-in-street-gangs-and-other-haitian-criminal-organizations/](https://www.state.gov/actions-to-impose-visa-restrictions-on-haitians-involved-in-street-gangs-and-other-haitian-criminal-organizations/)。

<sup>14</sup> 见 <https://presidencia.gob.do/noticias/presidente-abinader-instruye-al-director-de-migracion-impedir-entrada-al-pais-extranjeros>。

<sup>15</sup> 见 <https://www.unicef.org/media/132191/file/2023-HAC-Haiti.pdf>。

<sup>16</sup> 见 <https://tradingeconomics.com/haïti/imports>。

<sup>17</sup> 与一位著名的政府经济学家和一位前海地商会成员的访谈。另见 <https://www.tresor.economie.gouv.fr/Pays/HT/indicateurs-et-conjoncture>。

油加勒比计划”贷款案，以说明如此大规模的非正常挪用资金行为如何继续对该国的和平与安全产生负面影响；

(b) **逃税。**对于大多数商品来说海地几乎都是净进口国，因此谁控制了海港，谁就控制了该国的各种供应链。进口行业由家族企业集团控制，这些企业集团对一些海关官员的任命和行动有影响。同样，海港的集装箱码头也是由这些家族拥有和经营的，国家当局几乎没有监督。少数行为体对商业部门的寡头垄断助长了通过少申报、错贴商品标签和欺诈性免税等渎职行为逃税的现象，造成了国家税收的流失。虽然海关部门在最近一个财政年度的税收有所增加(见附件 27)，但逃税仍然是一个挑战；

(c) **帮派、政客和经济精英之间的联系。**海地历来有经济行为体利用帮派保护自己的企业和破坏竞争对手的情况，而政治精英则资助帮派来拉拢选民支持自己并控制选区。在过去两年中，帮派发展了为自己的活动自主筹资的手段(见第 69-81 段)。他们进行抢劫、绑架居民、劫持卡车勒索赎金、拦路打劫。

44. 根据 2022 年清廉指数，海地在 180 个国家中排名第 171 位，比上一次的第 164 位有所下降。<sup>18</sup> 金融管理不善导致全球金融行动特别工作组在 2021 年将海地置于加强监测之下，原因是其未能遵守反洗钱标准。<sup>19</sup> 2023 年 5 月通过的反洗钱/打击资助恐怖主义法令，以及国际货币基金组织于 2022 年 12 月批准该国首个工作人员实施监测方案，<sup>20</sup> 是打击金融管理不善的重要步骤，尽管尚未得到切实执行。

### 三. 用于日后指认可能直接或间接参与威胁海地和平、安全或稳定的行动的个人或实体的相关信息

#### A. 海地帮派<sup>21</sup>

##### 1. 帮派分布

45. 自弗朗索瓦·杜瓦利埃执政以来(见附件 2)，特别是自米歇尔·马尔泰利担任总统以来，帮派一直被用来破坏政治进程，恐吓反对派和普通民众，获取选票和经济利益(见第 69-81 段)。从 2018 年起，帮派进一步激增(见附件 3)，成为政治和商业精英以及高级政府官员压制民众动员的工具（例如应对有争议的事

<sup>18</sup> 见 <https://tradingeconomics.com/haiti/corruption-rank>。

<sup>19</sup> 见 <https://www.fatf-gafi.org/en/publications/high-risk-and-other-monitored-jurisdictions/documents/increased-monitoring-june-2021.html#Haiti>。

<sup>20</sup> 见 <https://www.elibrary.imf.org/view/journals/002/2023/048/article-A001-en.xml>。

<sup>21</sup> 本节主要是基于 2023 年 2 月至 7 月与国际和国家研究人员、帮派和政治分析人员、前任和现任政府代表、生活在帮派控制区的个人、警察和分析人员以及国际执法人员进行的交流以及海地国家警察官方脸书页面上发布的信息编写的。

件，如石油加勒比丑闻)，进行屠杀(例如拉萨林屠杀)，<sup>22</sup> 瘫痪社会和经济活动(“全国封锁”，见第 72 段)。

46. 帮派越来越多地通过多个联盟联起手来，对大片地区施加控制。虽然据估计，海地各地目前约有 200 个帮派在活动，但专家小组认为，并非每个海地的团伙都是帮派。提供精确数字是个难题，其中一点是因为要界定什么确实构成一个帮派而不是从事自卫或轻微犯罪活动的“巴兹”(基地)较为复杂。<sup>23</sup> 在海地，帮派是指有组织结构(如指挥系统和战略职能——见附件 6)的一群人组成的团体，这些团体使用更先进的火器，利用武装暴力控制和影响居民区，并从事非法活动，如非法贩运火器或毒品、敲诈勒索、绑架、谋杀、性暴力、劫持卡车。<sup>24</sup>

47. 约有 23 个主要帮派在太子港都会区(西部省)围绕两个主要联盟活动(见附件 4)。“烧烤”(HTi.001)领导的所谓“G9 家族和盟友”和加布里埃尔·让·皮埃尔(别名“蒂·加布里埃尔”)领导的 G-Pèp(见附件 5)。除此之外，还有一系列其他独立帮派伺机结盟，既有彼此之间的结盟，也有与 G9 和 G-Pèp 的结盟(见附件 6)。

48. 整个太子港都会区都不同程度地受到帮派活动的影响。帮派在自己的据点行使直接控制和专属权力(控制区)。他们威胁和勒索自己社区的成员，敲诈企业，设立由区头目指挥的小分队，并安装保护墙，称为“VAR”(见附件 7)。帮派还对其据点周围的地区(势力范围)施加影响。虽然这些地区的控制较为松散，但只有该帮派和与之有协议的人才能进入。直接控制区和势力范围约占太子港都会区的 80%。其余 20% 的地区受到帮派的侵扰，他们企图在这些地区进行绑架、抢劫、谋杀和其他犯罪活动(见下图)。

<sup>22</sup> 国家调查表明，包括太子港前市长、内政部一名前司长和总统安全部队一名前协调员在内的三名前政府官员，与吉米·谢里齐耶(HTi.001)及其他帮派成员勾结，参与了 2018 年 11 月 13 日至 19 日发生的拉萨林大屠杀(机密报告，2019 年——专家小组档案)。其中两人还因参与拉萨林大屠杀而受到美国财政部外国资产管制处的制裁。见 <https://home.treasury.gov/news/press-releases/jy0768>。

<sup>23</sup> “巴兹”(基地)是地方社交聚会的场所，人们可以在那里进行政治讨论，促进文化活动和发项目，也可以组织武装团体，从事从犯罪到保卫所在地区的各种活动。帮派是巴兹最恶的一面，由一群专门从事犯罪活动的人组成，有一块需要保卫的地盘。见 Pedro Braum Azevedo da Silveira, “Rat pa kaka: politics, development, and violence in the heart of Port-au-Prince”，社会人类学博士论文，里约热内卢联邦大学，2014 年 3 月(可查阅 <https://anthrosource.onlinelibrary.wiley.com/doi/am-pdf/10.1111/aman.13344>)。

<sup>24</sup> 一些分析人士从人数(约 15 名成员)、组织结构和非法活动类型等角度将武装团伙与其他犯罪团伙区分开来。因此，较为复杂的帮派，如 G9 和 G-Pèp，与地理上孤立的、主要由少数年轻人组成的武装抢劫和盗窃团伙不同。



截至 2023 年 7 月太子港的帮派控制区和势力范围



资料来源：联合国数据，2023 年

49. 阿蒂博尼特省是该国粮食供应的关键，也是帮派暴力的第二大热点(见附件 9)，其中许多暴力活动也深深植根于土地冲突和政治(见第 69-81 段)。其中最活跃的帮派 Gran Grif (又称 Savien 帮)，自 2022 年以来控制区和势力范围呈指数级扩大。为了对抗 Gran Grif，Jean Denis 地区的居民成立了拯救阿蒂博尼特革命联盟(称为 Jean Denis 联盟)，该联盟被认为是一个帮派，而不是一个自卫团体。<sup>25</sup> Kokorat San Ras 尽管人数有限，但也是在该省活动的一个非常残暴的帮派(见附件 10)。

50. 虽然其他省份的犯罪率相对较低，但也不能幸免于帮派的影响。以太子港为基地的一些帮派有战略行动分支，可以为犯罪目的而启用。据报告，该国其他地区，包括莱凯、米拉戈安、小尼普河、小戈阿夫、海地角、马里戈和和平港也有犯罪帮派。

2. 本报告所述期间帮派态势

2.1 G9 和 G-Pèp 之间的争斗

51. 自 2022 年 9 月中旬该国主要燃料码头(Varreux)被封锁以来，“烧烤”领导 G9 联盟在太子港地区对竞争对手展开了新一轮暴力活动。

52. 2023 年 2 月 27 日至 3 月 3 日，“烧烤”领导的 G9 各帮派(Krache Dife、拉萨林、Wharf Jérémie、东京、Belekou)与 Kempes Sanon 领导的“阿根廷人”帮(G-Pèp)在贝莱尔和索利诺街区发生冲突。而“阿根廷人”则得到了他们的 G-Pèp 联

<sup>25</sup> Jean Denis 联盟经常袭击阿蒂博尼特省 Savien 的民众，杀害居民，焚烧财产。

盟盟友 5 Segond 和布鲁克林帮的支持。<sup>26</sup> G9 的进攻是为了报复“阿根廷人”在索利诺地区设立一个地方小分队管理该地区的行动，包括德尔马斯地区的多起绑架事件。冲突导致一些平民被打死，平民流离失所，房屋被毁(见第 147-154 段)。2023 年 8 月 17 日，Kempes 对索利诺的居民发动了报复性袭击。

53. 2023 年 4 月 7 日，Belekou 帮的几名成员在敌对的布鲁克林帮(G-Pèp)的狙击手袭击中被枪杀。在第二天的报复行动中，Jonel Catel (被监禁但仍领导着该帮)领导的 Terre Noire 使用狙击手向布鲁克林居民射击，这些居民在 G9 帮派的围困下，利用北面的一条通道离开该街区，对面就是 Terre Noire 的地盘。袭击导致 72 名布鲁克林居民被打死，52 人受伤，19 名妇女(包括未成年人)被 Terre Noire 帮成员强奸。<sup>27</sup>

54. G-Pèp 及其盟友(5 Segond、Kraze Barye、Grand Ravine、Canaan 和 400 Mawozo)加强了合作，使其战斗和犯罪能力大大增强。按照这一安排，5 Segond 的领导人约翰逊·安德烈(别名“伊佐”)(见附件 11)发挥着越来越大的影响力。在大量资源、强大的犯罪网络和扩张野心的支撑下，伊佐与其盟友一道，从太子港的南方通道至北方通道，一直到阿蒂博尼特省，发挥着相当大的影响(见附件 17)。另外值得强调的是，负责行动的 5 Segond 的另一名领导人 Emmanuel Salomon (别名“Manno” )所起的作用(见附件 11)。

55. 太子港都会区最近的一项事态发展是，一名牧师在 2023 年 7 月促成了 G9 的“烧烤”、Iskar Andrice 和 Mathias Sainthil 与 G-Pèp 的蒂·加布里埃尔之间的“和平保证”(见附件 12)。帮派领导人承诺“努力结束暴力，为所有人带来和平”。虽然贝莱尔和下德尔马斯的居民在逃离帮派冲突后得以返回该地区，一些路障也被拆除，但普通民众仍然怀疑这项保证的持久效果。各街区仍在帮派的控制之下，他们并没有放下武器，签署这一“保证”的真正动机仍然不明。<sup>28</sup>

## 2.2 Bwa Kale 运动和自卫团体的加强

56. 自 2023 年 4 月下旬以来，帮派及相关暴力的态势发生了新的转折，其导火索是 Bwa Kale，Bwa Kale 是一场暴民正义运动，截至 2023 年 7 月，在全国各地已杀死 479 名据称的帮派成员。<sup>29</sup> 引发这一现象的原因是，在警察采取瓦解 Ti-Makak 帮(在太子港佩蒂翁维尔高地 Laboule 活动的帮派)行动的同时，进行了民众动员。

<sup>26</sup> 机密报告，2023 年。

<sup>27</sup> 联合国数据。

<sup>28</sup> 根据帮派分析人士、联合国分析员、人道主义者和一名生活在帮派控制区的人提供的信息，2023 年。

<sup>29</sup> 联合国数据。

57. 在 2023 年 4 月 14 日 Carlo Petit-Homme (别名“Ti-Makak”)被杀(见附件 13)之后,该帮派其余 14 名成员<sup>30</sup>于 2023 年 4 月 24 日在 Canapé Vert 居民区被警察逮捕,当时他们正试图逃往 Village de Dieu 增援 5 Segond 帮和 Grand Ravine 帮。不久,愤怒的人群从警察手中抓走了这些人,对他们处以私刑并将他们活活烧死。自那时以来,对帮派成员和与匪徒有关联的人处以私刑的做法已蔓延到全国各省(见附件 14 和 15)。处决的浪潮也使那些与帮派无关的人陷入困境。

58. 虽然 Bwa Kale 没有公开宣布的领导人,但社交和主流媒体的信息鼓励民众追捕帮派成员,激发了这一运动。本已在一些街区活动的自卫团体利用 Bwa Kale 在各自社区主张自己的权力,并将其影响扩大到其他地区。<sup>31</sup> 自卫团体得到当地企业家以及一些海地侨民的资金支持,以保护社区。一些团体甚至按月收取住宅保护费。<sup>32</sup> 在其他地区,居民已开始组织起来,通过设置路障和在夜间关闭道路,防止帮派进入居民区(见附件 16)。

59. 随着 Bwa Kale 运动的兴起,在民众中流通的武器数量增加。被处私刑的帮派成员的大部分枪支都没有交给警方。2023 年 4 月 24 日至 27 日期间,尽管约有 150 名所谓的帮派成员被杀,但警方只缴获了 5 支步枪和 3 支手枪,以及一些弹匣和子弹。<sup>33</sup>

60. 此外,一些自卫团体还得益于帮派的支持,帮派以此作为对抗对手的一种方式。克鲁瓦-德布凯的 CASEC Belizaire 旅在与 400 Mawozo 帮的战斗中得到了 Chyen Mechan 帮的支持。作为 Bwa Kale 运动的一部分,Onaville 的居民也请求 Chyen Mechan 帮帮助将 Canaan 帮成员驱逐出当地。<sup>34</sup> 值得注意的是,Base Pilate 和 Ti Bois 等帮派最初是自卫团体。专家小组认为,通过 Bwa Kale 和武装自卫团体提供非正式安保的情况激增,并且一些警察也提供支持,有可能使该国陷入暴力的恶性循环。自卫团体越来越可能进一步破坏该国本已严峻的安全形势。

## 2.3 G-Pèp 联盟的动态

61. 2023 年 5 月 3 日,Bwa Kale 开始一周多后,5 Segond 的领导人伊佐发布了一段视频,发起 Zam Pale,<sup>35</sup>这是一场针对暴乱民众的报复运动。Ti Lapli 和 Vitelhomme 也在社交媒体上谴责 Bwa Kale,称其为警方支持的运动,目的是攻

<sup>30</sup> 在 Ti-Makak 被他自己帮派的一名成员暗杀后,该帮派的 57 名成员因共谋和玩忽职守而被处决。另有 35 人于 2023 年 4 月 22 日和 23 日被警方击毙。

<sup>31</sup> 从 2022 年底到 2023 年年中,自卫团体成倍增加,克鲁瓦-德布凯、塔巴尔、佩蒂翁维尔、大湾、德尔马斯、太子港、阿蒂博尼特和卡巴雷都有新的团体成立。机密文件,2023 年。

<sup>32</sup> 一位本国帮派分析人士提供的信息,2023 年。

<sup>33</sup> 机密报告,2023 年。

<sup>34</sup> 机密报告,2023 年。

<sup>35</sup> Zam Pale 在海地克里奥尔语中的意思是“说话的武器”。



击他们所称的无辜者。其他 G-Pèp 盟友响应了伊佐的号召，鼓励成员拿起武器发动报复。<sup>36</sup>

62. 虽然确实实施了报复性袭击，但 Zam Pale 并没有达到 G-Pèp 承诺的程度。Bwa Kale 运动显然对该联盟的行动能力产生了负面影响。此外，在 Bwa Kale 运动之后，由于害怕私刑，<sup>37</sup> 加上警察在 5 Segond 的据点 Village de Dieu 街区采取行动，该帮派联盟招募新成员的工作遭受挫折。<sup>38</sup>

63. 警方在这一控制区应对帮派活动的的能力受到阻碍。帮派控制道路，包括设置隐蔽的陷阱，他们不仅全副武装(见附件 32)、训练有素，<sup>39</sup> 而且知道如何使用武器，展示战斗技巧，并在街区中开展战略行动。他们中有前警察和军官以及被从美国驱逐出境者(见附件 4)。

64. 由于警方对其据点的压力增加，伊佐利用海上路线为其帮派的北部小分队以及 Canaan 帮提供支持，并从那里发起战略行动，在德尔马斯、Bon Repos 和 Lilavois 地区进行绑架，劫持卡车，盗窃货物。<sup>40</sup> 与此同时，他还实施海盗行为(见附件 17)。2023 年 4 月 18 日至 6 月 23 日期间，5 Segond 帮派发动了四次袭击，绑架了 30 多人。<sup>41</sup> 有几个消息来源还报告说，伊佐参与了贩毒活动(见第 113-123 段)。

65. Grand Ravine 帮头目和伊佐的主要盟友 Renel Destina (别名“Ti Lapli”)(见附件 18)继续在自己所在区进行绑架活动，<sup>42</sup> 并劫持途经马尔蒂桑地区的卡车和车辆进行勒索(见附件 23)。此外，Grand Ravine 帮不惜一切代价控制 Carrefour-Feuilles 区，对居民犯下许多暴行，如杀人、抢劫、强奸、抢掠和焚烧住宅，并不断袭击警察。2023 年 8 月 4 日和 14 日，两名警察被杀。8 月 14 日，Grand Ravine 袭击了海地在该地区的变电站，导致其无法运行。截至 8 月 15 日，约有 1 020 个家庭、4 972 人逃离 Carrefour-Feuilles 和 Savane Pistache。<sup>43</sup>

66. Kraze Barye 头目 Vitelhomme Innocent (见附件 19)利用警察在 Bwa Kale 运动后将注意力集中在 Village de Dieu 的机会，加紧袭击佩蒂翁维尔、肯斯科夫、塔巴尔、克鲁瓦-德布凯和德尔马斯等乡镇的居民。尽管面临该地区许多地方自卫团体的抵抗，但他仍继续袭击警察和民众，包括掠夺土地和财产、杀人、抢劫、

<sup>36</sup> 专家小组存档视频。

<sup>37</sup> 在与帮派和政治分析人士、本国研究人员和一名生活在帮派控制区的人的访谈中，这一点得到了重申。

<sup>38</sup> 警察摧毁了匪帮用作堡垒和掩护的房屋，打死了帮派成员。

<sup>39</sup> 政府在职代表、一名国际警官、本国帮派分析人员和一名居住在控制区的人提供的信息表明，帮派接受了外国人的训练。

<sup>40</sup> Matelas、Lafiteau 和 Lilavois 的消息来源提供的信息。

<sup>41</sup> 从机密来源获得的信息，2023 年。

<sup>42</sup> 从 Village de Dieu 地区到马尔蒂桑 23。

<sup>43</sup> 见 <https://dtm.iom.int/node/27581>。

偷窃和绑架有影响力的人。许多人逃离了该地区(见附件 35)。Kraze Barye 已成为太子港都会区最强大的帮派之一，拥有越来越多的战斗人员和半自动武器。

67. 由 Joseph Wilson (别名“Lanmo San Jou”)领导、以前是海地最大帮派之一的 400 Mawozo(见附件 4 和 20)失去了部分地盘和人员，主要原因是与 Kraze Barye、Chyen Mechan 和 CASEC Belizaire 发生冲突以及警察的行动。<sup>44</sup> 400 Mawozo 维持其以往高绑架记录的能力下降，无法控制以前由 Ti-Makak 统治的 Thomazeau 地区。该帮派现在更专注于进行劫掠、抢劫和勒索，以及劫持货车和沿陆地边境走私违禁品。

68. 在阿蒂博尼特省，Luckson Elan 领导的 Gran Grif 帮和 Meyer 领导的 Kokorat San Ras 帮实施了极端暴力行为，迫使人们放弃大片农田，威胁到农业生产(见附件 10)。报告显示，这两个帮派都与 G-Pèp 帮派有牵连，因为他们的作案手法与太子港都会区的帮派相同，包括绑架、抢劫、劫持货物和卡车。他们侵入其他乡镇，杀害、抢劫和伤害居民。绑架受害者受到有系统的酷刑和严重虐待(见附件 21)，包括轮奸，以及因未支付赎金被打死。他们不仅在武器方面得到 5 Second 的支持，<sup>45</sup> 而且还得到政治人物的支持，这些政治人物与包括 Raboteau 在内的阿蒂博尼特各帮派保持密切关系(见第 69-81 段)。2023 年 1 月，Liancourt 警察局遭到 Gran Grif 袭击，6 名警察被打死，此后，警察在该省始终处于混乱状态，导致平民与 Jean Denis 联盟联手对抗 Gran Grif (见附件 10)。这两个团伙之间的冲突充满了暴行。

### 3. 帮派的资金

#### 3.1 政治和经济行为体与帮派之间的联系<sup>46</sup>

69. 政界和财金界人士对帮派活动的影响是系统性的。政治人物和经济精英为了争取选票或是保护自己的财富，往往向提供这些服务的帮派提供金钱和其他资源作为补偿，这种做法逐渐使帮派富裕、强大起来。

70. 专家小组注意到，这种关系中有一些可能已随着时间的推移而发生变化，造成变化的因素是多方面的，包括最近针对政治和经济人物的单边制裁，以及全国选举和相关政治运动的推迟，这通常使政治人物受到帮派的欢迎。帮派自主收入来源的发展(见下文)使其从传统支持者那里获得了更大的自主。然而，当

<sup>44</sup> 2022 年年中，400 Mawozo 与 Chyen Mechan 发生战斗，以重新控制克鲁瓦-德布凯的 Plaine de Cul-de-Sac 北部和中部，约有 124 名成员在战斗中丧生。该帮失去了桑托这块地盘。2022 年底，该帮卷入了与 Vitelhomme 的对抗，在 400 Mawozo 成员偷了 Vitelhomme 购买武器弹药的钱后，Vitelhomme 打死了该帮 70 名成员。此外，警方在不同行动中打死了 100 多名 400 Mawozo 成员。一些成员逃到其他城市，或者在前往多米尼加共和国的途中或在该国境内被捕。从一位帮派分析人士以及公开和机密来源获得的信息，2023 年。

<sup>45</sup> 从帮派和政治分析人士以及生活在帮派控制区的人那里获得的信息，2023 年。

<sup>46</sup> 与生活在帮派控制区者、国内分析人士、经济行为体、政治人物和政府代表就帮派相关问题进行的访谈中获得的信息，2023 年。

前帮派与某些政治经济精英之间见不到多少活动并不意味着完全脱钩。相反，这种关系可能会保持灵活变化，可在短时间内调动起来。

71. 专家小组有证据表明，受到一个会员国制裁的主要消费品进口商 Deka 集团的首席运营官 Reynold Deeb<sup>47</sup> 一直在向帮派成员提供资金，以保护自己的生意并确保其进口商品的运输。<sup>48</sup> 2017 年，Deeb 先生付钱给一个帮派头目，以方便他在一个主要港口开展业务。最近，几个独立的消息来源解释说，Deeb 先生一直在利用帮派成员向港口的一些海关官员施压，使他们不检查、不拦截他的集装箱，从而使他得以避过某些进口关税。最后，由于 G9 控制着国家港务局周围地区和通往港务局的道路，因此，Deeb 先生与其他主要进口商一样，一直在付钱给黑帮，以便让其商品可以通过他们的地盘。

72. 2019 年 9 月至 12 月，海地所有经济活动都受到封锁，即通常所说的“全国封锁”。政治反对派得到包括 Deeb 先生在内的经济界人士的支持，呼吁民众留在家中，以示抗议，目的是向当时的总统莫伊兹施加压力，迫使他结束任期。缺乏燃料供应导致公共交通瘫痪，并且学校关闭，粮食供应减少，因为路障和暴力阻碍了人员和货物在全国各地的自由流动，从而切断了各省与首都的联系。在一次精心策划的行动中，Deeb 先生利用对粮食供应的大量需求，贿赂议员，议员随后付钱给帮派头目，驱散示威者，疏通街道，以便将他的商品运入该国。<sup>49</sup>

73. 2011 年至 2016 年担任总统的米歇尔·马尔泰利利用帮派扩大其对各社区的影响，以推进其政治议程，这导致了不安全的遗毒，其影响余留至今。<sup>50</sup> 专家小组收到的资料显示，马尔泰利在任职期间赞助了多个帮派，如 Base 257、Village de Dieu、Ti Bois 和 Grand Ravine，包括提供资金和(或)火器。

74. 几个消息来源证实，马尔泰利先生创建了 Base 257，该帮派逐渐得到资金和武装，以防止在佩蒂翁维尔发生反政府示威，特别是在 2014 年以后。<sup>51</sup> 该帮派经常进行谋杀、绑架、盗窃和贩毒。<sup>52</sup> 马尔泰利还利用中间人，包括通过基金会和贴身安保人员，与其他帮派建立关系和进行谈判。例如，Village de Dieu 帮前头目 Amel Joseph 表示他经常与在马尔泰利先生的近身保护部门工作的一名中

<sup>47</sup> 见 [www.canada.ca/en/global-affairs/news/2022/12/canada-imposes-sanctions-against-haitian-economic-elites.html](https://www.canada.ca/en/global-affairs/news/2022/12/canada-imposes-sanctions-against-haitian-economic-elites.html)。

<sup>48</sup> 在与政府官员、贸易和商业实体成员和民间社会代表访谈中获得的信息，海地，2023 年。

<sup>49</sup> 通过与一个贸易和商业实体的前成员、三名散居海外的海地经济学家和五名海地民间社会成员的访谈获得的信息。另见 [www.gazettehaiti.com/node/2188](https://www.gazettehaiti.com/node/2188)。

<sup>50</sup> 与生活在帮派控制区的个人、国家分析人员、政界人士和一名政府代表访谈获得的资料，以及专家小组存档的机密报告和录像以及一个会员国提供的资料。马尔泰利先生也受到加拿大的制裁。见 [www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=en](https://www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=en)。

<sup>51</sup> 在与现任和前任高级政府官员、执法代表、来自帮派控制地区的民间社会代表的访谈和政府机密报告中获得的信息，2023 年。

<sup>52</sup> 海地国家警察情报。

间人交谈，并补充说，该中间人向他提供了枪支和大量现金。<sup>53</sup> 在一段视频中，Grand Ravine 现任头目之一 Ti Lapli 解释说，这位前总统曾给 Tet Kale (Grand Ravine 前头目)一支属于警方的 Galil 5.56 毫米步枪，并将一支类似步枪送给了 Ti Bois 帮头目 Chrisla。在 Tet Kale 被暗杀后，Ti Lapli 拿回了这一武器。

75. 从2016年到2020年，Prophane Victor是阿蒂博尼特省 Petite Riviere 的议员，该地区的暴力和帮派控制程度不断增加。为了确保自己在 2016 年当选和对该地区的控制，Victor 先生开始武装 Petite Riviere 的年轻人，这些人后来组成了 Gran Grif 帮，<sup>54</sup> 目前是阿蒂博尼特省最大的帮派，也是侵犯人权行为包括性暴力的主要实施者。Victor 先生继续支持 Gran Grif 帮，一直到 2020 年，那一年由于在选举期间作出的承诺没有兑现，他们闹翻了。从那以后，他一直在支持该地区的敌对帮派和自卫团体。<sup>55</sup> 除专家小组收集的证据外，加拿大也在 2023 年 6 月制裁了 Victor 先生。<sup>56</sup>

76. 来自戈纳伊夫的 Youri Latortue 曾于 2017 年至 2018 年担任参议院议长，对阿蒂博尼特省的政治和经济生活有相当大的控制，包括通过利用帮派成员、特别是他一直资助和武装的 Raboteau 帮成员实施。最近，机密消息来源向专家小组说明 Latortue 先生还与 Raboteau 帮勾结，资助阿蒂博尼特省的一个极端暴力的帮派 Kokorat Sans Ras。Latortue 先生利用帮派成员作贴身保护和破坏财物。除专家小组收集的证据外，Latortue 先生因支持帮派而受到加拿大和美国的制裁。专家小组最近获得一段录像，其中有“烧烤”(HTi.001)，这一帮派头目在录像中说，Latortue 先生给了他 30 000 美元。<sup>57</sup>

77. 专家小组正在调查若干经济和政治行为体创建和资助帮派，包括利用基金会操作此事的情况，并将继续进行调查。

### 3.2. 收入来源

78. 绑架勒索是海地帮派的主要资金来源之一，最近达到了前所未有的程度。虽然许多案件并没有报告，<sup>58</sup> 但从 2022 年 1 月到 2023 年 6 月，有 2 441 人遭到绑架。<sup>59</sup> 虽然 Bwa Kale 运动帮助减少了绑架事件，<sup>60</sup> 但此后在太子港都会区和

<sup>53</sup> 机密报告。

<sup>54</sup> 在与前警察领导层成员、执法人员、现任政府代表、Petite Riviere 居民和阿蒂博尼特省民间社会代表的访谈中获得的信息，2023 年。专家小组存档的视频证据。

<sup>55</sup> 从机密来源获得的信息，2023 年。

<sup>56</sup> 见 <https://www.canada.ca/en/global-affairs/news/2023/06/minister-joly-hosts-ministerial-meeting-on-haiti-with-international-partners.html>。

<sup>57</sup> 专家小组存档视频。

<sup>58</sup> 一些家庭不报案是为了避免曝光和(或)与警方打交道可能反遭其害。

<sup>59</sup> 海地国家警察/联合国警察，2023 年。

<sup>60</sup> 2023 年第一季度，5 Segond 和 Grand Ravine 是绑架案件的主要同盟，导致这一犯罪高发。不过，这些帮派因其许多成员被处私刑而受到很大影响，并因警察行动和 Bwa Kale 运动而无法自由活动。

阿蒂博尼特省记录了许多案件，包括 Kokorat San Ras 和 Gran Grif 的集体绑架。在向专家小组报告的案件中，支付的赎金数额因受害者的情况不同而有很大差异，外国目标和知名人士的赎金从 7 000 美元到 500 000 美元不等(见附件 22)。

79. 勒索、抢劫和劫持各种大小的客运、运输和私人车辆是控制国家公路的各帮派的重要收入来源。由于运输的商品价值高(如燃料或制成品)，货车尤其容易成为目标。例如，2022 年 10 月，5 Segond 的成员开始加强沿 Canaan-Lafiteau 公路(1 号公路)对运输高价值商品集装箱的货运卡车实施劫持行动。在此期间至 2023 年 7 月，<sup>61</sup> 劫持事件从平均每月 4 至 5 起增加到约 10 起。<sup>62</sup> 根据车辆大小和货物的价值，每辆被劫持的卡车要支付 1 000 至 3 000 美元的赎金。<sup>63</sup> 马尔蒂桑的 2 号公路沿线情况类似，5 Segond 帮、Grand Ravine 帮和 Ti Bois 帮在那里进行勒索行动。

80. 通往主要油库的公路沿线发生的勒索事件对该国的燃料配送产生了重大影响。2023 年 7 月，石油专业人员协会警告当局，由于帮派相关活动，来自 Varreux 的供应可能受阻。<sup>64</sup>

81. 帮派一直在其控制区勒索企业和机构，包括学校。此外，帮派还为他们实际上并不提供的水电等公共服务向民众收税(见附件 23)。

## B. 跨国犯罪动态

### 1. 边境管制薄弱和腐败行为：犯罪活动的主要因素

82. 缺乏有效的边境管理能力、海关管制薄弱和根深蒂固的腐败行为是助长犯罪活动的主要因素(见附件 24 和第 182(c)段)。海地有 20 个大小不一的官方海港(见附件 25)，另外，在 1 771 公里长的海岸线上还有多个非官方的停靠站和系泊点。此外，在与多米尼加共和国的 392 公里长边界沿线有四个官方陆地过境点和其他无数非官方过境点。海地的五个机场中有两个是国际机场，国内还有一些私下简易机场。<sup>65</sup>

83. 专家小组访问了该国的三个公共港口——国家港务局港口、海地角和和平港，并约谈了许多参与港口活动的行为体。包括海关在内的国家当局对港口和码头的控制有限，这些港口和码头主要由商人和商人家族控制。西部省有两个主要的货运码头：一个由加勒比港口服务公司管理，位于国家港务局港口，为

<sup>61</sup> 见 [www.facebook.com/pnh.ht/posts/pfbid04VizVoaVqA38zsQTD8woghZDXQ5vZvPhXGhb7Xk36Har7whEWtLjNGdxwNeBZzzQl](https://www.facebook.com/pnh.ht/posts/pfbid04VizVoaVqA38zsQTD8woghZDXQ5vZvPhXGhb7Xk36Har7whEWtLjNGdxwNeBZzzQl)。

<sup>62</sup> 在与使用 1 号公路的三名商人和四名公众访谈中获得的信息，2023 年。

<sup>63</sup> 在与一名海地司机和业主协会成员及两名警官的访谈中获得的信息，2023 年。

<sup>64</sup> 在对一名海地陆运部门官员和一名政府官员的访谈中获得的信息，2023 年。另见 <https://endijenenfo.com/terminal-varreux-controle-par-des-gangs-lappe-tire-la-sonnette-dalarm/>。

<sup>65</sup> 有关海地港口体系和非法货物贩运的更多信息，见 [www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf)。



私人所有，处理进入太子港的货物的 80%左右；<sup>66</sup> 另一个是拉菲托港，为公私合营所有，主要接纳货船。<sup>67</sup>

84. 与马尔泰利政权前公务人员及海关官员的访谈、机密记录以及一个会员国向专家小组提供的资料证实，马尔泰利先生 2011 年的当选标志着新的经济行为体开始参与控制该国的主要入境口岸。其中最突出的是 Reynold Deeb，迄今为止，他一直非正式地控制着几个主要入境口岸海关官员的选择。<sup>68</sup> 消息来源表示，Deeb 先生安排了代表协助他通过少申报、贴假标签和通过不同港口进口违禁品等方式进行逃税活动。

85. 专家小组发现，一些海关官员涉嫌财务舞弊。2018 年至 2022 年担任海关总署署长的 Romel Bell 犯下并教唆他人犯下逃税和其他金融犯罪，包括可疑银行交易(见第 175-176 段和附件 26)。<sup>69</sup> Bell 先生纵容破坏海关管制程序的腐败体系，这不仅影响了海关收入，而且影响了海关防止武器和毒品等非法货物贩运进出海地的能力，破坏了海地的安全与稳定。Bell 先生是因挪用资金接受调查而被禁止离境的几名前任和现任国家官员之一(见附件 26)，此外，他还因腐败受到一个会员国的制裁。<sup>70</sup>

86. 自 2022 年 7 月换下 Bell 先生，并加强机构控制以来，海关税收翻了一番。为了建设廉政，新政府暂停了一名海关高级官员的职务，并吊销了几名清关代理的执照。

## 2. 武器和弹药的贩运和挪用

87. 向海地非法贩运武器弹药是该国帮派扩大地盘控制和极端武装暴力的主要驱动因素之一，对区域稳定构成威胁。专家小组认为，阻止武器弹药流入海地应是海地当局和更广泛区域内会员国的优先事项，应紧急大力加强定向武器禁运规定(见第 182 (a)段)。

88. 对武器的需求不断增加，价格居高不下，使武器贩运成为一项利润丰厚的生意，即使是所谓的“蚂蚁搬家式贩运者”，即小批量走私武器和弹药，利润也很丰厚。例如，5.56 毫米半自动步枪在美国售价几百美元，在海地则通常售价 5 000 至 8 000 美元，而 9 毫米手枪售价达 1 500 至 3 000 美元，弹药每发售价 3 至 5 美元。在运往海地途中或在海地境内缉获的数量并不多，自 2022 年 1 月以来专家小组查明的最大一次缉获量是 23 件火器和 120 000 发弹药(见附件 29)；然而，贩运活动十分猖獗，导致该国军用物资的积累已到了令人担忧的程度。

<sup>66</sup> 见 [www.projectcargo-weekly.com/2018/10/04/caribbean-port-services-port-au-prince-haiti/](http://www.projectcargo-weekly.com/2018/10/04/caribbean-port-services-port-au-prince-haiti/)。

<sup>67</sup> 在与两名海关官员和两名航运公司官员的访谈中获得的信息，2023。

<sup>68</sup> 从机密来源获得的信息，2023 年。

<sup>69</sup> 另见 Unité de lutte contre la corruption, “Résumé exécutif du rapport d’enquête sur le patrimoine de l’ancien Directeur général de l’Administration Générale des Douanes, M. Romel Bell”。

