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Haiti: Recent Developments and U.S. Policy

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Haiti: Recent Developments and U.S. Policy

Haiti, located on the western third of the island of Hispaniola and bordering the Dominican Republic, remains mired in interrelated political, security, and humanitarian crises. As of June 2023, Haiti lacks an elected president, legislature, and mayors following the July 2021 assassination of President Jovenel Moïse; the terms of the last 10 elected senators expired in January 2023. A political standoff between de facto Prime Minister Ariel Henry's government and rival political and civil society leaders, some of whom have backed a proposal (the Montana Accord) to form a transitional government, has prevented the country from scheduling elections to replace officials whose terms have expired. It is yet unclear whether an agreement announced by Henry on December 21, 2022, will lead to elections in February 2024 as originally envisioned.

The ongoing political impasse also has hindered Haiti's ability to respond to worsening security and humanitarian crises caused by rampant gang violence, food and fuel shortages, a resurgence of cholera, and an August 2021 earthquake. In October 2022, Henry asked for a foreign security force to help reestablish control and enable humanitarian aid deliveries; many Haitian civil society groups oppose this request, and no country has offered to lead such a force. The compound crises in Haiti continue to fuel instability and U.S.-bound migration.

U.S. Policy

U.S. policy in Haiti has aimed to support Haitian efforts to restore security, the rule of law, democratic institutions leading to free and fair elections, and economic and social stability. In FY2022, the Biden Administration allocated \$237.4 million in foreign assistance for Haiti, including increased support for the Haitian National Police. The FY2023 budget request included \$274.8 million for Haiti, and the FY2024 request included \$291.5 million for Haiti. The Administration also has continued to provide humanitarian assistance to Haiti, including \$79.2 million in FY2022 and \$56.5 million to date in FY2023. In March 2023, the Administration released a 10-year strategic plan for preventing conflict and promoting stability in Haiti, 1 of 10 countries prioritized by the Global Fragility Act (P.L. 116-94).

The Biden Administration's approach toward Haiti has evolved from supporting the Henry government to working with the United Nations and other international actors to push Henry, his rivals, and other stakeholders to reach an inclusive political accord. Since October 2022, the U.S. Treasury and State Departments have publicly sanctioned seven current or former Haitian officials, including Laurent Lamothe, former prime minister for President Michel Martelly (2011-2016). The State Department has denied visas to dozens of additional individuals and their families. The Administration also has sought to facilitate a broader international response to the deteriorating situation in Haiti. The United States and Mexico drafted a U.N. Security Council resolution to sanction gang leaders in Haiti and their financial backers that was adopted in October 2022. Separately, the United States and Mexico proposed, but did not make public, a resolution to send a non-U.N.-led security assistance mission to Haiti.

Congressional Action

Congress has set objectives for U.S. policy, appropriated foreign assistance, and engaged in oversight aimed at ameliorating the crises in Haiti. The Haiti Development, Accountability, and Institutional Transparency Initiative Act (P.L. 117-103, Division V), enacted during the 117th Congress, set goals for U.S. development policy in Haiti through 2025 and directed the Secretary of State to prioritize the protection of human rights and anti-corruption efforts. The act also required U.S. agencies to assess the progress of post-disaster recovery in Haiti and develop a strategy for achieving the act's policy objectives. The Consolidated Appropriations Act, 2023 (P.L. 117-328), did not designate a total funding level for Haiti but placed democracy-related conditions on some foreign assistance. The explanatory statement accompanying P.L. 117-328 urged the Secretary of State to use "every appropriate diplomatic tool to press for dialogue" and to take "strong legal action" against those engaged in human rights abuses, corruption, and other illicit activities.

The 118th Congress is now considering the Biden Administration's FY2024 budget request for Haiti, as well as other legislative measures. The House Foreign Affairs Committee and Senate Foreign Relations Committee have reported bills (H.R. 1684/S. 396) that would require an annual State Department report on ties between gangs and politicians in Haiti and call for the imposition of sanctions on individuals engaged in such activities. Proposed legislation to renew trade preferences for Haiti (S. 552) also has been introduced in the Senate. Congressional oversight efforts have focused on the Administration's policies to manage migration from Haiti, among other issues.

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Introduction

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

Haiti at a Glance

Capital: Port-au-Prince

Population: 12.2 million (2023, IMF est.)

Languages: French (official), Creole (official)

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

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

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

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

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

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

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

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

As of June 2023, Haiti still lacks an elected president, legislature, and local government. A political standoff between de facto Prime Minister Henry's government and opposition political and civil society leaders regarding how to form a transitional government to

stabilize the country and convene elections persists. The standoff continues amid a worsening security crisis. Following a September 2022 announcement by Prime Minister Henry that fuel subsidies would end, protests and gang-led violence erupted.³ After gangs took over the ports, highways, and main fuel terminal, the economy ground to a halt and humanitarian agencies lost access to some areas. In October, cholera resurfaced after a three-year hiatus. Henry requested international intervention in Haiti in October 2022, but the United Nations (U.N.) Security Council has not yet voted on a resolution responding to that request.⁴

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

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

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

³ U.N. Security Council, "Letter Dated 8 October 2022 from the Secretary-General Addressed to the President of the Security Council," S/2022/747, October 10, 2022. Hereinafter, Security Council, S/2022/747.

⁴ For a description of the type of resolution the United States and Mexico had envisioned in response to Henry's request, see United States Mission to the United Nations, "Remarks by Ambassador Linda Thomas-Greenfield at a U.N. Security Council Briefing on Haiti," October 17, 2022.

Figure I. Map of Haiti



Source: Congressional Research Service (CRS).

Political Situation

Background

Haiti won independence from France in 1804, making it the second independent republic in the Western Hemisphere (after the United States). Since then, the country has experienced long periods of authoritarianism and political fragility, punctuated by foreign interventions and natural disasters.⁵ After the fall of the brutal Duvalier dictatorship (1957-1986), attempts to consolidate democratic rule have had limited success.⁶ In 1991, a military coup interrupted the term of Haiti's first president elected in free and fair elections, Jean-Bertrand Aristide of the center-left *Fanmi Lavalas* party (1991; 1994-1996; 2000-2004). The threat of a U.S. military intervention allowed Aristide to return three years later to complete his term. In 2000, Aristide began a second term after the opposition boycotted the presidential election due to flawed parliamentary elections

⁵ Rocio Cara Labrador and Diana Roy, "Haiti's Troubled Path to Development," Council on Foreign Relations, September 2022 (hereinafter Labrador and Roy, "Haiti's Troubled Path"). Haiti reportedly paid an indemnity to France of some \$560 million, which caused a significant drain on Haiti's finances well into the 20th century. Concerns about the indebted country's ability to pay its creditors prompted a U.S. intervention from 1915 to 1934. Lazaro Gamio et al., "Haiti's Lost Billions," *New York Times*, May 20, 2022; Hans Schmidt, *The United States Occupation of Haiti: 1915-1934* (Rutgers, NJ: Rutgers University Press, 1971).

