



**“I’M A CHILD, WHY DID THIS  
HAPPEN TO ME?”**

**GANGS’ ASSAULT ON CHILDHOOD IN HAITI**

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**Cover photo:** A girl at a displacement site visited by Amnesty International's researchers in the Haitian capital, Port-au-Prince, September 2024. © Amnesty International

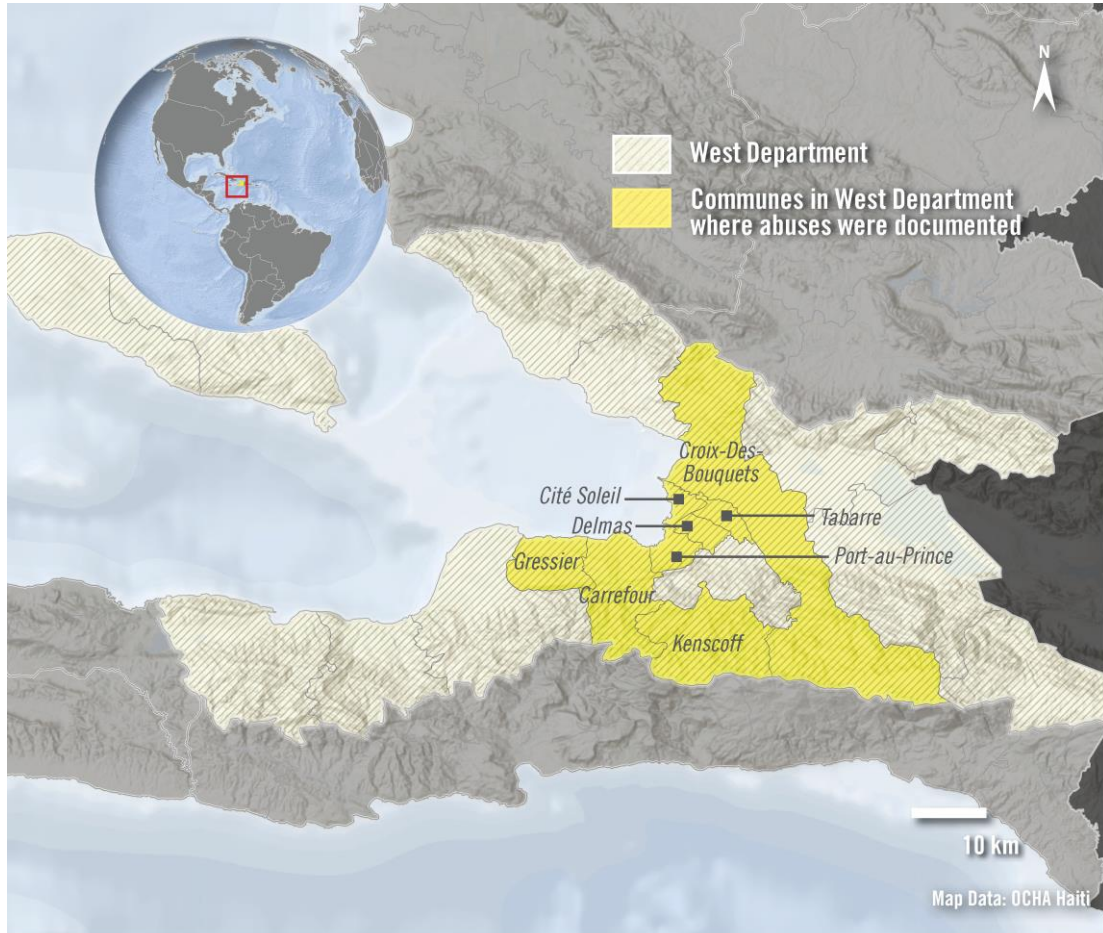
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# MAP



# EXECUTIVE SUMMARY

One boy was only 13 years old when a gang started asking him to collect information on targets and run food and drug deliveries. “Sometimes I’m really hungry; it’s the only way out,” he said. In another case, two teenage sisters were abducted by gang members on their way back from school and taken to a house where they were subjected to collective rape: one of them by five men, the other by six. “I think about it and tell myself, I’m a child, why did this happen to me?” said one of the girls. A 16-year-old boy explained that doctors had to amputate his right leg to save his life after he was deliberately shot by a gang member while he was in the market. “I don’t know why he did that to me... My life has changed so much,” the boy said.

Since the assassination of Haitian President Jovenel Moïse in July 2021, violence by armed gangs steadily escalated, reaching unprecedented levels in 2024. Gangs have come to control the majority of the capital causing a far-reaching humanitarian crisis and prompting the UN Security Council to authorize an international security support force. The experiences of these children, whose names and identities are withheld for their safety and privacy, mirror those of many children living amid the chaos perpetrated by the gangs.

The escalating violence for the past four years across the Port-au-Prince metropolitan area and its surrounding environs has been nothing short of an attack on childhood. It has caused widespread distress and undermined a myriad of children’s human rights, including the rights to education; to physical and mental development; to protection from violence, exploitation, and abuse; and to freedom of movement. It has robbed children of their right to play. Absent a firm commitment by Haitian authorities to protect the human rights of children in line with international and domestic legal obligations, including under the Convention on the Rights of the Child, and sustained support by international partners, the fabric of communities will be in peril for decades to come.

Amnesty International has documented the impact of gang violence on children, undertaking research between May and October 2024, including on the ground in Port-au-Prince in September. In total, researchers interviewed 112 people, including 80 people during the visit to the Haitian capital. Fifty-one children (31 girls and 20 boys), whose ages ranged from 10 to 17, were interviewed in person in Port-au-Prince, as well as an 18-year-old young woman who survived an attack by gang members when she was a child. Interviewees also included parents, government officials, Haitian and international aid workers and UN staff members. Researchers reviewed dozens of videos and photographs, analysed satellite imagery and obtained documents relevant to the research.

The research covered violations and abuses in eight communes of the West Department: Port-au-Prince, Cité Soleil, Tabarre, Croix-des-Bouquets, Delmas, Carrefour, Kenscoff and Gressier. Researchers documented the recruitment and use of children, rape and other forms of sexual violence, killings and injuries – all primarily carried out by gang members. These three abuses are among the grave violations monitored by the UN and reported in the UN Secretary-General’s annual report on children and armed conflict. The disproportionate impact of the violence on children with disabilities was also examined.

Building on the reporting of the UN and other human rights work by Haitian and international organizations, Amnesty International’s research aimed to provide space for children’s voices, which is essential to understanding the impact of abuses and violations on their broader rights as well as to help shed light on challenges facing reintegration and the way forward.

## RECRUITMENT AND USE OF CHILDREN

Amnesty International documented the cases of 11 boys and three girls who were recruited and used by gangs, including Delmas 6, Baz Pilate, Ti Bwa, Baz Belè, Grand Ravine, 103 Zombie, 5 Segon and Kraze



Baryè. Children described being exploited in various ways, including to spy on rival gangs and the police, run deliveries, and to do domestic chores, construction work and vehicle repairs. All 14 children said they had no choice and that their involvement was predominantly out of hunger or fear. The widespread practice of recruitment and use of children by gangs in Haiti is prohibited under international and domestic law; it renders children victims of trafficking in persons, among other abuses.

A 12-year-old boy who used to live on the street told Amnesty International he was forced by members of Grand Ravine to be an “antenna”, or informant. “If I didn’t do it, they would have killed me,” he said. A 16-year-old boy described how gang members stop him regularly when they see him on the street, including when he is playing football, and give him between USD 3 to USD 7 to do chores such as buying minutes for cellphones. “We can go two days without eating,” the boy said of his family, explaining that his parents stopped selling merchandise on the streets due to insecurity. A friend of his who is a gang member tried to recruit him into fighting ranks, but he refused. The boy said, “[My friend] sees the situation we live in and tells me he makes a lot of money, and that I could make a lot of money too.”

Another pre-teen boy said he did end up carrying a gun and was exploited by one of the gangs in criminal acts before he was arrested. “What I did, I didn’t do with all my heart. I didn’t understand what I was doing. I held a gun, not to hurt, but to provide for myself,” he said. Some children described being beaten and threatened if they refused orders. A 17-year-old girl, who said that members of the gang Ti Bwa send her out to buy things for their girlfriends and to clean houses in exchange for as little as USD 2, shared: “Sometimes I say, ‘I don’t want to do it,’ they yell at me and say, ‘When the chief asks you to do something, you have to do it’... You can’t tell them no.”

Children spoke of immense fear of the police and community members and of being stigmatized and shamed for merely coming from neighborhoods under gang control. Several interviewees shared their concern about being stopped by the police for identification card checks and how affiliation to certain areas could lead to being unlawfully killed. Amnesty International documented the case of a 16-year-old boy who was arbitrarily snatched from his bed and detained after a police station in his area was attacked by gang members. He was released without charges after spending eight days in custody, thanks to community members who raised more than USD 700 to pay his lawyer.

Another threat to children has been “self-defence groups” – also known as the *Bwa Kale* movement – which have been implicated in horrific lynchings targeting individuals with perceived or real affiliation to gangs. Amnesty International documented the cases of five boys who were taken into custody as a result of being reported by community members. At least one of them was beaten badly before he was handed over to authorities.

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

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

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

## **RAPE AND OTHER SEXUAL VIOLENCE**

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

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

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

A 14-year-old girl told Amnesty International that in February 2024, a member of the gang 400 Mawozo showed up at her house while she was not there and asked her mother to go fetch her or else he would kill everyone in the house. He waited by the home while the mother brought the girl back, and then took the girl to a nearby empty house and raped her. The girl said the attack prompted the family to leave the area. “I used to go to school, but after the incident, I stopped,” she said.

In December 2023, a 17-year-old girl who lived in Carrefour-Feuilles was stopped by gang members on the street when she stepped out to buy food late one night. Dressed in black and covering their faces, they took her to a house where five of them took turns raping her. “They said, ‘You’re not going to talk about this. If you talk about it, we’re going to kill you.’ Then they told me to leave,” she said. After escaping to a displacement site, she found out she was pregnant. “It destroyed me... I have nobody to help me with the baby,” she said. Several other girls who spoke with Amnesty International also got pregnant as a result of being raped. As abortion is illegal in Haiti, some resorted to unsafe methods to attempt to end their unwanted pregnancies.