<sup>70</sup> 见 <https://ht.usembassy.gov/combating-global-corruption-and-human-rights-abuses/>。

89. 海地各类持枪者，包括平民、私营保安公司和帮派，都非法采购武器。虽然贩运网络并不十分复杂，但所涉及的行为体各种各样，包括美国代购、运钞者、货运代理、政府官员和海地非法市场小商贩，这些商贩卖出价最高的人。一些帮派不仅有大量的财力采购昂贵的物资，还有便利他们在海外采购和运往海地的网络。专家小组目前正在处理一系列海、陆、空贩运案件；虽然本报告已列入一些案件，但其他案件仍在调查中，将在适当时候提出报告。

90. 除了记录海地各地的非法武器和弹药外，专家小组还获得了关于在海地境内和运往海地途中缴获的武器弹药的资料。专家小组还与海地 and 该区域的情报和执法机构、地方当局和民间社会组织、生活在帮派势力范围的人以及合法和非法拥有武器的个人进行了多次访谈。

91. 专家小组向三个国家发出了关于 74 件火器的追查请求，这些最近在海地缴获和记录在案的非法枪支最初是在这三个国家制造或出口到海地的。在提交本报告时，只有一个会员国作了答复。专家小组要强调的是，没有会员国在追查火器方面的支持，专家小组将无法确定保管链。

## 2.1. 海地非法火器的类型分析

92. 虽然平民拥枪的程度很难确定，但专业研究组织、联合国机构和海地政府机构的现有估计从 2018 年的 291 000 到 2022 年的 600 000 不等。<sup>71</sup> 由于每年只发放或更新几千份枪支许可证(见下文)，绝大多数枪支都是非法持有的。与加勒比其他国家一样，9 毫米手枪仍然是最受欢迎的武器。当局在 2022 年 10 月至 2023 年 7 月期间缴获了 191 件火器，包括 102 支手枪和 45 支步枪(见附件 33)。<sup>72</sup>

93. 在过去三年中，西部省和阿蒂博尼特省的帮派火力大幅度增加，采购明显转向半自动步枪。帮派成员仍然主要使用 9 毫米手枪和 5.56 毫米半自动步枪，以及 7.62x39 毫米半自动步枪，但使用程度要低得多。各帮派极力采购这些口径的配套弹药(见附件 32)。

94. 专家小组对更大口径的武器和弹药在帮派中流通感到关切。专家小组收到了 Canaan 和 5 Second 使用的 7.62x51 毫米弹带式轻机枪的最新录像。还收到了 Grand Ravine 和 Ti Bois 帮派拥有的用于重机枪或狙击步枪的 12.7x99 毫米弹药的录像。专家小组未能证实这些帮派是否拥有相应的武器系统，但收到证据表明，他们一直在积极设法获得这些武器系统。

<sup>71</sup> 如见 A.S. Fabre et al., *Weapons Compass: The Caribbean Firearms Study* (CARICOM IMPACS and Small Arms Survey, 2023 年 4 月); 和 [www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf)。

<sup>72</sup> 海地国家警察/联合国警察数据，2023 年。

95. 据专家小组约谈的医务人员说，流通的武器越来越多，武库也在升级，这对所造成的伤口的致命和严重程度产生了影响。<sup>73</sup> 专家小组还记录了在海地多次使用空尖弹的情况。空尖弹在撞击时会膨胀，造成更具破坏性的伤口。

## 2.2 贩运路线

96. 根据专家小组在海地的研究和现场观察，该国流通的大部分火器和弹药不是在美国制造，就是最初在美国购买的。他们直接从美国或通过多米尼加共和国到达海地。还发现了其他不太常见的动态，例如在海地收缴到从一个南美国家转移过来的 AK 型步枪，很可能是与毒品一起贩运到该国的(见第 113-123 段)，或是从多米尼加共和国进口的，最近在多米尼加共和国缉获的武器有的来自南美洲。<sup>74</sup>

97. 专家小组分析的案件表明，虽然帮派可以从海地非法市场或多米尼加共和国采购手枪、猎枪和 5.56 毫米半自动步枪及配套弹药，但最大和更富有的帮派实际上一直试图通过直接渠道从美国购买特定物资，例如购买更大口径的火器，包括 12.7x99 毫米反装备步枪、轻机枪及配套弹药或其他非常规口径武器弹药(见附件 32)。

98. 海关管理部门能力不足，部门内部腐败严重，是助长海地军火贩运的主要因素(见第 82-86 段和附件 24)。根据 2020 年以来报告的缉获情况，海地大多数入境口岸(陆、海、空)都经常发生武器弹药贩运活动(见附件 29、30 和 31)。关于本报告所述期间缉获情况概览，见附件 28。

### 2.2.1 从美国贩运

99. 美国地理位置相对较近，有相当多的海地侨民，价格低廉，对采购的控制有限，使美国成为对海地持枪者有吸引力的军用物资来源(见附件 29)。

100. 美国当局加强了控制，没收了一系列经海、空运往海地的武器弹药。2020 年 1 月至 2023 年 7 月期间，美国海关及边境保护局截获了 15 938 发各种口径的弹药，以及 35 件机匣和 59 件武器，包括 45 支手枪、1 支猎枪、12 支步枪和 1 挺机枪。<sup>75</sup>

101. 美国当局绝大多数缉私行动是在迈阿密进行的，该市是运往海地的集装箱货物的主要出发点，也是美国境内船只向海地大批量运送二手货物的唯一地点。这些船只从迈阿密河上的造船厂出发，被用来向海地贩运武器弹药，专家小组访问了这些造船厂(见附件 29 和 30)。

102. 鉴于海地(非法)枪支市场对美国的依赖，专家小组必须跟踪技术的发展，特别是私人制造枪支的生产技术。在本报告所述期间，专家小组记录了被称为

<sup>73</sup> 与在太子港工作的医务人员访谈中获得的信息，2023 年 5 月。

<sup>74</sup> 2023 年 5 月与机密来源访谈获得的信息，以及 2023 年 6 月与区域枪支贩运问题专家的访谈中获得的信息。

<sup>75</sup> 海关及边境保护局应专家小组根据美国《信息自由法》提出的要求提供的数据，2023 年 7 月。



“幽灵枪”的私人制造火器的存在，并在最近几次缉获的武器中发现了几种用于组装这种武器的由工厂生产并由计算机数控铣削的下机匣。这一较新趋势令人关切，并对美国和加勒比地区的军备控制努力构成重大挑战，<sup>76</sup> 因为幽灵枪可以通过从网上零售商购买零部件相对容易地制造出来，从而规避适用于制式枪支的管制程序。它们也没有编号，因此无法追踪(见附件 29)。

## 2.2.2 从多米尼加共和国贩运

103. 虽然大多数贩运活动未被发现，但多米尼加和海地当局最近在各自边界一侧查获了几起贩运(见附件 31)。这些案件往往包含最初在美国购买然后被贩运到多米尼加共和国非法市场的军用物资。虽然从多米尼加非法市场购买军用物资不如直接从美国进口利润丰厚，但仍然很有吸引力。在美国售价 500 至 700 美元的 5.56 毫米半自动步枪在多米尼加共和国可以卖到 2 500 美元左右，在海地可以卖到这个价格的两到三倍。<sup>77</sup> 一起案件还表明，有将物资从美国运到多米尼加共和国，然后直接转运到海地的做法。

104. 一些地盘最靠近边境的帮派，特别是 400 Mawozo，正在利用多米尼加贩运者获取火器和弹药。专家小组调查的其他案件包括一些网络的详细情况，这些网络依赖腐败官员(包括警察、公务员和地方当局的亲属)为跨境贩运提供便利。在专家小组注意到的大多数案件中，非法贩运都发生在 Belladere 过境点，大多数官方贸易货物都是在这里从多米尼加共和国进入海地的。

## 2.2.3 从海地贩运

105. 海地境内可以获得火器，造成整个区域进一步不稳定，火器被非法贩运到牙买加。牙买加历来通过海路向海地贩运大麻，随着时间的推移，已演变成了“枪支换大麻”的贸易(见第 113-123 段)。据调查这一问题的区域安全人士说，18 公斤大麻可以换一把手枪(约 2 000 美元)，因为牙买加对这种枪支的需求特别大。

## 2.3 海地境内武器和弹药的挪用

### 2.3.1 挪用国家武器储存

106. 警察库存的武器弹药因失窃或丢失而被挪用，结果往往落入犯罪分子和帮派成员手中(见附件 33)。<sup>78</sup> 在国际伙伴的支持下，警察目前正在加强其武器和弹药管理能力，应对主要挑战(同上)。

107. 2012 年至 2023 年，有近 2 500 支警用枪支被宣布丢失或被盗。虽然警察经常成为帮派的目标，武器被盗，但一些警察也在出售自己的枪支和弹药。枪支

<sup>76</sup> 见 A.S. Fabre et al, Weapons Compass: The Caribbean Firearms Study (CARICOM IMPACS and Small Arms Survey, 2023 年 4 月)。

<sup>77</sup> 在与多米尼加共和国和海地执法机构的访谈中获得的信息，2023 年。

<sup>78</sup> 2017 年，警方还从牙买加的犯罪分子手中缴获了一支 5.56 毫米步枪。见 [www.haitilibre.com/article-21139-haiti-securite-un-fusil-d-assaut-galil-de-la-pnh-retrouve-en-jamaïque.html](http://www.haitilibre.com/article-21139-haiti-securite-un-fusil-d-assaut-galil-de-la-pnh-retrouve-en-jamaïque.html)。

和弹药定期在警察部门内配发，甚至配发给那些通常不使用枪支的警察，导致一些警察把个人多出的配额卖掉。<sup>79</sup>

108. 最后，警察部队会定期收缴非法枪支和弹药；然而，由于缺乏任何监管框架、标准作业程序或资源，导致对收缴物资的管理不善，包括被人挪用(见附件 34)。

### 2.3.2 平民拥枪

109. 由于该国没有正式的军火商，申请并获发许可证的绝大多数火器都是非法进口到该国的。根据法律，海地国民可以申请拥有和(或)携带某些类型的手枪和狩猎步枪的许可证。目前，警察枪支许可证发放部门的数据库中有 47 000 支登记的手枪和猎枪，其中 40 000 多支目前没有有效许可证，因此下落不明。<sup>80</sup> 枪支许可证发放部门没有有效运作或对登记枪支进行监测的资源。此外，由于目前进入太子港的道路被帮派控制，该国其他地区的平民无法到该部门申请或更新许可证。

### 2.3.3 私营保安公司

110. 目前在海地内政部注册的私营保安公司有 103 家，还有更多的公司在无照经营。<sup>81</sup> 监管极为有限，导致许多这类公司违反武器管制立法，助长了海地境内的非法武器流通。一些公司实体以及一些政治人物也以不透明的方式武装自己的内部安保团队。

111. 对私营保安公司的监管在海地是一个敏感话题，因为这是一个非常有利可图的行业，现任和前任政府高级官员都积极参与其中。这些公司是该国就业的主要来源，估计有 30 000 至 90 000 名雇员。<sup>82</sup> 根据法律，一家公司允许拥有的武器数量最多可相当于员工人数的 50%；而海地一些最大的公司拥有 2 000 名员工。

112. 私人保安公司常常在黑市上购买武器。对这一问题有直接了解的消息人士告诉专家小组，许多公司没有妥善管理其武器库存，没有登记所有火器，拥有太多违反立法的火器和种类，包括 9 毫米手枪和半自动步枪。私营保安公司库存中未上报的挪用情况，包括盗窃和丢失，也经常发生。

## 3. 毒品贩运

113. 本节是根据 2023 年 2 月至 7 月期间对本国分析人员、前任和现任海地政府代表、警察、国际情报来源、国际政府代表、国际执法机构、国际安全官员、生活在帮派控制区的人以及包括毒罪办在内的区域非政府组织和机构进行的访

<sup>79</sup> 与警察和合法拥枪者的访谈，太子港，2023 年。

<sup>80</sup> 与枪支许可证发放部门的访谈，海地，2023 年。

<sup>81</sup> 本节所载资料是根据 2023 年对海地私营保安公司代表和政府官员的访谈整理而成的。

<sup>82</sup> 另见 [www.unodc.org/documents/data-and-analysis/toc/Haiti\\_assessment\\_UNODC.pdf](https://www.unodc.org/documents/data-and-analysis/toc/Haiti_assessment_UNODC.pdf)。

谈编写的。专家小组还前往哥伦比亚、多米尼加共和国和美国进行了实况调查。专家小组向 5 个会员国发出了索取信息的请求，其中 2 个国家作了答复。

114. 缉获的毒品数量很少，这与该国一些腐败的经济界和政界行为体<sup>83</sup> 通过涉及边境管制、执法和一些司法部门成员的阴谋安排参与贩毒有很大关系。一些商人和政客控制着各部门负责人，将助手安排在关键的权力岗位上，并利用全国各地的多个“盲点”。通过这种方式，他们就能利用其资产(船只和飞机)和权力，几乎不受干扰地运送毒品，包括与帮派勾结。

115. 尽管任务艰巨，<sup>84</sup> 且行动能力有限，<sup>85</sup> 海地禁毒局仍于 2023 年上半年检获约 104.7 公斤大麻及 5.4 公斤可卡因。这低于 2022 年同期的缉获量，当时分别为 381.4 公斤和 12.53 公斤。<sup>86</sup> 往年报告的缉获量更大，<sup>87</sup> 并开展了重大禁毒行动，包括 2020 年 10 月逮捕了持有 83.97 公斤可卡因的 Jean Elliobert Jasme (别名“Eddy One”)<sup>88</sup> 以及在 2021 年 11 月至 2022 年 7 月期间瓦解了一个非洲毒骡子网络，截获了 20 多公斤可卡因，并拘留了 16 人。

116. 对警方最近缉获情况的审查表明，通过海地转运毒品有多条路线(见附件 34)。2022 年 11 月至 2023 年 7 月，在南部沿海(Baie des Flamands、莱凯、Ile-à-Vache 和 Plaisance-du-Sud)和海地北部(海地角、和平港和阿蒂博尼特)，以及中部(安什和米勒巴莱)和西部(Plaisance 和 Bon-Repos)各省都缉获了毒品。<sup>89</sup> 海地南部是毒品进入该国的主要通道，包括来自牙买加的大麻和主要来自哥伦比亚但也来自其他南美国家的可卡因。

117. 多个消息来源告诉专家小组，毒品走私入境点遍布整个南部海岸，包括雅克梅勒、Anse-à-Pitres、Grand Bois、莱凯、Dame-Marie 和 Ile-à-Vache，以及萨吕港和热雷米。私下的简易机场很多，包括阿蒂博尼特省的 Savane Diane 以及雅克梅勒南部和东南部。

118. 区域访问的结果确定，哥伦比亚瓜希拉省是向海地运送可卡因的战略要地。一个可靠的消息来源证实了这一点，该消息来源指出，毒品是通过船只或可以躲过雷达飞行的小型飞机从瓜希拉运到海地南部海岸的。这些毒品随后经陆路越过多米尼加边境运往蓬塔卡纳，然后运往波多黎各。其他消息来源指出，

<sup>83</sup> 美国制裁了犯有贩毒罪的海地国民，专家小组发了一份公函索取更多信息。

<sup>84</sup> 2022 年 6 月 19 日，在克鲁瓦-德布凯镇镇的一次武装袭击中，该局一名特工受重伤。

<sup>85</sup> 该局在莱凯、海地角、和平港设有办事处。在国家港务局港口和国际机场分别驻有一个小组。由于 400 Mawozo 帮的存在，缉毒局在马尔帕斯的工作人员有所减少。南方支队有一艘船，目前正在修理。

<sup>86</sup> 海地国家警察数据，2023 年。

<sup>87</sup> 包括 2022 年缉获 2 吨大麻和 35 公斤可卡因，2021 年缉获 3 吨大麻和 32 公斤可卡因。海地国家警察/联合国警察数据。

<sup>88</sup> 见 <https://www.justice.gov/usao-edwi/pr/haitian-national-charged-international-narcotics-conspiracy-narcotics-distribution-and>。

<sup>89</sup> 海地国家警察数据。

有人使用小型飞机在与多米尼加共和国接壤的 Etang Saumâtre 湖附近和阿蒂博尼特省上空投放毒品。<sup>90</sup>

119. 在出境点，大部分可卡因通过小型船只和飞机运往巴哈马。和平港和西北海岸的小岛托尔图是战略航运站。货物也从米拉戈安、圣马克和海地角发出。

120. 过去在迈阿密河报告了几起缉获案件(见附件 29)。尽管过去两年的缉获量有所减少，但国家和国际执法机构说明了海地的不稳定和港口管制薄弱是如何为包括贩毒在内的跨国非法活动提供了有利条件的。

121. 5 Segond 帮一直在利用脆弱的安全环境，通过贩毒赚取额外收入(见第三.A.2.3 节和第三.A.3 节)。一些消息来源指出，毒品直接从南美洲运往 Village de Dieu 地区，有时还与火器一起运往。<sup>91</sup> 在 Village-de-Dieu，伊佐得到了 Canaan、Gran Grif 和 Kokorat San Ras 等其他帮派的支持，将毒品转移到和平港和国外。

122. 从太子港出发的国家公路受到帮派的控制(见第 4-50 段)，贩运者需要付钱给帮派才能通过他们的地盘运输毒品和武器。<sup>92</sup> 例如，专家小组收到的资料显示，Base Pilate 积极为有影响力的人参与提供毒品运输便利，使用挂有官方牌照的装甲车逃避管制。这种据说使用警察和官方牌照运送毒品和武器的行为破坏了打击非法活动的斗争。<sup>93</sup>

123. 专家小组认为，毒品缉获案件数量少并不反映实际贩运水平。贩毒是一些帮派的重要收入来源，因此对海地的和平、安全与稳定产生了负面影响。伊佐的扩张主义领土野心就是一个例子(见第 61-68 段)。<sup>94</sup> 专家小组继续调查这一事项，特别是精英行为体和参与贩毒的帮派分子之间的联系、他们的网络和作案手法。

#### 4. 贩运人口和偷运移民<sup>95</sup>

124. 专家小组访问了墨西哥、多米尼加共和国、美国以及海地的和平港，以了解海地危机对移民和难民的影响。<sup>96</sup> 与海地移民、侨民、政府官员、国际机构和当地非政府组织进行了接触，以征集意见。

<sup>90</sup> 从国际情报来源获得的信息，2023 年。

<sup>91</sup> 从帮派和政治分析人士、一名处理帮派问题的政府代表、一名前高级警官和一名生活在帮派控制区的人那里获得的信息，2023 年。

<sup>92</sup> 从机密来源获得的信息，2023 年。

<sup>93</sup> 同上。

<sup>94</sup> 在与帮派问题分析人士和一名处理帮派问题的政府代表的访谈中获得的信息，2023 年。

<sup>95</sup> 专家小组沿用了《关于预防、禁止和惩治贩运人口特别是妇女和儿童行为的补充议定书》和《关于打击陆、海、空偷运移民的补充议定书》对贩运人口和偷运移民的定义。另见附件 35。

<sup>96</sup> 见专家小组向委员会提交的第一次定期最新情况报告，附件 37 和 38。

125. 偷运移民已成为一项利润丰厚的业务，海地国内外的各种行为体为之提供了便利，包括偷运者、护照和签证程序中的腐败官员、移民官员、旅行社、包机运营商和船只制造商。<sup>97</sup>

126. 在访问和平港期间，专家小组观察到一些临时船坞，那里正在建造船只，将移民运往巴哈马和美国(见附件 36)。这些船的成本在 25 000 美元到 50 000 美元之间，大约需要三个月的时间建造。虽然这些船只一般可容纳约 20 人，但往往载有 80 至 100 人，有时更多，导致船只上面的条件不人道和发生倾覆。每位乘客的费用从 1 000 美元到 3 000 美元不等，如果成功，到美国的旅程需要一周时间。

127. 海地移民由于其族裔、语言和无证身份而在该地区面临歧视和仇外言行。由于缺乏全面的支助体系，这些移民面临着艰苦的条件，更容易受到劳动剥削和犯罪组织的伤害(见第 182(c)段)。

128. 专家小组收到了关于贩运人口案件的资料，目前正在审查这些资料。

## C. 违反国际人权法或构成侵害人权的行为<sup>98</sup>

### 1. 性暴力和性别暴力

129. 海地的性暴力和性别暴力是父权制和不平等的制度性结构的一部分。这表现为妇女受教育、经济机会和参与政府系统的机会有限，其根源在于文化规范和男性统治的历史。<sup>99</sup>

130. 虽然妇女和女童是主要受害者，但男童和青年男子也成为目标，尽管程度较轻。专家小组获得的资料显示，女同性恋、男同性恋、双性恋、跨性别者、性别奇异者和间性者群体的人也遭到袭击。

131. 由于污名化、害怕报复和获得基本服务的机会有限，与性暴力和性别暴力有关的犯罪在很大程度上仍然没有得到充分报告。普遍缺乏法治和有罪不罚现象猖獗，进一步加剧了这一问题(见第 182(j)段)。由于报告严重不足以及不同组织的数据收集方法不同，关于强奸事件的准确数据难以获得。例如，国家警察

<sup>97</sup> 在多米尼加共和国，最近有 16 名多米尼加国民因贩运移民被定罪。见 <https://pgr.gob.do/tribunal-de-montecristi-impone-18-meses-de-prision-preventiva-a-16-imputados-de-trafico-ilicito-de-inmigrantes-en-operacion-frontera/>。在另一起案件中，2013 年 7 月 27 日，一名在 Jicome 市非法运送海地人的多米尼加国民被拘留。见 <https://www.diariolibre.com/actualidad/nacional/2023/07/28/de-tienen-dominicano-transportaba-haitianos-indocumentados/2417154>。

<sup>98</sup> 见附件 39 关于其他侵犯人权的情况。

<sup>99</sup> 在太阳城进行的一项关于性暴力和性别暴力的研究显示，最常被提及的犯罪人是现任或前任伴侣(44%)。而第二大犯罪群体是陌生人，包括帮派、土匪和绑架者(33%)。打击跨国有组织犯罪全球倡议，帮派控制和安全真空——评估海地太阳城性别暴力情况，2023 年。

打击性犯罪部门在 2021 年报告了 15 起案件，2022 年报告了 16 起案件，2023 年截至 6 月报告了 9 起案件，<sup>100</sup> 而地方组织每月报告数十起案件。<sup>101</sup>

132. 专家小组会见了受害者、人道主义行为体和分析人员，以了解局势动态。初步调查结果如下：

(a) 帮派以性暴力和性别暴力为：(一) 权力工具，用以恐吓、征服和惩罚民众，特别是妇女；(二) 控制工具，用以对一块地盘及其人口行使统治权；(三) 勒索工具，例如实施绑架，以获取赎金。此外，一些受害者还受到帮派成员的性奴役；

(b) 到目前为止，还没有发现哪个帮派在性暴力方面有独特模式或作案手法；

(c) 专家小组约谈的受害者没有一个能够或愿意准确指认袭击者。但是，提出了以下观察意见：

(一) 基于帮派的等级结构(尽管松散)，有一定的组织架构，其头目可以清楚地识别；

(二) 海地大多数帮派普遍利用性暴力和性别暴力；这不仅是流氓成员孤立事件的结果，而且似乎是一种一贯的策略；

(三) 虽然某些帮派否认使用强奸手段，但证词表明，许多帮派实施了性暴力；

(四) 鉴于海地主要帮派的结构(见第三.A 节)，专家小组得出结论认为，帮派头目知道其帮派成员实施性暴力，并参与其中，因此他们应对这些行为负责。

133. 2023 年 3 月至 5 月期间，<sup>102</sup> 49 名妇女在太阳城布鲁克林的 Dèyè Mi 地区遭到集体强奸。<sup>103</sup> 消息来源指出，大多数肇事者是 Terre Noire 帮的成员。<sup>104</sup> 帮派成员犯下了 18 起集体强奸案，15 起个人强奸案，其中一起是针对男性的。此外，49 人死亡，46 人受伤，12 人被强迫失踪。<sup>105</sup>

134. 在本报告所述期间，专家小组会见了 15 名强奸受害者。例如，今年 3 月，一名年轻母亲被 Terre Noire 帮成员绑架，并被其中三人强奸。<sup>106</sup> 在另一个案件

<sup>100</sup> 专家小组存档数据。

<sup>101</sup> 从机密来源获得的信息。根据联合国的数据，2022 年下半年，报告了 220 起强奸案。2023 年上半年，这一数字增加到 303 起(153 名妇女、149 名未成年女性和 1 名男童)，增加了 37.7%。

<sup>102</sup> 另见专家小组向委员会提交的第一次定期最新情况报告。

<sup>103</sup> 联合国数据。

<sup>104</sup> 从机密来源获得的信息，2023 年。

<sup>105</sup> 同上。

<sup>106</sup> 同上。



中，一名来自布鲁克林地区的年轻妇女描述了她如何受到四名 Terre Noire 帮成员的性侵犯并感染了艾滋病毒。

135. 2023 年 7 月 10 日，来自 Lacroix Périisse (l'Estère) 的 6 名 Kokorat San Ras 帮成员袭击了一名 17 岁女孩，该女孩是该团伙劫持的开往戈纳伊夫的公共汽车上的乘客。<sup>107</sup>

136. 专家小组还查到伊佐、Ti Lapli、Vitelhomme、Lanmo San Jou、Luckson Elan 和 Jeff Canaan 等人的帮派实施的强奸。专家小组在继续进行调查。

## 2. 招募儿童

137. 专家小组对海地武装团伙普遍招募儿童深表关切。这些儿童和青年中有许多人处于脆弱境地，使他们很容易成为帮派的目标。目前，许多帮派都有未成年人，有些只有 10 岁(见附件 6)。

138. 所有帮派都有未成年人，他们利用未成年人从事各种活动，包括劳动、间谍活动、看守人质、监视、检查站运作和参与袭击。由于未成年人证明了他们的忠诚和能力，他们在犯罪组织中承担了更多的责任。女童通常参与家务和间谍活动。

139. 根据专家小组收集的证据，<sup>108</sup> 可以得出结论认为，海地正在发生六种严重侵害儿童权利的行为：<sup>109</sup> 杀害和残伤儿童、招募或使用儿童兵作为帮派成员、性暴力侵害儿童、绑架儿童、袭击学校或医院(见附件 36)、剥夺儿童获得人道主义援助的机会。袭击学校或医院，还是剥夺儿童获得人道主义援助的机会。

140. 这些严重违规行为对海地的未来构成重大威胁，专家小组正在积极调查此事。

141. 招募儿童最多的帮派包括 5 Segond、Brooklyn、Kraze Barye、Grand Ravine 和 Terre Noire。

## 3. 以饥饿为武器和侵犯食物权

142. 海地的帮派直接和间接地威胁到国家的粮食安全。从间接角度说，他们的暴力升级导致了经济危机、价格上涨和贫困加剧。从直接角度说，像敲诈勒索这样的活动扼杀了经济(“全国封锁”)，征收非官方税收也极大地扰乱了经济。由于帮派暴力和他们对重要运输路线，特别是通往太子港的运输路线的控制，农民难以耕种和销售他们的作物。例如，2023 年 7 月 6 日，位于阿蒂博尼特的 Gran Grif 帮派头目 Luckson Elan 在社交媒体上发出多项威胁，警告任何人返回农田都会被杀死。<sup>110</sup>

<sup>107</sup> 联合国数据。

<sup>108</sup> 联合国数据，以及在与非政府组织、联合国机构的会议上和受害者证词中获得的信息，2023 年。

<sup>109</sup> 见安全理事会第 1267(1999)号决议；A/77/895-S/2023/363，第 349 段。

<sup>110</sup> 见 <https://lefileinfo.com/13029/haitibanditisme-une-personne-calcinee-par-des-bandits-de-gran-grif/>。

143. 帮派还将饥饿作为武器，作为削弱其地盘上竞争对手的一种策略。2022 年 9 月至 2023 年 2 月期间，海地一些地区的饥饿达到前所未有的水平，约有 19 000 人濒临饿死。2022 年 7 月，G-Pèp 和 G9 在太阳城布鲁克林地区发生冲突，导致多人死亡和流离失所。G9 故意封锁了布鲁克林地区的通道，阻止居民的流动，切断了包括食品和水在内的基本商品的供应链。狙击手式袭击使局势进一步升级，导致营养不良、疾病暴发和基本服务中断。虽然不再完全封锁，但该地区的人口和人道主义工作人员仍然受到严格的行动限制。

144. 尽管情况有所改善，但截至 2023 年 6 月，局势依然严峻，30%的人口遭受严重饥饿。近 200 万人处于“紧急”阶段，这表明海地几乎一半地区面临严重的粮食无保障(见附件 37)。

145. 阿蒂博尼特省是该国主要的农业中心，暴力不断升级。世界粮食计划署(粮食署)最近的一项分析显示，2022 年，耕地显著减少。帮派活动导致 Marchand-Dessalines 和 Petite Rivière-de-l'Artibonite 等地区的田地遭遗弃，将农业社区推向生产力较低的地区。<sup>111</sup>

146. 帮派剥夺民众食物、水和其他基本服务的策略严重侵犯了人权。

#### 4. 无差别攻击民众

147. 帮派诉诸无差别袭击，包括狙击手式的袭击和随意处决，目的是恐吓民众，确保服从，特别是在敌对帮派占主导地位的地区。2022 年 7 月 6 日至 17 日，G9 和 G-Pèp 联盟在太阳城布鲁克林区对峙期间，布鲁克林区发生多起狙击手袭击事件，导致 2022 年 8 月至 12 月平均每周有 6 人伤亡。G9 成员还侵入该居民区，袭击他们遇到的任何人，包括妇女和儿童。<sup>112</sup>

148. 最近的冲突证实，无差别攻击仍在继续。例如，2023 年 2 月 27 日至 3 月 3 日期间，在“烧烤”(HTi.001)的领导下，G9 帮派在贝莱尔、太阳城和其他邻近街区对 G-Pèp 帮派发动了连续袭击(见第 51-55 段)。导致 26 名居民被杀，41 人受伤，25 所房屋被烧毁，1 000 多名居民流离失所。<sup>113</sup> 在冲突中，18 名帮派成员死亡，12 人受伤(见附件 42)。

149. 专家小组会见了数名袭击受害者。<sup>114</sup> 在 3 月 1 日的一次叙述中，一名证人描述了 Belekou 的帮派成员如何在没有挑衅的情况下开始向平民开枪。目击者报告说，看到一名手无寸铁的儿童和一名年轻人死在街上。

<sup>111</sup> 见 <https://reliefweb.int/report/haiti/haiti-april-2023-cropland-change-analysis-artibonite-season>。

<sup>112</sup> 见 <https://reliefweb.int/report/haiti/population-cite-soleil-grip-gang-violence-investigative-report-human-rights-abuses-committed-gangs-zone-brooklyn-july-december-2022>。

<sup>113</sup> 联合国数据。

<sup>114</sup> 从机密来源获得的信息，2023 年。



150. 在 2023 年 3 月 2 日的另一次活动中，一名索利诺居民向专家小组表示，G9 帮派成员开始强行将人们驱逐出该地区，并不分青红皂白地开枪。他指出，许多受害者是无意中卷入交战帮派之间的交火中的。

151. 2023 年 7 月，以 Vitelhomme Innocent 为首的 Kraze Barye 帮继续无差别地袭击、杀害和强奸 Fort-Jacques、Truitier 和 Dumornay 的居民。截至 2023 年 8 月 10 日，Kraze Barye 的袭击导致约 2 000 人流离失所，其中包括 229 名未成年人。<sup>115</sup>

152. 2023 年 7 月 6 日至 15 日，Gran Grif 帮成员在 1 号公路上绑架了大约 10 人，据报杀害了 1 人。在阿蒂博尼特省的 Liancourt，他们袭击当地人，造成近 10 人死亡，20 人受伤，还有许多人被绑架。在这些袭击中，他们还抢劫住宅和企业，并放火焚烧车辆。<sup>116</sup> 2023 年 7 月，在社交媒体上播放的一段视频中，一名据称是 Gran Grif 成员的人吹嘘说，他们不杀死 2000 人，就不会停止对民众的攻击。<sup>117</sup>

153. 这些无差别攻击造成的后果之一是境内流离失所人数不断增加。2022 年 6 月，国际移民组织记录了 25 000 名境内流离失所者；一年后，这一数字上升到 194 624 人。<sup>118</sup> 专家小组目睹了境内流离失所者艰难的生活条件，他们获得清洁水、食物、保健和卫生服务的机会非常有限(见附件 38)。海地政府既不允许存在境内流离失所者营地，也不提供援助，这本身就是侵犯人权的行为。

154. 根据专家小组的保守估计，在本报告所述期间，由于海地的帮派暴力和经济状况，至少有 250 000 名海地国民被迫在境内流离失所或离开该国(见附件 31)。

## 5. 阻碍人道准入和援助

155. 鉴于这一多层面危机，包括医疗援助在内的人道主义援助(见附件 39)对海地人的生计至关重要，专家小组对援助的运送和分发受到阻碍以及人道主义组织受到袭击感到关切。

156. 2023 年第一季度，人道主义组织记录了近 330 起人道主义援助受阻事件，<sup>119</sup> 包括抢劫和绑架，<sup>120</sup> 这些事件严重违反了国际人权法。

157. 2022 年 9 月 19 日，明爱和海地红十字会在和平港的仓库遭到袭击。<sup>121</sup>

<sup>115</sup> 从联合国警察获得的信息，2023 年。

<sup>116</sup> 从机密来源获得的信息，2023。

<sup>117</sup> 专家小组存档的录像，也得到一个独立消息来源的证实。

<sup>118</sup> 见 <https://dtm.iom.int/haïti>(2023 年 7 月 22 日查阅)。

<sup>119</sup> 见 <https://reliefweb.int/report/haïti/launch-national-awareness-campaign-basic-humanitarian-standards-haïti-nomimaniteyo-enht>。

<sup>120</sup> 从机密来源获得的信息，2023 年。

<sup>121</sup> 见专家小组向委员会提交的第一次定期最新情况报告。

## 对联合国机构的袭击

158. 2022 年 9 月，包括联合国机构在内的多个人道主义组织在戈纳伊夫和莱凯的各种设施遭到袭击。<sup>122</sup> 这些袭击是在区域政治人物煽动的反对国家当局的示威中实施的。袭击者从仓库和商业办公室偷走材料，销毁文件和任何他们不能带走的东西。

159. 2022 年 9 月 15 日，粮食署在戈纳伊夫的一个仓库成为抗议者的袭击目标，他们抢走了物资。这些仓库储存了 1 400 吨供应品，其中 300 吨本来分配给学校供餐，由联合国儿童基金会(儿基会)管理，计划在 2022 年 12 月前为 94 000 名儿童提供食物。其余的 1 100 吨粮食本是留作紧急情况下为 78 000 人提供的一个月口粮。袭击者洗劫了所有的供应品。<sup>123</sup>

160. 2023 年 9 月 21 日，粮食署在莱凯的另一个仓库遭到洗劫。该设施储存了 762 吨供应品，打算在飓风季节和其他紧急情况下向 46 000 名领取者提供一个月的口粮。

161. 当地广播电台播放信息，鼓励在各地攻击粮食署设施。尽管粮食署就这些事件向文化和通信部长提出了正式投诉，但截至报告时，警方尚未采取任何行动。

162. 专家小组从一系列行为体和证人那里获得了关于各种袭击的证据和证词。其调查结果将与委员会分享。

## 6. 警察违规情况

163. 国家警察在履行职责方面面临相当大的挑战，包括装备和培训不足以及人员短缺(见第二.2 节)。截至 2023 年 8 月 15 日，年初以来因帮派暴力事件丧生的警察已有 36 名，至少 31 人受伤。

164. 在本报告所述期间，专家小组收到了几起警察侵犯人权案件的报告。有时警方会采取消极态度，特别是在 Bwa Kale 运动方面(见第 56-60 段)。

165. 在本报告所述期间，警察总监察局一直在调查不当行为，包括侵犯人权行为。截至 2023 年 6 月，监察局已记录 123 宗投诉(36 宗人权指控及 87 宗不当行为案)。此外，46 项调查已经结束(20 项与人权有关，26 项与不当行为有关)，导致 26 名警官被开除出警察队伍。<sup>124</sup>

166. 专家组收到了关于警察参与法外处决的指控。例如，警察总监察局一直在调查 2023 年 6 月太子港一名帮派成员被警察巡逻队绑架并随后死亡的事件。<sup>125</sup>

<sup>122</sup> 同上。

<sup>123</sup> 见 <https://reliefweb.int/report/haiti/wfp-haiti-country-brief-september-2022>。

<sup>124</sup> 联合国数据。

<sup>125</sup> 同上。

167. 警察总监察局成立了一个调查委员会，调查与“幻影 509”帮有关联的前任和现役警察参与事件，特别是 2023 年 1 月 26 日在总理私人住宅和杜桑·卢维杜尔国际机场发生的事件的情况。