⁶ Fearing communist rule and/or instability on the island, successive U.S. presidential administrations recognized the regimes of François Duvalier (1957-1971) and his son, Jean-Claude Duvalier (1971-1987), despite concerns about the leaders' authoritarian tendencies. See U.S. Department of State, Office of the Historian, "U.S. Relations with Haiti" in *Foreign Relations of the United States, 1958-1960, American Republics*, vol. V, document 309, at <https://history.state.gov/historicaldocuments/frus1958-60v05/d309>; and U.S. Department of State, Office of the Historian, "Telegram from the Embassy in Haiti to the Department of State" in *Foreign Relations, 1977-1980, Mexico, Cuba, and the Caribbean*, vol. XXIII, document 253, August 14, 1978, at <https://history.state.gov/historicaldocuments/frus1977-80v23/d253>.

favoring *Fanmi Lavalas* in May 2000. In 2004, Aristide—facing an armed uprising against his rule as well as U.S. and international pressure—resigned and went into exile.⁷

From 2004 to 2017, the U.N. Stabilization Mission in Haiti (MINUSTAH), a peacekeeping force that grew to 13,000 at its peak, sought to restore order in the country; build the Haitian National Police (HNP); and, later, help with recovery after the 2010 earthquake. The legacy of MINUSTAH is complicated, as troops introduced cholera into the country and committed human rights and sexual abuses. This experience has led many Haitians to oppose the type of foreign military involvement requested by the Henry government.⁸

Haiti's most recent presidents, Michel Martelly (2011-2016) and his chosen successor, Jovenel Moïse (2017-July 2021), who represented the center-right *Tèt Kale* Party (PHTK), took office after disputed elections and administered governments allegedly rife with corruption.⁹ Under Moïse, Haiti experienced political and social unrest, high inflation, anti-government protests, and gang violence. Like other Haitian politicians, Moïse allegedly provided money and arms to gangs in exchange for favors, including suppressing anti-government protests such as those that erupted in 2018 after announced fuel price hikes.¹⁰ A 2021 report by Harvard Law School's International Human Rights Clinic documented state (primarily police) involvement in attacks on neighborhoods in which some 240 civilians died from 2018 to 2020.¹¹ Instability increased in 2019 after Haitian auditors issued two reports to the country's chief prosecutor alleging Moïse and other officials had misappropriated and embezzled millions of dollars in public funds.¹²

Political gridlock between the executive and legislative branches led to the government not organizing scheduled October 2019 parliamentary elections. The terms of the entire lower Chamber of Deputies and two-thirds of the Senate expired in January 2020, as did the terms of all local government posts, without newly elected officials to take these positions.¹³ Thereafter, Moïse ruled by decree, with some controversy over whether his term was to end in February 2021 or February 2022 (the State Department did not take a position on that dispute).¹⁴

⁷ Daniel P. Erikson, "Haiti After Aristide: Still on the Brink," *Current History*, vol. 104, no. 679 (February 2005), pp. 83-90.

⁸ Carla King et al., "'MINUSTAH Is Doing Positive Things Just as They Do Negative Things': Nuanced Perceptions of a UN Peacekeeping Operation Amidst Peacekeeper-Perpetrated Sexual Exploitation and Abuse in Haiti," *Conflict, Security & Development*, vol. 21, no. 6 (November 17, 2021), pp. 749-779. For how past interventions have influenced recent popular opinion in Haiti, see Rafael Bernal, "Human Rights Coalition to Biden: No Military Intervention in Haiti," *The Hill*, November 1, 2022.

⁹ On Martelly and Moïse's elections, see Georges Fauriol, "Haiti's Problematic Electoral Dynamics," *Global Americans*, December 21, 2021. On Martelly and drug trafficking, see Jacqueline Charles and Michael Wilner, "Canada Sanctions Former Haiti President Michel Martelly, Two Former Prime Ministers," *Miami Herald*, November 21, 2022. On corruption in the Moïse government, see Maria Abi-Habib, "Haiti's Leader Kept a List of Drug Traffickers. His Assassins Came for It," *New York Times*, December 12, 2021.

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

¹¹ Harvard Law School International Human Rights Clinic, *Killing with Impunity: State-Sanctioned Massacres in Haiti*, April 2021.

¹² U.S. Department of State, "Appendix C: Major Corruption Cases in Haiti and Government of Haiti Efforts to Address Corruption," November 10, 2022, at <https://www.state.gov/wp-content/uploads/2022/11/Appendix-C-Developments-in-Haiti-004977.pdf>.

¹³ The 10 remaining senators' terms expired on January 9, 2023.

¹⁴ U.S. Department of State, "Appendix F: Alleged February 2021 Coup Against President Jovenel Moïse and U.S. and International Partner Efforts to Support Free and Fair Elections in Haiti," November 2022, at <https://www.state.gov/wp-content/uploads/2022/11/Appendix-F-Developments-in-Haiti-004977.pdf>.

On July 7, 2021, armed assailants assassinated President Moïse in his private home in Port-au-Prince. Details of the attack remain under investigation; however, the U.S. Federal Bureau of Investigation (FBI) has arrested 11 individuals for their role in a plot to kill Moïse. A federal judge sentenced one of those individuals to life in prison in early June 2023.¹⁵ The FBI also has supported Haitian authorities' investigation of the crime, although threats to the safety of those authorities and turnover among the judges leading the investigation have hindered their efforts. Haitian police have arrested at least 23 people accused of planning the plot, including 18 former Colombian soldiers, members of Moïse's security team, a former rebel leader, a former police inspector, and a Haitian-American pastor with ties to Florida.¹⁶

The Aftermath of President Moïse's Assassination

Moïse's assassination gave rise to uncertainty about who would succeed him as president and who would serve as prime minister. Under the Haitian Constitution (Article 149), if a president dies in the last two years of his term, the legislature should elect a provisional president to serve out the term.¹⁷ As Haiti lacked a functioning legislature at the time of the assassination, the choice of who would succeed Moïse could not follow the prescribed constitutional order.

Three individuals laid claims to serve as prime minister: interim Prime Minister Claude Joseph; Ariel Henry, a neurosurgeon nominated to be prime minister two days before Moïse's death but not sworn in; and Joseph Lambert, then-president of the Haitian Senate. On July 8, the Haitian government requested security and investigative assistance from the United States. In response to that request, an inter-agency delegation traveled to Haiti on July 11. U.S. officials met with all three claimants to prime minister. After days of jockeying among the claimants over who would become prime minister, Joseph agreed that Henry would be prime minister and he foreign minister on July 12.¹⁸ Lambert separately gave up his quest to be prime minister; the U.S. government later sanctioned him for drug trafficking. On July 17, the United States, United Nations, and other donors issued a statement calling for the formation of an "inclusive government" and encouraging Prime Minister-designate Ariel Henry to form a government.¹⁹

In September 2021, Henry dismissed Haiti's electoral council. He and his supporters then proposed that Henry name a provisional electoral council to convene elections. They also proposed that Henry remain the single head of government until a new elected government takes office. As of June 2023, Henry has yet to appoint that council, and many civil society and political actors within Haiti have opposed this proposal. Henry's irregular path to his position and

¹⁵ U.S. Department of State, Report to Congress on the Assassination of Former President of Haiti Jovenel Moïse, (Div. V, P.L. 117-103), November 10, 2022, at <https://www.state.gov/haiti-reports/> U.S. Department of Justice, "Four Florida Men Arrested in Plot to Kill Haitian President, Grand Jury Returns Indictment Against 11," February 14, 2023; Chris Cameron, "Man Gets Life in Prison in Killing of Haiti Leader," *New York Times*, June 4, 2023.

¹⁶ Jacqueline Charles, "Made in Miami: How a South Florida Plot to Oust Haiti's Jovenel Moïse Led to His Murder," *Miami Herald*, December 8, 2022; "Ex-Rebel Leader Known as 'the Torturer' Is Arrested in Haiti President's Assassination," *Miami Herald*, December 21, 2022.

¹⁷ Haiti's Constitution of 1987 with Amendments Through 2012 is available in English at https://www.constituteproject.org/constitution/Haiti_2012.pdf?lang=en.

¹⁸ CRS interview with State Department officials, January 9, 2023.

¹⁹ U.N. Integrated Office in Haiti (BINUH), "Core Group Press Release," July 17, 2021.

allegations of his possible involvement in Moïse's assassination, have eroded his credibility.²⁰ Henry has fired officials who have sought to question him about the Moïse case.²¹

As an alternative to Henry's proposal, numerous civil society organizations and political parties have sought to form an interim government. After months of broad consultations, the Citizen Conference for a Haitian Solution to the Crisis (widely known as the Montana Group) came to an agreement in August 2021.²² The Montana Accord proposed a two-year interim government led by a president and prime minister, with oversight committees, to restore order, administer elections, and create a truth and justice commission to address past human rights violations. Although many civic leaders and political parties signed the accord, some did not (including some business groups, churches, and the PHTK and allied parties).