Children involved in commercial sex acts are victims of sexual exploitation, which the International Labour Organization recognizes as one of the worst forms of child labour and a severe human rights violation. A 16-year-old girl living in an area under the control of 5 Segon described to Amnesty International how she started being involved in commercial sex with gang members after she and her child had gone through repeated stretches without food. “I don’t have a choice... They see you and say, ‘Let’s go.’ If you refuse, they hit you with a gun. I tried. I could be shot one day. They grab you and they kick you. Some pay. Some don’t,” she said. Being involved in commercial sex with gang members was not her first experience with gang-related sexual violence. She was raped by five members of 5 Segon a few years prior and that was how she got pregnant.

With tens of thousands of people who were displaced by gang violence crammed into various makeshift set-ups, including schools and other government buildings across the Port-au-Prince metropolitan area, the additional risk of sexual violence in those sites is a major concern. Amnesty International researchers observed first-hand the absolute lack of privacy and crowded conditions in two displacement sites they visited. The organization documented the cases of two girls who were raped inside displacement sites.

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

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

Meanwhile, survivors of sexual violence continue to face several barriers to justice amid the general impunity that plagues Haiti. Fear of reprisals prevents survivors from coming forward to the police. Many interviewees scoffed at the idea of reporting their attacks to authorities due to the absolute absence of law-enforcement personnel in gang-controlled areas. “There is no police... The only chief in town are the gang members,” said a girl who was abducted and raped by several gang members in 2023 and then again sexually assaulted by a gang member in 2024. UN and NGO representatives said more facilities are needed to take

in child survivors of sexual violence and provide the necessary rehabilitation and care, as well as protection during and after legal proceedings.

## **KILLINGS AND INJURIES**

Children continue to be killed and injured during gang incursions into neighborhoods. In areas under gang control, they face both indiscriminate and direct fire. Amnesty International has documented the cases of 10 children who were injured and two who were killed as a result of gang-related violence and associated incidents. Their ages ranged from five to 17. The gangs linked to these cases include Brooklyn, Simon Pelé, Belekou, Boston and Grand Ravine. At least two cases involved crossfire between gangs and the police.

International human rights law recognizes the right to life. Haitian law requires the state to guarantee the right to life and criminalizes killing. But gang violence has become such a daily reality that many families include more than one victim, at times the same victim experiencing multiple attacks. A 14-year-old girl described to Amnesty International how a ricocheting bullet, shot by gang members attacking a bank next to her house in September 2024, ended up piercing her face, going in and out her upper lip. Three months prior, the girl's 17-year-old brother died after he was shot in the stomach by a stray bullet amid gang fighting in the area. "It's not a calm area. There is trouble all the time. There is so much gunfire. I can't stand the gunfire," she said.

In August 2023, a series of coordinated attacks by Grand Ravine on the neighborhood of Carrefour-Feuilles sent thousands of people fleeing. A 15-year-old boy said that as he was escaping with his mother and sister, he fell and severely injured his hip. As a result, he now has one leg that is longer than the other; the fall had exacerbated a basketball injury he had sustained several months prior, he said. "People make fun of me, and I don't like it... it's like I'm not human. I even wanted to drink Clorox [bleach]."

## **IMPACT ON CHILDREN WITH DISABILITIES**

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

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

Amnesty International interviewed three children who said that when gangs attacked their neighborhoods and their families left, assistive devices such as wheelchairs and crutches were left behind. "Gang members burned people's homes... It was nighttime... My uncle carried me and ran with me," said a 12-year-old girl with limited mobility who fled the August 2023 assault on Carrefour-Feuilles. When the family checked on the house months later, it was burned down and nothing in it, including the girl's wheelchair, was spared.

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

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

Amnesty International also documented, both through interviews and site visits, the additional challenges and significant barriers to accessibility for children with disabilities in displacement sites. Several children with physical disabilities said their sleeping conditions exacerbated their pain. Latrines and washing facilities are not accessible, leaving many children with disabilities dependent on others.

"There are two toilets [in the camp]... It's not easy for me to use it... In my house, I was able to go to the toilet by myself... In the camp, my mother keeps something next to me for me to use instead of carrying me



to the toilet,” said a 13-year-old boy with limited mobility. Such shelter and sanitation conditions affect their equal ability to practise self-care and undermine autonomy, privacy and inherent dignity.

Exposure to prolonged violence impacts mental health by causing new distress and mental health conditions as well as further affecting persons with pre-existing conditions. The mental health harm caused by gang violence was palpable in Amnesty International’s interviews with children and their families. A 13-year-old girl who escaped the carnage inflicted on Carrefour-Feuilles by Grand Ravine in August 2023 said: “I saw dead bodies... I get nightmares, I cannot sleep. I have visions of what I saw... I used to be able to study with no problem. Now it’s hard; I always relive what I saw.”

## **THE WAY FORWARD**

The situation of children living amid gang violence in Haiti demands urgent prioritization from the Haitian government and its partners. The government should collaborate with donors and other child protection actors to develop a comprehensive and inclusive child protection plan, guided by the principle of the best interests of the child. Sustained technical and financial assistance from the international community is indispensable.

Priority actions include expanding livelihood support programmes and restoring education on an equal basis, including for children with disabilities. The government and its partners must immediately begin engaging communities affected by violence, including to raise awareness that children associated with gangs are victims first and foremost.

The situation of children associated with gangs who are held without charge, at times for years, must be urgently addressed, including by resuming mobile judicial proceedings. Additionally, authorities should release to civilian child protection actors children who have been in CERMICOL for longer than six months without charge, children associated with gangs who did not commit crimes of violence, and children below the age of 14 – the minimum age of criminal responsibility recommended by the Committee on the Rights of the Child.

A comprehensive disarmament, demobilization and reintegration process is needed for children to prevent an entire generation of boys and girls from being lost and new cycles of violence from being recreated. This includes the provision of resources for the creation of transit and rehabilitation centres.

A coordinated response is also needed to respond to spiraling gang-related sexual violence. Comprehensive health programming that factors the physical and psychological recovery of survivors as well as effective legal assistance are key components of that response that must be charted with the support of donor states and agencies.

Haitian authorities must create a safe environment for children. That requires controlling the massive flow of firearms to Haiti. It also includes strengthening the capacity of the Haitian National Police and ensuring that any international force providing security support also prioritizes child protection and operates in a transparent, accountable and human rights-compliant manner. In the meantime, all countries must stop forcibly deporting Haitians so long as the gangs’ campaign of terror and broader human rights crisis continue.

Addressing impunity is also at the heart of containing spiraling insecurity and restoring faith in the country’s judicial system and institutions. In the immediate term the Haitian government, with the support of international partners, should operationalize its commitment to establish specialized judicial chambers for the prosecution of grave human rights abuses and violations, including sexual violence, among other crimes.

Children interviewed by Amnesty International shared their hopes and dreams to continue their education and to become productive members in their communities. Several of them said that their lives could change for the better and that the horrors they experienced should not define their future. It is time for Haitian authorities and the international community to meet the aspirations of these children, instead of compounding the abuses meted out at the hands of the gangs. Empty expressions of concern from the international community are not enough – Haiti needs urgent and sustainable assistance to protect children from the gangs’ ruthless assault on childhood and to prevent the revival of further cycles of violence.

# METHODOLOGY

This report is based on research carried out between May and October 2024 that focused on the impact of gang violence on children in Haiti. Amnesty International's delegates conducted interviews and site visits in the Haitian capital Port-au-Prince from 16 to 27 September 2024. Violations and abuses against children were documented in the following communes of the West Department: Port-au-Prince, Cité Soleil, Tabarre, Croix-des-Bouquets, Delmas, Carrefour, Kenscoff and Gressier.

The majority of the abuses documented occurred in 2024 during which violence by armed gangs had reached unprecedented levels. Emblematic cases showing the pattern of abuses dating to 2023 were also documented. The primary legal framework applied in this report is international human rights law. At the time of the publication of this report, the situation in Haiti is not considered an armed conflict.

In total, over the course of this research, Amnesty International interviewed 112 people, including 80 people during the visit to Port-au-Prince. The on-the-ground research included interviews with 51 children (31 girls and 20 boys) to document their experiences living amid the gang violence. The ages of the children ranged from 10 to 17. Additionally, an 18-year-old young woman, who survived an attack by gang members when she was 16, was also interviewed. Researchers interviewed 15 parents and two siblings of these children and of other violence-affected children who Amnesty International could not interview directly because of their age and capacity to provide consent.

In this report, “child” and “children” are used to refer to anyone under the age of 18, consistent with international law. The referenced age of interviewees is from the time of the interview. In line with Amnesty International's guidelines on interviewing children, researchers conducted formal interviews with children who were 10 and above, given the risks and limitations of interviewing younger children. Researchers did have informal exchanges with children younger than 10, including while interviewing their parents or aid workers, and abuses and violations against children younger than 10 were documented through interviews with other witnesses.

Amnesty International ensured the inclusion of children with disabilities in the research, documenting the experiences of 11 children (five boys and six girls) with various disabilities. Of the 11 children with disabilities, nine were interviewed directly, and the situations of two were documented through interviewing their parents. Two had acquired a physical disability as a result of gang violence.

Interviews were conducted in Haitian Creole and French via interpretation. They were mostly conducted one-on-one, with an emphasis on privacy. At times, family members were present at the request of the child or parent, after ensuring the informed consent of both.

Amnesty International informed interviewees about the nature and purpose of the research, as well as about how the information would be used. Oral consent was obtained in all cases. Interviewees were told they could end the interview at any time or take a break and could choose not to answer specific questions.

When interviewing children, Amnesty International took precautions to try to avoid re-traumatization. As much as possible, delegates let the children guide the discussion, and periodically asked them whether they wanted to continue, pausing when children exhibited visible signs of distress. Delegates also ensured interviews ended on more positive topics, such as what they wanted to do when they grow up.