## 四. 非法资金流动

168. 在海地，公共资金不断被挪用是暴力的主要驱动因素之一，也是对和平、安全与稳定的威胁(见第 182(h)段)。由于基础设施非常薄弱、获得教育和保健的机会有限、极端贫困加上失业，这种挪用现象对整个社会产生了直接影响，并导致社区结构受到威胁和暴力行为的滋生。这种现象还破坏治理和民众对国家的信任，专家小组会见的对话者不断提到这是不稳定的主要肇因。在这方面，挪用石油加勒比计划的资金是一个严重案例。

169. 在海地这样非正规经济占国内生产总值约 55.1%的国家，挪用公共资金扼杀了正规就业。<sup>126</sup> 因此，大部分交易都是基于现金进行的，这对金融犯罪条例的执行构成了挑战。在过去的连续四年中，经济在 2019 年收缩了 1.7%，2020 年收缩了 3.3%，2021 年收缩了 1.8%，2022 年收缩了 1.7%，<sup>127</sup> 影响了应对当前社会经济需求的能力。

170. 专家小组收到的资料显示，有几起案件涉及离开海地(主要是乘飞机)者大笔现金的非法资金流动。例如，在 2023 年 1 月至 5 月期间，美国当局在几次扣押行动中截获了共计 413 581 美元的现金，涉及从海地进入美国或从美国进入海地的人。这种行为显示了用于购买武器弹药或毒品贸易等非法活动的非法资金转移到国外的一种渠道。根据专家小组获得的数据，2018 年至 2023 年 8 月，共截获了 1 141 882 美元的大宗现金进出海地。<sup>128</sup>

### 1. 挪用石油加勒比计划的资金

171. 2005 年委内瑞拉玻利瓦尔共和国以石油而不是现金形式提供的石油加勒比计划软贷款超过 40 亿美元，目的是促进经济和社会发展，包括消除贫困和支持卫生和教育系统。这些资金大多被挪用，而海地刚刚经历了最严重的人道主义危机——2010 年地震，地震造成 25 万多人死亡，30 多万人受伤，另有 150 万人无家可归，此外还摧毁了该国的大部分基础设施。<sup>129</sup> 随后又发生了飓风桑迪和霍乱疫情。<sup>130</sup>

<sup>126</sup> 见 [www.worldeconomics.com/National-Statistics/Informal-Economy/Haiti.aspx](http://www.worldeconomics.com/National-Statistics/Informal-Economy/Haiti.aspx)。

<sup>127</sup> 见 [www.worldbank.org/en/country/yemen/overview#1](http://www.worldbank.org/en/country/yemen/overview#1)。

<sup>128</sup> 从执法部门和机密来源获得的信息，2023 年。

<sup>129</sup> 见 <https://news.un.org/en/story/2022/01/1109632>。

<sup>130</sup> 见 <https://news.un.org/en/story/2012/11/424602>。

172. 石油加勒比计划的资金被挪用，使贫穷和社会不稳定仍然存在。<sup>131</sup> 最令人震惊的挪用公款案件发生在 2011 年至 2016 年马尔泰利先生担任总统期间，与 2012 年到 2014 年洛朗·拉莫特担任计划和对外合作部长及总理的任期重合。<sup>132</sup> 拉莫特先生是资金付款的首席审批官，为 149 个项目核批了共计 6.688 亿美元的资金。<sup>133</sup> 由于全国范围内的公众反腐败示威，马尔泰利先生和拉莫特先生在不同时间被迫辞职。2022 及 2023 年，拉莫特先生受到两个会员国的制裁，马尔泰利先生则受到一个会员国的制裁。<sup>134</sup>

173. 海地官方调查报告的结论是，在分配给各个项目的 1 738 691 909 美元总额中，约 92% 的支出是在有问题的审批下支出的，几乎没有什么项目得到落实(项目清单见附件 45)。<sup>135</sup> 这对该国应对经济和社会挑战的能力产生了负面影响，截至 2023 年 8 月，海地仍在每月拨出 1 000 万美元用于偿还贷款，而那些项目本身几乎没有使该国受益。<sup>136</sup>

174. 专家小组联系了拉莫特先生，他的回应是否认有关他参与挪用石油加勒比计划资金的指控。拉莫特先生在答复中说，对他的这些指控已被排除，他也从来没有担任过该资金的审批官。他还说：“该基金由发展援助方案货币化办公室在财政部长的监督下完全自主地管理。向这些项目拨款是在总统的指导下进行的，总统领导着部长理事会”。专家小组坚持其调查结果。

## 2. 挪用海关税收

175. 专家小组认定，Romel Bell (见第 85 段)对个人财富作了不实申报，隐瞒信息，并且未说明其银行账户收到的数额超过工资的原因(见第 82-86 段和附件 26)。他还逃税、挪用海关收入并在海关机构内教唆犯罪活动。

176. 2012 年在被安排在机场和 2018 年成为海关总署署长时，Bell 先生的年薪毛额(包括福利)在 1 241 160 古德(29 813 美元)<sup>137</sup> 至 1 327 140 古德(14 695 美元)之间。<sup>138</sup> 然而，在这段时间里，他积累了超过他的工资和福利、无法解释的财

<sup>131</sup> 与一位国际经济学家、一位世界银行经济学家和两位海地政府官员的访谈获得的信息，2023 年。

<sup>132</sup> 拉莫特先生和马尔泰利先生有着 20 多年的商业关系，包括在美国共同拥有公司(例如，见附件 46)。在 2016 年的访谈中，拉莫特先生承认他和马尔泰利有共同的商业利益。

<sup>133</sup> 从专家小组看到的一份政府机密报告(2020 年)中获得的信息。

<sup>134</sup> 见 [www.international.gc.ca/world-monde/international\\_relations-relations\\_internationales/sanctions/consolidated-consolide.aspx?lang=eng#dataset-filter](http://www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/consolidated-consolide.aspx?lang=eng#dataset-filter)。

<sup>135</sup> 参议院特别调查委员会的最终报告，2008 年 9 月至 2016 年 9 月(2017 年)，可查阅 [www.haiti-now.org/wp-content/uploads/2021/02/Rapport-PETRO-CARIBE-OCTOBRE-2017.pdf](http://www.haiti-now.org/wp-content/uploads/2021/02/Rapport-PETRO-CARIBE-OCTOBRE-2017.pdf)；以及从两个不同的政府调查机构的三份机密报告中获得的信息。

<sup>136</sup> 从一名政府官员处获得的信息，2023 年。

<sup>137</sup> 2012 年的平均汇率为 1 美元=41.6313 古德。见 [www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2012.html](http://www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2012.html)。

<sup>138</sup> 2019 年的平均汇率为 1 美元=90.3108 古德。见 [www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2019.html](http://www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2019.html)。

富。<sup>139</sup> 例如，在连续几个日期，Bell 先生将其没有确认来源的钱转给了外国的一所学校，几批款项包括 28 050.00 美元、21 750.00 美元、8 229.25 美元和 15 000 美元。他也没有透露他拥有的几处房产以及他所经营的一家公司中的权益(见附件 26)。

### 3. 挪用双边援助

177. 发展援助方案货币化办公室负责石油产品的货币化、公共采购<sup>140</sup> 和进口。

178. 该办公室前总干事 Patrick Noramé 在 2016 年日本国际协力事业团向海地捐助的大米的非法销售中挪用了超过 1.24 亿古德(约 200 万美元)。<sup>141</sup> 出售大米的收入是要用于减少市场上的大米短缺<sup>142</sup> (见附件 47)。2023 年 3 月，太子港检察官办公室以洗钱和挪用国家资金的罪名发布了对 Noramé 先生的国际逮捕令。<sup>143</sup> 日本告知专家小组，在海地政府就此事提出适当措施之前，日本已原则上暂停向海地提供任何进一步的双边援助，但紧急人道主义援助除外。

179. 挪用公款和贪污并非无受害人的犯罪。<sup>144</sup> 这些行为导致普遍贫困，并影响就业、医疗保健和教育。在一个约有一半人口(490 万人)面临严重粮食不安全的国家，<sup>145</sup> 挪用公共资金损害了食物权，因为这些资金本可用于拯救生命、创造经济机会和为加入帮派谋生提供替代办法。

## 五. 第 2653(2022)号决议第 3、6 和 11 段所定措施的执行情况

180. 自第 2653(2022)号决议通过并被列入制裁名单以来，“烧烤”(HTi.001)继续从事威胁海地和平、安全与稳定的行为。他领导的帮派联盟“G9 家族和盟友”于 2023 年 2 月和 4 月对敌对联盟 G-Pèp 的帮派控制下的社区发动了几次重大袭击，包括在贝莱尔、纳松、索利诺和西部省的其他地区。这些袭击造成严重侵犯人权行为，包括平民伤亡和流离失所(见第 147-154 段和附件 42)。这些袭击进一步影响到这些社区的教育和保健服务以及经济和社会结构。

181. G9 帮派在本报告所述期间发动进攻以及组成该联盟的各帮派守住了阵地的事实表明，他们能够成功地定期补充弹药，违反了第 2653(2022)号决议第 11 段

<sup>139</sup> 资料来自预算和公共会计总局，并记录在专家小组看到的一份机密报告中。

<sup>140</sup> 从反腐败官员、一名商人和一名执法人员处获得的信息。另见反贪局关于 2016 年日本向发展援助方案货币化办公室捐赠大米管理情况的报告的执行摘要。见 <https://haitieconomie.com/wp-content/uploads/2021/08/Liste-des-enquetes-realisees-Transmise-aux-Parquets-4-aout-2021-PDF-1.pdf>，第 8-10 页。

<sup>141</sup> 2016 年的平均汇率为 1 美元=63.0213 古德。见 <https://www.ecolex.org/.uk/USD-HTG-spot-exchange-rates-history-2016.html>。

<sup>142</sup> 2023 年，在对一名海地粮食安全分析师、一名前政府经济学家和一名反腐败官员的访谈中获得的信息。

<sup>143</sup> 从机密来源获得的信息，2023 年。

<sup>144</sup> 见 [www.unodc.org/pdf/crime/gpacpublications/manual.pdf](http://www.unodc.org/pdf/crime/gpacpublications/manual.pdf)。

<sup>145</sup> 见 [www.ipcinfo.org/ipc-country-analysis/details-map/fr/c/459666/?iso3=HTI](http://www.ipcinfo.org/ipc-country-analysis/details-map/fr/c/459666/?iso3=HTI)。

通过的措施。此外，专家小组还收到情报称，G9 帮派获得了新的枪支弹药。专家小组认为，联合国的定向军火禁运对“烧烤”(HTi.001)、G9 联盟乃至海地广大地区贩运武器和弹药的影响非常有限。

## 建议

### 182. 专家小组建议安全理事会：

(a) 将定向军火禁运的范围从原仅限于被指认的个人和实体扩大到海地境内的所有非国家行为体，但专供联合国、区域组织、外交代表机构或可能向海地国家警察提供外部支持的任何国际机构的物资除外；

(b) 补充第 2653(2022)号决议第 13 段，并促请各国，特别是该区域各国，在缉获第 2653(2022)号决议第 11 段所列任何物资后，向安全理事会第 2653(2022)号决议所设委员会提交书面报告，包括但不限于地点、日期、运输方式、目的地、潜在最终用户、所涉个人以及所缉获物资的确切类型和数量，并请专家小组对任何此类缉获物资进行检查；

(c) 促请会员国根据国际人权法，加强对其境内海地难民和移民的国际保护。

### 183. 专家小组建议安全理事会关于海地的第 2653(2022)号决议所设委员会：

(a) 更新应受第 2653(2022)号决议第 3、6 和 11 段所定措施制裁的个人名单上关于吉米·切里齐耶(别名“烧烤”)(HTi.001)的识别信息；

(b) 鼓励会员国支持提高海地海关和边境管制的能力，以打击毒品和军火贩运等跨国犯罪，包括为毒品和犯罪问题办公室在该国的方案提供资金；

(c) 鼓励会员国支持海地国家警察的能力建设，特别是在调查、应对帮派暴力的业务能力、打击贩运武器和毒品以及武器和弹药管理方面，包括通过安全篮子基金提供支持；

(d) 鼓励会员国支持司法系统的廉正和能力建设，以解决威胁国家和平与安全者、包括帮派及其支持者，以及参与挪用公款者有罪不罚的问题；

(e) 鼓励会员国支持加强海地的财政制度、包括公共部门的财务问责和管理制度，包括查明、追踪和起诉非法资金流动；

(f) 鼓励海地加强司法系统的独立性和完整性，确保其问责制，解决帮派成员及其支持者有罪不罚的问题，同时确保对处理敏感案件的检察人员的保护；

(g) 鼓励海地建立问责机制打击性暴力和性别暴力，包括建立司法专责小组。



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## Annex 1: Methodology and communications

### Methodology and Opportunity to Reply

The Panel adopted a decision rule of consensus, meaning that all members of the Panel were required to agree on the text, findings and recommendations of the report. However, if any member of the Panel had a difference of opinion or reservation, the report could still be adopted by a majority vote of three out of four members.

The Panel reviewed social media and other open sources, but no information was used as evidence unless it could be corroborated by multiple independent sources. This was done to ensure that the information was reliable and met the highest achievable standard of proof.

The Panel provides individuals and entities recommended for sanctioning the opportunity to reply. This gives individuals the opportunity to present an alternative narrative and to provide concrete and specific evidence in their support.

The Panel's methodology for the opportunity to reply is as follows:

1. Providing an individual with an opportunity to reply should be the norm.
2. An individual may not be given the opportunity to reply if the Panel concludes, based on their own assessment, that there is a risk that by doing so it would:
  - a) Result in the individual destroying evidence, tampering with a witness or moving assets if they receive advance notice of a possible recommendation for designation;
  - b) Restrict the Panel's further access to places or vital sources;
  - c) Endanger Panel sources or Panel members;
  - d) Jeopardise humanitarian access for humanitarian actors in the field including the United Nations or any other local or international organizations; or
  - e) For any reason that is clearly justified by the circumstances.

After an individual or entity is designated by the Sanctions Committee, it is possible to request a de-listing process through the mechanism established by the Sanctions Committee<sup>146</sup>.

<sup>146</sup> See <https://www.un.org/securitycouncil/sanctions/2653/guidelines>

See <https://www.un.org/securitycouncil/sanctions/2653/materials/procedures-Delisting>

**Table of correspondence sent and received by the Panel from January to August 2023**

<b>Member State</b>	<b>Number of letters sent</b>	<b>Info fully supplied</b>	<b>Info partially supplied</b>	<b>No information provided</b>	<b>No answer</b>	<b>NA/visit accepted</b>
Bahamas	1			1		
Belgium	1	1				
Brazil	2	2				
Canada	1				1	
Colombia	1					1
Dominican Republic	4	2	1			1
France	1	1				
Israel	1				1	
Jamaica	2				1	1 (visit pending)
Japan	1	1				
Mexico	1					1
United States	5				4	1

<b>Organization</b>	<b>Number of letters sent</b>	<b>Info fully supplied</b>	<b>Info partially supplied</b>	<b>No information provided</b>	<b>No answer</b>	<b>NA</b>
Interpol	1				1	

<b>Company</b>	<b>Number of letters sent</b>	<b>Info fully supplied</b>	<b>Info partially supplied</b>	<b>No information provided</b>	<b>No answer</b>	<b>NA</b>
Google/ Youtube	1			1		

## Annex 2: Understanding the process of “gangsterization”

The overlap between politics, violence, power, and territory has been a dominant factor in defining the security and political landscape in Haiti<sup>147</sup>. Since François Duvalier’s tenure<sup>148</sup>, armed groups have been used to diffuse terror, disrupt political rallies, and repress supporters of the opposition. In response to those, a series of self-defence groups were created.

In 1995, President Aristide outlawed paramilitary groups and disbanded the Haitian armed forces and created the Haitian National Police. However, incomplete reintegration processes led former soldiers to integrate armed groups that continued to operate until 2004. In addition, over the years, the local self-defence groups or ‘Baz’ (*base*) fused with the state police to support Aristide’s political party, Fanmi Lavalas. Initially politically motivated, these *bases* increasingly became independent to form *de facto* leaderships in the slums of Port-au-Prince. Aristide’s forced departure in 2004 led to another period of chaos in Haiti, with his supporters taking up arms to demand his return. Amid the turbulent situation, political violence and economically motivated criminal actions multiplied in poor urban neighbourhoods.

The proliferation of gangs mainly across the Port-au-Prince metropolitan area is embedded in multidimensional factors. The 2010 earthquake triggered a “destabilisation momentum” that provoked a geographical and social reconfiguration in the country. *Bases* became less ideologically and more opportunistic driven<sup>149</sup>.

Further, since the withdrawal of the United Nations Stabilisation Mission in Haiti (MINUSTAH) in 2017, followed by that of the United Nations Mission for Justice Support in Haiti (MINUJUSTH) in 2019, gangs have grown and occupied the void left by UN troops and police units, taking advantage of the weakness of the State, including the underequipped HNP.

New developments which unfolded from 2018 contributed to new forms of violence, including an economic crisis, the Petrocaribe scandal, anti-government protests, the *péyi lok* (country-wide lockdown) and massacres (e.g La Saline) as well as the assassination of President Moïse. Gangs have capitalised on the governance crisis that has weakened the State capacity to tighten their control over the territory and infrastructure, while violence increases both in the political and social spaces.

<sup>147</sup> This Annex is mostly based on exchanges with Haitian and international researchers, gang analysts and political analysts as well as on published material including Peter Halward: *Option Zero in Haiti*. New Left Review. May-June 2004. <https://newleftreview.org/issues/ii27/articles/peter-hallward-option-zero-in-haiti> (accessed on 5 May 2023); Global Initiative Against Transnational Organized Crime: *Gangs of Haiti, expansion, power, and an escalating crisis*. October 2022; Djems Olivier: *The Political Anatomy of Haiti’s Armed Gangs*, NACLA Report on the Americas, 53:1, 83-87, 2021 and Pedro Braum Azevedo da Silveira: *Rat pa kaka: politics, development, and violence in the heart of Port-au-Prince*. PhD Thesis in Social Anthropology, Federal University of Rio de Janeiro, March 2014.

<sup>148</sup> After winning the 1957 elections, President François Duvalier organized his own militia, the *Tonton Macoute*, to exercise repressive dictatorial control over any threat against his regime.

<sup>149</sup> With the 2010 earthquake, much of the nation’s infrastructure was destroyed. The delivery of basic services and commercial activities were disturbed. Households were relocated and new neighborhoods formed, and existing social networks of protection against crimes eroded. New bases (less ideological and more ‘predatory’) emerged, and old gangs broke apart and allied with other gangs, occupying territory formerly controlled by groups. Athena Kolbe: *Revisiting Haiti’s Gangs and Organized Violence*. HASOW Discussion Paper 4. June 2013. <https://igarape.org.br/wp-content/uploads/2016/04/Revisiting-Haiti%C2%B4s-Gangs.pdf>.

[illegible]

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Annex 4: Profiles of G-9 and G-Pèp coalitions<sup>150</sup>

G9 Family and Allies				
Gang / Leader		Locality	Workforce	Criminal activity
<b>Delmas 6</b> Jimmy Cherizier alias Barbeque		Delmas (4, 6, 8, 10, 12, 14, 16, 18, airport crossroad)	The G9 coalition has over 1000 individuals.  They are mostly ex-police officers, ex-security agents and street children.	Murder, robbery, destruction of property, hijacking of goods and trucks, extortion.
<b>Belekou</b> Iskar Andrice		Belekou		Murder, robbery, extortion, rape, hijacking of goods and trucks
<b>Ti Bois</b> Christ-Roi Chery alias Chrisla		Ti Bois, Fontamara and part of Carrefour		Murder, robbery, rape, hijacking of goods and trucks, extortion, targeted assassinations, drug trafficking
<b>La Saline</b>	<b>Krache Dife</b> Jean Gardy alias Pece Pim	Downtown Port-au-Prince, Rues (St-Martin, Tiremasse, des Fronts Fort, des Remparts, Monseigneur Guilloux, du Quai, Pétion, du Peuple, du Centre, Montalais, St Laurent, Houille, Bonne Foi, Dr Aubry, Pavée, Macajou, Borgella, des Césars, des Miracles, des Caserne), St-Joseph, Bas Bel-Air		Robbery, rape, kidnapping, murder, destruction of property, extortion, hijacking of trucks and goods
	<b>Chabon</b> Marc	La Saline, Aviation, Nan Charbon, part of Grand Rue		Robbery, swindling, murder, hijacking of trucks and goods, rape
<b>Wharf Jérémie</b> Micanor Altès alias Monel Felix		Wharf Jérémie, La Saline, Fort Dimanche		Robbery hijacking of goods and trucks, extortion
<b>Gang de Pierre VI</b> Wilson Pierre alias Sonson		Duvivier, Cité Soleil		Robbery, ransom, hijacking of goods and trucks, extortion
<b>Simon Pelé</b> Jouma Albert alias Zouma (incarcerated)		Simon Pelé		Murder, arson, rape, robbery, hijacking of goods and trucks
<b>Nan Boston</b> Mathias Sainthil		Boston		Murder, arson, rape, robbery, hijacking of goods and trucks
<b>Baz Pilate</b> Ezekiel Alexandre alias Ze (in prison)  Essentially composed of dismissed and serving police officers		1st and 2 <sup>nd</sup> Avenues, Bolosse to Cite Eternel, 2 <sup>nd</sup> and 3 <sup>rd</sup> ruelle Plus (in 3 <sup>rd</sup> Circumscription).  While Decayettes is not under control of Base Pilate, residents are in touch with members of the gang.		Murder, robbery, rape, hijacking of goods and trucks, ransom, targeted assassinations, drug trafficking

<sup>150</sup> This Annex is based on interviews conducted between February and August 2023 with people living in gang-controlled areas, gang and political analysts, representatives of foreign intelligence agency, HNP officials and analysts, government representatives and confidential reports.




<b>G9 Allies</b>			
<b>Gang / Leader</b>	<b>Locality</b>	<b>Workforce</b>	<b>Criminal activity</b>
<b>Chyen Mechan</b> Claudy Celestin alias Stevenson Pierre alias Chyen Mechan Claudy Célestin is a dismissed civil servant of the Ministry of the Interior	Santo 1 to Santo 19, Marin, and Shadda districts in the commune of Croix-de-Mission and Butte Boyer in the commune of Tabarre. Control parts of RN1 and RN8	Around 100 members	Murder, robberies, extortion
<b>Fort Dimanche</b> Mesidye	Fort Dimanche	Around 20	Hijacking, robbery, rape, extortion
<b>Gang de Tokyo</b> Manno	Tokyo	Around 15	Hijacking, robbery, rape, extortion
<b>Chancerelles</b> Garry Lyron alias Coby	Chancerelles	Around 20	Hijacking, robbery, rape, extortion
<b>Carrefour Drouillard</b> Tyson	Carrefour Drouillard	Around 20	Hijacking, robbery, rape, extortion
<b>Terre Noire</b> Jonel Catel (incarcerated) Very influential and very close to Barbeque	Terre Noire	Around 50	Robbery, ransom, hijacking of goods and trucks, extortion, rape of Brooklyn population

<b>G-Pèp coalition</b>			
<b>Gang and leaders</b>	<b>Territory</b>	<b>Workforce</b>	<b>Criminal activity</b>
<b>Brooklyn</b>  Gabriel Jean-Pierre alias Ti Gabriel	Brooklyn, Soleil 9, 4, 17 and 19, Ti Zile, Wharf	Around 200 members	Extortion destruction of property, hijacking of goods, violence against civilian populations
<b>Haut Belair / Argentins</b>  Kempes Sanon	Haut Bel-air, Fort National	Around 20 members + 30 members of 5 Segond, (reinforcement)  Kempes is a dismissed police officer.	Kidnapping, extortion, hijacking of goods and trucks, theft, rape, murder, violence against civilian populations
<b>G-Pèp allies</b>			
<b>Kraze Barye</b>  Vitelhomme Innocent	Tabarre commune and parts of Pétion ville, Croix-des-Bouquets.  Several cells operate in the area	Around 600 members	Murder, political crimes, drug trafficking, kidnapping, rape, robbery, spoliation of land, theft and sale of houses, hijacking of vehicles, extortion, burglaries, arms and ammunition trafficking, assassinations of police officers and destruction of sub-police stations
<b>5 Segond</b>  Johnson André alias Izo  Emmanuel Solomon AKA Manno	Bicentenaire, the area from Rue Champs de Mars up to Village-de-Dieu, and part of Martissant (from 2B, in front of the police sub-station up to Martissant 4, until the coast).  The bay of Port-au-Prince (port Lafito, Cimenterie and les Moulins d'Haiti, including Source Matelas and Titanyen).	Around 300 members, made up of young people from the slums of the metropolitan area and disadvantaged neighborhoods of large provincial towns. Some of them were members of vigilance brigades and popular organizations close to La Fanmi Lavalas.  Members are predominantly recruited from popular neighborhoods in exchange of motorcycle, food, handguns, cell phones or money to buy clothes. Many children are recruited, especially street children.	The gang is particularly well equipped. It has drones and surveillance cameras installed to control Village de Dieu area, and to identify victims for kidnapping and other crimes. Parts of the downtown area (Bicentenaire, rue Champs de Mars, Carrefour-Feuilles, NR2, Palace of Justice, Portail-Léogane, Théâtre National and Martissant) is also controlled via cameras/drones.  Murder, drug trafficking, kidnapping, vehicle theft, rape, armed robbery, spoliation, hijacking of trucks and goods
<b>Grand Ravine</b>  Bougoy  Killik  Renel Destina alias Ti Lapli	From 5th Avenue Bolosse via Martissant (1, 3, 5, 7,9,11,13,15,17,19, 21,23), habitation Le Clerc, Fort-St Clair, Route des Dalles, until Grand Ravine, RN2.	Around 300 members; young people from poor neighborhoods of the metropolitan area and large provincial towns. Some of them were members of vigilance brigades and popular organizations close to La Fanmi Lavalas. Dominican nationals also integrate the gang.	Murder, kidnapping, vehicle theft, rape, armed robbery, spoliation, hijacking of trucks and goods.

<p><b>400 Mawozo</b></p> <p>Joseph Wilson alias Lanmo Sanjou</p> <p>Germine Joly alias Yonyon (extradicted to the United States)</p>	<p>Downtown area of Croix-des-Bouquets, La Tremblay, Dargout, Cottard, Papaye</p> <p>Also operates along the RN8 that connects Port-au-Prince with the border point of Jimani.</p>	<p>Its headcount has shrunk considerably from around 500 to about 80 members, according to some analysts<sup>151</sup>.</p> <p>Deportees, former leaders of popular organizations close to the opposition at the time, former henchmen working for smugglers on the Haitian-Dominican border</p>	<p>Kidnapping, trafficking of drugs and weapons, spoliation, murder, rape, armed robbery, vehicle theft, hijacking of goods, murder of police officers, summary execution and criminal conspiracy</p>
<p><b>Canaan</b></p> <p>Jeff Larose alias Jeff</p>	<p>Cannan, Onaville, Jerusalem, Corail, Rosemberg, Lilavois, Bon Repos</p>	<p>Around 200 members</p>	<p>Kidnapping, land appropriation, rape, home burglary, hijacking of goods and vehicles, ransoming, murder</p> <p>Very close ally of 5 Second, often receiving its reinforcement</p>


<sup>151</sup> Interview with two gang analysts and confirmed with individual living in controlled area. Mid-2022, about 124 elements were killed due to fights with Chyen Mechan to regain control of the northern and central sides of the Plaine de Cul-de-Sac, in Croix-des-Bouquets. The gang lost the Santo territory, in northern Croix-des-Bouquets commune. End 2022, they faced Vitelhomme who killed 70 elements, after 400 Mawozo members had stolen Vitelhomme's money for the buying of weapons and ammunition. Besides, the HNP has killed over a hundred of elements in different operations. Several elements have also escaped to other cities.

Annex 5: Notices of wanted persons, G9 and G-Pèp leaders

  
REPUBLIC D'HAÏTI  
**POLICE NATIONALE D'HAÏTI**  
DIRECTION CENTRALE DE LA POLICE JUDICIAIRE

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**AVIS DE RECHERCHE**



NOM : **CHERIZIER**

PRENOM : **JIMMY**

ALIAS : **BARBECUE**

INFRACTIONS REPROCHEES : ASSASSINAT, TENTATIVE D'ASSASSINAT,  
DETENTION ILLEGALE D' ARME DE GUERRE ET ENLEVEMENT ET  
D'INCENDIE

En cas d'identification ou de localisation  
Prière d'appeler aux numéros suivants : 3838-1111 & 31060573



REPUBLIQUE D'HAÏTI

**POLICE NATIONALE D'HAÏTI**  
**DIRECTION CENTRALE DE LA POLICE JUDICIAIRE**

## **AVIS DE RECHERCHE**



**JEAN PIERRE GABRIEL**  
**« CHEF GANG CITE SOLEIL »**

**INFRACTIONS REPROCHEES : ASSASSINAT, DETENTION ILLEGALE  
D'ARME A FEU, ASSOCIATION DE MALFAITEURS**

En cas d'identification ou de localisation  
Prière d'appeler aux numéros suivants : 3838-1111 & 31060573

## Annex 6: Dynamics of gangs<sup>152</sup>

### Structure and membership

While organisational structure can vary, some of the largest gangs have hierarchical structures headed by a chief followed by second and third ‘deputies’ and zone/cell chiefs. Beyond the third chief, the structure, as well as the number of members in each group, is difficult to identify. The chief exerts an authoritarian role, with power of life and death over members and the community. He<sup>153</sup> decides strategies and operations with his deputies; interacts with businessmen and politicians; speaks on behalf of the group; and negotiates for buying weapons and ammunition. The gang leader also serves as judge for members and the community. His decisions are irrevocable, and punishment (often being execution) is applied in cases of non-compliance.

The second in charge in the gang structure plays an operational role, by directing daily activities, collecting spoils, and paying salaries. He also oversees logistics (weapons maintenance, storage, and deployment). The third adjoint communicates with teams on the ground. Cell leaders must ensure the surveillance and control of their respective areas on behalf of the gang leader. Gang members participate in operations and are primarily comprised of young people with no economic or social prospects.

Children are typically used as scouts and guards and may later participate in fighting. They maintain weapons and watch over kidnapped people. They are also responsible for buying food and clothes for the gangs in other neighborhoods.



Photos of appear to be minors in the gang, shared with the Panel on 25 June 2023



Minors with gangs  
Stills from video  
shared on 1 May 2023  
(red t-shirt) and filmed  
in 2020 (red mask)

**Photographs removed due to  
gruesome content**

(On file with the Panel)

Woman accused to be an HNP informant  
cut into pieces by Canaan gang in January 2023  
Stills from a video shared with the Panel  
on 18 April 2023



Minor (white mask) with Manno (white T-shirt  
and black mask) and his group  
Stills from video filmed on 9 May 2023



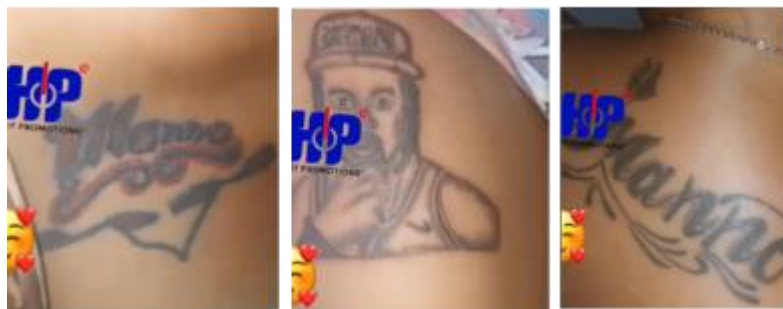
<sup>152</sup> This section is based on interviews conducted between February and August 2023 with former gang members, people living in gang-controlled areas, gang analysts and confidential reports.

<sup>153</sup> Currently, gang leaders are exclusively male.



According to one minor who was enrolled in the 5 Second gang, he was paid 5000 HTG (about \$33 USD) every Saturday and sometimes received other monetary rewards from other members<sup>154</sup>. Another minor stated that he was paid thousands of dollars in his first month in the gang operation in Croix-des-Bouquets commune.

While most gang members are male, some are women. Women, including minors, perform household chores and surveillance. They are also spies and facilitators in negotiations and participate in criminal activities. Some engage in relationship with gang leaders including unwillingly. The Panel received videos circulated through social media on women exposing tattoos of gang members on their bodies<sup>155</sup>, performing dances with the ‘rapper’ Izo and exposing themselves as gang members. Many of them have been identified by the Bwa Kale movement, as targets for lynching.



Several tatoos of “Manno”, 5 Second leader, on the body of the same woman  
Stills from video shared with the Panel on 28 April 2023.



Women posing as gang member with  
Izo, 5 Second leader  
Photo shared with the Panel on 29 April 2023



Woman from Canaan gang confessed to the  
HNP that she was setting up a gang cell in  
Limbé to commit criminal acts including  
kidnapping.  
HNP official Facebook page

As for the payment of gang members, although some gangs conduct a weekly payroll, others do not have a regular payment method.

### Territorial control

To expand their territorial control, gangs loot, destroy and progressively nibble away at territories to occupy the whole block of a given neighborhood. They set up cells and provide operational support, comprised of members, weapons and vehicles. To control entry and exit points of the newly occupied area and prevent the police from entering, they install barricades and protective walls called ‘VARs’ secured by armed members. At the same time, all social and economic actors in the area are obliged to pay taxes. At this point, communities and economic operators already know that there is a new leader in the area.

### Recruitment

Dire socioeconomic conditions as well as the quest for respect are among the various factors that stimulate children and young people to join gangs. In addition, according to interviews with people living in gang-controlled areas, gang members sometimes force individuals in the communities to provide certain services, according to their technical capacities (e.g., a mechanic to fix a car) without compensation. Gangs also evaluate what benefit an individual can bring to the group, including communication skills or physical strength. In cases in which a person desires to voluntarily join the gang, his behaviour is evaluated, and they can be ordered to kill someone to prove their allegiance.

<sup>154</sup> Confidential report, 2023 – in file with the Panel.

<sup>155</sup> According to one gang analyst and one individual living in gang-controlled area, women are sometimes obliged to tattoo the name of the gang leader on their body.

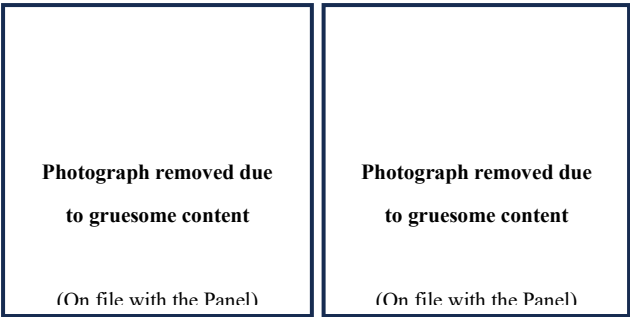
Social foundations run by gang leaders also provide an entry point for recruitment. Children mostly come from families in distress and join the gangs in search of money and food. Several sources have indicated that some gangs force their enrolment by refusing to distribute food to their families through their social foundations if they do not join.

A new gang recruit is subjected to an “observation phase”. The first task is to buy food, then the individual is given some money to “buy friends”. The next step is to participate in confrontations with rivals, including the police, besides buying ammunitions, and loading guns. To get promoted, an “outstanding action” must be performed, such as killing someone. After two or three years in the gang, if the person is proven not to be an “spy”, the individual is accepted in the chief’s entourage.

**Social media and violence**

Social media is a crucial tool for gang leaders. Through videos shared on social networks, the Panel observed that gangs use these platforms to glorify wealth and ‘successful lifestyle’. On the other hand, they instil fear by displaying footage of torture including mutilations of bodies, burnt remains, and body parts including genitals, limbs, and heads.

Izo, 5 Segond’s leader, an amateur rapper and wanted HNP individual responsible for several brutal crimes in Haiti, recently received a YouTube Creator Award for having 100,000 subscribers on the platform. His YouTube channel was recently shut down, but he continues to be active on a range of social media platforms using multiple accounts and fakeprofiles<sup>156</sup>.



Still from video showing the dead mutilated body of the Croix-des-Bouquets Police Commissioner on 24 July 2022, killed and mutilated by members of 400 Mawozo.

Canaan gang member cutting a dead body of a rival with a saw  
Still from video, February 2022



Izo exhibiting money and the YouTube Creator Award  
YouTube video of 25 April 2023



Swimming pool at Izo’s house  
Still from video shared on 31 July 2023



Lanmo Sanjou celebrating the 8 March 2022 holiday  
Still from video shared on 17 April 2023



Barbeque in a hydromassage/piscine in Delmas area  
Stills from video filmed on 30 July 2023

**Relationship with the community<sup>157</sup>**

<sup>156</sup> The Panel contacted YouTube to raise the issue and to request information on Izo’s YouTube channel. Google responded to the Panel on 6 June 2023 stating that ‘the information you are requesting, to the extent it exists, is subject to state and federal laws. In accordance with those laws, it is Google’s policy to only provide subscriber information pursuant to a properly served, valid third-party subpoena or other appropriate legal process’.