In October 2022, Henry and his advisers requested foreign intervention to address the worsening security and humanitarian crises.²³ Many Haitian political and civil society groups opposed the request, and critics maintain that Henry wants an intervention to help him remain in power and protect his and allied interests, as past Haitian leaders did.²⁴ U.S. and Canadian sanctions targeting Haitian politicians and business leaders, some of whom have opposed negotiations or reportedly have benefitted from the unrest, have sought to break the political impasse.²⁵

Henry put forth a transition proposal on December 21, 2022, named the National Consensus for an Inclusive Transition and Transparent Elections.²⁶ His government established a three-member High Transition Council (HTC) to implement that transition plan in January 2023 and appointed judges to the country's highest court in March 2023. An independent facilitation committee is carrying out consultations between the HTC, civil society, and donors on implementing the agreement. Discussions are also ongoing over how to improve security conditions and to select a new provisional electoral council. It is yet unclear whether the plan will receive broad enough support to enable Haiti to convene elections in February 2024 as originally envisioned.

Security Crisis

Since Moïse's assassination, violent gangs have threatened to overwhelm the Haitian government and businesses, many of which have long been the gangs' primary benefactors. The symbiotic relationship between the gangs in Haiti and the country's political and economic elite is well established. Many of Haiti's past presidents and other prominent politicians have used and received support from gangs. Generally, gangs provide political elites with services such as campaign support, voter intimidation, bribery, fundraising, vandalism, and disruption (see depiction in **Figure 2**).²⁷ Former President Aristide relied on support from gangs known as

²⁰ Monique Beals, "Judge, Investigators say Haitian Prime Minister Involved in President's Assassination," *The Hill*, February 8, 2022.

²¹ As an example, see "Haiti's PM Replaces The Prosecutor Who Wanted Him Charged In The President's Slaying," Associated Press (AP), September 14, 2021.

²² Georges Fauriol, "Haiti: Betting on the Montana Accord," *Global Americans*, February 9, 2022.

²³ Catherine Osborn, "Haiti's Crisis Escalates," *Foreign Policy*, October 14, 2022.

²⁴ Jonathan M. Katz, "Haiti's Elites Keep Calling for the U.S. Marines," *Foreign Policy*, October 31, 2022.

²⁵ David C. Adams, "U.S. and Canada Turn to Sanctions Against Haitian Politicians and Businessmen Accused of Ties to Gangs," UnivisionNews, December 19, 2022 (hereinafter Adams, "U.S. and Canada Turn to Sanctions").

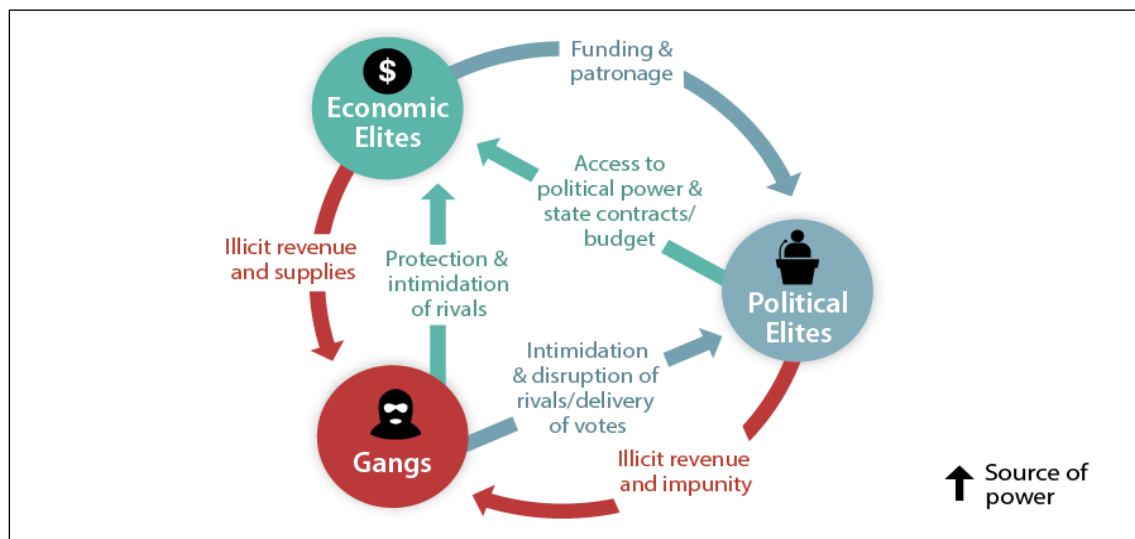
²⁶ U.N. Security Council, BINUH, *Report of the Secretary General*, April 13, 2023.

²⁷ Global Initiative Against Organized Crime, *Gangs of Haiti: Expansion, Power, and an Escalating Crisis*, October 2022. Hereinafter: Global Initiative, *Gangs of Haiti*.

chimères, and the Canadian government sanctioned former President Martelly for his role in financing gangs.²⁸

The relationship between Haiti's economic elite and gangs is less apparent but no less significant than the ties between politicians and gangs. Business owners assert they have to support certain gangs as a defensive measure to protect their businesses and enable them to move merchandise throughout the country and abroad.²⁹ In December 2022, the Canadian government imposed sanctions on Gilbert Bigio, Reynold Deeb, and Sherif Abdallah, three elites who reportedly provided "illicit financial and operational support to armed gangs."³⁰

Figure 2. Criminal Dynamics in Haiti



Source: CRS, based on a graphic from *InSight Crime* for the U.S. Agency for International Development, November 2021, at https://pdf.usaid.gov/pdf_docs/PA00ZF3H.pdf.

Gangs have expanded their power in the wake of Moïse's assassination. They have exerted control over territory, highways, ports, and the delivery of humanitarian aid, challenging the authority of the HNP and other state institutions. Gangs were responsible for an October 2021 kidnapping of U.S. missionaries and a blockade of the country's primary fuel terminal from September to early November 2022.

In 2021, the U.S. Agency for International Development (USAID) estimated there were 200 gangs in Haiti, which reportedly controlled some 60% of Port-au-Prince.³¹ The G9 and Family (G9) and the G-PEP are two of Haiti's most powerful gang federations. In 2022, homicides increased by 35.2% compared with 2021 as gangs vied for control of territory.³² More than 1,400

²⁸ Immigration and Refugee Board of Canada, *Haiti: The Chimères, Their Activities and Their Geographic Presence; the Treatment of the Chimères by the Authorities and the Presence of Group Members Within the Government and the Police (2006-May 2008)*, June 3, 2008; Harold Isaac and Brian Ellsworth, "Canada Sanctions Haiti Ex-President Martelly for Financing Gangs," Reuters, November 20, 2022.

²⁹ Alberto Arce and Rodrigo Abd, "In Haiti, the Difficult Relationship of Gangs and Business," Associated Press, October 21, 2021.

³⁰ Government of Canada, "Canada Imposes Sanctions Against Haitian Economic Elites," December 5, 2022.

³¹ U.S. Agency for International Development (USAID), *Mapping Haiti's Criminal Dynamics*, November 2021; Global Initiative, *Gangs of Haiti*.

³² U.N. Security Council, BINUH, *Report of the Secretary-General*, January 17, 2023.

reported homicides occurred between January 2023 and April 2023.³³ In 2022, kidnappings increased by 104.7% compared with 2021. Kidnappings escalated further during the first quarter of 2023, as gangs sought to find new revenue amid diminished support from elites who reportedly feared being subject to U.S. or Canadian sanctions.³⁴

According to U.N. reports, gangs have used “collective rape” and other gender-based violence against women, children as young as 10, and the elderly to intimidate people.³⁵ From January 2023 to March 2023, at least 652 women and girls were victims of collective rape. Gender-based and sexual violence is more prevalent in zones contested by warring gangs in which many inhabitants lack access to basic health, education, and social services.