No incentive was offered for speaking. Amnesty International covered the expenses of transport and refreshments for the interviewees, many of whom had traveled long distances from low-income, violence-afflicted neighborhoods to meet the researchers. Given the extremely limited referral pathways in Haiti, researchers collaborated with a number of Haitian child rights NGOs and community groups to identify and

reach out to the children who were interviewed to ensure that the interviewees had some bare minimum form of support.

Amnesty International would like to sincerely thank the Haitian groups who offered their expertise and connections and whose collaboration ensured the prospect of undertaking this research in an ethical manner. Researchers interviewed 10 representatives of these NGOs as well three representatives of one group and two institutions that provide services and support for persons with disabilities, to include their insights and document the impact of the violence on their operations and the children they support.

Interviewees also included 17 representatives of international NGOs and UN agencies and offices working on the issue of child protection. Researchers also interviewed five government officials with that mandate, including representatives from the child protection agency the Institute for Social Welfare and Research, or *Institut du Bien Être Social et de Recherches* (IBESR); the Haitian National Police's Brigade for the Protection of Minors (BPM); the Directorate of Prison Administration (DAP) and the Ministry of Justice. These interviews were conducted in English and in French, the latter via interpretation. Interviews with five representatives of four US-based humanitarian and advocacy groups that operate in Haiti and an international institute that provides technical expertise on child protection were conducted in English.

Amnesty International visited the Centre for the Re-education of Minors in Conflict with the Law, or *Centre de Rééducation des Mineurs en Conflit avec la Loi* (CERMICOL). Researchers observed the conditions in some quarters, interviewed two boys held there, spoke with officials and others with knowledge of the situation, and reviewed local and international human rights reports about the centre.

The organization's delegates also visited two displacement sites in Port-au-Prince set up in the following educational establishments: *Lycée Marie Jeanne* and *Faculté de Linguistique Appliquée*. Researchers observed living conditions in the sites and interviewed three members of the committees representing the displaced persons residing there.

Amnesty International withheld the names and identifying details of the children and parents interviewed to ensure their safety from reprisals, as well as their privacy. The names of officials, aid workers and others who were interviewed were withheld for a variety of reasons, including their direct request, for security purposes, because they were not authorized to make public statements, or to ensure the ability to do their work without constraints.

Amnesty International's researchers obtained official documents and reviewed laws relevant to child protection. The researchers also reviewed reports by various UN agencies and representatives, the Panel of Experts on Haiti established by the UN Security Council, international and local human rights groups, social media posts by official entities and others, and the extensive reporting on the Haitian crisis by credible media outlets over the past four years.

In addition, Amnesty International reviewed social media posts and videos by gang leaders and other digital material showing children impacted by gang violence. The report also relied on analysis from Amnesty International's Digital Verification Corps (DVC), a network of volunteers trained in social media verification, to review and analyse dozens of open-source videos and images. The DVC analysed 29 videos and one image from 2023 and 2024 related to the impact of gang violence on children in Port-au-Prince.

The materials analysed by the DVC included user-generated content as well as content published by local and international media outlets. In some of the videos explicit reference to the children's age was made, including children themselves stating their age. In other instances, gang leaders referenced the involvement of children, for example. In cases where age was not overtly mentioned, a reasonable determination that individuals were below the age of 18 was made by visual indicators of physical development, including age-appropriate characteristics such as height, build and facial structure.

Amnesty International's weapons expert provided analysis of open-source videos and images, including identifying certain types of weapons used by the gangs. Satellite imagery analysis was used to geolocate social media videos as well as to visualize and confirm some of the large-scale attacks and patterns of violence by gangs.

In the report, certain incidents are attributed to specific gangs based on testimonies of witnesses in cases where they knew the perpetrators or the gang in control of the area, as well as based on open-source reporting and information obtained from community groups and NGOs. In one case, the survivor believed the perpetrators belonged to a certain gang based on news coverage about the attack on her neighborhood by that gang; the wording in the report that the assailants "possibly" belonged to that gang reflects that.

On 18 December 2024, Amnesty International wrote to the office of Prime Minister Alix Didier Fils-Aimé, presenting a summary of its findings and requesting information. No response had been received at the time of publication.



Armed gangs escalated their attacks on the Port-au-Prince metropolitan area and its environs in 2024, taking control of additional areas and further expanding their grip on communities. © Amnesty International



People fleeing after gang members who were trying to seize a diesel tanker fired a projectile causing the truck to explode, Port-au-Prince, 4 June 2024. @ Guerinault Louis / Anadolu via Getty Images

**“I’M A CHILD, WHY DID THIS HAPPEN TO ME?”**  
GANGS’ ASSAULT ON CHILDHOOD IN HAITI

Amnesty International

# 1. BACKGROUND

After the assassination of Haitian President Jovenel Moïse in July 2021, violence by armed gangs steadily escalated, reaching unprecedented levels in early 2024.<sup>1</sup> For years, dozens of gangs have been wreaking havoc in the Port-au-Prince metropolitan area, fighting turf wars, attacking the population and eroding the government's authority amid absolute impunity.<sup>2</sup> With a shrinking police force and insecurity gripping large parts of the capital,<sup>3</sup> the UN Security Council authorized a multinational security force led by Kenya in October 2023.<sup>4</sup>

## UNABATING VIOLENCE AND POLITICAL CRISIS

In an apparent response to the imminent authorization of the Multinational Security Support Mission (MSS), the two main gang coalitions – G9 and G-Pèp – announced a short-lived truce in September 2023 and loosely established an umbrella alliance known as *Viv Ansanm*, or living together.<sup>5</sup> The gangs then escalated their attacks on the population and government facilities, expanding their territory and directly challenging the Prime Minister – the then de facto head of state since Moïse's assassination – to force his hand into stopping the deployment of the international force.<sup>6</sup>

In February 2024, the alliance of gangs waged a series of coordinated attacks on the capital. It was a seminal moment that sparked renewed attention from the international community, as police stations were burned down, prisons were broken into, neighbourhoods were besieged and cut off from essential services, and the capital was brought to complete paralysis.<sup>7</sup> Gangs had laid siege to the country's main port and even attempted to seize the airport.<sup>8</sup> In March 2024, the then Prime Minister Ariel Henry, who had faced calls to step down since he was appointed, was forced to stay out of the country following diplomatic visits that included Kenya.<sup>9</sup>

By that point, the UN had been reporting that the gangs had control of at least 80% of the capital.<sup>10</sup> On 24 April 2024, Prime Minister Henry resigned, ushering in a transitional council.<sup>11</sup> Countries from the Caribbean Community or CARICOM, in addition to the United States, Canada and others, played a key role in

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<sup>1</sup> AP, "Gang violence is surging to unprecedented levels in Haiti, UN envoy says", 25 January 2024, <https://tinyurl.com/mtbd9av3>; Reuters, "UN rights chief deplors 'unprecedented scale' of rights abuses in Haiti", 2 April 2024, <https://tinyurl.com/y77cfbpb>; UN, "Deadly violence in Haiti at record high, some worst scenarios now realities, special representative tells Security Council, urging deployment of support mission", 22 April 2024, <https://tinyurl.com/cez4sy7h>

<sup>2</sup> UN High Commissioner for Human Rights, Report: *Situation of human rights in Haiti*, 25 September 2023, UN Doc. A/HRC/54/79, para 31.

<sup>3</sup> Reuters, "Haiti's police force shrinks amid gang crisis – union", 22 January 2024, <https://tinyurl.com/3thu9hi9>; New York Times, "Haiti's police are 'begging for help' in battle against ruthless gangs", 3 May 2024, <https://tinyurl.com/ychrkt3>

<sup>4</sup> UN, "Security Council authorizes Multinational Security Support Mission for Haiti for initial period of one year, by vote of 13 in favour with 2 abstentions", 2 October 2023, <https://tinyurl.com/y2btz3kk>; UN Security Council (UNSC), Resolution 2699 (2023), adopted on 2 October 2023, UN Doc. S/RES/2699. In September 2024, the council extended the mandate of the force by another year. UNSC, Resolution 2751 (2024), adopted on 30 September 2024, UN Doc. S/RES/2751.

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

<sup>6</sup> ICG, *Haiti's Gangs* (previously cited).

<sup>7</sup> ICG, "Will a New Government Halt Haiti's Nosedive?", 21 March 2024, <https://tinyurl.com/4em2b2kz>

<sup>8</sup> CNN, "Gangs rule Haiti's capital. Some say they're ready to overthrow the government too", 5 March 2024, <https://tinyurl.com/ypmajm5t>

<sup>9</sup> AP, "Haiti's prime minister is locked out of his country and faces pressure to resign", 8 March 2024, <https://tinyurl.com/5n84xm8a>; AP, "Haitians scramble to survive, seeking food, water and safety as gang violence chokes the capital", 21 April 2024, <https://tinyurl.com/buy8wkxh>

<sup>10</sup> UN News, "Haiti crisis: UN chief calls for 'urgent action' to end rampant insecurity", 5 March 2024, <https://tinyurl.com/2tnuczmf>; Inter-American Commission on Human Rights (IACHR), "IACHR condemns escalating violence and attacks by armed groups in Haiti", 7 March 2024, <https://tinyurl.com/bdemtmph>; UN News, "Getting children back to school in deadly gang-ravaged Haiti", 7 April 2024, <https://tinyurl.com/3zacpa3e>

<sup>11</sup> BBC, Haiti PM Ariel Henry resigns as transitional council is sworn in, 25 April 2024, <https://tinyurl.com/486x6vau>; AP, "With fear and hope, Haiti warily welcomes new governing council as gang-ravaged country seeks peace", 25 April 2024, <https://tinyurl.com/2x7bwhz4>

encouraging deadlocked political groups to come together and draft a roadmap for a political transition.<sup>12</sup> Ultimately, after unsuccessful attempts, the Transitional Presidential Council named Gary Conille as Prime Minister.<sup>13</sup>