<sup>157</sup> Information from confidential reports, interviews with gang analysts and individuals living in gang-controlled areas.

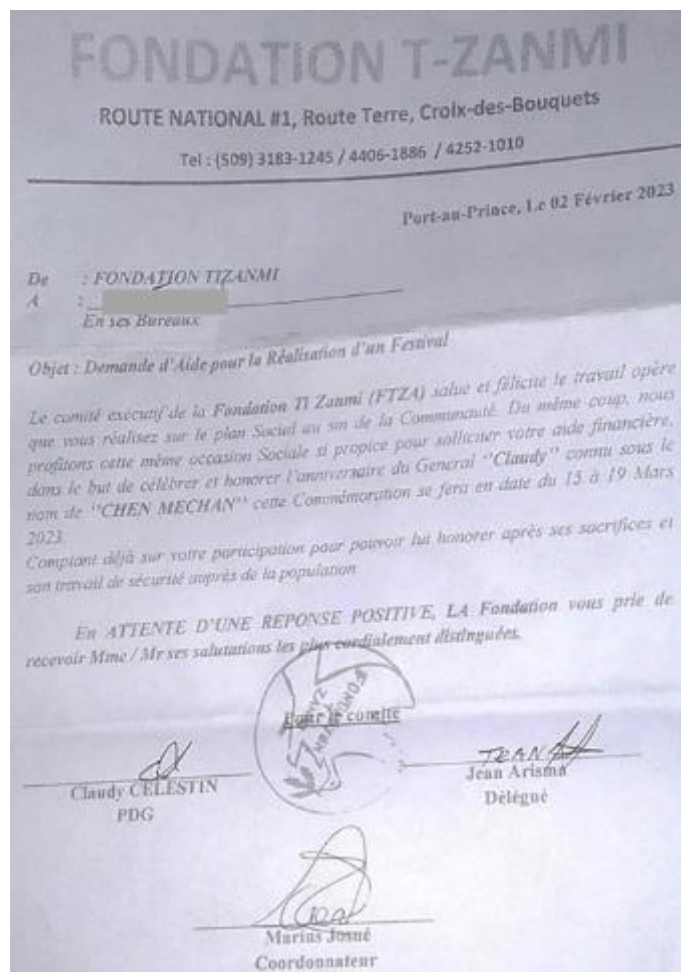
Some gang leaders have their own social foundations as a way of winning allegiance from the community in their areas of control, to present themselves as ‘benefactors’ and try to display a ‘positive image’. Some of these structures are: (i) the SABATHEM Foundation, created in 2006 in the Boston neighborhood by the then gang leader, Ti-Kouto, who died in prison; (ii) the Gabriel Foundation, created in 2012 by the G-Pèp chief, Ti-Gabriel; and (iii) the Siloé Foundation, created in 2015 in the Belekou neighborhood by the gang leader Iskar Andrice. There are also other foundations headed by gang leaders, such as the T-Zanmi headed by Claudy Celestin alias “Chyen Mechan” gang leader, as shown on the picture.

From 2010, foundations have become interlocutors for politicians in the context of elections, including for the organization of demonstrations or anti-protest movements. They have also been increasingly supported by influential businessmen or companies to protect their economic activities.

Moreover, funding and humanitarian assistance has been channelled through these organizations<sup>158</sup>. While these foundations are officially registered, gang leaders head and take decisions regarding these structures through their representatives/staff that they recruit for activities and projects.

In addition, gangs sometimes use this aid to force men and women to join the gangs, such as the Nan Boston gang (G9), according to confidential sources.

Gang leaders also have/or control businesses in their area of influence (medical facilities, hotels, school, gas stations, and unofficial bureau de change). With the absence of the State in these areas, gangs control education and social activities. They also extort the population as well as businesspersons by collecting taxes in exchange for protection (see Section III.A.2).



Request for financial support to celebrate the birthday of Claudy Celestin alias “Chyen Mechan”, on the letterhead of Fondation T-Zanmi, signed by him, as the PDG (President/Director General)

Photo shared with the Panel on 23 February 2023

<sup>158</sup> Confidential report, 2023.

**Annex 7: Time Comparison of VARs barricades around Brooklyn, Cité Soleil, Port-au-Prince**

All pictures are from Google Maps. Identification of barricades ("VARs") done by the Panel



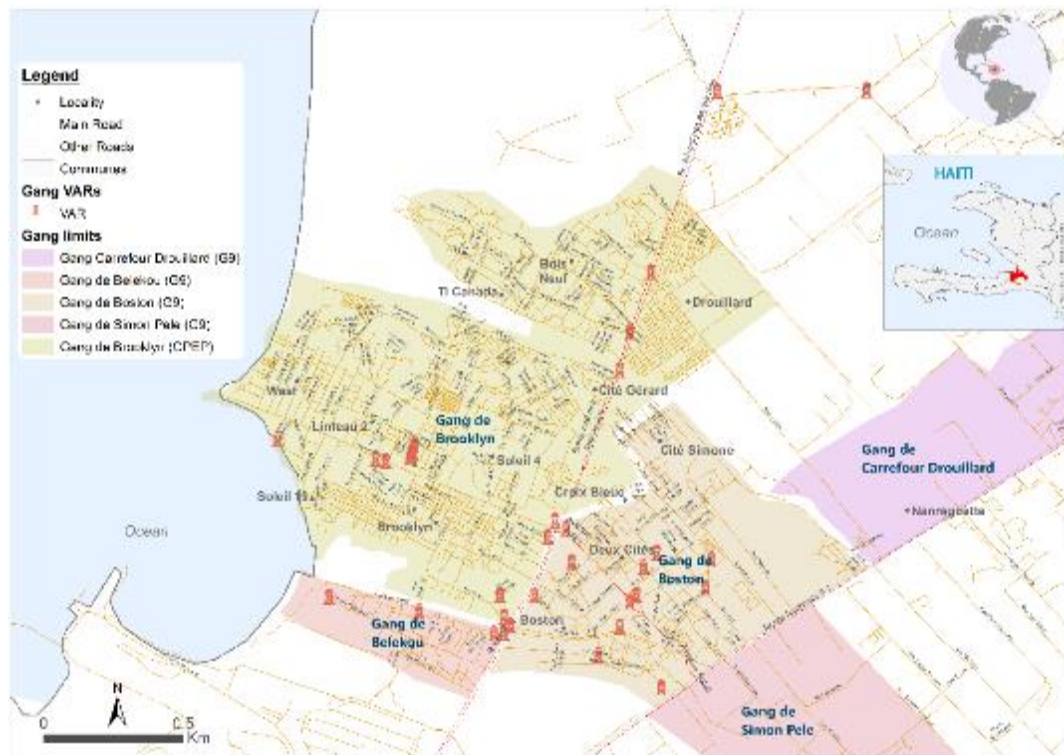
15 July 2022

25 December 2022



[illegible]

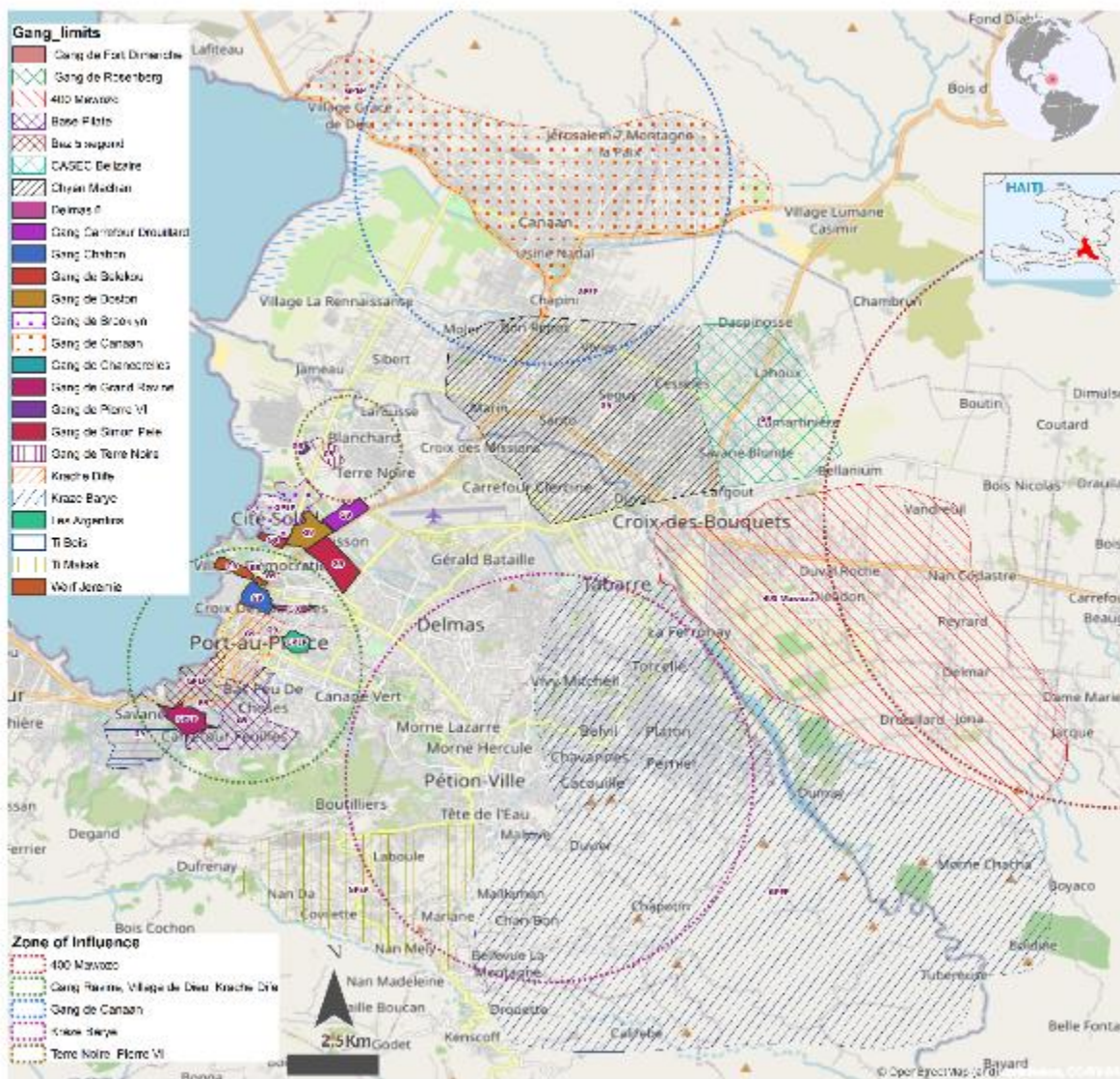
### VARs and checkpoints in Cité Soleil neighborhood as of May 2023



Source: UN data



## Annex 8: Areas of control and areas of influence of gangs in Port-au-Prince as of July 2023



Source: UN data



Annex 10: Gangs in the Artibonite department as of August 2023<sup>159</sup>

Gang and Leaders	Locality	Strength	Main criminal activity
<b>Baz Gran Grif (Savien gang)</b>  Luckson Elan, alias General Luckson	Petite Rivière de l'Artibonite, Savien, Liancourt, Pont Sondé, Carrefour Paye, Moreau Drouet, Hatte, Patchwal  Controls part of RN1, and the secondary road 11, from Pont Sondé to Mirebalais, on Morne Pierre Paul and Chandelle, Liancourt commune	About 100 members	Murder, rape, robbery, destruction of property, hijacking of trucks and goods, violence against civilian population, kidnapping
<b>Kokorat San Ras</b>  Meyer	La Croix Périssé, Commune de l'Estère, Ti Bwadam, Gros Morne  Controls parts of the RN1 and of the RN5, linking the Bassin-Bleu and Gros-Morne communes	Around 20 members	Murder, robbery, rape kidnapping, hijacking of trucks and goods
<b>Coalition des Révolutionnaires pour Sauver l'Artibonite (Jean Denis coalition)</b>  Jean Baptiste Mercedieu alias Ti-Mepri	Jean Denis, Baraj	Around 70 members	Violence against gang members and civilian population from gang member areas, murder, destruction of property
<b>Raboteau</b>  Wilford Ferdinand alias Ti-Will	Gonaïves	Around 50 members	Murder, extortion, street blocking, drug trafficking, destruction of property
<b>Ti Grif</b>  Izolan	Palmiste, Moreau Dwèt	Around 20 members	Murder, rape, robbery, destruction of property, hijacking of trucks and goods, violence against civilian populations, kidnapping
<b>Descahos</b>  Paulda Petitmé	Gonaïves	Around 50 members	Robbery and drug trafficking

<sup>159</sup> This Annex is based on interviews conducted between February and July 2023 with people living in gang-controlled areas, gang analysts, HNP analysts, government representatives and confidential reports.



Annex 11: Notices of wanted persons for 5 Second gang leaders



**POLICE NATIONALE D'HAÏTI**  
**DIRECTION CENTRALE DE LA POLICE JUDICIAIRE**

## AVIS DE RECHERCHE



<b>NOM</b>	<b>: ANDRE</b>
<b>PRENOM</b>	<b>: JOHNSON</b>
<b>ALIAS</b>	<b>: IZO</b>

**INFRACTIONS REPROCHEES :**

- ASSASSINAT
- ENLEVEMENT CONTRE RANCON
- DETENTION ILLEGALE D'ARMES A FEU
- VOL DE VEHICULES
- DETOURNEMENT DE CAMIONS DE MARCHANDISES
- ASSOCIATION DE MALFAITEURS.

**N.B.**

**Dangereux et armé**

*En cas de localisation*

*Prière d'appeler aux numéros : 3834-1111 / 3836-1111 / 3837-1111 / 3838-1111 / 2817-0545 / 3106-0573*



**POLICE NATIONALE D'HAITI**  
**DIRECTION CENTRALE DE LA POLICE JUDICIAIRE**

## **AVIS DE RECHERCHE**



**NOM : SALOMON**  
**PRENOM : EMMANUEL**  
**ALIAS : MANNO**


**INFRACTIONS REPROCHEES :**

- ASSASSINAT
- ENLEVEMENT CONTRE RANCON
- DETENTION ILLEGALE D'ARMES A FEU
- VOL DE VEHICULES
- DETOURNEMENT DE CAMIONS DE MARCHANDISES
- ASSOCIATION DE MALFAITEURS.

**N.B. Dangereux et armé**

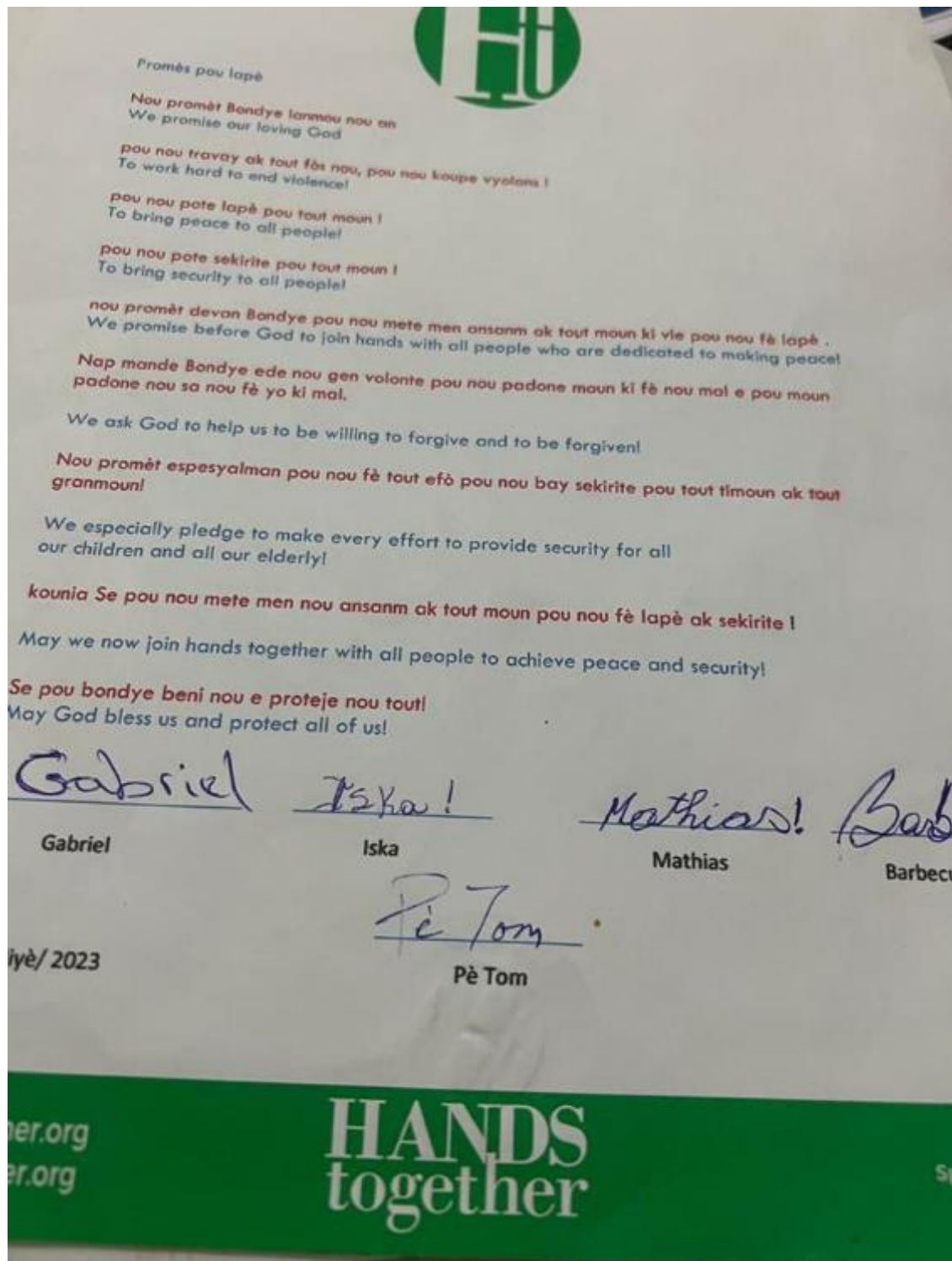
*En cas de localisation*

*Prière d'appeler aux numéros : 3834-1111 / 3836-1111 / 3837-1111 / 3838-1111 /  
 2817-0545 / 3106-0573*

	<b>WANTED BY THE FBI</b>										
<b>EMANUEL SALOMON</b>											
Conspiracy to Commit Hostage Taking; Hostage Taking											
											
<b>DESCRIPTION</b>											
<table><tr><td>Aliases: "Mano", "Manno"</td><td></td></tr><tr><td>Place of Birth: Haiti</td><td>Hair: Black</td></tr><tr><td>Eyes: Brown</td><td>Height: 5'7" to 5'10"</td></tr><tr><td>Weight: 160 pounds</td><td>Sex: Male</td></tr><tr><td>Race: Black</td><td>Nationality: Haitian</td></tr></table>		Aliases: "Mano", "Manno"		Place of Birth: Haiti	Hair: Black	Eyes: Brown	Height: 5'7" to 5'10"	Weight: 160 pounds	Sex: Male	Race: Black	Nationality: Haitian
Aliases: "Mano", "Manno"											
Place of Birth: Haiti	Hair: Black										
Eyes: Brown	Height: 5'7" to 5'10"										
Weight: 160 pounds	Sex: Male										
Race: Black	Nationality: Haitian										
<b>REMARKS</b>											
Salomon has ties to or may visit the Dominican Republic and Mexico.											
<b>CAUTION</b>											
<p>Emanuel Salomon, as second in command of the gang Village De Dieu, allegedly participated in kidnappings of United States citizens for ransom in 2021. In January 2021, Salomon and associates allegedly kidnapped a United States citizen at gunpoint and held the victim for ransom for 11 days. The victim was allegedly held at gunpoint, beaten, and threatened by the gang, and was released only after a ransom was paid.</p> <p>Emanuel Salomon was charged with Conspiracy to Commit Hostage Taking and Hostage Taking by a criminal complaint filed in the United States District Court for the District of Columbia, Washington, D.C. on November 2, 2022.</p>											
<b>SHOULD BE CONSIDERED ARMED AND DANGEROUS</b>											
If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.											
Field Office: Miami											



## Annex 12: 'Peace pledge' signed between G9 and G-Pèp gangs in July 2023



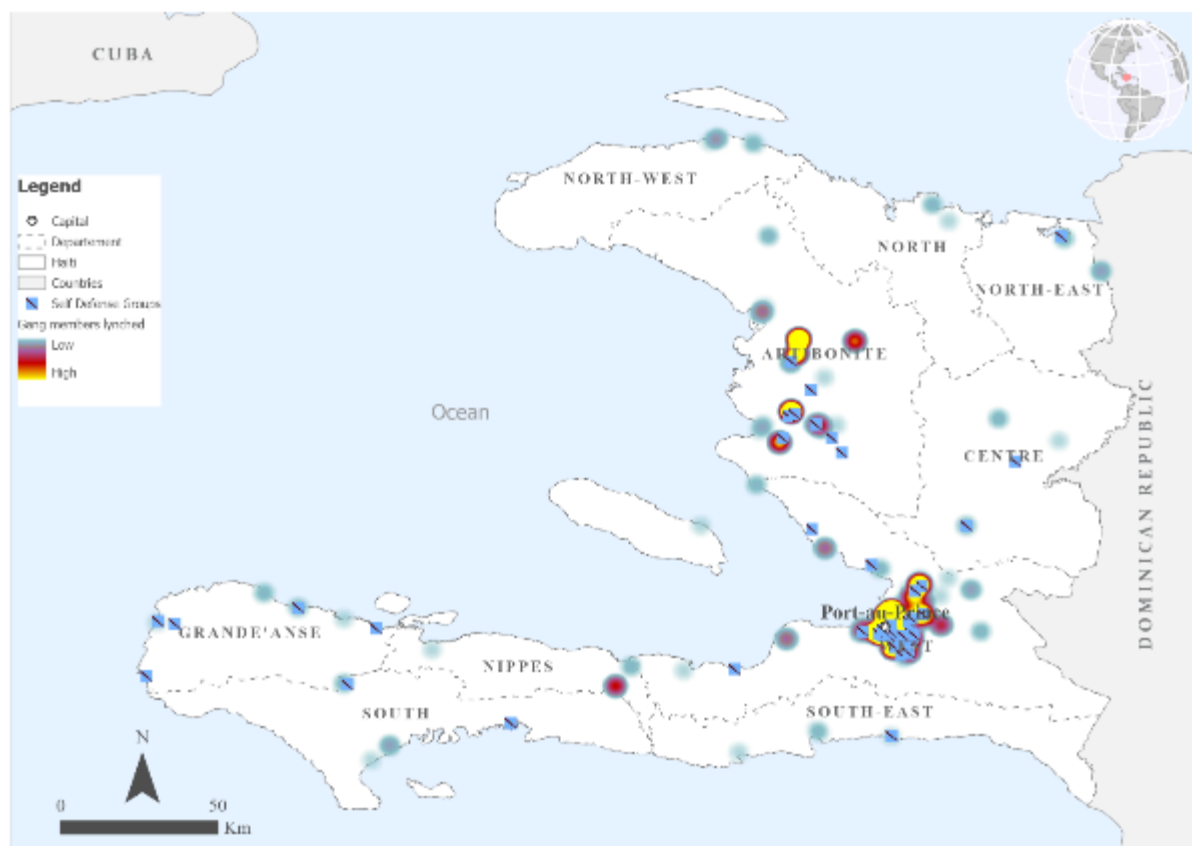
**Annex 13: Izo, 5 Segond's leader, leads spiritual ceremony for funeral vigil of Ti-Makak, on 23 April 2023**

Several sources highlighted the importance of gang leaders to ensure a magico-religious ability. Rituals are made before attacks and on other key occasions. Some gang leaders and members believe that Voodoo practices make them untouchable.



Picture shared with the Panel on 28 April 2023

## Annex 14: Distribution of Bwa Kale and self-defense groups as of 27 July 2023



Source: UN data

Department	Victims
Artibonite	33
Centre	2
Grand'Anse	8
Nippes	4
North	14
Northeast	1
Northwest	1
West	409
South	5
Southeast	2

**Annex 15: Bwa Kale movement against alleged gang members**

**Photographs showing dead, mutilated, burnt and decapitated bodies**

**Removed due to gruesome content**

(On file with the Panel)

Pictures and stills from videos shared with the Panel between April and July 2023

**Annex 16: Barricades set up by residents in Port-au-Prince closing the road**



Photo taken by the Panel, 2023



## Annex 17: Acts of piracy/marine capability and hijacking of vehicles by 5 Second



Piracy attack against a small boat in Goâve  
Still from a Tik Tok video posted on 24 July 2023



Boats - Stills from video shared with the Panel, May 2023



Manno on a jet ski  
Still from a video shared with the Panel, June



One of Izo's speedboats burning during an incident  
Picture shared with the Panel in March 2023



Izo's house – still from a video provided to the Panel, May 2023



Vehicles hijacked  
Still from a video provided to the Panel, May

Izo, who has expansionist ambitions, exerts considerable influence – along with his allies – from the southern (RN2) to the northern (RN1) entrances to Port-au-Prince and up to the Artibonite department. He controls parts of the bay of Port-au-Prince and is understood to be planning to take over Cabaret commune, where the beach resorts and the seaport of Montrouis are located, which, according to several sources, would further facilitate the movement of drugs. Furthermore, he recently tried to finance the setting up of a gang in Grand Rivière, a locality in Jacmel, which is well-known for drug-related activities.



## Annex 18: Notices for wanted persons for Grand Ravine's leaders



REPUBLIQUE D'HAÏTI

**POLICE NATIONALE D'HAÏTI**  
**DIRECTION CENTRALE DE LA POLICE JUDICIAIRE**

# AVIS DE RECHERCHE



**NOM** : DESTINA  
**PRENOM** : RENEL  
**ALIAS** : Tilapli



**INFRACTIONS REPROCHEES :**

- ASSASSINAT
- ENLEVEMENT CONTRE RANCON
- DETENTION ILLEGALE D'ARMES A FEU
- VOL DE VEHICULES
- DETOURNEMENT DE CAMIONS DE MARCHANDISES
- ASSOCIATION DE MALFAITEURS.

**N.B.** **Dangereux et armé**

*En cas de localisation*

*Prière d'appeler aux numéros : 3834-1111 / 3836-1111 / 3837-1111 / 3838-1111 / 2817-0545 / 3106-0573*

	<b>WANTED BY THE FBI</b>												
<b>RENEL DESTINA</b>													
Conspiracy to Commit Hostage Taking; Hostage Taking													
													
<b>DESCRIPTION</b>													
<table><tr><td>Alias: "Ti Lapè"</td><td></td></tr><tr><td>Date(s) of Birth Used: June 11, 1982</td><td>Place of Birth: Haiti</td></tr><tr><td>Hair: Black</td><td>Eyes: Brown</td></tr><tr><td>Height: 5'7" to 5'10"</td><td>Weight: 150 pounds</td></tr><tr><td>Sex: Male</td><td>Race: Black</td></tr><tr><td>Nationality: Haitian</td><td></td></tr></table>		Alias: "Ti Lapè"		Date(s) of Birth Used: June 11, 1982	Place of Birth: Haiti	Hair: Black	Eyes: Brown	Height: 5'7" to 5'10"	Weight: 150 pounds	Sex: Male	Race: Black	Nationality: Haitian	
Alias: "Ti Lapè"													
Date(s) of Birth Used: June 11, 1982	Place of Birth: Haiti												
Hair: Black	Eyes: Brown												
Height: 5'7" to 5'10"	Weight: 150 pounds												
Sex: Male	Race: Black												
Nationality: Haitian													
<b>REMARKS</b>													
Destina has ties to or may travel to the Dominican Republic.													
<b>CAUTION</b>													
<p>Renel Destina, as leader of the gang Gran Ravine, allegedly participated in kidnappings of United States citizens for ransom in 2021. In February 2021, Destina and associates allegedly kidnapped a United States citizen at gunpoint and held the victim for ransom for 14 days. The victim was allegedly held at gunpoint, beaten, and threatened by the gang, and was released only after a ransom was paid.</p> <p>Renel Destina was charged with Conspiracy to Commit Hostage Taking and Hostage Taking by an indictment filed in the United States District Court for the District of Columbia.</p>													
<b>SHOULD BE CONSIDERED ARMED AND DANGEROUS</b>													
If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.													
Field Office: Miami													



POLICE NATIONALE D'HAÏTI  
DIRECTION CENTRALE DE LA POLICE JUDICIAIRE

---

## AVIS DE RECHERCHE



BOUGÔY AINSI CONNU  
« GANG GRAND RAVINE »

INFRACTIONS RÉPROCHÉES : ASSASSINAT, TENTATIVE D'ASSASSINAT,  
ENLÈVEMENT, VOL DE VÉHICULE, DETOURNEMENT DE CAMIONS DE MARCHANDISES.

---

En cas d'identification ou de localisation

Prrière d'appeler aux numéros suivants : 3838-1111 & 31060573

---

Annex 19: Wanted Notice against leader of Kraze Barye

**AVIS DE RECHERCHE**  
POLICE NATIONALE D'HAÏTI  
DIRECTION CENTRALE DE LA POLICE JUDICIAIRE (DCPJ)



**USD 1,000,000**  
Pour toutes informations pouvant conduire à son  
arrestation ou condamnation

**Vitel'Homme  
Innocent**

**INFRACTIONS REPROCHÉES**

- 1.- Enlèvement et séquestration contre rançon
- 2.- Assassinat
- 3.- Tentative d'assassinat
- 4.- viol
- 5.- vol à mains armées
- 6.- vol de véhicule
- 7.- spoliation
- 8.- destruction de biens



En cas d'identification ou de localisation  
Prière d'appeler aux numéros suivants: **3834-1111 / 3836-1111 / 3837-1111 / 3838-1111**  
**Police Nationale d'Haïti**





**POLICE NATIONALE D'HAÏTI**  
**DIRECTION CENTRALE DE LA POLICE JUDICIAIRE**

## **AVIS DE RECHERCHE**



**NOM : INNOCENT**  
**PRENOM : VITEL'HOMME**

**CHEF DE GANG : KRAZE BARYÈ (TABARRE 70 / TORCEL)**

**INFRACTIONS REPROCHÉES : ASSASSINAT, TENTATIVE D'ASSASSINAT,  
ENLÈVEMENT, VOL DE VÉHICULES**

**En cas d'identification ou de localisation**  
**Prière d'appeler aux numéros suivants : 3838-1111 & 31060573**

	<b>WANTED BY THE FBI</b>
<b>VITEL'HOMME INNOCENT</b>	
Conspiracy to Commit Hostage Taking; Hostage Taking	
	
<b>DESCRIPTION</b>	
Date(s) of Birth Used: March 27, 1986	Place of Birth: Haiti
Hair: Black	Eyes: Brown
Height: 5'7" to 5'10"	Weight: 150 pounds
Sex: Male	Race: Black
Nationality: Haitian	
<b>REWARD</b>	
The United States Department of State's Transnational Organized Crime Rewards Program is offering a reward of up to \$1 million United States dollars for information leading to the arrest and/or conviction of Vitel'Homme Innocent.	
<b>REMARKS</b>	
Innocent has ties to or may travel to the Dominican Republic.	
<b>CAUTION</b>	
Vitel'Homme Innocent, as leader of the gang Krazé Banyé, allegedly worked together with the gang 400 Mawozo, in the October 2021, kidnapping of 17 Christian Missionaries in Haiti, including five children, one as young as 8 months old. The hostages were allegedly held at gunpoint and most remained captive for 61 days. The gangs demanded ransom payment for each of the victims.	
Vitel'Homme Innocent was charged with Conspiracy to Commit Hostage Taking and Hostage Taking by an indictment filed in the United States District Court for the District of Columbia.	
<b>SHOULD BE CONSIDERED ARMED AND DANGEROUS</b>	
If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.	
Field Office: Miami	



## Annex 20: Notice for wanted person for the leader of 400 Mawozo

  
REPUBLIQUE D'HAÏTI  
**POLICE NATIONALE D'HAÏTI**  
DIRECTION CENTRALE DE LA POLICE JUDICIAIRE

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**AVIS DE RECHERCHE**





NOM : JOSEPH  
PRENOM : WILSON  
ALIAS : LANMÒ SAN JOU

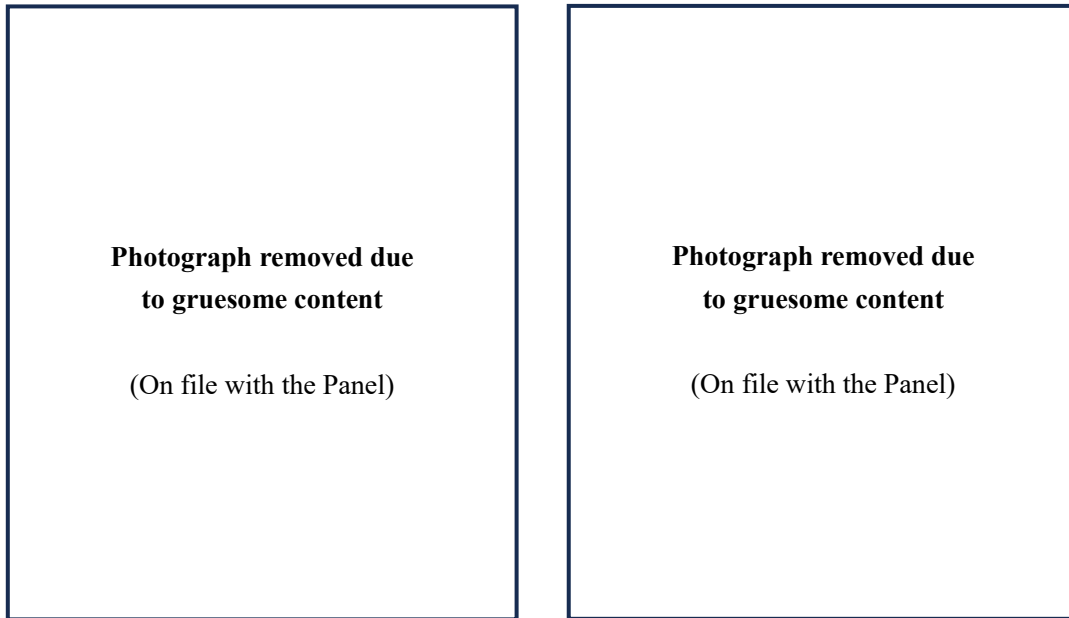
**CHEF DE GANG : 400 MAWOZO**

**INFRACTIONS REPROCHÉES : ASSASSINAT, TENTATIVE D'ASSASSINAT, ENLÈVEMENT, VOL DE VÉHICULES, DÉTOURNEMENT DE CAMIONS DE MARCHANDISES.**

En cas d'identification ou de localisation Prière d'appeler aux numéros suivants : 3838-1111 & 31060573
--

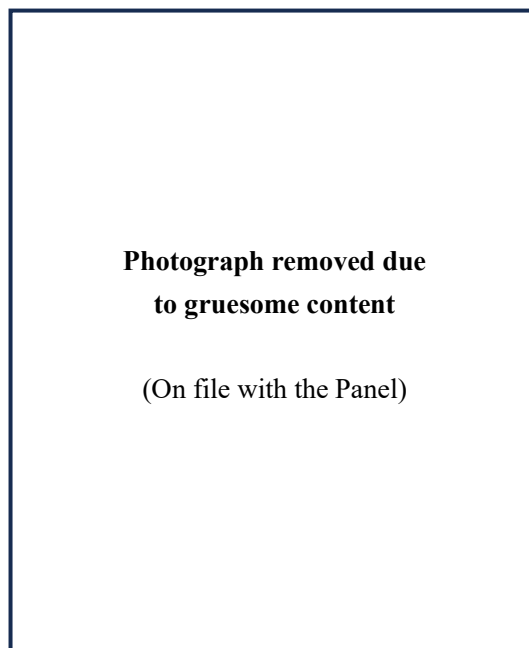
 <h1 style="margin: 0;">WANTED BY THE FBI</h1>													
<h2 style="margin: 0;">LANMO SANJOU</h2> <p style="margin: 0;">Conspiracy to Commit Hostage Taking; Hostage Taking</p>													
													
<h3 style="margin: 0;">DESCRIPTION</h3>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Aliases: Lanmo San Jou, Lamo Sanjou, Joseph Wilson</td> </tr> <tr> <td>Date(s) of Birth Used: February 28, 1993</td> <td>Place of Birth: Haiti</td> </tr> <tr> <td>Hair: Black</td> <td>Eyes: Brown</td> </tr> <tr> <td>Height: 5'7" to 5'10"</td> <td>Weight: 150 pounds</td> </tr> <tr> <td>Sex: Male</td> <td>Race: Black</td> </tr> <tr> <td>Nationality: Haitian</td> <td> <b>Scars and Marks:</b> Sanjou has significant scars across his body. Sanjou has the following tattoos: right calf - skull; left calf - snake; right forearm - knife; right shoulder - spider web; left arm - sleeved and cursive writing; and on his chest are stars and cursive writing.         </td> </tr> </table>		Aliases: Lanmo San Jou, Lamo Sanjou, Joseph Wilson		Date(s) of Birth Used: February 28, 1993	Place of Birth: Haiti	Hair: Black	Eyes: Brown	Height: 5'7" to 5'10"	Weight: 150 pounds	Sex: Male	Race: Black	Nationality: Haitian	<b>Scars and Marks:</b> Sanjou has significant scars across his body. Sanjou has the following tattoos: right calf - skull; left calf - snake; right forearm - knife; right shoulder - spider web; left arm - sleeved and cursive writing; and on his chest are stars and cursive writing.
Aliases: Lanmo San Jou, Lamo Sanjou, Joseph Wilson													
Date(s) of Birth Used: February 28, 1993	Place of Birth: Haiti												
Hair: Black	Eyes: Brown												
Height: 5'7" to 5'10"	Weight: 150 pounds												
Sex: Male	Race: Black												
Nationality: Haitian	<b>Scars and Marks:</b> Sanjou has significant scars across his body. Sanjou has the following tattoos: right calf - skull; left calf - snake; right forearm - knife; right shoulder - spider web; left arm - sleeved and cursive writing; and on his chest are stars and cursive writing.												
<h3 style="margin: 0;">REWARD</h3>													
<p>The United States Department of State's Transnational Organized Crime Rewards Program is offering a reward of up to \$1 million United States dollars for information leading to the arrest and/or conviction of Lanmo Sanjou.</p>													
<h3 style="margin: 0;">REMARKS</h3>													
<p>Sanjou has medical issues with his kidneys. He has been to or may travel to the Dominican Republic.</p>													
<h3 style="margin: 0;">CAUTION</h3>													
<p>Lanmo Sanjou, as leader of the gang 400 Mawozo, allegedly participated in the October 2021, kidnapping of 17 Christian Missionaries in Haiti, including five children, one as young as 6 months old. The hostages were allegedly held at gunpoint and most remained captive for 61 days. The gang demanded ransom payment for each of the victims.</p> <p>Lanmo Sanjou was charged with Conspiracy to Commit Hostage Taking and Hostage Taking by an indictment filed in the United States District Court for the District of Columbia.</p>													
<h3 style="margin: 0;">SHOULD BE CONSIDERED ARMED AND DANGEROUS</h3>													
<p>If you have any information concerning this person, please contact your local FBI office or the nearest American Embassy or Consulate.</p>													
<p>Field Office: Miami</p>													

**Annex 21: Acts of torture and body mutilation against victims of kidnapping by Artibonite gangs**



Stills from video showing kidnapping victim being burnt by Kokorat San Ras gang

Still from a video shared with the Panel on 17 April 2023



Victim of kidnapping having genitals burned by Gran Grif gang members

Stills from a video shared with the Panel on 17 April 2023

## Annex 22: Kidnapping dynamics<sup>160</sup>

Notwithstanding the active efforts of the HNP kidnap response unit (Cellule Contre Enlèvement – CCE) to deal with the large number of cases reported, its capacity is stretched to the limit, with only a few trained investigators and negotiators. Furthermore, the increase of “no-go zones” in Port-au-Prince from 2016 onwards, presented significant challenges to police operations aiming at recovering hostages in these areas. The CCE unit concentrates its focus on conducting investigations and providing strategic assistance with negotiations.