Although the State Department asserted that the HNP ranked among the “most trusted and effective institutions in Haiti” after MINUSTAH left the country, the U.N. Secretary-General described the police force in 2022 as “spread thin” and lacking weapons, equipment, and capacity.³⁶ Some studies also indicate the HNP has struggled with widespread criminal cooptation and infiltration. A July 2022 International Crisis Group study estimated that 40% of the HNP has ties to gangs.³⁷ Even when police have sought to confront gangs and broader violence, the challenges have been daunting. In November 2022, criminals assassinated the director of the HNP’s training center at the center. In May 2023, a police officer died as gangs set two Canadian-provided armored vehicles on fire.³⁸

Furthermore, impunity prevails in Haiti’s weak justice system. In addition to failing to resolve Moïse’s assassination, Haitian authorities have yet to arrest Jimmy Chérizier, a former HNP officer turned gang leader, or other Haitian officials implicated in the 2018 La Saline massacre of 71 people.³⁹ Gangs overtook several of Haiti’s main courthouses in summer 2022, and many of the courthouses remain inoperable. Without functioning courts, Haitian prisons continue to hold inmates, 83% of whom were in pretrial detention in March 2023; prisons have a 286% cell occupancy rate.⁴⁰ Many inmates lack access to food, water, and medical care. In April 2023, Haitian officials estimated that gangs control 80% of the capital and other major cities.⁴¹

In addition, corruption and a lack of control over the country’s ports and borders have made Haiti a hub for drug and arms trafficking. In August 2022, the U.S. Department of Homeland Security

³³ Ibid; “Haiti: International Support Needed now to Stop Spiraling Gang Violence,” *UN News*, May 9, 2023.

³⁴ U.N. Security Council, BINUH, *Report of the Secretary General*, January 17, 2023; U.N. Security Council, BINUH, *Report of the Secretary General*, April 13, 2023; Reuters, “Haiti Rights Group Records Three-Fold Rise in Kidnappings for Early 2023,” April 4, 2023.

³⁵ This draws from BINUH and Office of the U.N. High Commissioner for Human Rights (OHCHR), *Sexual Violence in Port-au-Prince: A Weapon Used by Gangs to Instill Fear*, October 14, 2022; OHCHR and BINUH, *Human Rights Situation, Quarterly Report: January-March 2023*; Global Initiative Against Transnational Organized Crime, *Gang Control and Security Vacuums: Assessing Gender-Based Violence in Cité Soleil*, May 2023.

³⁶ U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs, “Haiti Summary,” at <https://2017-2021.state.gov/bureau-of-international-narcotics-and-law-enforcement-affairs-work-by-country/haiti-summary/index.html>; Security Council, S/2022/747.

³⁷ International Crisis Group, *New Gang Battle Lines Scar Haiti as Political Deadlock Persists*, July 27, 2022.

³⁸ Jacqueline Charles, “Police Officer Is Killed in Haiti After Gang Sets Armored Vehicles Ablaze,” *Miami Herald*, May 18, 2023.

³⁹ Chérizier, then-Minister of the Interior Fednel Monchery, and President Moïse’s Departmental Delegate Joseph Pierre Richard Duplan planned an attack carried out by gangs on protesters who had criticized the government. U.S. Department of the Treasury, “Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day,” December 10, 2020.

⁴⁰ OHCHR and BINUH, *Human Rights Situation, Main Trends, Quarterly Report: January-March 2023*.

⁴¹ U.N. Security Council Meetings Coverage, “As Haiti Slides into Violence, Its People ‘Cannot Wait Any Longer’ for Assistance, Foreign Minister Tells Security Council,” April 26, 2023.

(DHS) Homeland Security Investigations office in Miami, FL, announced new initiatives to counter reported spikes in arms trafficking to Haiti.⁴² In December 2022, the State Department sanctioned Rommel Bell, former customs director in Haiti, for corruption after Haiti's anti-corruption unit launched an investigation into Bell's alleged participation in arms trafficking.⁴³

The rampant violence in Haiti has left many Haitians hopeless and frustrated. Since April 2023, Haiti has experienced a rise in anti-gang vigilantism—the *Bwa Kale* movement.⁴⁴ On April 24, Port-au-Prince residents confronted, lynched, and burned 10 alleged gang members. Anti-gang vigilantism has spiraled, with the Office of the U.N. High Commissioner for Human Rights citing 164 “mob killings and lynchings of alleged gang members” in April 2023.⁴⁵

Humanitarian Situation

Haiti is a fragile country that is highly vulnerable to natural disasters due to its location and topography (exacerbated by deforestation and climate change), and the Haitian government's capacity to respond to such disasters is limited. A decade after the devastating 2010 earthquake, inadequate recovery efforts, combined with subsequent natural disasters (e.g., Hurricane Matthew, the 2021 earthquake) and disease outbreaks (e.g., cholera, Coronavirus Disease 2019 [COVID-19]) have further weakened the state's ability to protect and provide for its citizens.⁴⁶ Recent flooding has resulted in more than 40 deaths and left some 13,000 homeless.⁴⁷ The Fund for Peace's 2022 Fragile States Index ranked Haiti as the 11th most fragile state in the world due to various factors, including the state's lack of legitimacy and inability to deliver services, uneven economic development, and relatively low levels of social cohesion.⁴⁸

In contrast to some previous humanitarian crises Haiti has endured, a political and security crisis is the primary driver of the current humanitarian emergency.⁴⁹ According to U.N. officials, as of March 2023, gang violence had displaced at least 160,000 people.⁵⁰ Gang blockades of highways have limited humanitarian access, particularly to the southern peninsula but also to communities to the east and north of the capital. The G9 gang's blockade of the Varreux fuel terminal from mid-September to early November 2022 combined with broad unrest, caused businesses and hospitals to close. During that period, Haitians, fearful of encountering gang violence, sheltered in place amid a lack of water and sanitation services, fuel, electricity, and food. The U.N. Office

⁴² U.S. Department of Homeland Security, “Homeland Security Investigations (HSI) Announces Crackdown on Firearms, Ammunition Smuggling to Haiti, the Caribbean,” August 19, 2022.

⁴³ U.S. Department of State, “Combating Global Corruption and Human Rights Abuses,” December 2, 2022; Jacqueline Charles, “U.S. Sanctions More Haitians, Including the Relatives of People Accused of Corruption,” *Miami Herald*, December 11, 2022.

⁴⁴ Reuters, “Haitian Residents Lynch and Set Fire to Suspected Gang Members,” April 26, 2023.

⁴⁵ OHCHR, “Haiti: UN Human Rights Chief Warns Against ‘Never-Ending Cycle of Violence,’” May 9, 2023.

⁴⁶ On recovery and reconstruction, see Jonathan Katz, *The Big Truck That Went by: How the World Came to Save Haiti and Left Behind a Disaster* (New York, NY: St. Martin's Press, 2014); Government Accountability Office (GAO), *Haiti: USAID and State Should Improve Management and Assessment of Reconstruction Activities*, GAO-23-105211, March 2023. Hereinafter: GAO, March 2023. On subsequent disasters, see Labrador and Roy, “Haiti's Troubled Path.”

⁴⁷ Jacqueline Charles, “At Least 42 Dead, Thousands Homeless in Haiti After a Weekend of Heavy Rains, Flooding,” *Miami Herald*, June 5, 2023.

⁴⁸ The Fund for Peace, Fragile States Index, at <https://fragilestatesindex.org/country-data/>.

⁴⁹ U.N. Office for the Coordination of Humanitarian Affairs (UNOCHA), “Seven Things to Know About the Humanitarian Crisis in Haiti,” October 26, 2022.