Conille and the transitional council announced the new cabinet in mid-June 2024.<sup>14</sup> By the end of that month, the first contingent of Kenyan policemen touched down in Haiti.<sup>15</sup> However, by late 2024, months into its deployment, only 400 Kenyan police were deployed, with minor contributions from other regional countries.<sup>16</sup> Haitian and international human rights groups, including Amnesty International, raised concerns about the apparent absence of human rights safeguards in the force's opaque structure, especially given the country's troubled history with international interventions.<sup>17</sup>

In November 2024, amid worsening insecurity,<sup>18</sup> the country's political transition faced further strain as tension between the Transitional Presidential Council and Prime Minister Conille resulted in the dismissal of the latter.<sup>19</sup> The council named Alix Didier Fils-Aimé as the new prime minister and he proceeded to appoint a new cabinet.<sup>20</sup> The escalating violence culminated in the closure of the main international airport for the second time in one year after gangs shot at three planes.<sup>21</sup>

The Haitian National Police continued to face significant challenges and limitations, including dwindling force numbers, lack of specialized personnel and insufficient equipment and resources.<sup>22</sup> The police are facing these difficulties as installations and members of the force remain a primary target of the gangs, and as attrition among the force remains high. In mid-2024, the police force hovered around 12,000 members, a loss of more than 1,000 since the beginning of that year,<sup>23</sup> with access to all of 20 functioning armoured vehicles.<sup>24</sup> In fact, UN experts maintain that gangs' firepower far exceeds that of the police.<sup>25</sup>

## HUMANITARIAN CRISIS

Meanwhile, the gangs continued their campaign of terror, burning down neighbourhoods and displacing large swathes of the population. In a country that had already been struggling with soaring inflation and a wider economic crisis, a humanitarian crisis spiralled amid minimal international support.<sup>26</sup> It is estimated that 5.5 million people, or nearly half of Haiti's population, require humanitarian assistance.<sup>27</sup>

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<sup>12</sup> ICG, "Haiti: A New Government Faces Up to the Gangs", 23 May 2024, <https://tinyurl.com/4485z8ad>

<sup>13</sup> AP, "Transitional council in Haiti selects new prime minister for a country under siege by gangs", 28 May 2024, <https://tinyurl.com/y82rsrbh>; Miami Herald, "UN expert, former prime minister is named to lead Haiti's transitional government", 28 May 2024, <https://tinyurl.com/mmj87zaj>

<sup>14</sup> AP, "Haiti's transitional council appoints new Cabinet tasked with leading a country under siege by gangs", 13 June 2024, <https://tinyurl.com/msv77pdv>; Miami Herald, "Crisis-ridden Haiti turns a page, officially welcomes new transitional government", 13 June 2024, <https://tinyurl.com/4zmajb8n>

<sup>15</sup> AP, "UN-backed contingent of foreign police arrives in Haiti as Kenya-led force prepares to face gangs", 25 June 2024, <https://tinyurl.com/bdcax78m>; Reuters, "Haiti PM vows to retake country as first Kenyan police arrive", 27 June 2024, <https://tinyurl.com/2ftd62n7>

<sup>16</sup> Contributions to a 2,500-strong force were initially pledged by various countries. AP, "UN extends Kenya-led force to tackle gangs in Haiti, but sidelines call for UN peacekeepers", 30 September 2024, <https://tinyurl.com/yckb239s>; ICG, "Weighing the Case for a New Peacekeeping Mission to Haiti", 1 November 2024, <https://tinyurl.com/2pe65f4r>. An additional 200 Kenyan officers arrived in January 2025. Reuters, "Kenya sends another 200 police to fight gangs in Haiti", 18 January 2025, <https://tinyurl.com/ms38xfsj>

<sup>17</sup> Amnesty International, "Haiti: human rights safeguards and transparency must guide security mission deployment" (Index: AMR 36/8084/2024), 4 June 2024, <https://tinyurl.com/bdcw3kam>; The New Humanitarian, "Haiti in-depth: Ten key questions as Kenyan police deploy to restore order", 26 June 2024, <https://tinyurl.com/4nfh9fhe>. See also Amnesty International, "UN peacekeepers – 'zero tolerance' means not shielding rapists", 20 August 2015, <https://tinyurl.com/569jbsxr>

<sup>18</sup> New York Times, "Haiti: It's not back to where we started – it's worse", 13 November 2024, <https://tinyurl.com/dkzn9b39>; AP, "Masses of residents flee homes in Haiti's capital as gangs ratchet up violence", 14 November 2024, <https://tinyurl.com/39577vrv>; El País, "Armed gangs announce 'new battle' in Haiti after the dismissal of the prime minister", 12 November 2024, <https://tinyurl.com/3tyrfr78>

<sup>19</sup> Miami Herald, "Haiti's ruling council moves to fire prime minister, endangering U.S.-backed transition", 10 November 2024, <https://tinyurl.com/cm4kw4vp>

<sup>20</sup> AP, "Haiti replaces its prime minister, marking more turmoil in its democratic transition process", 10 November 2024, <https://tinyurl.com/2h65d4dn>; Caribbean Community, "Statement from the Caribbean Community (CARICOM) on the ongoing transitional governance process in Haiti", 14 November 2024, <https://tinyurl.com/bddmkv44>

<sup>21</sup> AP, "Haiti wonders what's next as gang violence surges and the push for a UN peacekeeping mission flops", 24 November 2024, <https://tinyurl.com/44s9zx9b>; AP, "Haiti's main international airport reopens a month after gang gunfire forced it to close", 11 December 2024, <https://tinyurl.com/yv5bapt>

<sup>22</sup> UN-Secretary General (UNSG), Report, 27 June 2024, UN Doc. S/2024/508, paras 22-24.

<sup>23</sup> UNSG, Report, 27 June 2024 (previously cited), para 24.

<sup>24</sup> UN High Commissioner for Human Rights, Report: *Situation of Human Rights in Haiti*, 26 September 2024, UN Doc. A/HRC/57/41, para 27.

<sup>25</sup> See, for example, UN News, "Haiti: Gangs have 'more firepower than the police'", 4 April 2024, <https://tinyurl.com/2vrtb7c9>

<sup>26</sup> By December 2024, the UN's 2024 Humanitarian Response Plan for Haiti, which required USD 674 million, was funded by only 43%. UN Office for the Coordination of Humanitarian Affairs (OCHA), "Haiti: Situation Report No. 07 – Armed attacks and displacement in the Port-au-Prince Metropolitan Area", 10 December 2024, <https://tinyurl.com/ayvb9eni>. For more on the trickle of funding, see, for example, UN News, "Haiti: Millions of lives on the brink amid multiple crises", 22 August 2024, <https://tinyurl.com/3y4rj8ns>

<sup>27</sup> OCHA, Latin America and the Caribbean: Haiti, "Overview", <https://www.unocha.org/haiti> (accessed on 20 December 2024).





*Gang violence has displaced tens of thousands of people. Many have had to take shelter in schools like this one in the capital Port-au-Prince. © Amnesty International*

By the end of 2024, more than 1 million people – over half of whom are children – were displaced across Haiti.<sup>28</sup> This was a threefold increase compared to 2023.<sup>29</sup> People have been taking shelter in schools, churches, government buildings, open spaces and with host families.<sup>30</sup> Many fled to northern and southern parts of the country, placing increased strain on the facilities and already limited resources there.<sup>31</sup> Close to 180,000 persons are in displacement sites, facing massive protection risks amid extremely inadequate conditions of living,<sup>32</sup> which Amnesty International’s researchers witnessed first-hand.

In one of the highest waves of displacement in recent years, violence in November 2024 displaced 41,000 people over the course of just two weeks, more than half of whom were children.<sup>33</sup> Many people in camps, including among those interviewed by Amnesty International, face expulsion from displacement sites, with the majority already having gone through multiple rounds of displacement.

Against this backdrop, half of the country’s population does not have enough food, in what the UN has described as one of the worst hunger crises in the world.<sup>34</sup> Of the 5.4 million people facing acute hunger, two million are in “critical”, or severe hunger levels.<sup>35</sup> Gang violence had been disrupting supply chains for months, further driving up prices and obstructing access for millions of people.<sup>36</sup>

<sup>28</sup> UN News, “Haiti: spiralling gang violence has left more than one million displaced”, 14 January 2025, <https://tinyurl.com/5cmdfvnk>; UNICEF, “Almost one in eight children internally displaced in Haiti as armed violence continues”, 17 January 2025, <https://tinyurl.com/ye2x3ypb>; International Organization for Migration (IOM), “Displacement situation in Haiti – Round 9”, 14 January 2025, <https://tinyurl.com/exfwxavd> (in French).

<sup>29</sup> UN News, “Haiti: spiralling gang violence has left more than one million displaced” (previously cited).

<sup>30</sup> IOM, “Displacement situation in Haiti – Round 9” (previously cited).

<sup>31</sup> Mercy Corps, “Haiti: Scenario Forecasting For Humanitarian Planning”, 27 August 2024, <https://tinyurl.com/awit255k>; UN News, “Haiti: Education in jeopardy as gang violence continues”, 11 September 2024, <https://tinyurl.com/c4d7u3tk>

<sup>32</sup> IOM, “Displacement situation in Haiti – Round 9” (previously cited); OCHA, “Humanitarian Bulletin: Haiti – Issue 1”, 8 October 2024, <https://tinyurl.com/4z5k25zb>

<sup>33</sup> Save the Children, “Haiti: Escalating gang violence forces over 21,000 more children from their homes in 2 weeks”, 27 November 2024, <https://tinyurl.com/3aer2n9f>

<sup>34</sup> OCHA, “Humanitarian Bulletin: Haiti – Issue 1” (previously cited), UN Food and Agriculture Organization (FAO) and World Food Programme (WFP), “Hunger Hotspots: FAO–WFP early warnings on acute food insecurity: June to October 2024 outlook”, 5 June 2024, <https://tinyurl.com/5242u78n>

<sup>35</sup> Integrated Food Security Phase Classification (IPC), “Haiti: IPC Acute Food Insecurity Snapshot”, 30 September 2024, <https://tinyurl.com/ymubwe3n>; WFP, “Hunger in Haiti reaches historic high with one-in-two Haitians now in acute hunger”, 30 September 2024, <https://tinyurl.com/yb2xvbk>

<sup>36</sup> Action Against Hunger and others, “Aid agencies call for action as extreme hunger spikes in Haiti”, 30 September 2024, <https://tinyurl.com/banbftpf>. This amid a USD 230 million shortfall in late 2024 in funds needed by humanitarian agencies and organizations working on food programmes. WFP, “Hunger in Haiti reaches historic high” (previously cited).