The spike in kidnapping is in part attributable to new alliances in Port-au-Prince which have enabled gangs to operate outside of their own zones, rendering HNP operations more complicated. In several cases, victims were kidnapped in one gang’s area and then taken to the territory controlled by another, notably to Village de Dieu, 5 Second’s stronghold. Tracking of mobile devices enabled investigators to identify negotiations taking place in one gang-controlled zone, while the victims were being held in a location controlled by another gang.

In certain instances, gangs transfer kidnap victims into the custody of another gang under an arrangement whereby they pay a ‘commission’ for holding the victim and negotiating the ransom. Additionally, criminal groups looking to gain from this ‘market’, can ‘sell’ kidnap victims to other gangs. Some lower-level gang members also stage opportunistic ‘express kidnappings’ and hold the victim for a short duration (ranging from a few hours to about 48 hours) while they negotiate the ransom payment, concealing the act from their leadership. The ransom amounts in these cases are typically much lower.

Kidnappers often operate in two vehicles, to “ambush” the victim’s car. They also use *tap-taps* (collective taxis), trucks, motorbikes, and other means. They frequently use stolen vehicles with tinted windows, including with official plates to move around more freely and approach victims. In these opportunities, they use firearms that are easier to handle and conceal, including handguns. They sometimes wear police uniforms.

Gangs also break into residences, work structures, religious premises, buses and conduct collective kidnappings. The Panel interviewed a woman who had a family relative kidnapped at her residency by 5 Second. Gangs also place antennas across the communities to monitor their targets. They often use children or recruit people to work on motorcycle stations as sentinels.



Kidnapping by les Argentins gang at a small shop in Delmas 22  
Still from video filmed in November 2022



Collective kidnapping by Ti Bois gang inside an evangelical church, filmed in 2021  
Still from video shared with the Panel on 16 April 2023

Kidnappings used to be either politically motivated or random, with captivities lasting less time (3-4 days) and lower ransoms were requested (\$3,000 to \$4,000 USD). As gangs became “more professional”, kidnappings evolved into a profitable market, targeting entrepreneurs and prominent figures. The duration of captivity increased considerably to a minimum of three weeks and gangs started asking for higher ransoms. In general, hostages are well treated, if there is no

<sup>160</sup> The Panel interviewed a victim of kidnapping, police officers, victims’ relatives, individuals advising families of victims, gang analysts, international security officers, diplomatic representatives and national government representatives working on gang-related issues as well as civil society organizations with knowledge of kidnapping dynamics.

resistance. However, torture is sometimes used as a pressure tactic for obtaining the ransom, particularly in with Grand Grif and Kokorat San Ras gangs in the Artibonite department, considered amongst the cruellest of the gangs.

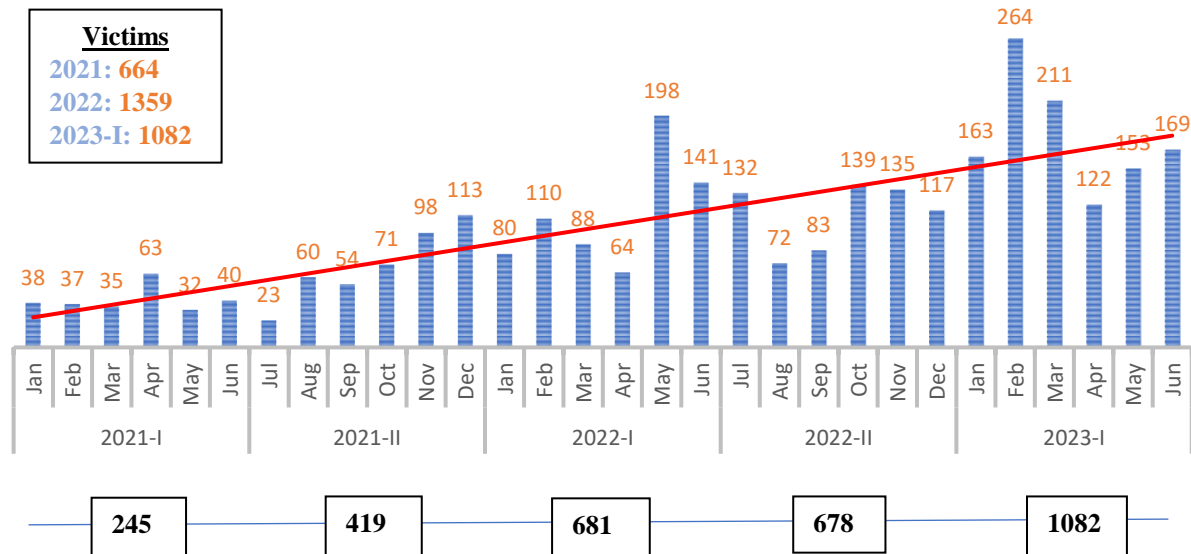
Ransoms paid vary greatly depending on the profile of victims, the gang(s) involved and the skills of the negotiator. “High value” targets are typically from affluent families or foreign nationals, as these attract substantial ransom payments, often demanded in USD. The highest ransom demanded by a gang so far was of \$6 million USD<sup>161</sup>, and the lowest just a few thousands HTG (\$15 to \$20 USD). More modest income families can pay ransoms from \$2 to \$3,000 USD, while middle class families from \$6,000 to \$10,000 USD; and wealthier families up to \$500,000 USD<sup>162</sup>. Recently, gangs have also started targeting companies disposing of security agents to demand weapons and vehicles in addition to the ransom.

As for the negotiations, kidnappers ask the victim to call someone to be their point of contact. Often, when negotiators are too hasty in agreeing payment of the initial ransom, within 48 hours, a second ransom demand is made.

While most of the ransom paid is destined to purchase weapons and ammunitions, part of the amount is fed to money laundering schemes. Gangs such as Grand Ravine process kidnapping money in different ways. Either they deposit money in banks, via accounts held by small traders, or they use “mules” to send money to the United States. Information received by the Panel indicate that some gangs have informants working in banks who can provide them with details about the account balance of their victims. Besides, gang leaders invest in local facilities and businesses.

Since the emergence of Bwa Kale, the number of kidnappings has dropped from 211 in March 2023 to 122 in April 2023, however cases are on the rise again, with 153 and 169 victims, in May and June respectively (see Figure 1 below). In July 2023, 23 cases of kidnappings were recorded in the Artibonite department, including two collective kidnappings<sup>163</sup> perpetrated by Kokorat San Ras and Gran Grif gangs.

**Figure 4: Individuals kidnapped in Haiti from January 2022 to June 2023**



Source: UN data

<sup>161</sup> Interview with HNP investigator, 2023.

<sup>162</sup> Interview with international security officer working on several kidnapping cases.

<sup>163</sup> CARDH report, 3 August 2023.

Bwa Kale and the related increase in vigilantism in several neighborhoods of Port-au-Prince, together with HNP operations in the outskirts of Village de Dieu, have prevented 5 Second and Grand Ravine from freely operating their kidnapping business, as they did in the first quarter of 2023. In response, 5 Second has used the strategy of reinforcing its northern cells, as well as Canaan gang, to perpetrate kidnappings in Delmas, Lilavois, and Bon Repos areas. Two sources<sup>164</sup> suggested that continuous violence by Kraze Barye in the Tabarre area was partially intended to distract the HNP and reduce pressure on Village de Dieu and Martissant neighborhoods, thereby benefiting its allies, 5 Second and Grand Ravine.

In the meantime, Vitelhomme has been conducting targeted kidnappings against prominent figures, such as the regional director of APN port of Cap-Haïtien (North department), the director of a private television station on “Route des Freres”, and the director of the “Radio Commerciale d’Haïti” as well as a famous journalist and the former president of the Provisional Electoral Commission (CEP), among others.

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<sup>164</sup> CARDH report and interview with HNP officer, 2023.



## Annex 23: Forms of extortion by gangs

Seven different sources described to the Panel how gangs control access to economic hubs such as seaports by imposing taxes on trucks. Government officials aware of G9 activities in La Saline area, where the International Port of Port-au-Prince referred to as the APN port<sup>165</sup> is located, explained to the Panel how the coalition erects checkpoints on the road leading from the port in order to tax trucks coming from the port.

With regards to the Varreux terminal, the main petroleum terminal in the country, on 20 July 2023, the Association of Petroleum Professionals (APPE) sought the government's intervention to forestall the disruption of the access to the terminal by gang members who were taxing 15 gallons per truck entering the terminal, and 200,000 Gourdes for those departing the terminal.<sup>166</sup>

Extortion also applies in the transport industry. For instance, on the Canaan route (RN1), a gang entered into a tacit agreement with the association of bus drivers using the route to pay a total sum of about 300 million HTG per year (under 2 million USD). Some of the gangs use the proceeds gained from these illegal activities to invest in gas stations, hotels, money transfer shops, motorcycles which they rent out, among other ventures, as a way of expanding their income. The Panel is currently investigating such cases.

Gangs also derive revenue by extorting families for the "supply" of social amenities such as water and electricity. The Panel received several accounts of how this happens. The population is forced to pay these monthly fees whether it receives electricity or not. The same charge may also apply to water charges and any other items the gang may want to "tax" to the population.

The gangs position themselves as the main interlocutors for the distribution of aid in their areas. They insist that the aid to be channeled through their foundations as a tool for controlling the population. Some gangs reportedly use their foundations to extort money from some humanitarian organizations seeking to access the areas they control and to sell the aid commodities for profit.

As users of the road system, humanitarian workers face extortion from gangs. For instance, gangs operating between Tabarre and Carrefour demanded 50,000 HTG at Martissant and an additional 25,000 HTG at Fontamara, summing up to 75,000 HTG for any vehicle, including aid workers. To bypass the illegal toll, a NGO, used the WFP barge for support.<sup>167</sup>

The Panel continues to investigate extortion by gangs, including in seaport areas.

<sup>165</sup> APN stands for Autorité Portuaire Nationale. APN is the government authority that manages all of Haiti's seaports. See, <https://apn.gouv.ht/>.

<sup>166</sup> Source: two members of a transport association, a cargo truck driver in La Saline, 2023.

<sup>167</sup> [OCHA, Humanitarian Response Overview, Situation Report - June 2023](#)

Port-au-prince Haiti, le 4.02.2021

Objet: Demande d'aide financiere

Aux Responsables

Les Responsables Madame et Monsieur

Nous les Responsables du quartier (400 MAWOZO) vous felicite pour votre détermination d'accompagner dignement. Dans laquelle il se trouve et à l'avantage de soumettre à votre attention une lettre de demande suite à quoi, nous vous sollicite de votre administration un support financier. Pour ne pas dire TAXE. NB que le moment est fixé 7.000.000.000 par an. Tout en souhaitant de vous rencontrer à fin de discuter la faisabilité et l'exécution de cette lettre.

Nous vous remercions par avance et nous vous saluons patriotiquement.

Pour les responsables

De: Canaan

À: [REDACTED]

Tel: +

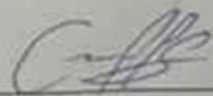
Objet: Demande de finance

Cher Mdm/ Msr. en l'honneur de vous felicite je vous salue Dans le nom de votre sauveur  
Vu à la situation que confronte la dite Zone au cours de ce dernier moments, nous vous  
sollicitons un frais de 25 000 U\$ pour l'objectif de ra mieux la securite de votre  
buisness.

Nous eswperions que notre demande retienne toutes votre attention.

Dans l'attente, Nous vous prions Mrs. /mdm D'agrée l' expression de nos sentiments  
Distingué

Fait a CANAAN le 05/01/23

  
Signature

**NB: 48:00hr de temps pour vous Decide**

## Annex 24: Weaknesses of Customs controls at Haiti's seaports

The Haitian population relies on imports for the vast majority of commodities. For instance, the APN seaport handles most of the cargo coming into Port-au-Prince. This makes the port one of the most lucrative economic hubs, for both licit and illicit goods.

In the three ports it visited, the Panel observed acute lack of technical capacity and resources for customs control ranging from basic equipment such as hand gloves and metal detectors to computerized systems and scanners. The customs officials informed the Panel that these limitations have hampered their ability to detect and intercept smuggled goods including firearms, ammunition, and contraband. Customs officers rely on basic vessel profiling methods based on the port of origin and the last 10 ports of call to identify if it had transited through ports classified as "high risk". In addition, officers also depend on information shared by friendly foreign intelligence services on suspicious ships or containers entering the Haitian seaports. The search of suspected cargo is done manually and may take from a few days to weeks to accomplish.

In addition, customs activities are oftentimes impeded by the threats and attacks from gangs, certain economic actors and corrupt senior officials involved in circumventing customs regulations and other habitual malpractices. These are vents through which taxes are evaded and illicit goods such as weapons and ammunition enter the country. In some cases, containers are released before customs inspection and verification procedures are performed at the location/home of consignees. In addition to representing a risk to the country's safety and security, this entrenched malpractice results in some of the main importers evading taxes and is in violation of Haiti's customs regulations <sup>168</sup>.

APN port has witnessed several challenges including attacks by gangs, as the port is in La Saline amidst an area controlled by the two rival coalitions G-Pèp and G9. On 16 June 2022, one of the gangs attacked APN port, killing one guard. Gang violence and attacks against the facility and threats against customs officers, have instilled fear not to search or intercept cargo belonging to people affiliated to gangs. As a result, suspicious cargo is sometimes released uninspected. Similar challenges are faced by officers at the Cap-Haitien seaport.

### *The issue of second-hand goods*

The import of personal effects (called locally *pèpè*) is subjected to a favorable tax rate which is being abused since most items imported as *pèpè* are in fact second-hand commodities brought in for resale in Haiti. The import and trade of these commodities provide an important source of livelihoods for many people but are sometimes used to smuggle contraband goods, including arms, ammunition as well as bulk cash (see Annex 29). Whether packed in bulk or in containers, *pèpè* are very difficult to search effectively due to the large volumes. The Panel observed first-hand some of the challenges experienced by customs in Cap-Haitien in processing personal effects and identified a number of weaknesses in customs controls that would abet illicit trafficking, including of firearms and ammunition.

<sup>168</sup> See customs code: [https://www.ifrc.org/docs/IDRL/Haiti/Code\\_de\\_Douanes.pdf](https://www.ifrc.org/docs/IDRL/Haiti/Code_de_Douanes.pdf)

Port workers sorting and loading pèpè cargo at the port of Cap-Haitien



Pictures taken by the Panel in 2023



## Annex 25: Map of airports, seaports, and road infrastructure in Haiti



UNODC. 2023. Haiti's criminal markets: mapping trends in firearms and drug trafficking.



## Annex 26: Diversion of funds by Romel Bell<sup>169</sup>

As the head of Customs at the Port au Prince international airport between 2012 and 2018, his annual gross salary including privileges was between 1,241,160HTG (\$29,813)<sup>170</sup> and 1,327,140HTG (\$14,695),<sup>171</sup> Bell had accumulated wealth beyond his salary and benefits throughout his career he could not account for.<sup>172</sup> For instance, on successive dates, Bell transferred amounts of money, of which he did not confirm the source, to a school in a foreign country. He also did not disclose several properties he owns, and interests in a company that he operated.

During the 2020-2021 tax year, Mr. Bell and his spouse committed significant tax evasion, on the one hand, by concealing the commercial profits derived from the company known as A & L Distribution S.A and on the other hand, by paying to the tax authorities income tax amounts that were not commensurate to their annual income from salaries, business profits and rental expenses. Among several other suspicious transactions were bank account transactions relating to amounts that exceeded Bell's salaries that showed the balances of 5,636,280.00 HTG, as of March 24, 2022, and another had \$ 124,535.00 USD on March 14, 2022. The accounts belonged to a joint business between Bell and his spouse.


<sup>169</sup> Confidential report on file with the Panel.

<sup>170</sup> Average exchange rate in 2012 was \$1=41.6313. See, <https://www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2012.html>.

<sup>171</sup> Average exchange rate in 2019 was \$1=90.3108HTG. See, <https://www.exchangerates.org.uk/USD-HTG-spot-exchange-rates-history-2019.html>.

<sup>172</sup> Direction Générale du Budget et de la Comptabilité Publique (DGBCP) and documented in a confidential report seen by the Panel.

A court order dated 3 April 2023, prohibiting Romel Bell and others from leaving the territory of Haiti due to cases of corruption and money laundering.



**CONSEIL SUPÉRIEUR  
DU POUVOIR JUDICIAIRE**

ATTENTION  
Superviseur Général de l'AÉRO-IT

Pour exécution.....

Date..... 3-4-23

Accusé Réception.....

Transmis Par..... R. Bazile

Reçu par.....

Date..... 3 Avril 2023

**CABINET D'INSTRUCTION DE** .....

Au Directeur

No. .... Du service de l'immigration et de l'immigration

Le 3 Avril 2023

Monsieur le directeur ;

Nous, [redacted] juge d'instruction au tribunal de première instance de Port-au-Prince en charge de l'instruction d'un dossier transmis au parquet de ce ressort par le directeur de l'UNITE DE LUTTE CONTRE LA CORRUPTION (ULCC), dossier transféré en notre cabinet d'instruction par ordonnance de désignation du doyen en date du 22 Mars 2023 contre les nommés :

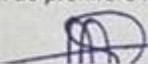

**BELL ROMEL NIF 001-654-618-6**

[redacted]

Tous concernés par l'instruction en cours pour Blanchiment des avoirs et du financement du terrorisme, enrichissement illicite à la loi du 21 février 2001, relative au blanchiment des avoirs provenant du trafic illicite de la drogue et d'autres infractions graves et la loi du 12 mars 2014 portant prévention et répression de la corruption.

Ordonnons qu'ils soient interdits jusqu'à nouvel ordre de quitter le pays pour les besoins de la justice.

Donnée de nous : Juge d'instruction au tribunal de première instance de Port-au-Prince.

  
  
 Juge d'instruction

**Annex 27: Customs performance and financial management measures**

The customs revenue collection improved in the previous financial year ending June 2023 due to tightening of the implementation of Customs regulations.

On May 4, 2023, the government passed an Anti-Money Laundering/Countering the Financing of Terrorism (AML/CFT) decree. This sanctions money laundering, the financing of terrorism and the financing of illicit proliferation of weapons of mass destruction in Haiti.<sup>173</sup> The decree aligns better with Financial Action Task Force (FATF) international standards than the previous AML/CFT law. This follows another major step, in which, on 21 December 21, 2022, the International Monetary Fund (IMF) approved the country's first Staff-Monitored Program (SMP). This aims at helping the government restore macroeconomic stability and lower inflation, while also enhancing accountability by encouraging stronger public finance management, revenue administration, transparency, and anti-corruption measures.<sup>174</sup>

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<sup>173</sup> L'État haïtien dispose de moyens légaux de geler les fonds de toutes personnes impliquées dans des crimes financiers, [https://www.lenational.org/post\\_article.php?pol=3661](https://www.lenational.org/post_article.php?pol=3661).

<sup>174</sup> Haiti: First Review Under the Staff-Monitoring Program-Press Release; and Staff Report. At: <https://www.elibrary.imf.org/view/journals/002/2023/048/article-A001-en.xml>.

**Annex 28: Seizures conducted on their way to Haiti or at Haitian ports of entry during the reporting period****Table: Seizures conducted at Haiti's ports of entry or on their way to Haiti between the adoption of resolution 2356 on 22 October 2022 and 1<sup>st</sup> July 2023**

Date	Location/authorities	Firearms	Ammunition	Other materiel	Information
25 October 2022	Miami Airport USA	9mm handgun		1 magazine	The pistol was discovered in a parcel being shipped to Haiti
8 November 2022	Elias Pina, Dominican Republic		12,000 rounds of 7.62x39mm 10,160 rounds of 5.56x45mm		Two Haitian women were arrested while attempting to cross the border into Haiti in a private vehicle.
31 December 2022	Cap Haitien Haiti		989 rounds of 9x19mm		Seizure from a container coming from the US. One individual was arrested in Haiti.
11 January 2023	Miami port USA	One revolver	41 rounds		The revolver was concealed in a sofa
24 April 2023	Cap Haïtien Haiti	One 9mm handgun	Eight 9mm rounds 4 boxes of 12-gauge rounds (100 rounds)	2 knives	Found in a container transported by the Sara Express coming from the Miami River (Antillean Marine Shipping).
7 June 2023	CPS container park– Port au Prince Haiti	PA-15 5.56mm rifle	340 rounds of 5.56x45mm 115 rounds of 9mm	5 magazines 1 helmet	Container coming from Miami. Some materiel concealed in a popcorn machine. The rifle was purchased for the first time in the US in 2017. Two individuals arrested in Haiti.
2023 (unknown date)	Miami USA	2 pistols		1 magazine	
2023 (unknown date)	Miami USA			23 vests	
<b>TOTAL</b>		<b>5 handguns 1 semi-automatic rifle</b>	<b>23,753 rounds of various calibers</b>		

Source: Data provided by Customs and Border Protection (CBP) as well as Haitian, Dominican and US law enforcement agencies, 2023

## Annex 29: Arms and ammunition trafficking from the United States

This annex is based on on-site observations by the Panel, the analysis of trafficking cases, of seizures data shared by the United States and Haitian authorities, a review of legal documents, and interviews with United States-based arms specialists, as well as representatives of United States and Haitian law enforcement agencies and Customs officials. The Panel travelled to Miami and met with representatives of law enforcement and border control agencies.

Given the weak control of border in Haiti and the very limited capacity of Customs, most trafficking is undetected, and seizures do not reflect the levels of trafficking. The analysis of seizures made in Haiti of materiel coming from the United States – particularly by vessel, allow for identifying trends and modus operandi (see Annex 30 for selected cases of trafficking).

### *Tracing requests by the Panel of firearms*

The Panel sent a tracing request to the United States authorities for 60 illicit firearms that were seized in the past 18 months either on their way to or already in Haiti, including a 12.7x99mm sniper rifle, four 7.62x51mm rifles and light machine guns, eighteen 5.56mm semi-automatic rifles, six 7.62x39mm semi-automatic rifles, and twenty-eight handguns of various calibers (9mm, .40 S&W, .45).

### *Tracing data published by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)*

The ATF provides online results of tracing requests made by law enforcement agencies for firearms recovered in several Caribbean countries. At the time of submission of this report, the most recent data available is for firearms recovered in 2021. While the statuses of firearms and the reason for their tracing is not indicated, the data provides some insights into trends. From the 125 arms recovered in Haiti in 2021 and traced by the ATF, 85% had been manufactured in or imported from the United States. 69% of these firearms were pistols, 19% rifles, and 10% shotguns<sup>175</sup>.

### *Data on outbound interdictions of firearms, ammunition and related materiel to Haiti provided by United States CBP*

Between January 2020 and July 2023, CBP interdicted 59 firearms including 44 pistols, 12 rifles, 1 machine gun, 1 shotgun and 1 revolver as well as 15,938 rounds of ammunition. CBP also intercepted 31 receivers, including non-serialized and home-made ones indicating their likely use for privately made firearms (PMFs). Twenty-one outbound interdictions were conducted, including 8 by air and 13 by sea. Nineteen were conducted in Miami and 1 in Atlanta.

Year	Transport	Ammunition	Revolvers	Pistols	Shotguns	Rifles	Machine guns	Receivers	Magazines
2020	Air	1348		9					28
	Sea	663		16				28	50
	Total	2011		25				28	78
2021	Air	672							12
	Sea	1074		1					1
	Total	1746		1					13
2022	Air	625		1				1	1
	Sea	11 515		17	1	12	1	6	73
	Total	12 140		18	1	12	1	7	74

<sup>175</sup> See [Firearms Trace Data: The Caribbean - 2021 | Bureau of Alcohol, Tobacco, Firearms and Explosives \(atf.gov\)](#)

2023	Air								
	Sea	41	1						
	Total	41	1						
TOTAL		15 938	1	44	1	12	1	35	165

Source: Table elaborated from data provided by US CBP on Seized Outbound Shipments of Firearms and Their Ammunition, Parts, and Accessories Intended for Delivery to Haiti from 1 January 2020 until 1 July 2023. Response to a Freedom of Information Act request filed by the Panel. Received 15 July 2023.

In addition, United States authorities also told the Panel that 24 body armour vests had been interdicted on their way to Haiti since 2020, including 23 in 2023.

### Modus operandi of trafficking by sea from the United States

The majority of trafficking cases analyzed by the Panel to date allow for a better understanding of the actors involved in trafficking weapons and the various steps in the chain of custody. They also highlight how traffickers violate United States regulations and exploit loopholes and reflect challenges to address this trafficking.

Most cases analysed by the Panel involve networks mostly based on familial links including spouses, brothers, girlfriends, brother in laws (See Annex 30).

#### 1) Purchase of weapons and ammunition in the United States for onward trafficking to Haiti

##### *Straw-buying*

In several cases involving the trafficking of a batch of weapons, a main orchestrator in the United States would rely on a range of straw-buyers; i.e. individuals pretending to purchase firearms for themselves while actually purchasing them on someone else's behalf. This is illegal in the United States and penalties for straw-buying have recently been increased; however, it is challenging to detect. The purchase of multiple firearms in a certain time period would trigger more controls and potential red flags. To avoid this, the orchestrator typically recruits individuals of Haitian descent with no criminal record to buy firearms for them. In certain cases, traffickers have been known to rent a storage unit in the United States while they consolidate their shipments.

##### *Private party sales*

Other cases of trafficking to Haiti include purchases through private party sales; i.e. an individual or group of individuals selling their own 'private' collection (i.e. not officially for commercial reasons) including at private gun shows, for example. Such sales do not require a firearm license from the ATF, do not leave any trace, and do not trigger the same alarms that multiple purchases within a certain time period through a retailer might, for instance. In the event of a long 'time to crime' – i.e. when more than a year has passed between the first retail sale of a firearm in the United States and its use in a crime – it is extremely difficult to build the chain of custody. For instance, during a recent seizure at a seaport, Haitian authorities recovered firearms with a time to crime exceeding 6000 days<sup>176</sup>.

##### *Privately made firearms (PMFs)*

According to a recent report produced by CARICOM and the Small Arms Survey, a community of amateur gunsmiths are continuously trying to advance techniques to create PMFs without using controlled components and thereby circumvent restrictions on firearms production posing a significant threat to arms control efforts in the United States and the Caribbean. Seizures conducted in both countries indicate that ghost guns or components used to assemble them have successfully made

<sup>176</sup> Interview with a representative of law enforcement agency, July 2023.



it to Haiti<sup>177</sup>; however, the extent of the phenomenon is difficult to quantify, largely due to the fact that Haitian law enforcement capacity to identify firearms and PMFs is limited.

According to CBP data, 31 receivers were intercepted on their way to Haiti since January 2020, including some to assemble PMFs<sup>178</sup>.

**AR-15 pattern rifle with a 80 percent lower receiver produced by EP armory<sup>179</sup>**



Source: Photograph taken by the Panel, Port au Prince, April 2023

## 2) Transport to Haiti

### *Freight-forwarding and exportation without licence*

Many cases of trafficking from Miami include the use of unofficial freight-forwarders whose roles it is to receive parcels sent from various locations in the United States, consolidate packages and organize their onward shipment in containers or in bulk to Haiti. Unofficial freight-forwarders are not registered, and their activities are difficult to regulate and control, resulting in circumvention of Customs regulations. While investigations indicate that some freight forwarders are knowingly involved in arms trafficking, others may not know – or not want to know – about the content of any parcels they receive. The use of freight forwarding services complicates the identification of chains of custody in the event of a discovery of weapons or ammunition.

Unofficial freight forwarders are often of Haitian origin and organize their shipments in a sly manner, with handwritten approximative records of what was shipped to whom and by whom. To organize the delivery of goods in Haiti, they often use number codes on parcels. Each number would correspond to a ‘consignee’; i.e. the person collecting the goods at the

<sup>177</sup> Fabre et al., 2023. Weapons Compass: The Caribbean Firearms Study. CARICOM IMPACS and Small Arms Survey; UNODC.2023. Haiti’s Criminal Markets.

<sup>178</sup> Data provided to the Panel by CBP and Fabre et al., 2023.

<sup>179</sup> [Welcome to E P Armory - The One Stop Tactical Shop](#)

other end. The consignee who collects the parcels at the port, may not be the final end user and may just be an additional step in the chain of custody.

In two cases, couples organised trafficking with the husband living in the United States and sending the materiel to his wife in Haiti. It was also reported to the Panel that it is not unusual for the arms shipper to fly to Haiti to receive the parcels at ports themselves.

The export of weapons and ammunition from the United States without authorization is a criminal offense and several individuals have been indicted and charged in the past few years.

### *Concealment*

Second-hand goods generally mislabelled as ‘personal effects’ to benefit from advantageous Customs taxes and discourage Customs officers from spending time on a shipment serve as an excellent opportunity for concealment. Trafficking cases reviewed by the Panel include goods hidden inside second-hand televisions, furniture, paint buckets, and food items, as well as second-hand vehicles transported from the United States packed with goods (see for instance case 1 of Annex 30). Illicit materiel was found in boxes, bags, barrels and drums inside containers or coming among break-bulk.

### *Miami River break-bulk vessels*

Miami River shipyards operating break-bulk vessels are unique in the United States. While they have been used by criminals to import drugs or to export arms and ammunition to Haiti (see for instance cases 4 and 5 in Annex 30), they also represent an important rare source of economic activity and income generation for Haitians<sup>180</sup>. Break-bulk shipping is key to facilitating the significant second-hand goods trade in Haiti, as well as for families receiving support from relatives based in the United States.

The Miami River counts approximately seven shipyards operating less than ten break-bulk vessels to Haiti. While they do not own the land, shipyards and the vessels they house are operated by companies generally run by individuals of Haitian descent. Vessels travel from Miami to different locations including Cap Haitien, Miragoane, Saint Marc, Port-de-Paix and Port-au-Prince. Antillean Marine Shipping, a container shipping line, also operates from the Miami River and serves the Dominican Republic and Haiti, including Port au Prince and Cap Haitien. Cases of trafficking using containers transported by this company were also reported (see Annex 28).

### **Goods waiting to be loaded on a ship, Miami River.**



Image taken by the Panel, April 2023.

<sup>180</sup> Interviews with representatives of CBP and HSI, April 2023.

The Panel visited several shipyards in April 2023 to observe the types of goods being transported and the challenges and risks related to this type of shipping. The Panel also visited a shipping vessel and spoke to its captain to better understand the process. Vessels are fully packed with goods of all sizes, including old mattresses, toilets, food items, furniture, bicycles, and ballots of second-hand clothes packed into all kinds of containers. A vessel would typically take a few days to a few weeks to be filled, takes 3 to 5 days to cross to Haiti and several days to unload upon arrival<sup>181</sup>. Ships generally come back to Miami empty.

Some shipyards transport all types of goods while others are specialized in the transportation of second-hand vehicles. Historically, second-hand vehicles used to be packed full of goods themselves; however, following the discovery of concealed arms and ammunition in several such vehicles, this practice has now been banned<sup>182</sup>.

#### **A bulk ship ready to depart to Haiti**



Image shared with the Panel, 2023.

Parcels of all shapes and sizes are piled up to a maximum, offering ample opportunity to conceal illicit goods, including arms and ammunition. With goods packed into every available space, there is no room to walk around inside, and it is almost impossible to conduct an effective search without unloading everything. Border control and law enforcement agencies have been increasing controls associated with these vessels and regularly conduct searches but there is a danger illicit goods are being missed.

<sup>181</sup> Interview with the captain of a bulk ship, Miami River, April 2023.

<sup>182</sup> The rule has also been adopted by the Haitian Customs administration in 2021. Interview with a Customs officer, Haiti, 2023.

## Cartoon published in Harper's Magazine showing a bulk vessel being loaded



Rowan Moore Gerety. 2019. Downstream: the afterlife of American junk. Illustration  
 © Rowan Moore Gerety, Harper's Magazine

Each vessel may transport goods belonging to hundreds of different individuals. Parcels bear numbers which are attributed to consignees and handwritten lists are kept by the vessel operator. Once a seizure is made, it is difficult to trace the parcel to the actual original shipper and consignee (see above section on freight forwarders). A range of individuals and freight-forwarders drop packages at shipyards for their onward transportation to Haiti and operators rarely record their full names or take a copy of their identification documents.

Exporters do not need to file export information with the United States authorities if the commodity they are exporting does not require a special license, or its value does not exceed 2500 USD<sup>183</sup>. Most of the commodities exported on Miami River bulk ships are therefore not registered. This prevents Customs and law enforcement officers from identifying red flags. In addition, cargo manifests are generally vague and incomplete and sent out to the authorities once the ship has already sailed.

### *Trafficking of illicit goods*

Seizures of drugs at times have been made on bulk ships returning to the US from Haiti. In 2020 for instance, 19kgs of cocaine was discovered by CBP hidden behind a cabin wall<sup>184</sup>.

Several seizures of arms and ammunition have also been made over the past three years on board ships on their way to Haiti. In certain instances, staff from the shipyards and/or vessel crew are suspected of having been involved, while in others, parcels were loaded onto the vessel without the operators knowing.

According to law enforcement sources, the number of ships making the crossing between Miami and Haiti has reduced over the past few years and so the level trafficking due to increasing controls and tighter regulations around the operation of these

<sup>183</sup> <https://www.trade.gov/filing-your-export-shipments-through-automated-export-system-aes>

<sup>184</sup> See [Drilling finds cocaine in vessel on Miami River | U.S. Customs and Border Protection \(cbp.gov\)](#)

vessels. For instance, as part of efforts to prevent criminal organizations from using break-bulk ships for their business, third parties (entities other than the ship's owner, operator, or agent) are now banned from paying bonds. These insurance bonds are also now much higher than before to cover for potential fines, which makes business more costly.