⁵⁰ OHCHR, *Haiti- Gang Violence*, March 21, 2023.

for the Coordination of Humanitarian Affairs estimates that 5.2 million Haitians are in need of humanitarian aid.⁵¹

Some of the ongoing humanitarian concerns focus on food insecurity, health, protection, and education. In October 2022, the U.N. Food and Agriculture Organization estimated that a record 4.7 million Haitians, roughly 50% of the population, faced acute levels of hunger and 19,000 people were experiencing “catastrophic” (most urgent) levels of hunger.⁵² In October 2022, cholera resurfaced in Haiti; as of mid-April 2023, cholera had claimed 686 lives.⁵³ While cholera is preventable through vaccination and treatable with rehydration, gangs have reportedly prevented patient access to health facilities and denied medical staff entry to affected communities. In March 2023, BINUH reported that at least 21 health facilities had shut down or reduced their activities due to escalating violence—including Doctors Without Borders, which temporarily closed a hospital in Cité Soleil.⁵⁴ Children in Haiti are extremely vulnerable to protection concerns, particularly gender-based violence. They have also lost years of schooling due to COVID-19; insecurity and cholera-related school closures; and, most recently, armed attacks on schools.⁵⁵

U.N. Presence in Haiti and Recent Action

The U.N. has had a continuous presence in Haiti for almost 19 years, with strong support and funding provided by successive U.S. presidential administrations. Following the collapse of the Aristide government in 2004, the U.N. Security Council established MINUSTAH to help restore order and train the HNP.⁵⁶ After the 2010 earthquake, the Security Council expanded MINUSTAH’s size and mission.

A Security Council resolution ended MINUSTAH in 2017, citing Haiti’s peaceful completion of a long-delayed electoral process in February 2017 as a milestone; critics argue, however, that a transitional government, not the U.N.-backed PHTK government, accomplished that goal.⁵⁷ The Security Council also praised MINUSTAH for supporting the political process, professionalizing the police, and improving security and stability in Haiti, achievements that proved short-lived. Haitian and international human rights and health experts criticized MINUSTAH for its role in introducing cholera to Haiti (a disease that had not been present in the country for more than a century) and for allegations of sexual abuse by some of its forces.⁵⁸ In 2016, then-Secretary-

⁵¹ UNOCHA, *Global Humanitarian Overview 2023*, December 2022.

⁵² U.N. Food and Agriculture Organization of the United Nations, “Catastrophic Hunger Levels Recorded for the First Time in Haiti,” October 14, 2022.

⁵³ Pan-American Health Organization, “Cholera Epidemic in Haiti and the Dominican Republic,” May 19, 2023.

⁵⁴ OHCHR and BINUH, *Human Rights Situation, Main Trends, Quarterly Report: January-March 2023*, March 8, 2023; Reuters, “Medecins Sans Frontieres Shuts Haiti Hospital amid Gang Violence,” March 8, 2023.

⁵⁵ U.N. Children’s Fund, “Haiti: Armed Violence Against Schools Increases Nine-Fold in One Year,” February 9, 2023.

⁵⁶ U.N. Security Council, “Resolution 1542 (2004)/Adopted by the Security Council at Its 4961st Meeting, on 30 April 2004,” S/RES/1542 (2004), June 1, 2004. MINUSTAH’s original mission aimed to restore security and stability, promote political processes (including elections), strengthen institutions and rule-of-law-structures, and promote and protect human rights.

⁵⁷ U.N. Security Council, “Resolution 2350 (2017)/Adopted by the Security Council at Its 7924th Meeting, on 13 April 2017,” S/RES/2350 (2017), April 13, 2017. Even with MINUSTAH present, Haiti experienced a constitutional crisis after Michel Martelly failed to convene elections to choose his successor. Georges Fauriol, ‘A Cycle of Instability’: Haiti’s Constitutional Crisis,” Center for Strategic and International Studies, February 8, 2021.

⁵⁸ For background, see CRS In Focus IF10502, *Haiti: Cholera, the United Nations, and Hurricane Matthew*, by Maureen Taft-Morales and Tiaji Salaam-Blyther.

General Ban Ki-Moon apologized for the U.N.'s role in an outbreak that ultimately caused nearly 10,000 deaths; the U.N. also launched a \$400 million fund to confront the epidemic.⁵⁹

In 2017, the U.N. Mission for Justice Support in Haiti (MINUJUSTH) took MINUSTAH's place, focusing on strengthening judicial institutions, protecting human rights, increasing the HNP's professionalization, and reinforcing the rule of law. The mission also supported violence-reduction projects and income-generating activities for youth. During MINUJUSTH's mandate, the number of HNP officers increased by 10% to 15,400 and courts reported a 300% increase in files processed on the day of their reception.⁶⁰ However, Haitians continued to report increased sexual violence and widespread cholera cases.⁶¹

In October 2019, the U.N. transitioned to a political office, the U.N. Integrated Office in Haiti (BINUH), for an initial one-year period that the U.N. Security Council twice extended. BINUH's mandate, which currently runs through July 2023,⁶² is to advise the Haitian government on how to establish an inclusive national dialogue on reestablishing stability, security, and the rule of law so elections can be held, among other aims. The mission also emphasizes protecting and promoting human rights, including by documenting recent gender-based violence by gangs and producing reports from Haiti for the U.N. Secretary-General and Security Council.⁶³ BINUH coordinates with other U.N. agencies, funds, and programs, ranging from humanitarian agencies such as the World Food Program to a newer U.N. Office on Drugs and Crime office in Haiti.

On October 6, 2022, Acting Prime Minister Henry and his ministers requested the deployment of an international force to help Haitian forces quell the security situation and allow humanitarian aid to flow. On October 8, U.N. Secretary-General António Guterres sent a letter to the Security Council recommending various approaches to respond to that request. Such approaches included deploying a non-U.N. rapid action force (probably composed of some military forces) to support the HNP, forming a multinational police task force, creating a multinational anti-gang force, expanding BINUH's budget and mandate, bolstering the HNP and the justice sector, and combating arms trafficking.⁶⁴ On October 17, 2022, the Security Council discussed a proposed resolution by the United States and Mexico, which reportedly would have authorized the deployment of a non-U.N. multinational force to Haiti.⁶⁵ Few countries have publicly offered to send their forces to Haiti, and Canada has reportedly declined U.S. requests to lead such a mission.⁶⁶

On October 17, 2022, the Security Council also discussed a resolution sponsored by the United States and Mexico to establish a U.N. sanctions regime against gang leaders in Haiti and those

⁵⁹ U.N. News, "U.N.'s Ban Apologizes to People of Haiti, Outlines New Plan to Fight Cholera Epidemic and Help Communities," December 1, 2016. By the end of 2021, donors had contributed only \$21.8 million to support the pledged \$400 million fund. See U.N. Haiti Cholera Response Multi-Partner Trust Fund, *2021 Annual Report*.

⁶⁰ U.N. Mission for Justice Support in Haiti, "MINUJUSTH Completes Its Mandate, Putting an End to 15 Consecutive Years of Peacekeeping in Haiti," October 16, 2019.

⁶¹ International Justice Resource Center, "U.N. Transitions from Peacekeeping to Governance, Amid Crisis in Haiti," October 17, 2019.

⁶² For background, see BINUH, "Mandate," at <https://binuh.unmissions.org/en/mandate>.

⁶³ BINUH and OHCHR, *Sexual Violence*.

⁶⁴ Security Council, S/2022/747.

⁶⁵ United States Mission to the United Nations, "Remarks by Ambassador Linda Thomas-Greenfield at a U.N. Security Council Briefing on Haiti," October 17, 2022. Security Council Report, "Haiti: Briefing," in *What's in Blue* (blog), December 21, 2022 (hereinafter Security Council Report, "Haiti").

⁶⁶ International Crisis Group, *Haiti's Last Resort: Gangs and the Prospect of Foreign Intervention*, December 14, 2022; Richard Sanders, *Canada, The United States and Haiti- Dilemmas of Foreign Policy and Immigration*, Wilson Center, May 10, 2023.

who finance them. The Security Council unanimously approved the sanctions resolution (Resolution 2653) on October 21, 2022; an expert committee is guiding its implementation.⁶⁷ The Security Council has continued to receive regular briefings from BINUH and other U.N. agencies in Haiti but has not taken additional public actions.

U.S. Policy and Issues for Congress

U.S. policy goals in Haiti under the Biden Administration include supporting Haitian-led efforts to confront gangs and insecurity; resolving the political and constitutional crises; reviving the economy; and addressing poverty and a lack of basic services (including health care and education), which have fueled irregular migration.⁶⁸ Since Moïse’s assassination, U.S., Canadian, and U.N. officials—among others criticized for past interventions in the country—have emphasized their support for Haitian-led solutions to the country’s political and security challenges. As those solutions have yet to emerge and conditions in Haiti have deteriorated, U.S. officials have pursued several courses of action.