According to the NGO Save the Children, one in six children in the country are “one step away from famine-like conditions” which are “characterised by acute malnutrition and a heightened risk of hunger-related death”.<sup>37</sup> More broadly, according to the UN, three million children are in need of humanitarian assistance.<sup>38</sup> Several of the children interviewed by Amnesty International – as well as parents – said they had, at times, gone for days without food; practically all those who were displaced to camps said conditions in the sites were dire.<sup>39</sup> By late 2024, the UN Children’s Fund (UNICEF) reported a 75% funding gap in the USD 222 million the agency and its partners require to meet the pressing needs of children and their caregivers.<sup>40</sup>

## CHILDREN AND GANG VIOLENCE IN HAITI

Estimates put the number of children in Haiti living in areas controlled by or under the influence of armed gangs at more than 1 million.<sup>41</sup> Dating back to 2022, child protection actors started sounding the alarm that gang violence was having a disproportionate impact on children, so much so that the UN Secretary-General added Haiti as a “situation of concern” in his 2023 report on children and armed conflict.<sup>42</sup>

The report documents six “grave violations”: recruitment and use by armed actors; killing and maiming; rape and other forms of sexual violence; abduction; attacks on schools and hospitals; and denial of humanitarian access.<sup>43</sup>

This step represented the first time the Secretary-General had called on the UN to verify abuses by criminal gangs for the annual report.<sup>44</sup> It also could lead to the unprecedented inclusion of these groups in the Secretary-General’s annual “list of shame” of parties who commit grave violations and abuses against children.<sup>45</sup> Adding Haiti to the report does not constitute a legal conclusion that there is an armed conflict in Haiti, but rather reflects the gravity of the situation. In the Secretary-General’s 2024 report, the UN said it verified in Haiti a total of 383 grave violations against 307 children, including 32 who were subjected to multiple violations.<sup>46</sup>

This Amnesty International report aims to provide space for the children’s voices, which is essential to understanding the impact of abuses and violations on their broader rights and needs as well as to help shed light on challenges facing reintegration and the way forward.

## LEGAL FRAMEWORK AND OBLIGATIONS

At the time of this report’s publication, neither the UN’s Office of the High Commissioner for Human Rights (OHCHR), nor the International Committee of the Red Cross (ICRC) have declared the fighting between the armed gangs, on the one side, and the Haitian National Police and the MSS, on the other, to be an armed conflict. As such, international human rights law, international criminal law, international labour law, and some provisions of Haitian domestic law are the legal frameworks applicable in the current context.

International law includes special protections for children. Haiti is party to various relevant human rights treaties and protocols, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), the Optional Protocol to

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<sup>37</sup> Save the Children, “One in six children in Haiti are now one step away from famine-like conditions”, 3 October 2024, <https://tinyurl.com/5v3t3sjv>

<sup>38</sup> UN Children’s Fund (UNICEF) USA, “Children in Haiti caught in cycle of violence”, 25 October 2024, <https://tinyurl.com/bdzmysaw>

<sup>39</sup> Interviews in person, 18-26 September 2024, Port-au-Prince.

<sup>40</sup> UNICEF, “Haiti Humanitarian Situation Report No. 9: October 2024”, 29 November 2024, <https://tinyurl.com/yckry79y>

<sup>41</sup> Save the Children, “More than one million children trapped as gang violence rages in Haiti”, 14 March 2024, <https://tinyurl.com/2kct3457>. UNICEF estimated in 2023 that over 500,000 children are in gang-controlled territories. UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 September 2023 (previously cited), para 49.

<sup>42</sup> UN Secretary-General (UNSG), *Children and Armed Conflict*, 5 June 2023, UN Doc. A/77/895-S/2023/363, para. 349. See also Watchlist on Children and Armed Conflict (Watchlist), “A Credible List”: *Recommendations for the Secretary-General’s 2024 Annual Report on Children and Armed Conflict*, April 2024, <https://tinyurl.com/yhs267vb>. In 1999, the UN Security Council issued its first resolution on children and armed conflict, expressing concern about grave violations committed against children and calling for the Secretary-General to present a report the following year, putting the issue within the council’s peace and security agenda. UNSC, Resolution 1261 (1999), adopted on 25 August 1999, UN Doc. S/RES/1261. In 2005, the council created a Monitoring and Reporting Mechanism (MRM) to document and report on six grave violations, and to provide the basis for the Secretary-General to list state forces and non-state groups committing such violations, and for the UN to engage with such actors so as to secure concrete commitments through action plans. UNSC, Resolution 1612 (2005), adopted on 26 July 2005, UN Doc. S/RES/1612.

<sup>43</sup> Watchlist, “A Credible List” (previously cited).

<sup>44</sup> UNSG, *Children and armed conflict*, 3 June 2024, UN Doc. A/78/842-S/2024/384, paras 70-77.

<sup>45</sup> The annual “list of shame” comprises state forces and non-state groups listed in the annexes of the Secretary-General’s report on children and armed conflict.

<sup>46</sup> UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), paras 70-77.

the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and the International Labour Organization (ILO) Convention 182 on the Worst Forms of Child Labour.<sup>47</sup>

Haiti has signed but not yet ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC),<sup>48</sup> which includes safeguards that are not restricted to periods of armed conflict.<sup>49</sup> It is also not a party to the Rome Statute of the International Criminal Court.<sup>50</sup>

Haiti is party to a number of regional human rights treaties, including the American Convention on Human Rights,<sup>51</sup> the Inter-American Convention on the Elimination of all forms of Discrimination against Persons with Disabilities,<sup>52</sup> and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará).<sup>53</sup>

The Constitution of the Republic of Haiti states: “Once international treaties or agreements are approved and ratified in the manner stipulated by the Constitution, they become part of the legislation of the country and abrogate any laws in conflict with them.”<sup>54</sup>

The government of Haiti is required to respect, protect and fulfil the rights outlined in these treaties. With support from international partners, it should take concrete measures as a matter of urgency to protect children against ongoing and reasonably foreseeable threats posed by the gangs. The abuses committed by the gangs and outlined in this report violate Haitian laws. Additionally, there are international rules and standards that impose direct restrictions on the conduct of armed gangs, including the Convention on the Worst Forms of Child Labour and the Palermo Protocol on trafficking in persons.<sup>55</sup>



According to the UN, Haiti is experiencing one of the worst hunger crises in the world, with 5.4 million people facing acute hunger. Many children are at risk of acute malnutrition and even hunger-related death. © Amnesty International

<sup>47</sup> UN Human Rights Treaty Bodies, UN Treaty Body Database: Ratification Status for Haiti, <https://tinyurl.com/3u4p95ve> (accessed on 20 December 2024); UN Treaty Collection, “Depositary”, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, <https://tinyurl.com/4by766d2> (accessed on 20 December 2024); International Labour Organization, Ratifications for Haiti, <https://tinyurl.com/5ycatwvu> (accessed on 20 December 2024).

<sup>48</sup> UN Human Rights Treaty Bodies, Ratification Status for Haiti (previously cited).

<sup>49</sup> The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC) specifically prohibits the recruitment and use of children “by armed groups that are distinct from the armed forces of a state”. It is largely understood that “armed groups distinct from the state” is a reference not just to groups that would meet the definition of an armed group in conflict, but rather a reference to a more general prohibition, including outside of armed conflict. The framework on its applicability in contexts that are not an armed conflict is still under discussion. See Chapter 2 “Recruitment and use of children” for more legal analysis on the issue.

<sup>50</sup> UN Treaty Collection, “Depositary”, Rome Statute of the International Criminal Court, <https://tinyurl.com/5a2wzv3> (accessed on 20 December 2024)

<sup>51</sup> UN Treaty Collection, <https://tinyurl.com/mryz2a4m> (accessed on 20 December 2024).

<sup>52</sup> Organization of American States (OAS), Signatories and Ratifications: Inter-American Convention on the Elimination of all forms of Discrimination against Persons with Disabilities, <https://tinyurl.com/zhpwsfrn> (accessed on 20 December 2024).

<sup>53</sup> OAS, Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women “Convention of Belém do Pará”, <https://tinyurl.com/2wdnwm69> (accessed on 20 December 2024).

<sup>54</sup> Haiti, Constitution, 1987, Article 276.2 as amended on 9 June 2021 (an unofficial English translation is available at <https://tinyurl.com/4by3k4u4>).

<sup>55</sup> More legal analysis is detailed below in each chapter per the abuses and violations analysed in that chapter.

# 2. RECRUITMENT AND USE OF CHILDREN

Amnesty International documented the cases of 14 children – 11 boys and three girls – who were recruited and used by armed gangs.<sup>56</sup> The gangs involved include the following: Delmas 6, Baz Pilate, Ti Bwa, Baz Belè, Grand Ravine, 103 Zombie, 5 Segon and Kraze Baryè. The children were aged 12-17 at the time of the interviews, their testimonies highlight the extent of desperation experienced in gang-held territories. The widespread practice of recruitment and use of children by gangs in Haiti is prohibited under international and domestic law; among many other abuses it renders these children victims of trafficking in persons.<sup>57</sup>

Children spoke of how they were compelled to carry out a variety of tasks, including gathering information, running deliveries, and doing domestic chores, construction work and vehicle repairs. All of them spoke of not having a choice to work for the groups, considering their crushing economic reality and threats by gang members. The UN and other entities have similarly documented Haitian gangs' exploitation of children, in acts ranging from minor offences to violent crimes.<sup>58</sup> While acknowledging that numbers are hard to verify, the UN estimates that 30-50% of gang members are children.<sup>59</sup> Government officials interviewed by Amnesty International said there is no official data on how many children are gang members.<sup>60</sup>

Amnesty International's Digital Verification Corps (DVC) analysed 29 videos and one image related to the association of children with gangs as well as the impact of the violence on children more broadly.<sup>61</sup> The content included videos and a photograph from 2023 and 2024 that showed children carrying weapons and accompanying older gang members, gang leaders' interactions with children in neighbourhoods under gang control, as well as videos showing so-called "confessions" of children with alleged association to gangs.