Furthermore, the amount of time and effort required to load and unload a break-bulk vessel makes this method of shipping not very profitable. When the Panel visited shipyards along the Miami River, one landowner complained about the fact that one shipping company had not paid its rent for months and was heavily in debt. Debt is a clear vulnerability and risk factor that can lead those affected to engage in illicit activities.

However, despite increased controls and seizures, these vessels are still used to transport arms and ammunition to Haiti.

### 3) Arrival in Haiti

#### *Customs control in Haiti*

Customs controls are very limited in Haiti, the country does not have scanners for instance and searches of containers or ship are by hand, resulting in very labour-intensive work (see Annex 24). In addition, exemptions from Customs duties ('franchise douaniere') are abused by a range of actors, including individuals exploiting their company or organisation's tax exemption for their personal benefit, individuals bringing in commercial goods under the guise of 'personal effects' to benefit from tax reductions (see Annex 24)<sup>185</sup>. Goods coming in under 'franchise' not only benefit from tax exemptions but are also subjected to less scrutiny from Customs officers as they present little or no potential source of revenue for the administration or kick-back for corrupt officials themselves<sup>186</sup>. They represent an attractive opportunity to smuggle illicit goods.

<sup>185</sup> Interviews with several Haitian Customs officers, 2023.

<sup>186</sup> Ibid.

**Annex 30: Selected arms trafficking cases from the United States to Haiti**

The following cases are based on information provided in court documents, confidential documents provided by Member States, as well as interviews with Haitian and foreign law enforcement agencies from February to July 2023.

While many other small cases took place since January 2022, the Panel is focusing here on major cases. The majority of these seizures took place in July 2022.

The following recent cases provide detailed insight into arms trafficking from the United States to Haiti. They illustrate the *modus operandi*, type of actors involved, end users – including both gangs and civilians - and some of the challenges associated with the implementation of United States, Haitian, regional and international arms control efforts, including the UN targeted arms embargo. The cases also provide insight into the negative impact of corruption in Haiti, dysfunctional Customs controls and a broken judicial system on the capacity to counter arms and ammunition trafficking in the country.

**Case 1: Peniel Olibris**

In January 2023, Peniel Olibris, a Haitian national, was convicted in the United States for having illicitly exported firearms without a license. Investigations indicate that Olibris and his accomplice had purchased 77 firearms, including 9mm pistols, in Colorado between February and June 2020<sup>187</sup>. Olibris sent firearms to Haiti concealed in the 13 vehicles he had sent to the country by ship from Fort Lauderdale between September 2019 and May 2020. Loading second-hand cars to be exported to Haiti with goods was a concealment method regularly used until it was forbidden to load anything into vehicles being transported to Haiti.

Several firearms purchased by Olibris were then registered in Haiti by individuals applying for a firearm license who had bought them from his brother. Time to crime<sup>188</sup> was extremely short indicating how easy and fast trafficking between these two countries can be. For instance, one firearm was purchased on 19 October 2019 in Colorado, likely concealed inside a vehicle and shipped to Haiti on 4 December, and then registered by a civilian in Port-au-Prince on 10 December 2019. This case is just one illustration of how the majority of firearms for which Haitian civilians obtain licenses are illicitly trafficked (see Annex 33).

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<sup>187</sup> United States of America V. Peniel Olibris. Plea Agreement. September 2022.

<sup>188</sup> ‘Time to crime’ refers to the period of time between the first retail sale of firearms and a law enforcement recovery of the firearm during a use, or suspected use, in a crime’. United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives. 2011. ATF – Firearm Tracing Guide. Tracing Firearms to Reduce Violent Crimes.



### Case 2: Miss Lili One – Seizure in Port-de-Paix

On 1 July 2022, Haitian Customs officers discovered 120,000 rounds of ammunition – including 114,000 rounds of 5,56mm, 2000 of 9x19mm, 4000 of 7,62x39mm - in a container transported from the United States by the vessel Lili One at the Port-de-Paix wharf (North-West department). The Panel documented some of the ammunition in April 2023 held by the authorities in Port-de-Paix, as well as in Port-au-Prince; all ammunition seen by the Panel was .223/ 5.56x45mm ammunition.



Images taken by the Panel, Port de Paix, April 2023.

During the Customs raid, an individual was arrested in *flagranti* while attempting to recuperate the merchandise for onward transfer to a second individual who would then distribute it. According to sources with direct knowledge of the case, the ammunition was destined to influential individuals in Port-au-Prince and was supposed to have been transported in official vehicles.

A search of the second individual's home address by the HNP resulted in the discovery of two 9mm handguns, one revolver and 382 rounds of ammunition. On the same day, sources close to the investigation explained that the Police did not obtain the relevant documentation from the Port-de-Paix General Prosecutor to enable them to search the Miss Lili One, which resulted in firearms concealed on board being removed that night and transferred by small boats to Ile de la Tortue.

Two days after having been arrested by the Police, the second individual and the owner of the ship were released by the Prosecutor against all odds; the whereabouts of the second individual is unknown. The Prosecutor was later arrested for suspicion of corruption and illicit firearms trafficking. He explained during his deposition that he had been asked to release the suspects by two officials from the Ministry of Justice. Investigations are ongoing.

While this case demonstrates how certain corrupt officials enable illicit arms trafficking and protect arms traffickers, it also illustrates just how hard certain Customs and HNP officers are working to conduct sensitive, and often dangerous investigations and arrest suspects.

### Case 3: Trafficking under the tax exemption of the *Eglise Episcopale d'Haiti* – Seizure in Port-au-Prince

On 13 and 14 July 2022, Customs officers at CPS terminal 2 at APN in Port-au-Prince discovered firearms and ammunition, as well 50,000 USD in counterfeit notes in a container coming from the United States. The container had been shipped by a company based in Miami on board the container ship, the K Breezer (IMO 9389423).

**Materiel seized**

<b>Calibers</b>	<b>Firearms</b>	<b>Rounds of Ammunition</b>	<b>Chargers</b>
<b>5.56x45mm</b>	11 AR-15 pattern rifles	443	63
<b>7.62x39mm</b>	Six AK-pattern rifles	12,599	68
<b>7.62x51 mm</b>		180	
<b>9x19mm</b>	3 pistols	1,311	6
<b>.40 S&amp;W</b>	1 pistol		3
<b>12 Gauge</b>	1 shotgun		
<b>TOTAL</b>	<b>22</b>	<b>14,645</b>	<b>140</b>

The Panel was granted access to some of the firearms interdicted and has sent a tracing request to the United States authorities for all 22 firearms in order to build an understanding of the chain of custody since the point of purchase of the items.



PNH official Facebook page, 15 July 2022

**PA-15 manufactured by Palmetto State Armory, serial number SCD795205 seized on 14 July 2022**



Image taken by the Panel, Haiti, February 2023

The weapons were discovered in a container using the customs tax exemption ('franchise douanière') of the Eglise Episcopale d'Haiti (Episcopal Church of Haiti – EEH). Investigators believe that the network behind this shipment had already used the exemption to import weapons into the country in the past. The agent who cleared the container with the Customs authorities had already had 15 containers processed for the EEH in the previous seven months.

The investigation resulted in the arrest of several suspects and warrants for the arrest of many more, including individuals involved in the receipt of the items, EEH staff, customs clearing agents, and an individual working for the tax exemption unit of the Ministry of Finance. At the centre of the case is the former head of operations (chef d'opérations) at the EEH, a Zimbabwean national who the police has been trying to arrest. While the individual was fired from the EEH in 2018 – likely after he attacked his wife with acid<sup>189</sup> – he was still doing work for the EEH, notably in relation to customs clearance.

Investigations indicate that the trafficking network has links to Village de Dieu and Kraze Barye, indicating potential end-users for the arms and ammunition<sup>190</sup>. Investigations are ongoing.

**Case 4: Seizure by Homeland Security Investigations (HSI) - Miami River**

On 12 July 2022, a significant seizure of arms and ammunition was made by HSI at a shipyard on the Miami River<sup>191</sup>. Officers recovered 23 firearms, including a .50 caliber sniper rifle, a number of .308 rifles, and a belt-fed machine gun, as well as 5.56mm rifles, 13 pistols and around 4000 rounds of ammunition. Investigations are ongoing.

<sup>189</sup> Interview with confidential source, June 2023. See also Yves, Emmanuel Moise. 2022. L'ancien chef des opérations de l'église épiscopale avait attaqué sa femme à l'acide. Ayibo. 16 July. [L'ancien chef des opérations de l'église épiscopale avait attaqué sa femme à l'acide – AyiboPost](#)

<sup>190</sup> See Dosye Legliz Episkopal Dayiti/trafik ilegal Zam ak minisyon, HNP Official Facebook Page, 3 April 2023. Information about the current links between Vundla Sikhumbuzo and Vitelhomme have been confirmed by a source in July 2023.

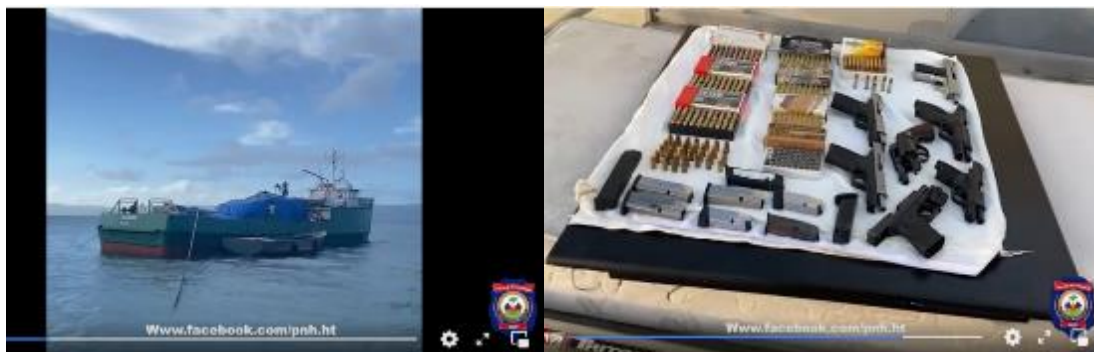
<sup>191</sup> [HSI announces crackdown on firearms, ammunition smuggling to Haiti, the Caribbean | ICE](#)



[HSI announces crackdown on firearms, ammunition smuggling to Haiti, the Caribbean | ICE](#)

#### Case 5: El Shaddai – Seizure in Port-de-Paix

On 21 July 2022, 7 firearms – including 6 pistols of various calibers and one revolver - and 434 rounds of ammunition – including 9mm, .40 S&W and hollow-point ammunition - were discovered onboard the El Shaddai, one of the smallest break-bulk vessels operating from the Miami River. Another seizure of firearms had already been made from the same vessel in November 2021. The whereabouts of the ship is now unknown.



HNP official Facebook page, 22 July 2022



### Annex 31: Weapons and ammunition trafficking from the Dominican Republic

This section is based on information provided to the Panel during its fact-finding missions to Haiti and the Dominican Republic. The Panel travelled to the Dominican Republic to meet with state authorities involved in the fight against arms trafficking, including Customs, the military and Police. The Panel also travelled to Dajabon and Ouanaminthe, the towns on either side of the Dominican-Haitian border. In Haiti, the Panel met with Police and Customs officers and were provided with informative and insightful reports. In both countries, the Panel received excellent support.

The land border between Haiti and the Dominican Republic is 392 kilometres long, with four official border points – Ouanaminthe/Dajabon, Belladere/Elias Pina, Malpasse, and Anse a Pitre/Perdenales - (see Annex 25) and dozens of unofficial ones. The Dominican Republic is a primary source of commercial activity for Haitians and border towns are very busy with thousands crossing back and forth across the border every day (see Annex 38).

In Haiti, the border crossing points are the focus of much contention by economic and political actors who exert *de facto* control (see Section III.B.21) through bribes, nepotism (eg. influencing the appointment of senior government officials to key positions in Customs and the Police), and the occasional use of force, including deploying armed men to pressurize border control agencies<sup>192</sup>. Currently for instance, a group of armed men from Croix-de-Fer is being used by certain economic actors to intimidate Customs and Police officers in Belladere<sup>193</sup>. Belladere is the main border crossing for the importation of goods; meanwhile, the Malpasse crossing has registered a decline in the volume of cross-border transactions recently due to increased gang activity<sup>194</sup>, resulting in a surge of illicit goods diverted through Belladere instead.

The Dominican Republic itself also suffers from illicit trafficking of firearms and ammunition by local criminal groups. Over the past three years, the Dominican Customs department have seized an increasing number of weapons and ammunition. For instance, Customs intercepted 174,988 rounds of ammunition in 2020, 300,728 in 2021 and 598,179 in 2022<sup>195</sup>.

The Dominican illicit market represents a source of weapons and ammunition for armed actors in Haiti, including gangs. Materiel has been seized at border crossings, including Pedernales and Dajabon in the Dominican Republic, and Belladere, Malpasse and in Ouanaminthe in Haiti<sup>196</sup>. The Panel has been analyzing several recent seizures of arms on their way to Haiti or in Haiti coming from the Dominican Republic.

Cases indicate that a range of actors are involved in trafficking from the Dominican Republic to Haiti, including both Haitians and Dominican nationals. The lucrative business of selling arms and ammunition in Haiti have encouraged ant trafficking. In several cases, officials, including police officers and relatives of local officials, have used their positions to smuggle materiel across the border.

#### *Trafficking cases*

In December 2021, the Dominican authorities seized 33 firearms – including pistols and semi-automatic rifles – and 700 rounds of ammunition, as well as magazines, at Haina Port from a container coming from Miami. A Cuban national was arrested in the Dominican Republic in May 2023 in relation to this trafficking case and extradited to the United States. Representatives of law enforcement agencies told the Panel that they believe that the materiel was heading to Haiti. The Cuban national used ‘straw buyers’ to buy the weapons under their names in the United States, which were then unlawfully

<sup>192</sup> Interviews with Customs officers, Haiti, 2023.

<sup>193</sup> Interviews with Customs officers, Haiti, 2023.

<sup>194</sup> UNODC. 2023. Haiti’s criminal markets : mapping trends in firearms and drug trafficking.

<sup>195</sup> DGA. 2022. Memoria de Gestion. [memoria-de-gestion-n-2022-interactiva.pdf](https://aduanas.gob.do/memoria-de-gestion-n-2022-interactiva.pdf) (aduanas.gob.do)

<sup>196</sup> UNODC. 2023. Haiti’s criminal markets : mapping trends in firearms and drug trafficking.

sold to him and exported to the Dominican Republic as 'household items' in a shipping container<sup>197</sup>. Law enforcement officials believe other shipments of firearms were also sent by this individual undetected to the Dominican Republic before potentially being transferred onwards to Haiti.



**Source:** <https://rtvd.gob.do/capturan-y-deportan-extranjero-por-trafico-internacional-de-armas/>

In April 2022, a Dominican national was arrested in the border town of Elias Pina in possession of 5,055 rounds of 7,62x39mm ammunition which he was allegedly transporting to Haiti<sup>198</sup>.

On 12 April 2022, an Haitian national working for the Office National d'Assurance Vieillesse (ONA) and with the parliamentary police was arrested in Belladere. During his interrogation, he explained that, for the past two years, he had been purchasing firearms and ammunition close to the Haitian-Dominican border that he then sold on to gangs, including Grand Ravine and 5 Second<sup>199</sup>. The materiel included 5.56mm rifles as well as 7.62x39mm and 5.56mm ammunition.

On 8 November 2022, two Haitian women were arrested by the Dominican authorities in Elias Pina while trying to smuggle important quantities of assault rifle ammunition into Haiti in their vehicle, including 12,000 rounds of 7.62x39mm and 10,160 of 5.56 mm.

<sup>197</sup> Charles, Jacqueline. 2023. 'He used false buyers to buy weapons. Dominican authorities say they were going to Haiti'. Miami Herald. 16 May [Cuban national arrested in Dominican Republic, sent to Miami | Miami Herald](#) and United States District Court Southern District of Florida. 2023. United States of America vs. Elieser Sori Rodriguez. Indictment.

<sup>198</sup> <https://listindiario.com/la-republica/2022/12/31/755807/golpes-al-contrabando-de-armas-en-las-aduanas.html>

<sup>199</sup> Interview with law enforcement representative, 2023.





Source: CESFRONT, 2022<sup>200</sup>

On 11 November 2022, an HNP inspector working with the presidential security unit, was arrested by the Police in Haiti on his way back from the Dominican Republic and Belladere with 4000 rounds of 5.56mm ammunition, 41 rounds of 9mm, one 9mm handgun and three magazines. The ammunition was manufactured in the United States<sup>201</sup>.

<sup>200</sup> [CESFrontT detiene ciudadana que transportaba 22,160 municiones con la intención de introducirlas a Haití de manera irregular - Ministerio de Defensa de República Dominicana \(mide.gob.do\)](https://mide.gob.do/)

<sup>201</sup> Source HNP official Facebook page and a confidential report shared by a Member State, 2023.

## Annex 32: Gangs arsenals

While all gangs in Haiti are *de facto* involved in illicit arms and ammunition trafficking given their use of firearms, the Panel is currently investigating several specific cases and will share its findings with the Committee in due time.

Over the past three years, gangs have been procuring a wide range of 5.56x45mm and 7.62x39mm rifles. During the reporting period the Panel has exclusively documented semi-automatic rifles, however, testimonies from individuals living in Cite Soleil indicate the presence of automatic rifles. Although the very vast majority of gang arsenals are composed of small arms<sup>202</sup>, the Panel has received information indicating that several gangs have a (very limited) number of light weapons in their possession and also has the evidence that they are actively trying to procure some (see Section III.B.2.1).

While gangs typically used a broad range of 'craft' or artisanal firearms – locally called 'zam creole' - in the past, seizures of such weapons from gangs in the metropolitan area are increasingly rare, further highlighting how gangs have developed their arsenals and now rely almost exclusively on manufactured weapons. Nevertheless, these 'zam creole' are still being seized from individuals and gang members living outside of Port au Prince with less financial means<sup>203</sup>.

The high volumes of materiel in circulation and high prices of firearms in Haiti will present additional challenges to any future Community Violence Reduction (CVR) or other Disarmament, Demobilization and Reintegration (DDR) programming with a disarmament or arms control component, in the West and the Artibonite departments particularly.

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<sup>202</sup> For definitions of small arms and light weapons see the report of the Group of Governmental Experts on Small Arms, 1999 <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Disarm%20A54258.pdf>

<sup>203</sup> See for instance HNP official Facebook page, 31 October 2022.

G9 – Jimmy Cherizier – photographs from social media and stills from videos shared with the Panel in 2023.



5 Second



Stills from video showing Izo shared on 5 May 2023



Stills from video filmed on 9 May 2023

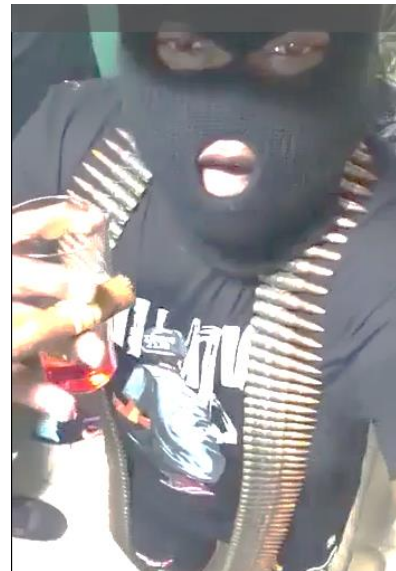




Manno (white T-shirt and black mask) and his group (including a minor, with white mask and pistol)  
Stills from video filmed on 9 May 2023



Still from Izo's musical video, February 2023



Still from a video  
shared on 11 April

**Gang de Canaan**



Still from a video shared with the Panel on 24 May



Still from a video diffused on 14 March 2023

Still from a video  
shared with the Panel  
on 17 July 2023  
showing a light  
machine gun given by





### 400 Mawozo



Rifles belonging to Jeff Canaan and Lanmo Sanjou  
Shared with the Panel on 19 July 2023

Lanmo Sanjou - Stills from video shared with  
the Panel on 17 April 2023

### Arms trafficking by a gang: the example of 400 Mawozo

Review of videos and police reports indicate that the gang possesses pistols, revolvers, 12 gauge shotguns, 5.56mm semi-automatic rifles and 7.62x39mm semi-automatic rifles. One governmental source indicated that 400 Mawozo have around 70 rifles and 45 handguns, however, this could not be confirmed by the Panel<sup>204</sup>. The gang also purchased a 12.7x99mm anti-materiel rifle in the United States in 2021 (see below), however, it is unclear whether the weapon is in their custody and whether they have the ammunition for it.

### Arms trafficking from the Dominican Republic

The territory controlled by 400 Mawozo includes areas with direct access into the Dominican Republic, most notably via the RN 8 which passes through the border town of Malpasse (see Map in Annex 8). The gang is actively involved in trafficking arms and ammunition and several members known to be responsible for arms and ammunition trafficking have been arrested by the Police, including in Malpasse on 26 April 2022 and Nippes in the southwest of the country on 14 May 2022<sup>205</sup>.

<sup>204</sup> Confidential report, 2023.

<sup>205</sup> See HNP Facebook page, 27 April 2022 and 18 May 2022.

During the reporting period, two Haitian nationals were arrested by the Dominican authorities with 22,160 rounds of 7.62x39mm and 5.56x45mm ammunition while they were attempting to enter Haiti in November 2022 (see Annex 31). A security source with direct knowledge of the case told the Panel that the ammunition was destined to 400 Mawozo.

While 400 Mawozo has easy access to the illicit market in the Dominican Republic and relies on a range of different actors to obtain materiel, several leadership figures also used their own network to secure weapons and ammunition directly from the United States.

### Arms trafficking from the United States

In May 2022, three Haitian nationals and one United States citizen were charged with firearms trafficking in support of 400 Mawozo in Haiti<sup>206</sup>. The individuals included the former leader of 400 Mawozo, Joly Germiné, alias “Yonyon”, who was conducting trafficking operations while incarcerated in Haiti<sup>207</sup>, and Eliande Tunis, a member of 400 Mawozo and allegedly the girlfriend of one or possibly multiple senior figures in the gang, who was responsible for managing the purchasing and shipping of weapons, as well as two straw-buyers, based in the US. The indictment also refers to an ‘Individual 2’ living in Haiti and identifies this person as ‘the leader of 400 Mawozo’. Based on this and other information provided in the indictment, the Panel judges this likely to refer to Lanmo San Jou (see Annex 20).

Between 28 September and 17 October 2021, the following 16 firearms were purchased by the three primary co-conspirators who either exported or attempted to export them to Haiti. Firearms were purchased in four different cities in Florida, United States.

**Table 1:** Firearms purchased

Count	Make	Model	Type	Caliber	On or About
2	Century Arms	VSKA w/ Red Dot Sight	Rifle	7.62x39mm	9/28/2021
3	Century Arms	VSKA	Rifle	7.62x39mm	9/29/2021
4	Century Arms	VSKA	Rifle	7.62x39mm	10/1/2021
5	Century Arms	VSKA	Rifle	7.62x39mm	10/1/2021
6	Century Arms	VSKA w/ Red Dot Sight	Rifle	7.62x39mm	10/5/2021
7	Riley Defense Inc	Rak 47	Rifle	7.62x39mm	10/5/2021
8	Barrett Manufacturing Inc	82A1	Rifle	50	10/6/2021
9	Century Arms	VSKA	Rifle	7.62x39mm	10/6/2021
10	Century Arms	WASR-10	Rifle	7.62x39mm	10/6/2021
11	Palmetto Arms	PA15	Rifle	5.56	10/6/2021
12	Springfield Armory	M1A	Rifle	308	10/6/2021
13	SAR	SAR-9	Pistol	9mm	10/11/2021
14	Ruger	Five Seven	Pistol	5.7x28mm	10/14/2021
15	Century Arms	Centurion 12 Gauge	Shotgun	Shotgun	10/16/2021
16	Century Arms	VSKA	Rifle	7.62x39mm	10/17/2021
17	Century Arms	VSKA	Rifle	7.62x39mm	10/17/2021

Source: USA v. Joly Germiné, also known as Yonyon, Eliande Tunis, Jocelyn Dor and Walder ST Louis. Indictment. 30 November 2021

According to the indictment, Eliande Tunis was in regular contact with Yonyon who was instructed by Lanmo San Jou regarding the types of firearms that 400 Mawozo needed. The table above includes types of firearms and calibers that are not easily available from the Haitian or Dominican illicit markets, including 12.7x99mm (.50 cal) anti-materiel rifle and the

<sup>206</sup> Most of the information on this case is from: USA v. Eliande Tunis, Jocelyn Dor, and Walder ST Louis. Affidavit in support of an application for an arrest warrant. 31 October 2021; USA v. Joly Germiné, also known as Yonyon, Eliande Tunis, Jocelyn Dor and Walder ST Louis. Indictment. 30 November 2021.

<sup>207</sup> Joly Germiné was extradited to the US on 3 May 2022. HNP official Facebook page, 3 May 2022.

Ruger 5.7x28mm pistol. Furthermore, most firearms purchased are 7.62x39mm, which is far less common in Haiti and the wider US/Caribbean region than 5.56x45mm. Accessories such as red dot sights were also purchased.

Three shipments of weapons and ammunition concealed in barrels, clothing and food products were sent by containers to Haiti on 9, 11 and 19 October 2021. Two shipments arrived a few days before the mass kidnapping by 400 Mawozo of 17 individuals, including 16 United States citizens on 16 October 2022.

#### *Financing*

This single case indicates that 400 Mawozo is able to mobilize significant amounts of money to acquire firearms and ammunition.

Calculations by the Panel result in a conservative estimate of 28,000 USD paid to retailers for the shopping list of weapons in Table 1. This estimate does not include ammunition transferred to Haiti by the network, as there is no information available about the quantities or calibers of any ammunition purchased.

The indictment includes a count of ‘money laundering’. According to the document, Tunis was the main focal point for receiving money from 400 Mawozo and transferring it to the straw-buyers.

**Table 2:** Wire transactions in relation to the case

COUNT	ON OR ABOUT	APPROXIMATE AMOUNT	DEFENDANTS
21	September 28, 2021	\$2,000	DOR
22	September 29, 2021	\$2,500	DOR
23	October 4, 2021	\$950	TUNIS & DOR
24	October 4, 2021	\$50	TUNIS & DOR
25	October 5, 2021	\$15,000	TUNIS & DOR
26	October 6, 2021	\$6,000	TUNIS
27	October 6, 2021	\$10,000	TUNIS
28	October 11, 2021	\$2,500	TUNIS & ST. LOUIS

**(Laundering of Monetary Instruments, Aiding and Abetting, Causing an Act to be Done, in violation of Title 18, United States Code, Sections 1956(a)(3)(A), 2)**

Source: USA v. Joly Germaine, also known as Yonyon, Eliande Tunis, Jocelyn Dor and Walder ST Louis. Indictment. 30 November 2021

The total amount wired equates to 39,000 USD for firearms, the straw-buyers’ fees, and shipping. However, this does not take into account any other potential methods of payment; for instance, Tunis is also recorded as having deposited a check for 30,000 USD into her account on 4 October 2021.

## **Annex 33: Diversions within Haiti and weapons and ammunition management capacity**

### **1. Diversion of police weapons and ammunition**

In the 11 years between 2012 and 2023, close to 2500 police firearms were declared lost or stolen. This figure stood at 1600 in 2019, indicating that close to a thousand weapons (36%) were diverted over just the past four years<sup>208</sup>. A significant number of police officers have left the HNP and moved abroad recently, many of whom have not returned their service firearms. On 13 March 2023, HNP leadership issued a circular requesting that police officers of all grades leaving the country, as well as those who have resigned from their posts, return any materiel belonging to the State<sup>209</sup>.

During the reporting period, the Panel documented several handguns retrieved from criminals and gang members operating in Port-au-Prince and Port-de-Paix that originated from HNP stockpiles. Diverted police firearms were also used in a range of significant security incidents, including for instance the assassination of President Moïse where a handgun and a Galil 5.56 rifle registered at the Presidential Palace were recovered. While the precise chain of custody for this particular rifle is not clear, diversions of Galil rifles from the Presidential Palace have taken place on a significant scale and been used by individuals engaged in the destabilization of the country.

As further evidence of this, with the support of the HNP and the Brazilian authorities, the Panel identified several Taurus 9mm handguns which were recovered from gang members since the adoption of resolution 2653 in the Tabarre area of Port-au-Prince in February 2023, as well as during an attempted kidnapping in Bon Repos in January 2023, and from an illicit gun seller in Port de Paix in December 2022.

### **2. Weapons and ammunition management**

Since its establishment in 1995, the HNP, mostly supported by the UN, has developed a range of processes and mechanisms by which to manage their weapons and ammunition, including with regards to accounting, physical security and stockpile management (PSSM), and disposal. With the departure of MINUSTAH and MINUJUSTH, the corresponding reduction in international support has had a severe impact on the sustainability of these efforts. The current security crisis and the continuous state of emergency in which the Police operates further undermine weapons and ammunition management capacity.

Needs expressed by the arms control unit of the HNP currently include the refurbishment of their recordkeeping database, the completion of the process of securing the main police weapons and ammunition bunker, training armorers, and fitting out and equipping new police storage facilities at headquarters, as well as the police commissariats across the country. Internal regulations and clear oversight mechanisms and centralization of seizures is also critically needed (see below).

#### **2.1 Legal framework and arms control strategy**

The arms control legal framework in Haiti is obsolete with its foundations dating back to 1922, complemented by a series of subsequent decrees, the most important of which was issued on 23 May 1989. For instance, the framework does not reflect Haiti's international obligations related to the country's ratification of regional and international instruments, including with regards to marking, tracing, brokering, or the management of seizures. A revision of the legislation was performed by the Haitian authorities with support from UNLIREC and a draft law is currently being finalized.

2023 was marked by the signing by the Government of Haiti of the National Action Plan (NAP) to implement the Roadmap for Implementing the Caribbean Priority Actions on the Illicit Proliferation of Firearms and Ammunition across the Caribbean in a Sustainable Manner by 2030. However, it remains to be seen whether the conditions in Haiti will allow for an effective implementation of the NAP moving forward.

<sup>208</sup> UN unpublished report, 2019.

<sup>209</sup> See HNP Official Facebook Page, 5 April 2023.

## 2.2 Marking and recordkeeping

Accounting for weapons and ammunition and tracking their movements along the chains of supply and distribution from reception to use and disposal, is a prerequisite for any effective management of materiel, preventing diversions and for strategic procurement planning. This relies on the ability to identify each weapon individually and to record, preserve and update data using a database.

The HNP previously developed a database at headquarter level to support the management of firearms and ammunition. However, this database has been unoperational for several years now, thereby severely complicating the proper management of materiel. BINUH is currently supporting the refurbishment of this crucial tool.

In the previous procurement exercise by the Police in 2012, handguns were actually marked to indicate that they belonged to the Police – an excellent best practice which helps deter diversions from national stockpiles and facilitates tracing. However, the recent batch of handguns acquired is not marked, which is a concern. It is crucial and relatively easy to request manufacturers to mark firearms in any future trade deals.

## 2.3 Disposal

Disposal of arms and ammunition can be implemented either through a) destruction, b) domestic transfer to another security agency, or c) sale or donation to another State. Destruction is recognized as the best disposal method for contributing to the prevention of violence. In the past, the HNP has conducted a range of destruction activities with the support of international partners. Some firearms are still waiting to be destroyed and the HNP requires support in this regard.

## 2.4 Civilian licensing

Finally, national legislation allows for the possession of certain types of firearms (mostly handguns and hunting rifles) for civilians and private security companies. Both are very loosely controlled with regulations not being implemented and diversions going unreported. The Police and its national licensing office (SPAF) do not currently have the capacity or mechanisms for proper registration or monitoring of civilian firearm ownership. BINUH is currently supporting the SPAF with the refurbishment of its server. In the absence of any effective formal security provision and an increasing sense of insecurity, weapons ownership is considered by many Haitians as the only way of ensuring their own protection. Illicit trafficking for the civilian market remains significant since the vast majority of firearms registered by the SPAF entered the country illicitly.

## 2.5 Management of seizures of weapons and ammunition

Police units seize arms and ammunition on a regular basis, either during police operations or following interceptions by Customs.

**Table 1:** seizures of weapons conducted in Haiti during the reporting period (October 2022 – June 2023)

Month	Pistols	Revolvers	Rifles	Shotguns	Craft weapons	Total
Oct 2022	9	2	5	0	6	22
Nov 2022	16	2	6	1	1	26
Dec 2022	10	1	1	1	0	13
Jan 2023	14	1	7	1	2	25
Feb 2023	16	4	3	2	0	25
Mar 2023	9	4	3	0	5	21
Apr 2023	20	0	10	1	0	31
May 2023	4	1	5	1	1	12
Jun 2023	4	2	5	1	4	16
<b>TOTAL</b>	<b>102</b>	<b>17</b>	<b>45</b>	<b>8</b>	<b>19</b>	<b>191</b>

Source: HNP/UNPOL 2023



The current lack of any effective process for managing seizures of arms and ammunition in Haiti is of concern. Interviews with multiple senior police officers indicate that several HNP directorates seize and confiscate materiel on a regular basis; however, given the absence of centralization for seized materiel, and the lack of any regulatory framework, procedures and resources, materiel is often left unmonitored which results in diversions. As further evidence of this, the Panel was given access to a range of firearms seized recently by different units of the HNP; however, there was a noticeable absence of ammunition among these seizures.



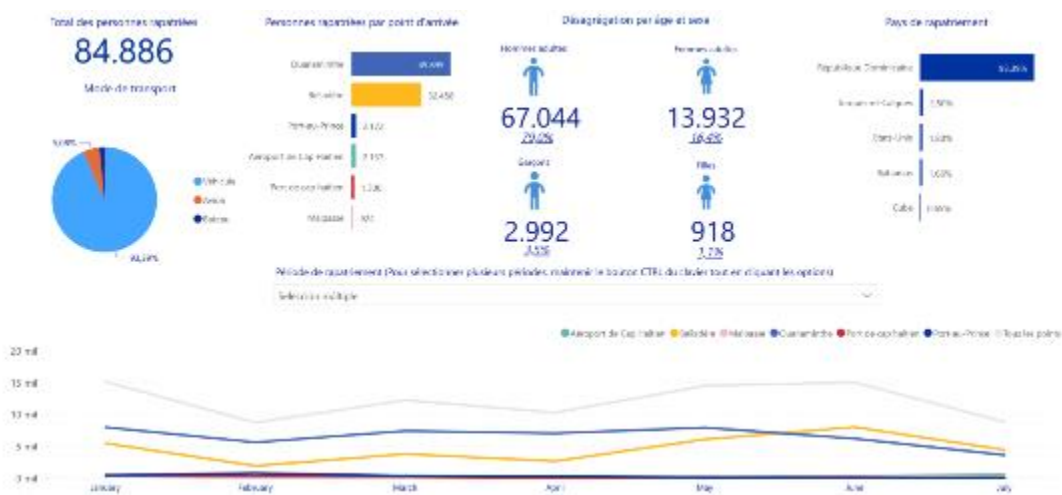
## Annex 35: Migration, Deportees/Returnees, Refugees and IDPs

There is no Haitian official data on the exact number of Haitian nationals migrating. However, different organizations and States provide with numbers concerning Haitians in different situations.

### IOM

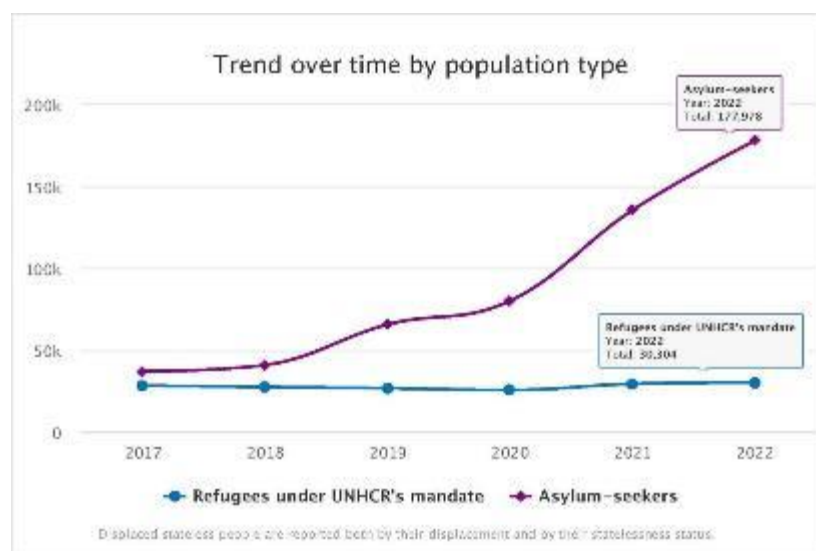
IOM has been collecting data on Haitian migrants repatriated to Haiti.