The Biden Administration’s diplomatic approach to Haiti has evolved from supporting the Henry government to encouraging Henry and other key stakeholders to implement the December 21 agreement and address insecurity in the country. The U.S. government has sanctioned corrupt officials and encouraged other countries to do so, supported back-channel negotiations between Henry and other key stakeholders, and sought a partner country to lead a non-U.N. “multinational force” funded by voluntary contributions to help stabilize the country.⁶⁹ In March 2023, the Biden Administration issued a 10-year plan for Haiti, as mandated by the Global Fragility Act (P.L. 116-94), with a long-term, interagency goal of helping “Haiti’s citizens and government advance a shared vision and a permissive environment for long-term stability.”⁷⁰

On many U.S. policy issues, Congress has had a direct role in shaping policy or conducting oversight of policy development and implementation. Those policy issues include, but are not limited to, foreign assistance, trade preferences, sanctions policy, and migration.

Foreign Assistance

Bilateral Assistance

Congress has appropriated foreign assistance to support Haiti’s recovery from recurrent natural disasters and foster long-term stability. In addition to significantly expanding such assistance in the aftermath of a massive 2010 earthquake, Congress has closely monitored the implementation and impact of U.S. assistance activities.⁷¹ Congress also shapes U.S. policy toward Haiti through appropriations, conditions on appropriations, and reporting requirements linked to the obligation of U.S. assistance.

⁶⁷ Security Council, “Resolution 2653 (2022), October 21, 2022; Security Council Report, “Haiti.”

⁶⁸ U.S. Department of State, *Integrated Country Strategy: Haiti*, approved March 18, 2022, at https://www.state.gov/wp-content/uploads/2022/04/ICS_WHA_Haiti_Public.pdf (hereinafter State Department, *Integrated Country Strategy*).

⁶⁹ Adams, “U.S. and Canada Turn to Sanctions”; International Crisis Group, *Haiti’s Last Resort: Gangs and the Prospect for Foreign Intervention*, briefing no. 48, December 14, 2022.

⁷⁰ U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

⁷¹ See, as an example, GAO-23-105211, March 2023.

Congress enacted the Haiti Development, Accountability, and Institutional Transparency Initiative Act (HAITI Act; H.R. 2471/S. 1104) as part of the FY2022 Consolidated Appropriations Act (P.L. 117-103, Division V). The HAITI Act stated that U.S. policy should support sustainable rebuilding and development efforts in Haiti that recognize Haitian independence, are led by the people and government of Haiti, and contribute to international efforts to support broad and inclusive dialogue to restore democratic institutions and legitimacy in the country.⁷² The HAITI Act also required U.S. agencies to measure the progress of post-disaster recovery and efforts to address corruption, governance, rule of law, and media freedoms in Haiti. The State Department submitted the reports required by the act and made them public on November 10, 2022.⁷³

Over the last five years, U.S. bilateral assistance to Haiti has ranged from a low of \$180.3 million in FY2020 to \$237.4 million in FY2022 (see **Table 1**). In March 2022, the State Department and USAID adopted a two-year Integrated Country Strategy to guide U.S. foreign assistance to Haiti for FY2022-FY2024.⁷⁴ The Administration requested \$274.8 million in assistance for Haiti in FY2023 to help Haiti recover from external shocks by investing in the HNP, combating corruption, strengthening civil society, and providing services for marginalized people.⁷⁵

The FY2023 Consolidated Appropriations Act (P.L. 117-328), enacted in December 2022, does not specify a comprehensive appropriations level for Haiti. The accompanying explanatory statement designates \$8.5 million for reforestation efforts and “not less than” \$5.0 million to help meet the sanitary, medical, and nutritional needs of Haitian prisoners. The act requires the State Department to withhold any aid to support the Haitian government until the Secretary of State certifies that a new president and parliament have taken office following free and fair elections or that a broadly representative transitional government is in place and it is in the U.S. interest to provide such assistance. The withholding requirement does not apply to aid intended to support free and fair elections; anti-gang police and justice administration; disaster relief and recovery; and education, public health, food security, and other basic human needs. As in prior years, the act prohibits assistance for the armed forces of Haiti. The explanatory statement accompanying P.L. 117-328 urges the Secretary of State to use “every appropriate diplomatic tool to press for dialogue” among key stakeholders and to take “strong legal action” against those engaged in human rights abuses, corruption, and other illicit activities.⁷⁶

The Administration has requested \$291.5 million for Haiti in FY2024, with the largest increase in funding requested for International Narcotics Control and Law Enforcement (INCLE) to support the HNP and other justice sector actors. This prioritization of restoring security and justice coincides with the phase one activities outlined by the Global Fragility Act of 2019 (GFA; P.L. 116-94, Division J, Title V) plan for Haiti.

⁷² Other elements of U.S. policy cited in the act include building the long-term capacity of the government, civil society, and private sector to foster economic development in Haiti; fostering collaboration with the Haitian diaspora and the business community in Haiti; supporting anti-corruption, press freedom, and human rights protection, including through the imposition of sanctions; restoring the natural resources of Haiti; promoting political stability and free and fair elections; providing comprehensive reporting on the goals and progress of the Haitian government and the U.S. government, and promoting the participation of Haitian women and youth in U.S. assistance programs.

⁷³ U.S. Department of State, Bureau of Western Hemisphere Affairs, “Haiti: Reports,” November 10, 2022, at <https://www.state.gov/haiti-reports/>.

⁷⁴ State Department, *Integrated Country Strategy*.

⁷⁵ White House, *Budget of the U.S. Government, FY2023*, p. 91.

⁷⁶ “Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023,” *Congressional Record*, vol. 168, no. 198—book II (December 20, 2022), p. S9299.

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

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

Account	FY2018	FY2019	FY2020	FY2021	FY2022	FY2023 (Request)	FY2024 (Request)
DA	32,000	51,000	51,000	52,000	59,000	111,000	113,200
ESF	8,500	—	—	14,800 ^a	20,500 ^b	—	—
FFP	3,244	11,719	7,996	3,110	—	—	—
GHP (State)	99,386	103,011	78,765	99,822	103,081	100,000	100,000
GHP (USAID)	24,200	24,500	24,500	24,500	24,500	34,500	33,000
INCLE	12,000	15,000	18,000	13,000	30,300	29,000	45,000
IMET	233	241	96	255	47	255	255
FMF	5,000	—	—	—	—	—	—
<i>Total</i>	<i>184,563</i>	<i>205,471</i>	<i>180,357</i>	<i>207,487^a</i>	<i>237,428^b</i>	<i>274,755</i>	<i>291,455</i>

Sources: U.S. Department of State, Congressional Budget Justification, Supplementary Tables-Foreign Operations, FY2020-FY2024.

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

- a. This sum includes \$14.8 million of ESF appropriated through the American Rescue Plan Act of 2021 (P.L. 117-2).
- b. This sum includes \$15.0 million of ESF appropriated through the Additional Ukraine Supplemental Appropriations Act, 2022 (P.L. 117-128).

Humanitarian Assistance

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

As the humanitarian situation in Haiti worsened, USAID sent a Disaster Assistance Response Team (DART) team to the country in October 2022. The DART is coordinating the delivery of relief supplies to a portion of the estimated 5.2 million Haitians in need of humanitarian assistance.⁷⁷ Since October, USAID/BHA has helped transport 450 metric tons of relief supplies to help Haiti respond to the cholera outbreak. Total USAID humanitarian funding for Haiti in FY2023 stood at \$56.5 million as of May 2023.

U.S. agencies also helped Haiti respond to the COVID-19 pandemic and related health needs. The United States has donated nearly 1.1 million COVID-19 vaccines to Haiti.⁷⁸ In FY2022, USAID

⁷⁷ USAID, "Haiti-Complex Emergency," Fact Sheet #4, FY2023, May 3, 2023.