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<sup>56</sup> In three cases, the use of the children by the gangs ended in 2023. Amnesty International withheld identifying details in detailing the children's testimonies below for their safety and privacy.

<sup>57</sup> See text box on pages 22 and 23.

<sup>58</sup> The UN verified the involvement of several gangs in the recruitment and use of children in 2023, including: Brooklyn, Grand Ravine, 5 Segon, Team Ascenseur, Bas Grand Grif de Savien, 400 Mawozo, Force Résistance Chandelle and Belekou. A total of 23 cases (17 boys and 6 girls) were verified. UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 71. The UN Panel of Experts on Haiti reported that Brooklyn, Grand Ravine, 5 Segon, Gran Grif, 400 Mawozo, Belekou, Ti Bwa and 103 Zombie were among the gangs most active in recruiting children and that Kraze Baryè has around 40 child members. Panel of Experts on Haiti, *Final report of the Panel of Experts on Haiti submitted pursuant to resolution 2700 (2023)*, 30 September 2024, UN Doc. S/2024/704, paras 127-135; Panel of Experts on Haiti, *Interim report of the Panel of Experts on Haiti submitted pursuant to resolution 2700 (2023)*, 29 March 2024, UN Doc. S/2024/253, paras 60-61. See also UN High Commissioner for Human Rights, *Situation of Human Rights in Haiti*, 26 September 2024 (previously cited), para 15; United Nations Integrated Office in Haiti (BINUH), *Quarterly report on the human rights situation in Haiti (July-September 2024)*, 30 October 2024, p. 9; BINUH, *Quarterly report on the human rights situation in Haiti (April-June 2024)*, 30 July 2024, <https://rb.gy/Omlbs5>, p. 8; UNSG, Report, 27 June 2024 (previously cited), paras 33 and 39; UN High Commissioner for Human Rights, Report: *Situation of Human Rights in Haiti*, 25 March 2024, UN Doc. A/HRC/55/76, paras 14, 49, 51; Human Rights Watch, "Haiti: Criminal violence, hunger trapping children", 9 October 2024, <https://rb.gy/a2iap5>

<sup>59</sup> UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 September 2023 (previously cited), para 49. In November 2024, UNICEF reported that the number of children recruited by gangs spiked by 70% compared to 2023. UNICEF, "Number of children in Haiti recruited by armed groups soars by 70 per cent in one year", 24 November 2024, <https://tinyurl.com/5fepymfe>

<sup>60</sup> Interviews in person with officials from the child protection agency Institut du Bien Être Social et de Recherches (IBESR) or Institute for Social Welfare and Research, 17 and 21 September 2024, Port-au-Prince; Interview in person with official from the Haitian National Police's Brigade for the Protection of Minors (BPM), 26 September 2024, Port-au-Prince.

<sup>61</sup> Amnesty International withheld the links of videos where the identity of children and others is discernable, for privacy and security considerations.

## DIFFERENT ROLES, SIMILAR REALITY

Boys and girls described to Amnesty International the different tasks for which gang members had exploited them. Some had more sustained roles than others; some were paid varying amounts while others were told to “keep the change”.

A 16-year-old boy from an area controlled by Grand Ravine in southern Port-au-Prince described how he is tapped to buy food and drinks for gang members. He said: “When they see me, they ask me to buy something for them. Things to drink, food... If they give me some money it is 500 gourdes [USD 3.80] or 1,000 gourdes [USD 7.60]... The other day, I was playing football, [the gang member] saw me and asked me to buy him some minutes [for his mobile].”<sup>62</sup>

The boy detailed how his parents who used to be street vendors can no longer do that because “now everyone is too scared” to be on the street, and how that has often left the family of five hungry. “Sometimes there is no food, and you don’t eat. We can go two days a week without eating.” Meanwhile, a friend who is a gang member has tried to recruit him into carrying a gun, but he refused:

**He sees the situation we live in and tells me he makes a lot of money, and that I could make a lot of money too. My family does not have enough, and I can make more money... It’s very difficult when you live in a neighbourhood [like mine]. You just have to deal with it. It doesn’t feel right or good. They are always shooting. You can’t say or do anything... [The gangs] are in control. And there is nothing you can do about it.**<sup>63</sup>

Another 16-year-old boy who lives in a southern neighbourhood said:

**The guys from the gang ask me to buy things for them. They send me to buy water and cigarettes and marijuana. The last time was a few days ago. It’s common to ask young kids like me to do errands for them... They are members of Chrisla’s gang, [Ti Bwa]. After I [run] errands, the change left... I keep it for myself... It could be three times a week that they ask me [to do this]... If my mom had enough to give me, to take good care of me, I would not be in a situation where I have to do favours for guys with guns... Sometimes I’m really hungry. It’s the only way out. Sometimes I can make 1,000 gourdes [USD 7.60] a week.**<sup>64</sup>

He added that he was 13 when he was first approached by gang members for this purpose. When he lived in another neighbourhood, the same gang used to ask him to collect information on the whereabouts of certain individuals.<sup>65</sup> Several boys described to Amnesty International carrying out this role, locally known as being an “antenna”. Sometimes the purpose is to bring back details on the locations and equipment of police forces and rival gangs,<sup>66</sup> other times it is to enable abductions and other criminal actions such as heists.<sup>67</sup>

“The first time I did this [spying] for them, I was scared. The [other gang] could take you and burn your body. I always pray and say, ‘Jesus, take me out of this place,’” said a 17-year-old boy from another southern neighbourhood who was used by two rival gangs, 5 Segon and Baz Pilate, at different points.<sup>68</sup> “They give you money and tell you to do this. And you have to do it. The first time they came [and asked me], I was playing football around the house. The gang was trying to control the area,” he said, adding that he can make up to 5,000 gourdes (USD 38).<sup>69</sup>

Amnesty International also interviewed a boy who was given a gun by the gang Kraze Baryè. The pre-teen said he made 5,000 gourdes (USD 38) a month.<sup>70</sup> He explained:

**My friend was part of a [gang] already and offered me to be a part of the group. What I did, I didn’t do with all my heart. I didn’t understand what I was doing. I held a gun, not to hurt, but to provide for myself. At the base [of the gang] you are given a 9mm to look for food. Two of us would go out... We**

<sup>62</sup> Interview in person, 20 September 2024, Port-au-Prince. Calculation based on an exchange rate of 1 US dollar to 131.58 Haitian gourdes on 22 October 2024, XE currency converter.

<sup>63</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>64</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>65</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>66</sup> Interviews in person, 19-25 September 2024, Port-au-Prince.

<sup>67</sup> See, for example, UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), para. 14.

<sup>68</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>69</sup> Interview in person, 19 September 2024, Port-au-Prince. The frequency of the payment was not made clear.

<sup>70</sup> Interview in person, 25 September 2024, Port-au-Prince.



**would stick up people and take what they have and bring it back to base. If [those people] had money I would keep it separately for us.<sup>71</sup>**

He described how one day, in late 2023, he was left with an automatic weapon to guard a group of kidnapped women kept in one of the gang's camps.<sup>72</sup> He said he heard community members were coming for the gang members and feared for his life, so he escaped with the women, setting them free.<sup>73</sup>

Amnesty International interviewed three girls who were used by various gangs to do chores, such as cooking and cleaning, as well as doing deliveries.<sup>74</sup> Gang members "ask me to buy things for their girlfriends and to clean the house for them... they give me just 250 gourdes [around USD 2] to eat", said a 17-year-old girl who lives in an area controlled by the gang Ti Bwa.<sup>75</sup> A 17-year-old girl who lives in an area controlled by 5 Segon said: "I have cooked so many times for them... sometimes for a group of between 10 and 15 people... the last time I did that was last month... They send me the money; I make the meal and call them to come pick it up."<sup>76</sup>



*Gangs exploit children in various tasks such as collecting information. With thousands of people displaced by the violence, many children are at risk of recruitment and use by the gangs. © Amnesty International*

A 16-year-old girl said she was courted by a member of the gang 103 Zombie to move with him to the commune of Gressier.<sup>77</sup> It happened in mid-2024, after the gang had invaded that area.<sup>78</sup> She said:

**One day I was passing by and we met... he told me he was in love with me... He told me to go to Gressier with him right away and I said 'Not yet'... He asked me again and again and after 15 days I decided to go with him... When we arrived in Gressier together... He told me to cook for them. I cooked for the group... 58 people in total... There was [several] of us girls [cooking]... We used to cook for them, go out to buy things for them. We washed dishes for them. [We] washed their t-shirts and pants.<sup>79</sup>**

After two months, she said, she could no longer take being surrounded by constant gunfire. She told her then-boyfriend that she would go visit her mother and never went back.<sup>80</sup> "It's not a good life [with the gangs]."<sup>81</sup>

Amnesty International analysed and verified 23 videos and one image that showed children interacting with gang members, carrying weapons and, at times, walking behind gang leaders as part of their entourage or present during acts of violence. In a documentary posted on YouTube on 11 October 2024, made by a filmmaker who spent time with the gangs, several children are seen carrying weapons on the streets and at a gang's base.<sup>82</sup> In one part, a boy with a machine gun is identified as being 14 years old, although the filmmaker says he believes the boy is younger than that;<sup>83</sup> in another part, another armed boy is identified as being 15.<sup>84</sup> At one point, the filmmaker asked a gang leader at what age can a person fight in the group; the

<sup>71</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>72</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>73</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>74</sup> Girls are also exploited for sexual purposes. See Chapter 3 "Rape and other sexual violence". With the exception of one girl who was exploited both for cooking and for sexual purposes, girls who have been subjected to repeated use by gang members for sexual purposes are not listed in the count of children mentioned at the top of this chapter on recruitment and use.