From January 2023 to 15 July 2023, 84.886 persons were repatriated out of which 93.9% from the Dominican Republic.



### UNHCR

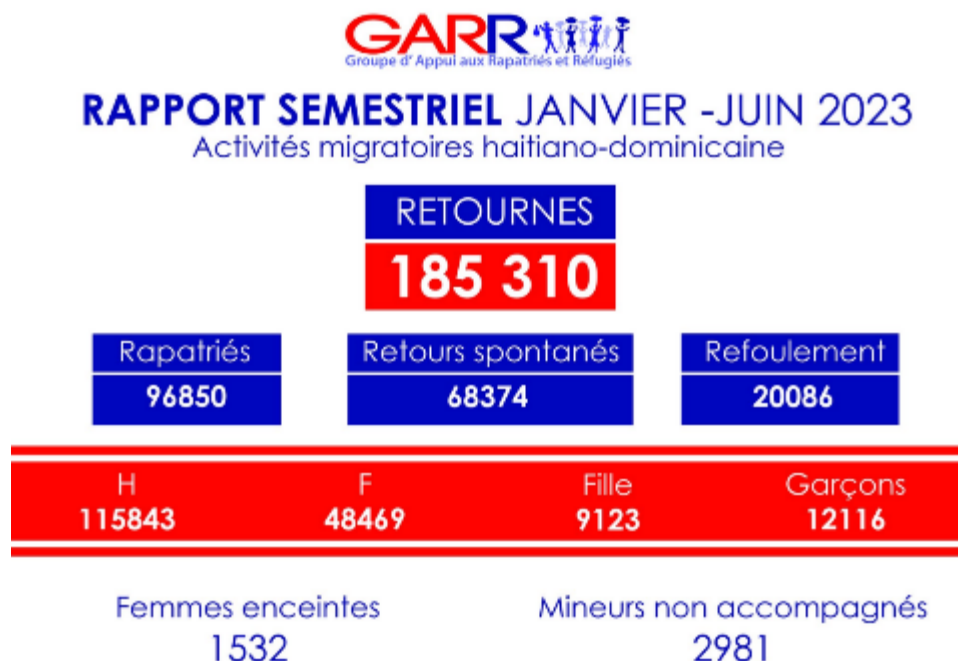
Haitian refugees and asylum seekers



UNHCR, [Refugee Data Finder](#), 3 June 2023  
Data as of December 2022

## Dominican Republic

In 2022 the Dominican Republic deported 120,900 foreigners, mostly Haitian nationals.<sup>210</sup> From January to July 2023 the Dominican Republic deported 114,128 Haitians.<sup>211</sup> Conversely, the Haitian organization Groupe d'Appui aux Rapatriés et Réfugiés (GARR)<sup>212</sup> which has presence at different border entries, has published the following data.



### Trends of encounters of Haitian nationals by the United States

USA encounter data<sup>213</sup> includes U.S. Border Patrol (USBP) Title 8 Apprehensions, Office of Field Operations (OFO) Title 8 Inadmissibles, and Title 42 Expulsions for fiscal years (FY) 2020, 2021, 2022, and 2023. Demographics for USBP and OFO include:

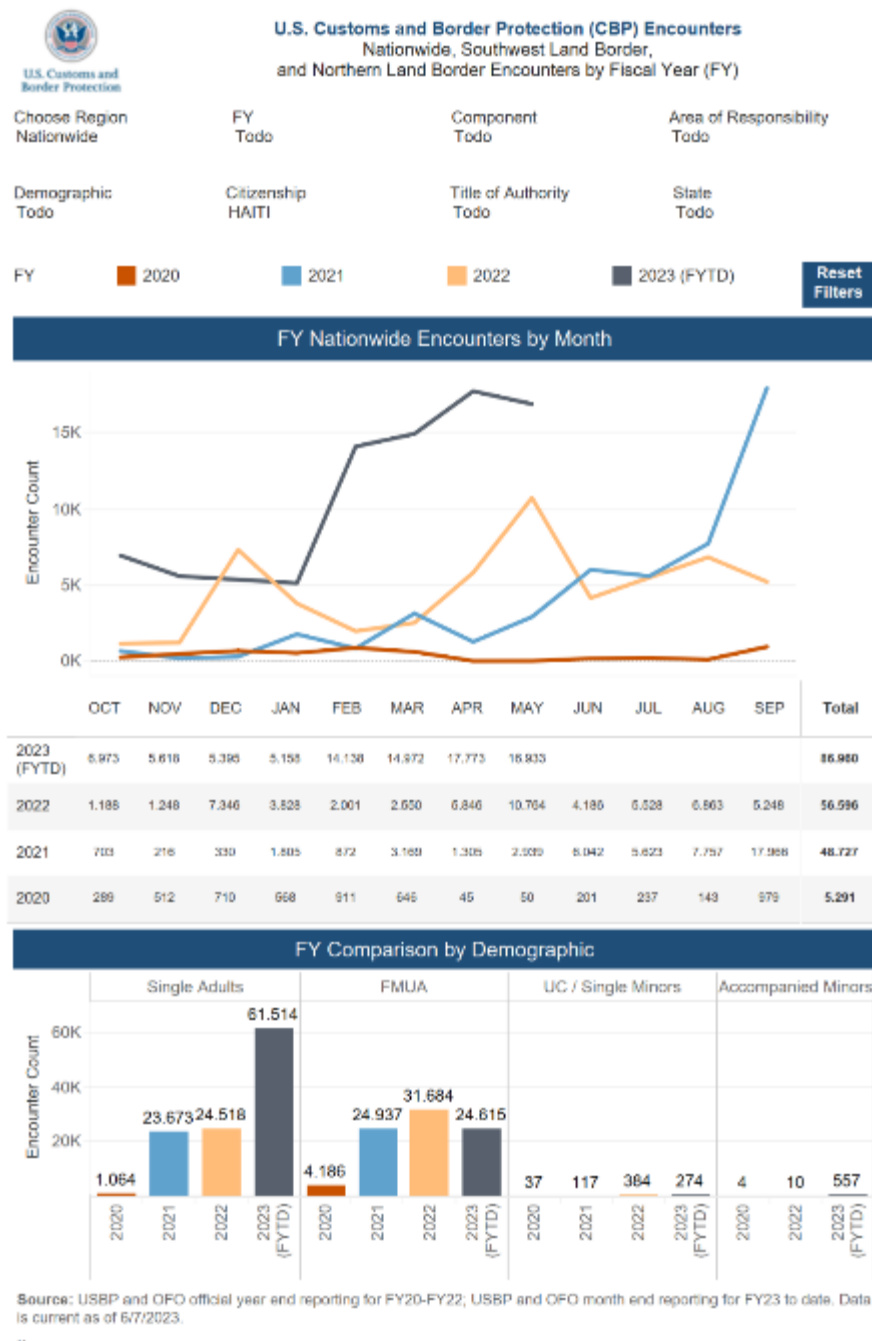
- Accompanied Minors (AM)
- Individuals in a Family Unit (FMUA)
- Single Adults
- Unaccompanied Children (UC) / Single Minors

<sup>210</sup> See MIREX emite comunicado donde responde a experto en derechos humanos para Haití sobre repatriación de inmigrantes irregulares. 30 June 2023. Available at <https://presidencia.gob.do/noticias/mirex-emite-comunicado-donde-responde-experto-en-derechos-humanos-para-haiti-sobre> visited July 2023.

<sup>211</sup> Confidential source, 2023.

<sup>212</sup> See [https://www.facebook.com/garrhaiti/?locale=fr\\_FR](https://www.facebook.com/garrhaiti/?locale=fr_FR) visited July 2023.

<sup>213</sup> US Customs and Border Protection. <https://www.cbp.gov/newsroom/stats/nationwide-encounters> visited July 2023.



From 1 October 2022 to 18 July 2023 the United States Coast Guard have interdicted or encountered 5,089 Haitian migrants.<sup>214</sup>

<sup>214</sup> US Coast Guard. See [https://www.news.uscg.mil/Press-Releases/Article/3462422/coast-guard-repatriates-143-people-to-haiti-cuba/visited July 2023](https://www.news.uscg.mil/Press-Releases/Article/3462422/coast-guard-repatriates-143-people-to-haiti-cuba/visited%20July%202023).



As of April 28, 2023, Haitian migrants interdicted at sea who attempt to migrate into the United States. by irregular means, are ineligible for the Haitian parole processes announced in January 2023.<sup>215</sup>

### Mexico

The number of Haitians entering Mexico and requesting refugee recognition has skyrocketed in the last years.<sup>216</sup>

2020	2021	2022	2023 (June)
5,909	50,942	17,132	29,532

In 2022, only 19% of Haitians were granted refugee status or complementary protection for humanitarian reasons, leaving the majority of Haitian nationals in Mexico in an irregular situation.

It is interesting to note, however, that over a period of ten years, a total of 109,649 Haitians applied for refugee recognition, but only 18,732 applications received a decision (recognizing the refugee status, given a complementary protection or rejecting the application). Following the submission of their application, most applications do not continue the process. Out of the 18,732 cases only 2,995 were recognized as refugees, and 2,171 were given complementary protection (humanitarian protection). This indicates that overall, merely 15.98% of all Haitian applicants that continue with the process were recognized as refugees.

The lack of a comprehensive system of protection for migrants and refugee seekers in Mexico place them in a high-risk situation due to the control that criminal organizations exercise in several areas of the Mexican territory where kidnappings and killings of migrants have been reported.<sup>217</sup>

### Turks and Caicos

Haitians are the predominant immigrant group in Turks and Caicos Islands (TCI), numbering over 10,000, which represents near a third of TCI's overall population and in the Providenciales Island, Haitians represent 80% of the inhabitants. Half of the Haitians in TCI face poverty or are on the brink of it due to high unemployment, inconsistent jobs, and meager salaries. Their living conditions are dire, with limited access to essential services, continuous deportation fears, and only 20% having permanent residency. A survey by the Institute of Migration revealed that 44% of Haitian participants resided in wooden houses with tin roofs, a mere 18% had access to municipal water, and nearly 10% lived as squatters, always fearing eviction.<sup>218</sup>

On 23 July 2023 a vessel with 204 migrants was intercepted heading towards the Providenciales Island. As of that date there have been 23 vessels intercepted<sup>219</sup> with over 2600 migrants being detained.<sup>220</sup>

<sup>215</sup> See US Coast Guard available at <https://www.news.uscg.mil/Press-Releases/Article/3377751/homeland-security-task-force-southeast-sustains-enhanced-migration-enforcement/> visited May 2023.

<sup>216</sup> Data from the Comisión Mexicana de Ayuda a Refugiados. Table is Panel's own elaboration. Available at <https://www.gob.mx/comar/articulos/la-comar-en-numeros-332964?idiom=es>

<sup>217</sup> Insight crime, Unintended Consequences: How US Immigration Policy Foments Organized Crime on the US-Mexico Border. June 2023. Available at <https://insightcrime.org/investigations/unintended-consequences-us-immigration-policy-foments-organized-crime-us-mexico-border/> visited July 2023.

<sup>218</sup> [OCHA, Turks and Caicos: Overseas Territory Profile \(as of July 2022\)](#). Accessed 29 May 2023.

<sup>219</sup> [Royal Turks and Caicos Islands Police Force](#). Accessed 25 July 2023.

<sup>220</sup> The Sun, [Royal Bahamas Defence Force Patrol Vessel Intercepts Haitian Migrant Vessel Near Turks And Caicos Islands](#). Accessed 15 July 2023.

### **Bahamas**

The Bahamas' closeness to the US significantly influences irregular migration to the island. In 2022, estimates suggest that 20,000-50,000 undocumented Haitians resided in the Bahamas, making up nearly 12% of the nation's population. Data on migration indicates that the majority of those entering the Bahamas are children aged 14 or younger, presumably accompanied by family members or parents.<sup>221</sup>

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<sup>221</sup> OCHA, [The Bahamas: Country Profile \(as of May 2022\)](#). Accessed 29 May 2023.

**Annex 36: Shipyards and migrants**

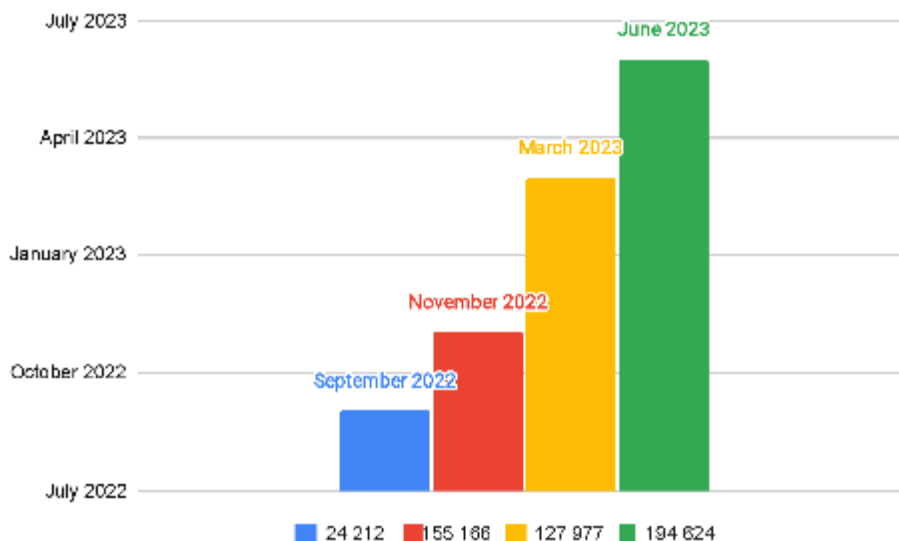
On 19 April 2023, the Panel visited several irregular shipyards during its visit to Port-de-Paix.

All photographs taken by the Panel.

**Example of shipyard****Finished boat filled with people sailing to unknown destination**

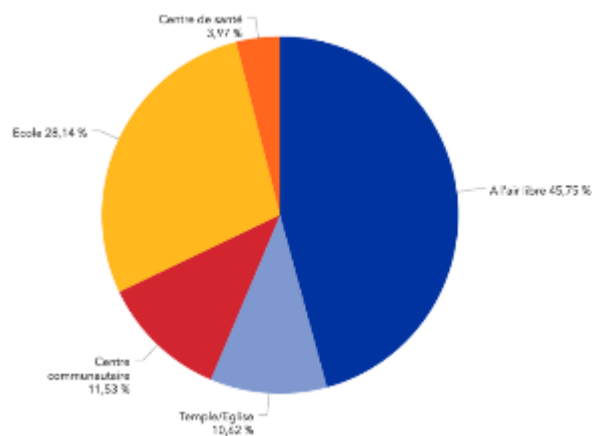
## IDPs

According to IOM, as of September 2022 there were 24,212 IDP identified<sup>222</sup> and 194,624 by June 2023.<sup>223</sup>



Panel's own chart based on data from IOM. The dates are the ones reported by IOM on which they collected the information.

## Types of IDP sites reported by the IOM



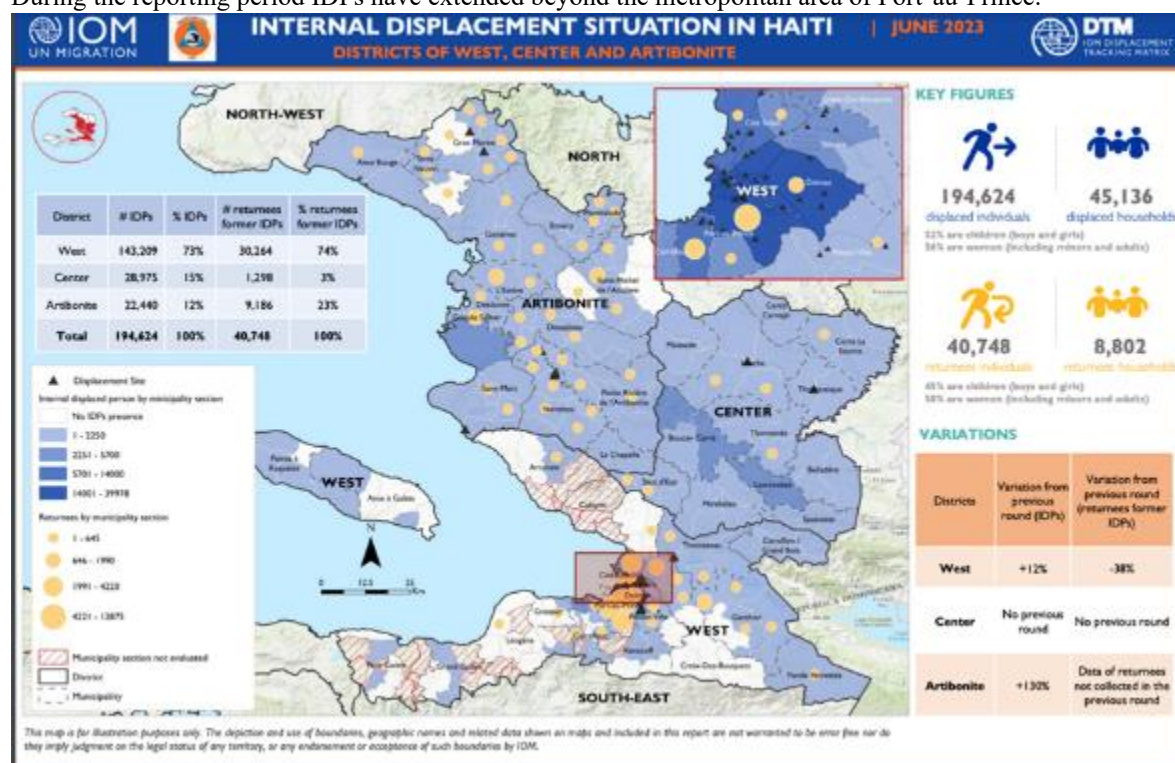
IOM, Mobility tracking data, available at <https://dtm.iom.int/node/24266> visited July 2023.

Note: IOM collects information mainly in the metropolitan area of Port-au-Prince.

<sup>222</sup> IOM, Haïti — Grand Sud et Zone métropolitaine de Port-au-Prince — Rapport sur les déplacements forcés dans les sites de déplacement (Juin — Août 2022). Available at <https://dtm.iom.int/reports/haïti-grand-sud-et-zone-métropolitaine-de-port-au-prince-rapport-sur-les-déplacements> visited July 2023.

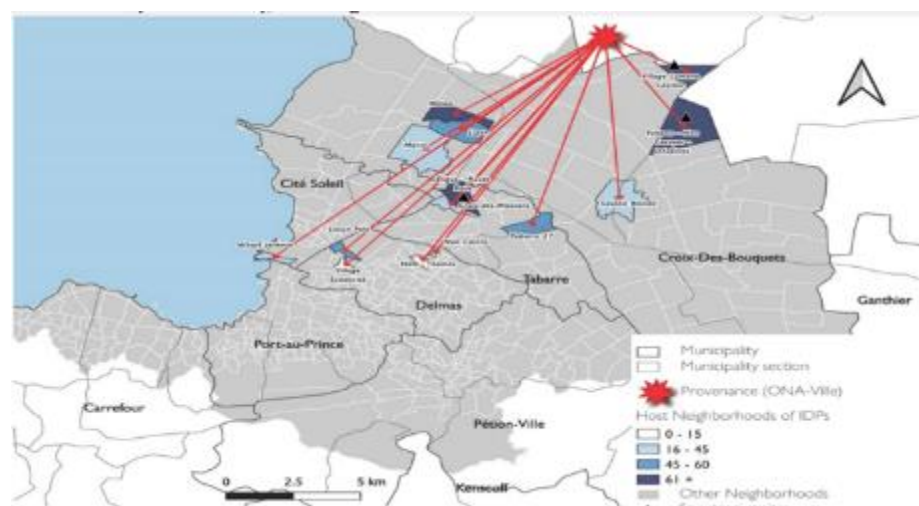
<sup>223</sup> See IOM Displacement tracking matrix available at: <https://dtm.iom.int/haïti> visited July 2023.

During the reporting period IDPs have extended beyond the metropolitan area of Port-au-Prince.



IOM, Haiti — Internal Displacement Situation (West, Center and Artibonite) — (June 2023). Available at <https://dtm.iom.int/reports/haiti-internal-displacement-situation-west-center-and-artibonite-june-2023> visited July 2023.

Below is an example of how gang violence results in the displacement of persons. On 7 April 2023, the Canaan gang attacked Onaville in Thomazeau, West department, aiming to control the area, which led to 1,226 IDPs seeking refuge at different sites in Port-au-Prince.



IOM, DTM- Displacement from Onaville - April 2023. Available at <https://haiti.iom.int/data-and-resources> visited June 2023.



**Annex 37: Panel's visit to Mexico, March 2023**

All photographs were taken by the Panel.

**Haitian nationals at Tapachula, Chiapas, Mexico, 7 March 2023**



**Illegal crossing point between Mexico and Guatemala at the Suchiate river, 8 March 2023.**





Makeshift Haitian migrants camp, Reynosa, Tamaulipas, 21 March 2023.



“Senda de Vida” Shelter, Reynosa, Tamaulipas, 21 March 2023





Map provided by the National Guard of Mexico in 2023. Translation by the Panel

**Annex 38: Panel's visits to the Dominican Republic, March and June 2023.**

The Dominican Republic and Haiti share a deeply intertwined past, present and future. The situation of Haitian migrants in the Dominican Republic is complex and multifaceted. Haitian migrants have long sought better opportunities and an improved life in the Dominican Republic, but their journey is often met with complex challenges.

During the Panel's visit in March 2023, the authorities mentioned the importance of Haitian migrants for the construction and the agricultural sectors. However, they raise concerns about the high number of Haitians fleeing violence and seeking opportunities in the Dominican Republic. They described the significant impact of this situation, particularly on the public health sector.

Haitian migrants often find themselves in dire socio-economic circumstances. Moreover, they live with persistent uncertainty regarding their legal status and documentation, leaving them vulnerable to deportation.

Deported individuals often arrive in Haiti with no money and no means of survival, representing a challenge for border communities.

All pictures taken by the Panel.

**At the border in Elías Piña, Dominican Republic. 12 June 2023**



**Haitians going through Dominican Republic immigration office in Elías Piña  
Dominican Republic, 12 June 2023**



**Haitian registration facilities for persons deported from the Dominican Republic  
Belladere, Haiti, 12 June 2023**





## Annex 39: Other Human Rights violations

In line with resolution 2653 (2022), the Panel has adopted a comprehensive approach to investigate human rights violations in Haiti.

While gangs are the primary perpetrators of human rights violations, public officials, politicians, and economic figures also contribute by either supporting gangs or weakening state institutions. The Panel is committed to investigating all parties involved.

Haiti is grappling with escalating gang violence in Port au Prince metropolitan area, and the Artibonite department where the strengthening of gangs is of significant concern. Besides the areas specifically covered in the report including SGBV, the recruitment of children, the weaponization of hunger, indiscriminate attacks against the population, obstruction of humanitarian access and assistance, attacks against UN agencies, lynchings and violations by police officers, the Panel is also concerned about the following areas:

- a) Violations against journalists and human rights defenders: The Panel notes the increasing attacks on journalists (six kidnapped and three killed so far this year) and human rights advocates.<sup>224</sup>
- b) Homicides: Intentional homicides surged by 67.6%, with 2,095 cases compared to 1,250 in the latter half of 2022. Of the 2,095 homicides, 89.6% were men (including 43 minors), and 10.4% were women, with 200 adult females and 17 female minors.<sup>225</sup> This equates to an average of 11.6 homicides daily for the first half of 2023, a significant increase from the previous 6.8 daily.<sup>226</sup>
- c) Human rights conditions of inmates: The Panel visited a prison in Haiti and observed first-hand the challenges faced by inmates. As of June 2023, the Haitian prison system remains in dire condition. It houses 11,836 inmates, comprising 335 women and 266 minors (252 boys and 14 girls), operating at a 332.3% capacity. Out of these, 1,827 inmates (15.4% of the total) have been convicted, including 38 women and 11 minors (10 boys and 1 girl). Meanwhile, 10,009 inmates (84.6%) are awaiting trial, with this group including 252 women and 245 minors (of which 8 are girls). On average, each inmate has a space of 0.3m<sup>2</sup>.<sup>227</sup> While in 2019, there were four prisons certified in accordance to international standards, today there are none. Out of the 28 people who died during the month of July, 10 due to HIV of which 8 in les Cayes prison which has a 777% cell occupation<sup>228</sup>.

The Cabaret Women Prison in Titayen (West department) faced significant challenges, especially with six attacks during the first half of 2023. As a result, its entire population of 84 female inmates was relocated to the Centre de Rééducation pour Mineurs en Conflit avec la Loi (CERMICOL) on 20 May 2023. Although CERMICOL has a capacity of 93 beds, by 30 June, it was accommodating 203 inmates, including 89 juvenile boys and 114 women.<sup>229</sup>

Furthermore, the Croix des Bouquets Prison in the West Department was assaulted twice by the 400-strong Mawozo Gang, once in April and again in May.<sup>230</sup>

<sup>224</sup> Meetings with human rights defenders and former journalists. Confidential sources, 2023.

<sup>225</sup> UNPOL data, 2023.

<sup>226</sup> UNPOL data, 2023.

<sup>227</sup> UNPOL data, 2023.

<sup>228</sup> UNPOL data, 2023.

<sup>229</sup> UNPOL data, 2023.

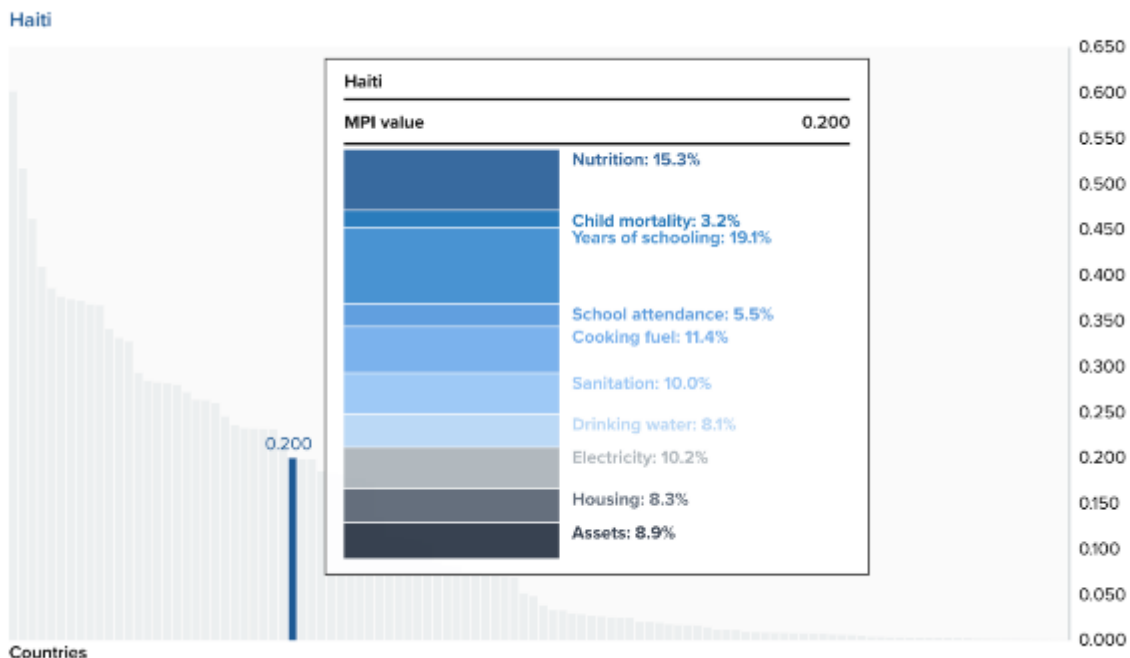
<sup>230</sup> UNPOL data, 2023.



Compounding these issues, the penitentiary system is plagued by chronic shortages of food, clean water, and medical supplies, heightening the risk of severe outbreaks. In the first half of 2023 alone, 52 inmates died, with 18 of those deaths attributed to malnutrition.<sup>231</sup>

Finally, the violence's accumulative effect in the last years has had a great impact on Haiti's development. See for example Haiti's Multidimensional Poverty Index<sup>232</sup>

Note: the lower MPI values represent a better performance regarding multidimensional poverty.



Source: UNDP, 2023.

<sup>231</sup> UNPOL data, 2023.

<sup>232</sup> [Human Development Reports](#). Accessed on 8 August 2023.

## Annex 40: Violations of the right to education and children's rights

In Haiti, children, teachers, and schools have become targets and victims of gang violence, leading to widespread disruptions and infringements on the right to education and children's rights. During clashes between gangs, innocent students and teachers have become victims of stray bullets.<sup>233</sup> Additionally, there have been kidnappings of parents and students near schools, leading to the closure of numerous educational institutions. This situation places them at greater risk of recruitment by gangs and makes them highly vulnerable to sexual and physical abuse. The Panel had the opportunity to meet with children at an IDP site and talked to their parents, who confirmed their ordeals.<sup>234</sup>

In June 2022, 60% of schools assessed by UNICEF in the areas of Cité Soleil, Croix-des-Bouquets, Delmas, Ganthier, Port-au-Prince, Pétion-Ville, and Tabarre had been vandalised, destroyed, or occupied by gangs or they have been used as shelters by IDPs, thus impeding the right to education of children and adolescents. Out of 976 schools, 239 suffered significant operational disruptions, with 54 of them being entirely closed down.<sup>235</sup>

On 6 October 2022, large groups of individuals entered UNICEF warehouses located in Les Cayes where they looted inter alia, school materials, for the then upcoming scholar year, for 320,000 children.<sup>236</sup>

In February 2023, UNICEF indicated that between October 2022 and February 2023, the number of targeted schools augmented nine-fold, reaching 72 compared to eight in the same period last year. This surge includes 13 schools targeted by armed groups, one school set ablaze, one student killed, and at least two staff members kidnapped, as reported by UNICEF partners.<sup>237</sup>

Violent incidents so far this year in Cité Soleil and Martissant, as well as Artibonite, have led to forced displacement and school closures, disrupting education for around 54,469 students in the Artibonite department. Additionally, heavy rains caused widespread destruction across Haiti, impacting over 19,000 school-aged children in the West, Nippes, South-East, Grande Anse, and Artibonite departments.<sup>238</sup>

In a 2023 UNICEF evaluation of the Artibonite region covering 1,996 schools, it was found that 259 schools were semi-operational, and 152 were entirely shut down. Additionally, gangs occupied 11 schools, and 97 were used by IDP.<sup>239</sup>

<sup>233</sup> For instance, on May 24, 2023, gunmen from Grand Ravine attacked the area of Carrefour-feuilles. During the attack, a schoolboy lost his life. <https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.icihaiti.com%2Farticle-39615-icihaiti-insecurite-un-lyceen-tue-d-une-balle-a-la-tete.html&data=05%7C01%7Cdetessieres%40un.org%7Cd867c8c0f8604a11f2008db99d3eb29%7C0f9e35db544f4f60bdcc5ea416e6dc70%7C0%7C0%7C638272907693043854%7CUnknown%7CTWFPbGZsb3d8eyJWJoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=c3C7bhk8oX8tkX0rAOgIRO%2FYaOEL7eGeHFWqbGo5xLk%3D&reserved=0>

<sup>234</sup> UN data, meetings with local organizations and international agencies, IDPs and victims, 2023.

<sup>235</sup> Ministère de l'Éducation Nationale et de la Formation Professionnelle – UNICEF, Résultat de l'Évaluation de l'impact de la violence armée sur les écoles à Port-au-Prince, June 2022. In file with the Panel.

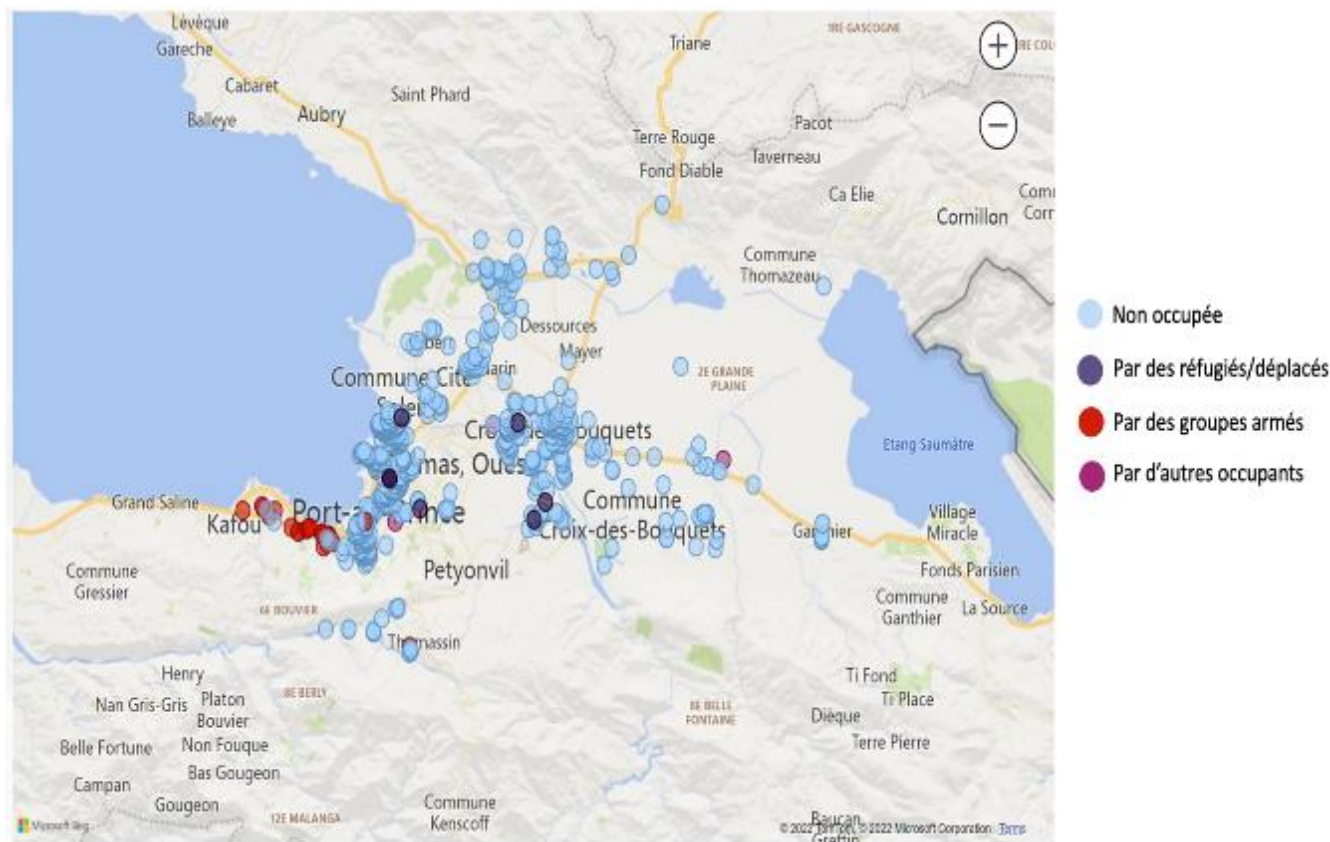
<sup>236</sup> UNICEF, "Increase in violence and resurgence of cholera in Haiti may leave more than 2.4 million children unable to return to school". Available at <https://www.unicef.org/lac/en/press-releases/increase-in-violence-and-resurgence-cholera-in-haiti-may-leave-more-2.4-million-children-unable-to-return-to-school>

<sup>237</sup> UNICEF, Armed violence against schools increases nine-fold in one year. Available at <https://www.unicef.org/haiti/en/press-releases/armed-violence-against-schools-increases-nine-fold-one-year>

<sup>238</sup> UNICEF, Haiti Humanitarian Situation Report No. 4: 30 June 2023. Available at <https://reliefweb.int/report/haiti/unicef-haiti-humanitarian-situation-report-no-4-30-june-2023>

<sup>239</sup> UN Document in file with the Panel.

### Map of Schools in Port au Prince Metropolitan Area as of June 2022<sup>240</sup>



The UNICEF-MNFP study found that 239 schools were partially or completely non-operational. Out of these, 76 schools were occupied, hindering their operations. Gangs were using 54 schools as their bases, while 9 schools were used by IDPs and 13 by other people.<sup>241</sup>

In another area of concern, as of August 2023 there have been close to 300 kidnapped cases of children and women, which is nearly the total number registered for all of 2022, and three times more than 2021.<sup>242</sup>

<sup>240</sup> UNICEF - Ministère de l'Éducation Nationale et de la Formation Professionnelle (MENFP), Résultat de l'évaluation de l'impact de la violence armée sur les écoles à Port au Prince. In file with the Panel.