⁷⁸ U.S. Department of State, "COVID-19 Vaccine Distribution," at https://www.state.gov/countries-areas/haiti/#covid_map_link.

provided \$51.3 million to help Haiti address the health and humanitarian impacts of COVID-19.⁷⁹ In December 2022, DOD deployed the U.S. Naval Ship *Comfort* to deliver medical care to Haitians as part of a multi-country deployment.

Global Fragility Act Implementation

The 116th Congress enacted the GFA, which directed the executive branch to develop a 10-year strategy to prevent conflict globally and stabilize conflict-affected areas. It also directed the executive branch to select priority countries or regions to execute such efforts through 10-year plans. In April 2022, the Biden Administration announced one region and four priority countries for GFA implementation; Haiti was among them. The GFA also authorized three distinct funds: the Prevention and Stabilization Fund (PSF), the Complex Crisis Fund (CCF), and the Multi-Donor Global Fragility Fund. These funds support the updated Global Fragility Strategy put forth by the Biden Administration and country implementation plans, summaries of which the Administration released in March 2023.⁸⁰ Haiti received a total of \$15 million in FY2021 PSF resources to carry out activities in support of the GFA, including the development of the country strategy.⁸¹

Some Members of Congress have debated whether Haiti should receive some types of GFA-related funding. This debate may reflect, in part, the absence of viable government entities with whom to execute the GFA country plan (§505(a)). For example, the explanatory statement accompanying the Senate-introduced version of the FY2023 Department of State, Foreign Operations, and Related Programs Appropriations measure, S. 4662, would have directed that PSF assistance not be made available for Haiti. That provision was not included in the final legislation or explanatory statement.

Donor Coordination

The United States is the leading bilateral donor in Haiti, and Congress has encouraged U.S. executive agencies to coordinate foreign assistance priorities with key countries and international organizations represented in Haiti. Active since 2004, the “Core Group” has shaped international responses to key events in Haiti, as when it called on Henry to form a “consensual and inclusive government” in July 2021.⁸² In addition to the U.S. Ambassador, the Core Group comprises the Special Representative of the U.N. Secretary-General; the Ambassadors of Brazil, Canada, France, Germany, Spain, and the European Union (EU); and the Special Representative of the Organization of American States.

Many members of the Core Group (including the EU, Spain, and France) have expressed interest in contributing to a multi-donor basket fund on security that aims to support the long-term development of the HNP; Canada and the U.N. Development Program (UNDP) administer the fund. UNDP estimated the fund needs at least \$28 million over two years to achieve its aims. As of February 2023, the U.S. government had donated \$3 million and Canada had donated C\$10 million (about \$7.4 million); total donations stood at \$19 million⁸³

⁷⁹ USAID, “COVID-19: Latin America and the Caribbean,” Fact Sheet #6, FY2022, September 30, 2022.

⁸⁰ U.S. Department of State, *The U.S. Strategy to Prevent Conflict and Promote Stability 10-Year Strategic Plan for Haiti*, March 24, 2023.

⁸¹ Email from State Department official, May 30, 2023.

⁸² BINUH, “Core Group Press Release,” July 17, 2021.

⁸³ U.S. Department of State, “United States and Canada Joint Statement on Support for the Haiti Security Basket Fund,” September 23, 2022; Global Affairs Canada, “Canada-Haiti Relations,” February 15, 2023.

In October 2022, the U.S. and Canadian governments accelerated the delivery of armored vehicles and other tactical equipment purchased by the Haitian government for the HNP.⁸⁴ In March 2023, Canada pledged to provide C\$100 million (about \$74 million) in additional aid for the HNP.⁸⁵

Trade Preferences⁸⁶

Congress has extended unilateral trade preferences to Haiti through several trade preferences programs enacted since 1975. The Caribbean Basin Economic Recovery Act (P.L. 98-67, subsequently amended, with no expiration), for example, provides limited duty-free entry of selected Caribbean products as a core element of the U.S. foreign economic policy response to uncertain economic and political conditions in the region. The current Haiti-specific preference program, which expires in 2025, provides unilateral preferences to the country's apparel sector.⁸⁷ The value of imports entering under Caribbean preference programs increased from \$25 million in 2000 to \$253.3 million in 2022, an increase of over 900%.⁸⁸ Those imports accounted for about 31.9% of total U.S. merchandise imports from Haiti. Over 90% of U.S. imports from Haiti in 2022 consisted of apparel items or clothing: knitted or crocheted apparel imports totaled \$807.0 million, while other apparel items or clothing totaled \$155.0 million.

The Haiti Economic Lift Program Extension Act of 2023 (S. 552), introduced in the Senate in February 2023, would renew U.S. trade preferences for Haiti through 2035.

Sanctions: U.S. and Multilateral

In 2020, as part of its policy toward Haiti, the U.S. government began to impose sanctions against those responsible for significant human rights abuses, corruption, and drug trafficking. In December 2020, pursuant to Executive Order (E.O.) 13818, which built upon and expanded the Global Magnitsky Human Rights Accountability Act (P.L. 114-328), U.S. Department of the Treasury imposed asset blocking and visa restrictions on Chérizier (the gang leader and former HNP officer) and two former Moïse officials for involvement in the La Saline massacre.⁸⁹

The United States has expanded targeted sanctions on current and former Haitian officials since autumn 2022. In November 2022, the U.S. Department of the Treasury imposed sanctions pursuant to E.O. 14059 on Joseph Lambert, then-president of the Haitian senate, and former Senator Youri Latortue for involvement in drug trafficking.⁹⁰ Treasury imposed the same

⁸⁴ Reuters, "U.S., Canada Deliver Armored Vehicles to Haitian Police to Fight Gangs," October 15, 2022.

⁸⁵ White House, "Remarks by President Biden and Prime Minister Trudeau of Canada in Joint Press Conference," March 24, 2023.

⁸⁶ For additional information, see CRS Report R47432, *Caribbean Trade Preference Programs*, by Liana Wong and M. Angeles Villarreal.

⁸⁷ For a description of how the Haiti-specific preference programs have evolved and have affected Haitian exports and Haitian workers, see U.S. International Trade Commission, *U.S.-Haiti Trade: Impact of U.S. Preference Programs on Haiti's Economy and Workers*, December 2022.

⁸⁸ Compiled by CRS using data from U.S. International Trade Commission DataWeb.

⁸⁹ E.O. 13818, "Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption," December 20, 2017; U.S. Department of the Treasury, "Treasury Sanctions Serious Human Rights Abusers on International Human Rights Day," December 10, 2020.

⁹⁰ E.O. 14059, "Imposing Sanctions on Foreign Persons Involved in the Global Illicit Drug Trade," December 15, 2021; U.S. Department of the Treasury, "Treasury Sanctions Corrupt Haitian Politicians for Narcotics Trafficking," November 4, 2022.

sanctions on Senator Rony Celestin and former Senator Richard Lenine in December 2022.⁹¹ In April 2023, the Treasury Department sanctioned Gary Bodeu, former head of Haiti's Chamber of Deputies, for corruption.⁹² Pursuant to Section 7031(c) of P.L. 117-103, Division K, the State Department imposed visa restrictions on Senator Lambert for corruption and involvement in a gross violation of human rights.⁹³ The State Department also imposed visa restrictions on former Haitian Customs Director Rommel Bell and Senator Celestin for corruption.⁹⁴ In June 2023, Secretary of State Blinken announced visa restrictions on Laurent Salvador Lamothe, former prime minister and minister of planning and external cooperation for Michel Martelly, for significant corruption.⁹⁵ Those subject to recent public sanctions represent a range of political parties. Dozens of officials and their families have privately had their visas revoked.

The United States has encouraged other international partners and the U.N. to sanction the financial backers of Haitian gangs, recognizing that targeted sanctions imposed in a multilateral manner may have a better chance of affecting change than unilateral sanctions.⁹⁶ U.S. sanctions have been closely coordinated with those announced by the Government of Canada, which also imposed sanctions on former President Martelly for drug trafficking—a move U.S. officials have “welcomed.”⁹⁷ In October 2022, the U.N. Security Council unanimously approved Resolution 2653 imposing sanctions on Jimmy Chérizier for “engaging in acts that threaten the peace, security, and stability of Haiti.”⁹⁸ The Security Council named a panel of experts to recommend further individuals and entities to be subject to travel bans, asset seizures, and an arms embargo.