<sup>75</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>76</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>77</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>78</sup> For more on the attack by 103 Zombie on Gressier, see, for example, Haitian Times, "Over 25 killed and many kidnapped by gangs in Gressier, Haiti", 2 July 2024, <https://tinyurl.com/yszih9s4>

<sup>79</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>80</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>81</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>82</sup> Charles Villa, "I met the gangs of Port-au-Prince, capital of Haiti", 11 October 2024, <https://tinyurl.com/3xkktm9e>

<sup>83</sup> Charles Villa, "I met the gangs of Port-au-Prince" (previously cited), minute 20:53.

<sup>84</sup> Charles Villa, "I met the gangs of Port-au-Prince" (previously cited), minute 22:15.



latter responded: “I think there is no age to fight. You just have to know what you’re doing. Age doesn’t mean anything in battle.”<sup>85</sup>

In a video posted on X on 20 October 2024, said to be showing gang members during an ongoing attack on the neighbourhood of Solino at that time, at least two children are seen marching with armed gang members chanting “If you’re not Viv Ansanm, we will burn you to ashes.”<sup>86</sup> Satellite imagery analysis shows significant damage and destruction in the area and smoke billowing in December 2024.<sup>87</sup> In a video originally posted on TikTok and shared on X in March 2024, at least one older boy or possibly a young man is seen among a crowd of gangs that stormed the port at that time; members are seen climbing containers and apparently taking out packages.<sup>88</sup> In another video verified by Amnesty International, children are seen around gang members as they attacked police installations and vehicles.<sup>89</sup>

## THREATS AND PUNISHMENT

In addition to hunger and immense need, children said they were compelled to do various tasks for gangs out of sheer fear even as gangs, at times, thrust weapons into their hands. Many said they were directly threatened with reprisals against themselves and their family members if they refused.

A 12-year-old boy who used to live on the street told Amnesty International he was forced by members of Grand Ravine to be an “antenna”. “If I didn’t do it, they would have killed me,” he said.<sup>90</sup> The 17-year-old boy who worked for both 5 Segon and Baz Pilate said: “They told [me], ‘Let us know if you see a [rival] gang. Then come to [us to] get some money. If you don’t, you will be killed.’ I accepted what they said. I didn’t want to die.”<sup>91</sup> At one point, 5 Segon members tried to force him to fight with them and handed him an automatic rifle, threatening to kill him or someone in his family when he refused. He was spared through the intervention of a senior gang member, although they continued to taunt him, including by placing a gun outside his house at nighttime.<sup>92</sup>

The 17-year-old girl who lives in an area controlled by the gang Ti Bwa and who runs errands and does chores for gang members, said: “Sometimes I say, ‘I don’t want to do it,’ they yell at me and say, ‘When the chief asks you to do something, you have to do it’... You can’t tell them no.”<sup>93</sup> An older boy who repairs motorcycles for gang members said: “I’m afraid of them sometimes. They carry guns. Sometimes I can’t find a part, and if I can’t find a part and I’m unable to repair the motorcycle, they yell at me.”<sup>94</sup>

In some cases, children said they were punished if they refused to do what gangs asked of them. An older boy who is used for surveillance by Delmas 6 gang said: “They sent me to bring a girl for them and I didn’t want to do it, and they slapped me.”<sup>95</sup> A 15-year-old boy who lives on the street and is used by Ti Bwa gang

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<sup>85</sup> Charles Villa, “I met the gangs of Port-au-Prince” (previously cited), minute 23:40. Amnesty International analysed and verified several other videos that showed children in the company of gang leaders, including Jimmy “Barbecue” Chérizier. The videos appeared to show various contexts for these interactions, including gang leaders giving children items such as food packages and envelopes of cash or addressing children among community members, trying to appeal to the population under claims that they are there to support communities against the political class.

<sup>86</sup> Michael Deibert, X post: “The allied gangs of Viv Ansanm are assaulting the community of #Solino as we speak. Many actors in #Haiti’s government appear to be preoccupied with playing politics and much of the international community, lacking a sense of urgency, has abandoned the country to its fate.”, 20 October 2024, (link withheld). Gangs fought with police and launched a sustained attack on Solino in September 2024, which lasted for several months. See, for example, AP, “Gang coalition in Haiti spreads violence to Port-au-Prince neighborhood, setting fire to homes”, 26 October 2024, <https://tinyurl.com/5avsuywt>

<sup>87</sup> See page 45.

<sup>88</sup> Amerique.info7, X post: “Gang ki kontwole plis pase 80% nan kapital la antrè nan pò kay Baussan (CPS) yon lòt fwa jodia samdi 16 mas, anpil gagòt, yo demantibile anpil konnenè e yo pote ale anpil machandiz” [“The gang that controls more than 80% of the capital entered the port of Baussan (CPS) once again today, Saturday, March 16, with a lot of noise, they dismantled many containers and took away many goods.”], 16 March 2024, (link withheld, in Haitian Creole).

<sup>89</sup> Radio Independante fm, X post: “Gang 103 Timoun Bougòy nan gresye boule fenk boule yon blennde lapolis. 2 polisye pran bal youn nan do e lòt la nan kwis men yo pa grav” [“103 Gang children of Bougòy in Gressier just burned a police vehicle. Two policemen shot, one in the back and the other in the thigh but they are not seriously [injured]”, 27 May 2024, (link withheld, in Haitian Creole). As mentioned above, the gang 103 Zombie had launched a wave of attacks on the commune of Gressier starting in mid-2024, killing and injuring residents and pushing many out. See, for example, Le Nouvelliste, « Un blindé de la PNH incendié, un policier blessé à Gressier » [“Police Armored Vehicle Set on Fire, Officer Injured in Gressier”], 27 May 2024, <https://tinyurl.com/vnwxdsk> (in French); Haitian Times, “Over 25 killed and many kidnapped by gangs in Gressier, Haiti” (previously cited).

<sup>90</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>91</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>92</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>93</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>94</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>95</sup> Interview in person, 24 September 2024, Port-au-Prince.

members to buy food and water said he was punched in his arm for refusing to buy food one time.<sup>96</sup> “They also said if you don’t want to hold guns, you have got to get out [of the neighbourhood].”<sup>97</sup>

A teenage boy who buys different things, including food and marijuana, for the Baz Belè gang said he was hit and assaulted – to the point of being injured – numerous times by gang members for a variety of reasons. It happened, for example, when he turned down tasks, asked for money, and even once for peeking when gang members were watching a movie.<sup>98</sup> He explained:

**Almost every day they offer me guns... If I ask for something they say, ‘The same way I got it, you can get it too’... I don’t want to be a part of that. In my area, there is nothing they are not capable of doing... [when I refuse] they sometimes curse me out and say, ‘You want our money, but you won’t do the job’... One day they sent me to get something. I said my birthday is coming, you need to buy me a pair of sneakers... [The gang member] hit me and said, ‘Do you ever go out and bring me money from the street?’<sup>99</sup>**

International and domestic laws protect children from recruitment and use by Haiti’s armed gangs. The Worst Forms of Child Labour Convention prohibits the use of children in forced labour or in unlawful activities and requires state parties to assist victims of these violations with rehabilitation, social integration, and access to education.<sup>100</sup> Haiti’s domestic law similarly forbids the recruitment of children for use in criminal activities.<sup>101</sup>

In addition, international and domestic anti-trafficking legislation prohibits the recruitment and use of children for exploitation.<sup>102</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons (Palermo Protocol) requires states to prevent these acts and to protect victims of such violations.<sup>103</sup> Haitian anti-trafficking legislation elaborates various measures the government must take to protect and assist trafficking victims.<sup>104</sup>

The American Convention on Human Rights requires states to provide children special protections which, according to the Inter-American Commission on Human Rights (IACHR), includes eradicating the recruitment of children carrying out illicit activities by armed gangs.<sup>105</sup> The IACHR maintains that ending this type of recruitment “includes a mandate not only to the States for the eradication of this type of child labour, but also entails compelling non-state actors to refrain from engaging in such recruitment”.<sup>106</sup>

Finally, the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict (OPAC), prohibits the recruitment or use of children below the age of 18 in hostilities by armed groups that are distinct from the armed forces of a state.<sup>107</sup> Although Haiti has only signed the OPAC, the optional protocol has been ratified by 173 states and that provision, prohibiting the

<sup>96</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>97</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>98</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>99</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>100</sup> International Labour Organization (ILO) Convention 182 (Worst Forms of Child Labour), Articles 3(a), 3(c), 6, 7(2).

<sup>101</sup> Haiti, Law relating to the prohibition and elimination of all forms of abuse, violence, ill-treatment or inhuman treatment against children, 5 June 2003, <https://tinyurl.com/343tjbxq> (in French), Article 2(c).

<sup>102</sup> The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) states in Article 3(a) that trafficking in persons: “shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation”. Palermo Protocol adopted 15 November 2000, by General Assembly resolution 55/25, Article 3(a). It further provides, “The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered trafficking in persons even if this does not involve any of the means set forth in subparagraph (a).” Palermo Protocol, Article 3(c). According to the Office of the Special Representative of the Secretary-General for Children and Armed Conflict (OSRSG CAAC), under this definition, any act aimed at having a child linked to a group or hostilities is child trafficking. OSRSG CAAC, *Child Trafficking and Armed Conflict*, October 2024, <https://tinyurl.com/34rjpx9j>, p. 14. The definition applies during situations of peace and armed conflict and is used for both internal and cross-border child trafficking. OSRSG CAAC, *Child Trafficking and Armed Conflict (previously cited)*, p. 10. Haiti’s anti-trafficking law provides a similar definition of trafficking and states that children recruited for the purposes of exploitation do not require the “means” element. Haiti, Anti-trafficking Law, 2 June 2014, <https://tinyurl.com/452jcx2> (in French), Article 1.1.1 (English translation available at <https://tinyurl.com/5fujapmc>). Individuals found guilty of trafficking face seven to 15 years imprisonment and a fine of 200,000 gourdes (USD 1,520) to 1,500,000 gourdes (USD 11,400). Anti-trafficking Law (previously cited), Article 11.