<sup>241</sup> UNICEF - Ministère de l'Éducation Nationale et de la Formation Professionnelle (MENFP), Résultat de l'évaluation de l'impact de la violence armée sur les écoles à Port au Prince. In file with the Panel.

<sup>242</sup> UNICEF, [Kidnappings of children and women spiking at alarming rates in Haiti](#), 7 August 2023.

## Annex 41: Food Insecurity in Haiti

Close to 5 million individuals in Haiti, which is nearly half its population, faced severe acute food insecurity, categorized as Integrated Food Security Phase Classification (IPC) Phase 3 or higher, from March to June 2023. The IPC is used to determine the severity and extent of acute and chronic food insecurity and acute malnutrition situations in countries.

Phase name and description	Phase 1 None/Minimal	Phase 2 Stressed	Phase 3 Crisis	Phase 4 Emergency	Phase 5 Catastrophe/ Famine
	Households are able to meet essential food and non-food needs without engaging in atypical and unsustainable strategies to access food and income.	Households have minimally adequate food consumption but are unable to afford some essential non-food expenditures without engaging in stress-coping strategies.	Households either: • Have food consumption gaps that are reflected by high or above-usual acute malnutrition; or • Are marginally able to meet minimum food needs but only by depleting essential livelihood assets or through crisis-coping strategies.	Households either: • Have large food consumption gaps which are reflected in very high acute malnutrition and excess mortality; or • Are able to mitigate large food consumption gaps but only by employing emergency livelihood strategies and asset liquidation.	Households have an extreme lack of food and/or other basic needs even after full employment of coping strategies. Starvation, death, destruction and extremely critical acute malnutrition levels are evident.  (For Famine Classification, an area needs to have extreme critical levels of acute malnutrition and mortality)
Priority response objectives	Action required to build resilience and for disaster risk reduction	Action required for disaster risk reduction and to protect livelihoods	Urgent action required to: Protect livelihoods and reduce food consumption gaps      Save lives and livelihoods      Revert/prevent widespread death and total collapse of livelihoods		

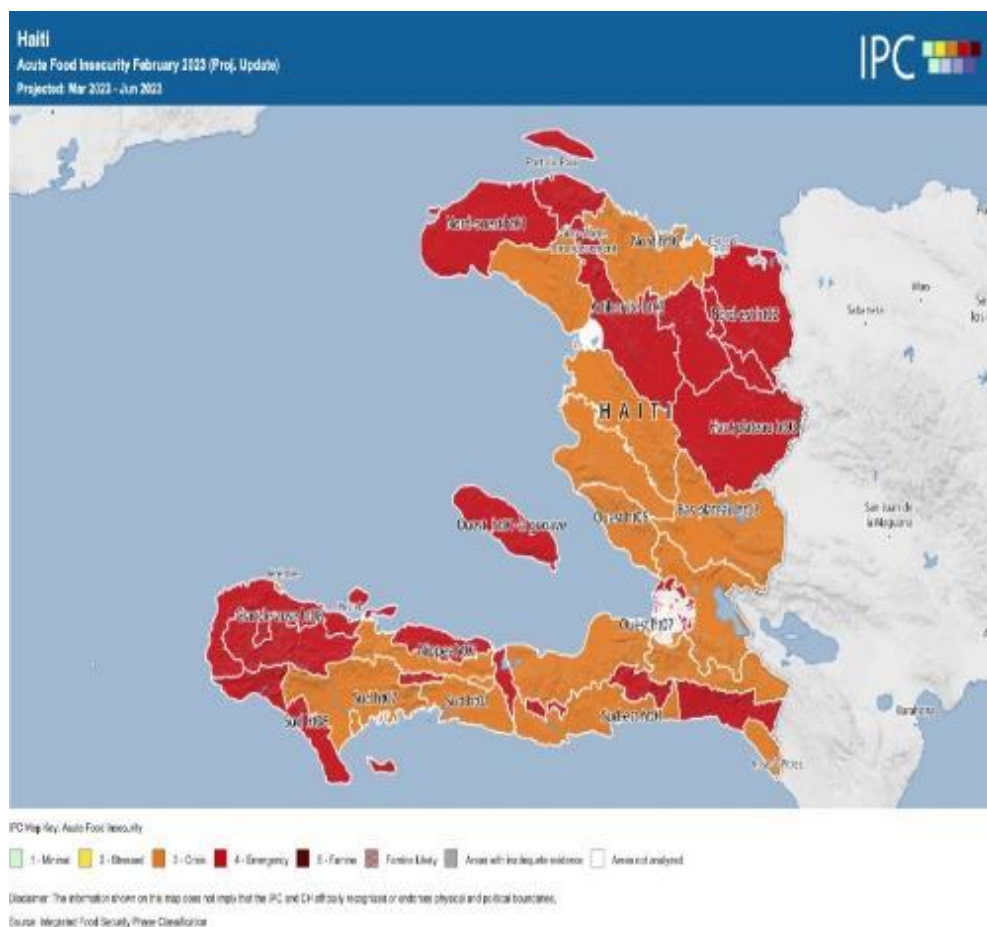
An assessment in March 2023 revealed a slight increase from the 4.7 million projected in September 2022, underscoring the persistent grave food insecurity in Haiti. Of the 4.9 million affected, 1.8 million are in the Emergency phase (IPC Phase 4), an improvement from 1.7 million in the 2022 analysis. Those in the Crisis phase (IPC Phase 3) have also seen a minor increase from 3.04 million to 3.08 million<sup>243</sup>.

Haiti's structural vulnerability is a significant factor, making thousands of households especially susceptible to weather events, price hikes, and crop failures, leading to acute food insecurity.

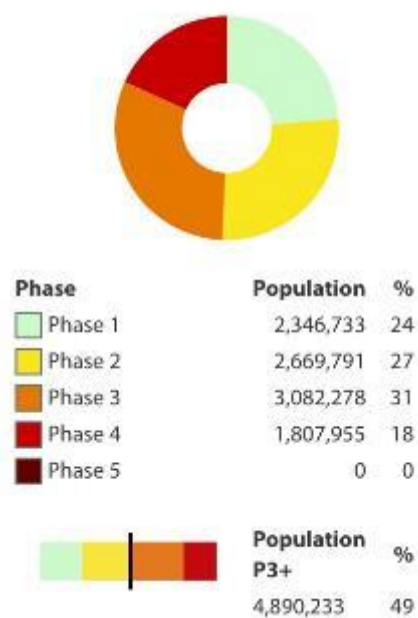
In addition, due to funding challenges, the World Food Programme (WFP) has been forced to cut the number of people receiving emergency food assistance in Haiti by 25% (1000 individuals) in July 2023 compared to June 2023.<sup>244</sup>

<sup>243</sup> [Haiti: Acute Food Insecurity Projection Update for March - June 2023 | IPC - Integrated Food Security Phase Classification \(ipcinfo.org\)](https://www.ipcinfo.org/)

<sup>244</sup> WFP, [Funding cuts force WFP to slash food assistance as one-in-two Haitians go hungry](#). Accessed on 17 July 2023.



Projected: Mar 2023 - Jun 2023



Available at <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156263/?iso3=HTI> visited on 1 July 2023.

**Annex 42: Incidents in the Solino area between 27 February and 3 March 2023**

On 27 February 2023, the G9 gangs attacked the Bel-Air neighborhoods, shooting at residences while targeting VARs occupied by les Argentins. The next day, members of 5 Second headed to Bel-Air in 15 vehicles to support les Argentins and fired in all directions to create panic, which was followed by heavy gunfire between those gangs. In the meantime, in Cité Soleil area, the Brooklyn gang attacked G9 positions in Drouillard and Carrefour Lamort, while they were trying to reach les Argentins to reinforce them. However, they were blocked by Terre Noire, and exchange of fire ensued between them. Taking advantage of the situation, members of the Belekou gang shot at residences in the Brooklyn area.

On 2 March, six G9 gangs (Delmas 6, Wharf Jérémie, Krache Dife, La Saline, Belekou and Tokyo) clashed with les Argentins, supported by 5 Second in the neighborhoods of Bel-Air, Solino, Delmas, Nazon and Christ Roi. The G9 gangs continued their advance in the Solino district by burning down houses belonging to families close to les Argentins.

**Table 1:** Civilian and gang members casualties <sup>245</sup>

Victims	Alleged perpetrator	Date
Five civilians killed in Bel-Air	G9 gang	27 February 2023
Three civilians abducted including a female and her child A police officer killed	Les Argentins	27 February 2023
Six Les Argentins gang members killed	G9 gang	27 February 2023
Three members killed of the Delmas 6 gang	Les Argentins	27 February 2023
Twelve members of the Village de Dieu and Les Argentins wounded	HNP	27 February 2023
Fifteen civilians injured	Village de Dieu and Les Argentins	28 February 2023
Seven civilians injured (5 men and 2 women)	Terre Noire	28 February 2023
Five civilians were injured (2 children, 2 men and a woman)	Gang of Belekou,	28 February 2023
Three civilians killed (2 men and 1 woman)	Terre Noire	28 February 2023
Three civilians killed in Bel-Air	G9 gang	1 March 2023
Five Brooklyn gang members killed	G9 gang	1 March 2023
Three Terre Noire gang members killed	Brooklyn gang	1 March 2023
Six men civilians killed	Unidentified (stray bullets)	1 March 2023
Eight people (2 children and 6 men) were wounded.	Belekou and Pierre 6 gangs	1 March 2023
Three civilians killed	G9 gang	1 March 2023
Destruction of 371 temporary shelters for 1,101 IDP's at the Usine à Glace site, known as "Camp Zamor" located in Delmas 2	Following shootings by Les Argentines	1 March 2023
Six civilians killed (two women and four men)	G9 gang	2 March 2023.
Two civilians killed in Delmas 24	G9 gang	2 March 2023
A young woman killed by stray bullets during gang clashes in Solino neighborhood	Unidentified (stray bullets)	2 March 2023
Three civilians killed in Solino	G9 gang	2 March 2023

<sup>245</sup> Confidential source.



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Three houses were burnt down in Solino	G9 gang	2 March 2023
Ten houses were burnt down in Delmas 24	G9 gang	2 March 2023
12 houses were burnt down in Bel-Air	G9 gang	2 March 2023
About thousand people were forced to flee their residences due to gang violence	G9 gang and G-Pèp	2-3 March 2023
A Village de Dieu gang member killed	G9 gang	3 March 2023

**Annex 43: IDP site Delmas 31, Port-au-Prince**

There were approximately 1400 persons living on the site. Their living conditions were appalling with very little help from local and international humanitarian organizations.

Most of the IDPs came from Tabarre, Croix des Bouquets, Canaan, Jerusalem, Corail and Seguy areas.

All pictures taken by the Panel on 3 July 2023





## Annex 44: Impact of violence on health services

### National public and private health sector

About 48% of hospitals in the Port-au-Prince metropolitan area are under gang influence or control, leading to forced closures due to attacks on patients, staff, or facilities. Health care professionals explained to the Panel that Haiti is suffering one of its worst health care crises in its history.<sup>246</sup> As reported by the Haitian Medical Association, a minimum of 20 doctors were kidnapped in 2022, with an additional 11 doctors in the first quarter of 2023.<sup>247</sup>

Due to the activities of the Gran Grif gang, the Albert Schweitzer hospital in Deschapelles, Artibonite, serving over 700,000 people, was forced to close on 15 February 2023. Also in February 2023, the Higgins Brothers Surgicenter for Hope in Fonds Parisien, located in an area controlled by 400 Mawozo reported multiple incidents of surgeons, doctors, and nurses being shot, robbed, and kidnapped while on their way to work in the past two years.<sup>248</sup>

From January 2021 to May 2023, the GHESKIO medical centers situated in gang-controlled areas suffered from various violence-related issues. For instance, 38% (221) of their employees had to relocate because of violence. The centers also experienced a loss of skilled workers, with 42% (245) of their employees quitting, including many who emigrated. During this timeframe, 15 staff members were also abducted.<sup>249</sup>

Between 18 and 19 June 2023, members of the Canaan gang broke in Dr. Zilda Arns Hospital in Bon Repos. They ransacked the facility and stole vehicles, a generator, solar panels, and various medical supplies and equipment. Additionally, they kidnapped six (6) security personnel present at the location.

### International NGOs

Médecins Sans Frontières (MSF) has been forced to suspend its activities several times since the beginning of 2023. In January 2023, gang members forcibly took an individual from a rival group from an MSF hospital in Carrefour, west of the capital, and executed him outside of the facility. On 9 March 2023, MSF closed its hospital in Cité Soleil, except for emergencies, as clashes between rival gangs intensified in the area, making it impossible for them to operate. On 19 April 2023, MSF stopped its operations at this hospital. On 6 July 2023 in Tabarre neighbourhood, Port-au-Prince, around 20 armed men entered the MSF hospital, forcibly removing a patient being treated for gunshot wounds from the operating room.<sup>250</sup>

Attacks against health facilities and personnel constitute not only a violation against humanitarians but also an infringement to the right to life, health and well-being of persons that require those services.

<sup>246</sup> Meetings and exchanges with health care specialists 23, 24 June and 7 July 2023.

<sup>247</sup> OCHA, The Humanitarian Coordinator in Haiti expresses deep concern over the worrying increase in acts of violence against health, education and humanitarian staff in Haiti. Available at <https://reliefweb.int/report/haiti/humanitarian-coordinator-haiti-expresses-deep-concern-over-worrying-increase-acts-violence-against-health-education-and-humanitarian-staff-haiti> Visited June 2023.

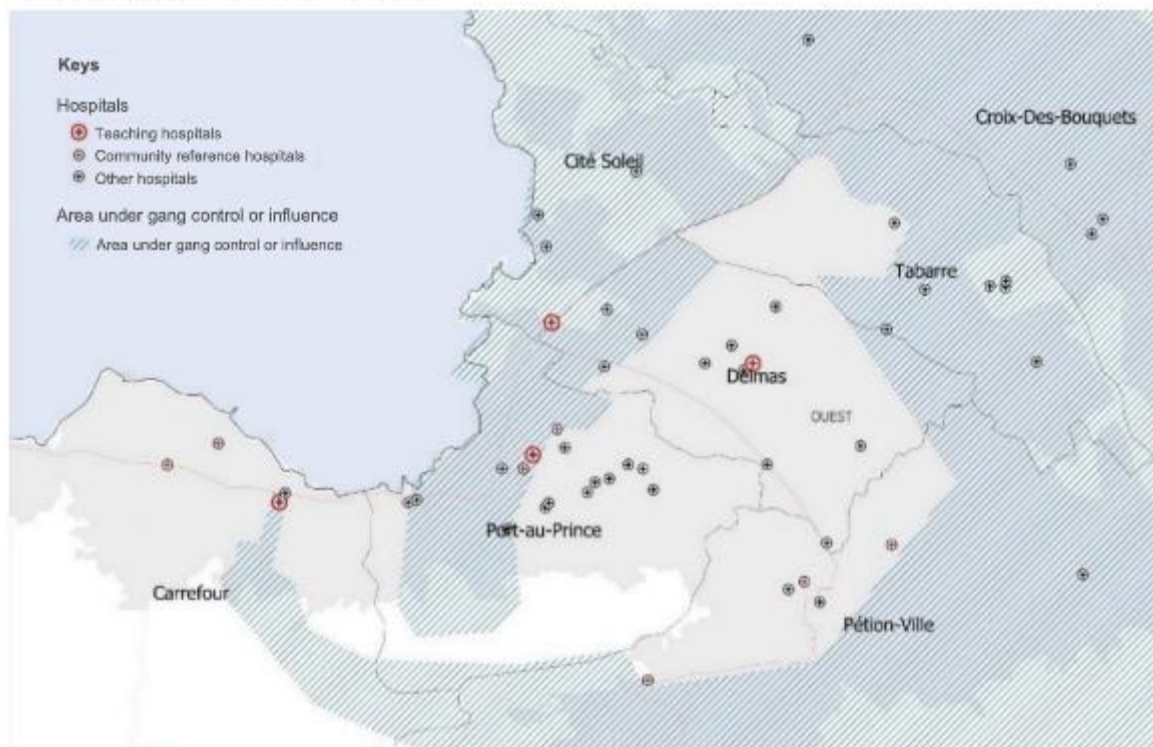
<sup>248</sup> OCHA, Haiti : Humanitarian note - Series - New paradigm Issue 2: The impact of violence on access to health care 23 April 2023. Available at <https://reliefweb.int/report/haiti/haiti-humanitarian-note-series-new-paradigm-issue-2-impact-violence-access-health-care-23-april-2023> visited May 2023.

<sup>249</sup> Gheisko, Report on the impact of Violence on the provision of healthcare at GHESKIO Centers, June 2023. In file with the Panel.

<sup>250</sup> MSF, MSF's programs in Haiti. Available at <https://www.doctorswithoutborders.org/what-we-do/where-we-work/haiti> visited July 2023.



PAPMA: Hospitals and areas under gang control or influence



Source : SSNU health map, <https://cartesantaire.ssnunet.net>

OCHA. Haïti: Humanitarian note - Series - New paradigm Issue 2: The impact of violence on access to health care 23 April 2023. Available at <https://reliefweb.int/report/haiti/haiti-humanitarian-note-series-new-paradigm-issue-2-impact-violence-access-health-care-23-april-2023> visited May 2023.

Some of the most important health care providers in Haiti joined their voices in a statement calling for the cessation of armed incursions in medical facilities.

## STOP aux intrusions armées au sein des Institutions Médicales en Haïti !

Les Institutions Médicales telles que, *l'Association Médicale Haïtienne, L'Association des Hôpitaux Privés d'Haïti ; l'Hôpital Adventiste de Diquini ; Les Centres Gheskio ; Médecins Sans Frontières et les Hôpitaux Saint Luc et Saint Damien, signataires de cette prise de position lancent un appel « Stop aux intrusions armées au sein des institutions médicales en Haïti ! ».* Elles expriment leur inquiétude face à l'insécurité et exigent **LE RESPECT** des porteurs d'armes envers toutes les institutions médicales, les ambulances et le personnel de santé.

Dans les conditions actuelles du secteur médical qui sont particulièrement difficiles, il est essentiel d'avoir un minimum de sécurité pour pouvoir soigner les patients qui se présentent.

Le 6 juillet, l'hôpital de Tabarre géré par Médecins Sans Frontières a subi une intrusion violente de vingt hommes armés pour en extraire un patient. Le 25 juin dernier, l'Hôpital Dr Zilda ARNES, Hôpital Communautaire à Bon Repos a été entièrement pillé et du personnel kidnappé par des hommes armés.

Ces deux cas ne sont que des illustrations de la gravité de la situation et les derniers en date d'une longue série durant ces deux dernières années.

Nombreux hôpitaux ont été attaqués ou empêchés de fonctionner à cause de l'insécurité. C'est inadmissible dans un pays comme Haïti où l'accès aux soins est déjà très limité.

Les signataires exigent de la part de tous les porteurs d'armes, quels qu'ils soient, le respect de la neutralité et de l'inviolabilité des institutions médicales en Haïti.

Port au Prince, le 11/08/2023 :

Signataires :



Association Médicale Haïtienne



Association des hôpitaux privés d'Haïti



Hôpital Adventiste de Diquini



Les Centres Gheskio





Médecins Sans Frontières



Fondation St Luc et St Damien

**Annexe** : Quelques exemples récents et connus des incidents (liste non exhaustive)

- Le jeudi 27 juillet, le directeur de l'épidémiologie des laboratoires et de la recherche a été enlevé au niveau de Delmas 31.
- Le samedi 22 juillet 2023, le directeur de la direction de la santé de la famille a été enlevé au niveau de Tabarre
- Dans la nuit du 6 au 7 juillet 2023, une vingtaine d'hommes armés se sont introduits à l'hôpital Traumatologie de MSF à Tabarre pour sortir un patient blessé par balle alors qu'il était encore au bloc.
- Le 19 juin 2023, l'hôpital communautaire de Bon repos, Zilda Arns a été attaqué par des individus armés qui ont tout pillé et même kidnappé 6 agents de sécurité.
- Le 14 février 2023, deux cadres de Gheskio ont été enlevés alors qu'ils quittaient leur lieu de travail tandis que quelques jours auparavant, un autre médecin de la même institution avait été enlevé.
- Le 26 janvier 2023, dans une structure de santé supporté par MSF, l'hôpital Raoul Pierre Louis, des individus armés ont pénétré aux urgences et ont sorti un patient avant de l'abattre devant l'hôpital.
- Le 14 août 2022, des hommes armés ont débarqué au niveau de l'hôpital Raoul Pierre Louis, à Arcachon 32 et ont sorti un patient pris en charge aux urgences avant de l'exécuter.
- Le 3 juillet 2022, un médecin a été enlevé alors qu'il quittait son service au niveau de l'hôpital St Luc à Tabarre.
- Le 17 Mai 2022, le directeur médical de l'Hôpital Universitaire d'Etat d'Haiti a été enlevé par des hommes armés dans les parages de l'hôpital.
- Juin 2021, MSF a été contraint de quitter le centre d'urgence de Martissant à la suite des violents affrontements entre groupes armés de la zone mettant en danger ses personnels et les patients.

**One of the most important Health Centers in Haiti are the Ghesko Centers.**

The following charts were prepared by Ghesko.<sup>251</sup>

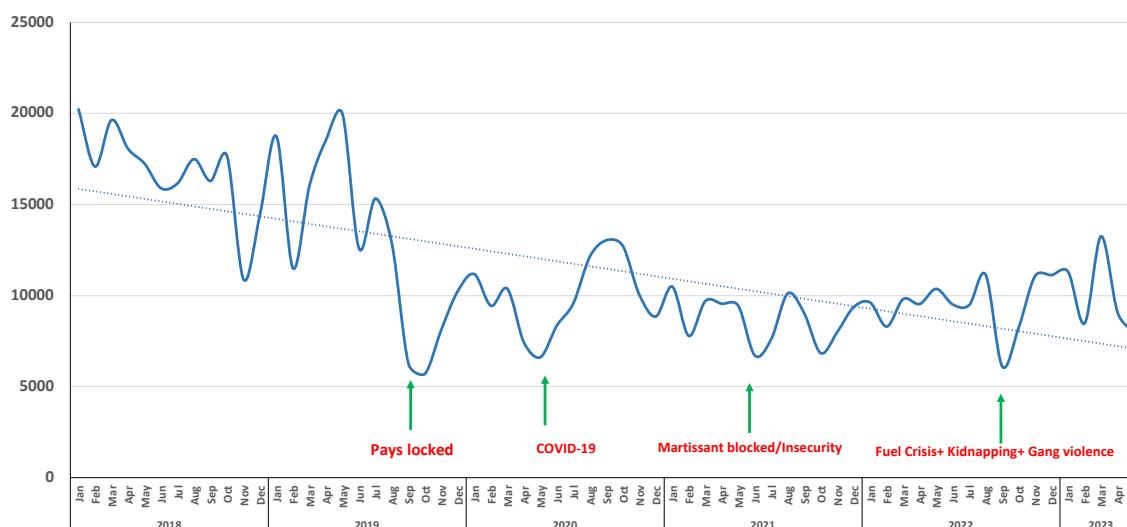
	<b>TOTAL</b>	<b>2021</b>	<b>2022</b>	<b>2023 (as of 5/2023)</b>	<b>Comments</b>
I. # of GHESKIO employees including CHWs *	Average number from 2021-2023: 585	512	559	683	Average number of employees from 2021-2023 is 585.
1) # Kidnapped with dates	15/585=2.6%	1 (12/4/21)	<ul style="list-style-type: none"> <li>11</li> <li>5 (8/2/22)</li> <li>6(8/15/22)</li> </ul>	<ul style="list-style-type: none"> <li>3</li> <li>1 (2/9/23)</li> <li>2 (2/14/23)</li> </ul>	5 episodes of kidnapping of a total of 15 employees. All were released without ransom.
2) # Aggressed on the way to and back from work	363/585=62%	38	79	246	All experienced directly/indirectly the impact of insecurity
3) Number forced to abandon their Home	221/585= 38%	11	24	186	Staff were aggressed mostly in 2023.
4) Number who resigned	245/585= 42%	84	113	48	The % of resignation increased with US humanitarian parole program
II. # of raped victims in time	360	130	147	83	Increased % of sexual assaults with armed aggressor (s).
III. # of patients unable to come to receive healthcare	27,611 patients unable to attend both centers in the past 2 years (2021 and 2022)	6,096 patients unable to receive care at both centers compared to 2020	21,515 patients unable to received care at both centers compared to 2020	13,947 patients unable to received care at both centers compared to 2020	Increased number of patients unable to come to GHESKIO centers. Contingency plan activated: we had to set up 10 Comprehensive Community Centers to ensure continuity of services
IV. # of children unable to attend the GHESKIO school	Average number from 2021 to 2023 115/337 (34%)	15/310 (5%)	28/351 (8%)	301 /351 (86%)	86% unable to come to GHESKIO school in 2023; parents requested catch-up courses.

<sup>251</sup> See Report on the impact of violence on the provision of healthcare at GHESKIO Centers, June 2023. In file with the Panel.

V.	# of children with malnutrition	2,949	971	1547	431	Increased cases of acute malnutrition in 2022; less cases in 2023 because of insecurity
VI.	Decrease in # of patients visiting GHESKIO followed by a curve showing the decline	48,283 patients- visit missed at both centers in the past two years (2021 and 2022)	14,079 patients-visits missed compared to 2020	34,204 patients-visit missed compared to 2020	38,434 patients-visit missed compared to 2020	Decreased number of patients due to insecurity. We had to set up elsewhere 10 community Centers to offer continuity of care
VII.	Training courses that had to be postponed	10/30 (30%) training sessions postponed over the past three (3) Years	1 /10 (10%) session postponed	2 /10 (20%) training sessions postponed	7/10 (70%) training sessions postponed	Increasing % of Training sessions postponed because of insecurity
VIII.	Disturbance in the provision of equipment and supply	Major disturbance in lab supplies and equipment	International technicians unable to come to recertify our labs since 2021	International technicians unable to come to repair our Hematology machine since 2022	International technicians unable to come to replace the Chiller (the main part) of the BSL3 Lab system) since 12/2021	Operations at the GHESKIO lab affected due to disturbance in equipment and lab supplies.

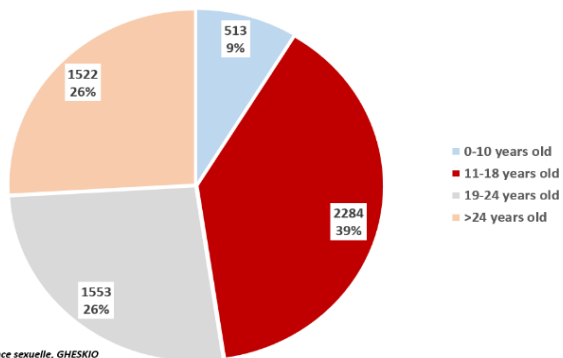
## Decreased Number of patients visiting GHESKIO Centers

January 2018 to May 2023



## Number of Sexual Violence at GHEKIO N=5,872

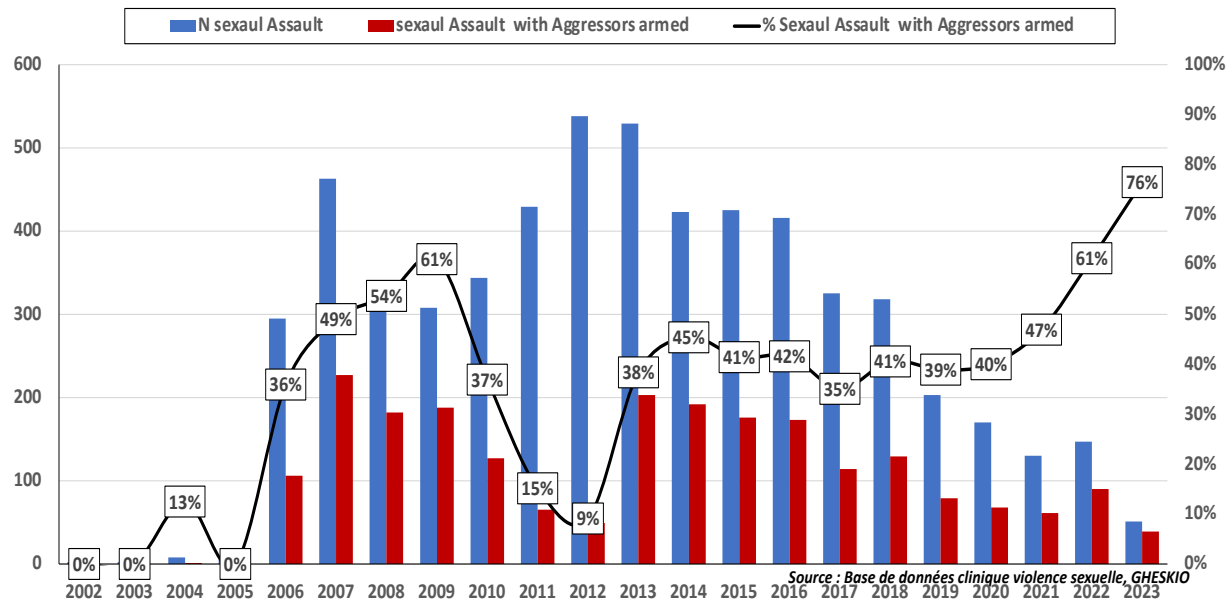
Figure2: Victime de violence sexuelle par tranche d'âge,  
Les Centres GHEKIO, N= 5872



Source : Clinique violence sexuelle, GHEKIO



**Number of raped Victims Received at GHESKIO**  
 Increased proportion of raped victims by **armed** aggressors during sexual assault  
 2002 – May 2023  
**N= 5872**



## Annex 45: Disbursement of Petrocaribe funds

Table showing how Petrocaribe funds were allocated per the 11 administrative departments of Haiti, with the bulk of the projects being in Port-au-Prince

**Une plus grande diversification :**

Comme constaté, il y a une plus grande diversification des projets sous l'air Martelly-Lamothe. Tous les secteurs de la vie nationale sont donc touchés. Les infrastructures routières qui représentaient 65% des projets du gouvernement Bellerive, tombent à 31%. Cette forte baisse est constatée au profit de la gestion publique (11.9%), la rénovation urbaine (10.8%) et le social (9.4%).

**Répartition des projets par zone géographique :**

REGION	PROJETS	REVISES	%
Artibonite	9	29 768 200,85	4,50%
Centre	5	23 746 554,97	3,60%
Grand Anse	7	17 765 019,51	2,70%
National	38	243 399 944,73	36,40%
Nippes	4	16 311 036,69	2,40%
Nord	18	29 134 698,47	4,40%
Nord est	1	2 879 410,23	0,40%
Nord Ouest	3	8 025 752,61	1,20%
Ouest	44	217 142 872,26	32,50%
Sud	11	45 524 339,25	6,80%
Sud Est	9	35 117 912,87	5,30%
<b>Total</b>	<b>149</b>	<b>668 815 742,44</b>	<b>100,00%</b>

Tous les départements sont représentés. Cependant la plus grande partie est toujours attribuée au département de l'Ouest, avec une enveloppe de 217.1 millions de dollars (32.5%), suivi des projets nationaux (36.4%).



Table showing the breakdown of the budget allocation per sector. As noted, it was during Martelly-Lamothe's government that the real work of reconstructing Haiti started, with the release of Petrocaribe funds following the earthquake of 2010, Hurricane Sandy and a cholera outbreak.

**Le gouvernement Lamothe fait également le suivi des contrats signés par le gouvernement Préval-Bellerive.**

De plus, le gouvernement Martelly-Lamothe fait le suivi de nombreux contrats hérités de l'Administration Préval-Bellerive.

**Il faut cependant noter que c'est durant son administration que les travaux liés à la reconstruction ont réellement commencé.**

#### Décaissement

Le taux de décaissement des projets de ces six résolutions est de 100%.

#### Analyse des résolutions :

##### Répartition des projets par secteur d'activité :

	NBRE DE	MONTANTS	
SECTEURS	PROJETS	REVISES	%
AGRICOLE	9	24 399 660,33	3,60%
CULTURE	1	485 440,98	0,10%
EAU & ASSAINISSEMENT	6	10 942 635,31	1,60%
ECONOMIE	4	23 924 697,57	3,60%
EDIFICE PUBLIC	6	42 004 179,60	6,30%
EDUCATION	4	6 636 817,28	1,00%
ENERGIE	4	18 730 000,00	2,80%
ENVIRONNEMENT	1	1 901 846,49	0,30%
GESTION PUBLIQUE	7	79 873 946,91	11,90%
HABITAT	5	38 801 928,58	5,80%
INFR AEROPORTUAIRE	2	12 231 690,60	1,80%
INFRASTRUCTURE ROUTIERE	51	209 267 272,00	31,30%
MARCHE	2	5 342 314,13	0,80%
PORT	1	1 000 000,00	0,10%
RENOVATION URBAINE	21	72 030 670,03	10,80%
SANTE	4	32 141 346,07	4,80%
SECURITE	6	14 590 111,13	2,20%
SOCIAL	8	62 727 907,84	9,40%
SPORT	5	9 260 055,43	1,40%
TOURISME	2	2 523 222,20	0,40%
<b>Total</b>	<b>149</b>	<b>668 815 742,44</b>	<b>100,00%</b>

**Annex 41: Lamothe and Martelly business relations**

The Panel established that the two have a long business relationship going back to 2004. A company registration certificate obtained by the Panel depicts the two as joint officers and directors of a company known as MIABEACH HOLDING COMPANY. Lamothe and Martelly are registered as part of the directors. The Panel is aware of at least six other companies in which Martelly, and Lamothe are partners.

<b>2004 FOR PROFIT CORPORATION ANNUAL REPORT</b>		<b>FILED</b>
DOCUMENT# P02000046687		<b>Sep 13, 2004</b>
Entity Name: MIABEACH HOLDING COMPANY		<b>Secretary of State</b>

<b>Current Principal Place of Business:</b> 3775 KUMQUAT AVENUE COCONUT GROVE, FL 33133	<b>New Principal Place of Business:</b>  
<b>Current Mailing Address:</b> 3775 KUMQUAT AVENUE COCONUT GROVE, FL 33133	<b>New Mailing Address:</b>  

FEI Number: 20-1029805	FEI Number Applied For ( )	FEI Number Not Applicable ( )	Certificate of Status Desired ( )
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<b>Name and Address of Current Registered Agent:</b> RICARDO BAJANDAS 2699 SOUTH BAYSHORE DRIVE EIGHT FLOOR COCONUT GROVE, FL 33133	<b>Name and Address of New Registered Agent:</b>  
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The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: \_\_\_\_\_ Date \_\_\_\_\_

Electronic Signature of Registered Agent

Election Campaign Financing Trust Fund Contribution ( ).

<b>OFFICERS AND DIRECTORS:</b>  Title: P ( ) Delete Name: LAMOTHE, LAURENT Address: 3775 KUMQUAT AVENUE City-St-Zip: COCONUT GROVE, FL 33133	<b>ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS:</b>  Title: ( ) Change ( ) Addition Name: MARTELLY, MICHAEL Address: 3775 KUMQUAT AVENUE City-St-Zip: COCONUT GROVE, FL 33133
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Title: S (X) Delete Name: LAMOTHE, LAURENT Address: 3775 KUMQUAT AVENUE City-St-Zip: COCONUT GROVE, FL 33133	Title: ( ) Change ( ) Addition Name: ( ) Change ( ) Addition Address: ( ) Change ( ) Addition City-St-Zip: ( ) Change ( ) Addition
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I hereby certify that the information supplied with this filing does not qualify for the for the exemption stated in Section 119.07(3)(i), Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with an address, with all other like empowered.

SIGNATURE: RICARDO BAJANDAS	AS	09/13/2004
Electronic Signature of Signing Officer or Director		Date

**Annex 47: Diversion of funds by Patrick Noramé**

Anti-corruption investigations found that in less than one month after he was appointed to head BMPAD, his bank accounts deposits increased gradually. This was so, regardless of the reality that Noramé's legitimate monthly salary since April 2016 was 920,650 HTG. Within a span of 13 months after becoming BMPAD head, his account had accumulated \$63,000 USD, and another account had 13,85,728 HTG that Noramé could not account for. In addition, was the loss of about 350,000 gallons of fuel valued at about \$300,000 USD. There were also several tender irregularities that were established.

At the conclusion of the work of the Government's anti-corruption commission of inquiry<sup>252</sup>, it was found among other things that Patrick Noramé was answerable for:

- Diversion of four hundred and five (405) bags were subtracted for a total amount of 405,000.00 HTG.
- The loss by Haitian State of a total amount of 124, 355, 146.00 HTG on the sale of Japanese rice.
- An amount of 850,000.00 HTG he embezzled directly as part of the sale of rice with the complicity of the former head of public procurement at BMPAD.

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<sup>252</sup> ULCC. 2021. Résumé exécutif du rapport de l'enquête conduite par l'ULCC sur la gestion d'un don de riz par le Japon au BMPAD en 2016.