The House and Senate are considering the Haiti Criminal Collusion Transparency Act of 2023 (H.R. 1684/S. 396), aimed at identifying and penalizing ties between Haitian political and economic elites and criminal gangs. The bills would require the Secretary of State, in coordination with the intelligence community, to produce an unclassified annual report, which may have a classified annex, to specific congressional committees identifying Haitian political and economic elites tied to gangs. They also would require the Secretary of State to impose visa restrictions and sanctions on those individuals pursuant to Section 7031(c) of annual Department of State, Foreign Operations, and Related Programs Appropriations legislation, Section 1263 of the Global Magnitsky Human Rights Accountability Act (Title XII, Subtitle F of P.L. 114-328), or any other legal provision. The President could waive those sanctions requirements if the Secretary of State certifies that said waiver is in the U.S. national interest or is necessary for the delivery of humanitarian or related assistance.

⁹¹ U.S. Department of the Treasury, “U.S. Sanctions Additional Corrupt Haitian Politicians for Drug Trafficking,” December 2, 2022.

⁹² U.S. Department of State, “Treasury Sanctions Former President of Haiti’s Chamber of Deputies,” April 5, 2023.

⁹³ U.S. Department of State, Antony J. Blinken, Secretary of State, “Designation of Haitian Senate President, Joseph Lambert, for Involvement in Significant Corruption and a Gross Violation of Human Rights,” December 4, 2022.

⁹⁴ U.S. Department of State, “Combating Global Corruption and Human Rights Abuses,” December 9, 2022.

⁹⁵ The State Department asserts that LaMothe misappropriated some \$60 million in PetroCaribe funds provided to Haiti by the Venezuelan government, The State Department, Anthony J. Blinken, Secretary of State, “Designation of Laurent Salvador Lamothe – Former Haitian Prime Minister and Minister of Planning and External Cooperation – for Involvement in Significant Corruption,” June 2, 2023.

⁹⁶ U.S. Department of the Treasury, *Treasury 2021 Sanctions Review*, October 2021.

⁹⁷ Government of Canada, “Sanctions: Grave Breach of International Peace and Security in Haiti,” updated December 19, 2022, at <https://www.international.gc.ca/campaign-campagne/haiti-sanction/index.aspx?lang=eng>; Jacqueline Charles and Michael Wilner, “Canada Sanctions Former Haiti President Michel Martelly, Two Former Prime Ministers,” *Miami Herald*, November 21, 2022.

⁹⁸ U.N. Security Council, “Security Council Committee Established Pursuant to Resolution 2653 (2022) Concerning Haiti,” at <https://www.un.org/securitycouncil/sanctions/2653>.

Indictments

The U.S. Department of Justice (DOJ) has assisted Haitian officials investigating the Moïse assassination and selected cases involving those complicit in arms trafficking, gang violence, and drug trafficking in and through Haiti. DOJ has secured the extradition of two individuals allegedly complicit in Moïse's assassination, as well as a gang leader responsible for the 2021 kidnapping of U.S. missionaries. In November 2022, DOJ indicted seven leaders of five Haitian gangs, including additional individuals involved in the 2021 missionary kidnappings.⁹⁹

Migration Issues

Migration issues continue to be a high priority for U.S. policy and Congress. U.S. government apprehensions of Haitian migrants have risen notably, both at sea and on the U.S. Southwest border. In FY2022, U.S. Customs and Border Protection (CBP) encountered roughly 53,910 Haitians on the Southwest border, up from 47,255 encountered in FY2021.¹⁰⁰ Many of those Haitians had resided in third countries (particularly Brazil and Chile) since the 2010 earthquake and had few ties to Haiti.¹⁰¹ CBP placed a majority of those individuals (77%) into Title 8 removal proceedings under immigration code, and many were released into the United States to await their immigration court proceedings. CBP expelled the other 22% of Haitians from the United States under Title 42 of the *U.S. Code*.¹⁰² In FY2022, the Coast Guard interdicted more than 7,175 Haitian migrants, compared with 1,527 Haitian migrants in FY2021.¹⁰³

On January 5, 2023, DHS announced the expansion of a set of new immigration policies to Haitians, Nicaraguans, and Cubans, which started in October 2022 for Venezuelans.¹⁰⁴ Haitians who have a U.S. sponsor can apply for immigration parole and fly directly into the United States after U.S. vetting. As of April 2023, some 580,000 Haitians had reportedly applied for the program (of some 1.5 million applicants from the four countries), overwhelming the program's pledge to accept a monthly aggregate of 30,000 parolees from the four countries.¹⁰⁵

In contrast, Haitians apprehended crossing the U.S. Southwest border between ports of entry were subject to the public health-related Title 42 policy until it ended on May 11, 2023. Title 42 allowed DHS to expel migrants back to Mexico (in coordination with the government of Mexico). Following the end of Title 42, Haitians encountered by DHS are likely to be deemed ineligible for

⁹⁹ U.S. Department of Justice, "Criminal Charges Unsealed Against Gang Leaders for Kidnappings of U.S. Citizens," November 7, 2020.

¹⁰⁰ U.S. Customs and Border Protection, "Nationwide Encounters," calculated by CRS using data available at <https://www.cbp.gov/newsroom/stats/nationwide-encounters>. Nearly 46% of migrants were encountered at ports of entry and 53% between ports of entry.

¹⁰¹ Caitlyn Yates, *Haitian Migration Through the Americas: A Decade in the Making*, Migration Information Source, September 30, 2021.

¹⁰² Title 42 was a public health measure invoked in March 2020 during the COVID-19 pandemic by the Centers for Disease Control and Prevention that enabled U.S. authorities to restrict entry into the United States of foreign nationals lacking "proper travel documents" to help prevent the spread of disease. On May 11, 2023, the federal COVID-19 public health emergency declaration expired and the Biden Administration ended the use of Title 42.

¹⁰³ Skyler Shepard, "Coast Guard Repatriates 180 People to Haiti, 46 Children," CBS12, November 25, 2022.

¹⁰⁴ Department of Homeland Security (DHS), "DHS Implements New Processes for Cubans, Haitians, and Nicaraguans and Eliminates Cap for Venezuelans," January 6, 2022.

¹⁰⁵ Camilo Montoya-Galvez, "1.5 Million Apply for U.S. Migrant Sponsorship Program with 30,000 Monthly Cap," CBS News, May 22, 2023.

asylum, deported to Mexico under Title 8 expedited removal procedures, and banned from reentry for at least five years.¹⁰⁶

The United States also has taken steps to provide legal migration and protection pathways for some Haitians. Some 155,000 Haitians may be eligible for relief from removal under the Temporary Protected Status (TPS) designation announced in May 2021, and additional Haitians are eligible under the extension announced in December 2022.¹⁰⁷ In July 2022, the Biden Administration said it would resume the Haitian Family Reunification Parole Program, allowing certain U.S. citizens and legal permanent residents to seek parole for family members in Haiti.

Outlook

The 118th Congress has maintained a keen interest in developments in Haiti, as deteriorating security and humanitarian conditions in Haiti intersect with a broad range of U.S. interests and policy responses. As noted earlier, Congress has directly engaged with U.S. policy approaches toward Haiti in relation to foreign assistance, trade preferences, sanctions policy, and migration. Should the current crisis in Haiti continue, Congress may choose to consider and assess new policy approaches to address the situation in Haiti, including the potential for U.S.-backed international intervention, or other new engagements in Haiti.

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¹⁰⁶ CRS Insight IN12159, *Post-Title 42: U.S. Foreign Policy Initiatives to Manage Regional Migration*, by Clare Ribando Seelke, Peter J. Meyer, and Ramon Miro.

¹⁰⁷ See CRS Report RS20844, *Temporary Protected Status and Deferred Enforced Departure*, by Jill H. Wilson.

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