<sup>103</sup> Palermo Protocol, Articles 6, 7, 8 9; OSRSG CAAC, *Child Trafficking and Armed Conflict (previously cited)*, pp. 14-15.

<sup>104</sup> Haiti, Antitrafficking Law (previously cited), Chapter II.

<sup>105</sup> American Convention on Human Rights (ACHR), Article 19; IACHR and OAS, *Organized Crime and the Rights of Children, Adolescents and Young People: Current Challenges and State Actions*, 16 February 2023, <https://tinyurl.com/8k8ubuzm>, para. 155.

<sup>106</sup> IACHR and OAS, *Organized Crime and the Rights of Children (previously cited)*, para. 154.

<sup>107</sup> OPAC, Article 4(1). See also Article 4(2).

recruitment or use of children below the age of 18, may be considered as reflecting customary international law.<sup>108</sup>

The safeguards outlined in the OPAC are not restricted to periods of armed conflict,<sup>109</sup> however, “a common analytical framework that encompasses the different contexts” is yet to be developed.<sup>110</sup> The OPAC could be a useful tool in further preventing the recruitment of children into armed gangs and protecting those that are already involved.

Several factors support the possible application of the OPAC to armed gangs in Haiti. The UN Secretary-General and ICRC have already observed that the levels of insecurity and humanitarian needs are comparable to those in situations of armed conflict.<sup>111</sup> In addition, the methods of recruitment, use, exploitation and abuse by the gangs are comparable to those employed by some non-state actors in the context of armed conflict. It is worth noting that the situation in Port-au-Prince has the potential to develop into an armed conflict.

## PRESUMED GUILTY

Irrespective of the tasks for which children are used by the gangs, any mere association with the groups exposes them to risk. Children described immense fear of the police and community members. They also spoke of being stigmatized and shamed by virtue of belonging to neighbourhoods under gang control.

The older boy used as an “antenna” by Delmas 6 said: “The work I do for them, I could be killed for it. I could disappear and my family wouldn’t know my whereabouts... If they send me to do antenna work around the police station, do you think if the police caught me, they would let me stay alive? They will kill me... For example, if you belong to my area, [withheld], and the police catches you with an ID card showing that, they are going to kill you.”<sup>112</sup>

Several interviewees repeated that concern about being stopped by the police for identification checks and how affiliation to certain areas could lead to being unlawfully killed.<sup>113</sup> Furthermore, teenage boys are particularly at risk, as the age for obtaining an identification card is 18 and they may appear older to policemen who do not always believe they are younger, interviewees said.<sup>114</sup> One of the teenage boys mentioned above who runs errands for gang members said the police sometimes set up mobile checkpoints using an armoured vehicle. “If you [are] from Bel Air, Saint Martin, lower Delmas and run into the truck with the police, you could be shot right there... [When] we’ve seen [the armoured vehicle], we turn around to find another road... Sometimes people are picked up and released. But others are picked up and never show up [after that]. The neighbourhood knows. This is all over the radio,” he said.<sup>115</sup>

In late 2024, the UN’s reporting on the number of people killed and injured in the year’s third quarter stated that of the 1,223 killings registered between July and September, police carried out at least 96 extrajudicial executions, including of six children who were accused of being “antennas”.<sup>116</sup>

Amnesty International documented the case of an older boy who was arbitrarily arrested and detained in March 2024 after a police station in Delmas was attacked by gang members. “The police came into my neighbourhood and arrested every young man that was in my area. They arrested me when I was asleep. They took me to a police station then they put me in jail,” he said.<sup>117</sup> He was ultimately sent to court and had

<sup>108</sup> Office of the High Commissioner for Human Rights (OHCHR), “Status of Ratification Interactive Dashboard”, Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, <https://indicators.ohchr.org/> (accessed 20 December 2024).

<sup>109</sup> Coalition to Stop the Use of Child Soldiers and UNICEF, *Guide to the Optional Protocol on the Involvement of Children in Armed Conflict*, December 2003, <https://tinyurl.com/mr2vcmx>, p. 17 (“article 4(1) does not require armed groups to be actively engaged in an armed conflict before its provisions apply. Recruitment of children under 18 prior to the outbreak of hostilities is also prohibited”); Child Rights Connect, Reporting on the OPSC and OPAC, *A Guide for Non-governmental Organizations*, <https://tinyurl.com/4rwar5j4>, p. 5 (“The OPAC is applicable irrespective of whether or not a State party is currently or has recently experienced armed conflict”).

<sup>110</sup> UNICEF, *Children’s Involvement in Organized Violence: Emerging trends and knowledge gaps*, September 2024, <https://tinyurl.com/56n9pvu5>, pp. 5, 26.

<sup>111</sup> UNSG, Report, 14 April 2023, UN Doc. S/2023/274, para. 74; International Committee of the Red Cross (ICRC), “Haiti: Severe levels of insecurity must not be an obstacle to much needed humanitarian aid”, 8 February 2023, <https://tinyurl.com/mr4tcswp>

<sup>112</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>113</sup> Interviews in person, 19-25 September 2024, Port-au-Prince.

<sup>114</sup> For example, Amnesty International interviewed family members of a slain 15-year-old boy who said they believed police shot the boy because he had failed to produce an identification card when asked and he looked significantly older than his age. Amnesty International was not able to verify the family’s account.

<sup>115</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>116</sup> AP, “Haiti sees a rise in killings and police executions with children targeted, UN says”, 30 October 2024, <https://tinyurl.com/9uwcups5>

<sup>117</sup> Interview in person, 24 September 2024, Port-au-Prince.

to pay a lawyer close to USD 760, a small fortune the community fundraised to collect.<sup>118</sup> He was released without any charges after spending a total of eight days in custody, including in an overcrowded facility where he was held with adults and had to pay USD 8 to be given space to sleep.<sup>119</sup> “I should never have been in this situation.”<sup>120</sup>

Victims of trafficking are protected by the non-punishment principle, which prohibits children from being detained, charged or prosecuted for activities that are a “direct result” of being trafficked.<sup>121</sup> The Inter-American Commission on Human Rights has also called for the treatment of children recruited by gangs as victims first and foremost.<sup>122</sup>

Several children said they tried hard to conceal that they do any activities for gangs out of fear of retaliation from community members who have long suffered at the hands of the gangs.<sup>123</sup> “If someone points a finger at me, life could be taken from me,” said the boy who runs errands for Baz Belè. Frustrated at the state’s inability to curtail the steadily expanding violence by the gangs, in recent years some community members decided to take matters into their own hands, reviving a tradition of “self-defence groups” in what has become known as the *Bwa Kale* movement.<sup>124</sup> These groups have been implicated in horrific lynchings, some of which end up being filmed and widely circulated on social media as a cautionary tale.<sup>125</sup>

Amnesty International analysed six videos showing children and young men perceived to be associated with gangs after they were apparently captured by community members. Visibly shaken children are seen being questioned in three videos; and three videos appear to show *Bwa Kale* attacks, including two videos in which the captured person appeared to have been burned to death.<sup>126</sup> For example, a video posted on Facebook on 19 October 2024 appeared to show an “interrogation” of two boys who were accused of being “antennas” for a gang operating in the suburb of Canaan, led by a man known as “Jeff”.<sup>127</sup>

Children told Amnesty International they feared that their identities would be exposed on social media, as that has been a growing trend employed among communities to tell on suspected gang collaborators. The 17-year-old girl who does chores and deliveries for Ti Bwa said:

**They target people [whose identities have been posted] on social media... You don't even know who posted your photo... It would be just up there... People who want others to know that you are doing bad things, they publish the photos on social media... It happens often... there are many photos of people [said to be associated with gangs] on social media... They take pictures of anybody, because they don't think anyone living in the area is innocent.<sup>128</sup>**

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<sup>118</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>119</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>120</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>121</sup> UN Committee on the Elimination of Discrimination against Women (CEDAW), General recommendation 38 (2020): Trafficking in women and girls in the context of global migration, 20 November 2020, UN Doc. CEDAW/C/GC/38, para. 98. The CEDAW Committee requires duty bearers to ensure that “all women and girls who are victims of trafficking, without exception, are not subject to arrest, charge, detention, prosecution or penalty or are otherwise punished for... their involvement in unlawful activities to the extent that such involvement is a direct consequence of their situation as victims of trafficking”. See also OHCHR, *Recommended Principles and Guidelines on Human Rights and Human Trafficking*, 20 May 2002, <https://tinyurl.com/2sp3evtd>; UN Special Rapporteur on trafficking in persons, especially women and children, *Report on the Implementation of the Non-Punishment Principle*, 17 May 2021, UN Doc. A/HRC/47/34, para. 18.

<sup>122</sup> IACHR and OAS, *Violence, Children and Organized Crime*, 11 November 2015, <https://tinyurl.com/mrxax7cz>, paras 15, 61, 473; IACHR and OAS, *Organized Crime and the Rights of Children* (previously cited), p. 59. In situations of armed conflict, other international guidance also calls for states to treat children associated with armed groups and forces as victims first and foremost and to not prosecute or punish children solely for their membership in an armed group. Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (Paris Principles), February 2007, <https://tinyurl.com/y2uh2wyy>, paras. 3.6, 8.7. For information on Haiti’s endorsement of the Paris Principles see, ICRC, “Paris Principles Signatories”, 30 September 2011, <https://tinyurl.com/bdshshufc>. Under the same policy rationale, children associated with armed gangs in Haiti, who are subjected to similar exploitation and abuse, should be treated primarily as victims.

<sup>123</sup> This was also reflected in the testimonies of some of the girls who had sexual relations with gang members – whether voluntarily or not – and who said they feared being “outed” as “girlfriends” as that could also expose them to *Bwa Kale* attacks. More on that in Chapter 3.

<sup>124</sup> See, for example, BINUH, *Quarterly report July-September 2024*, October 2024, p. 8; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 26 September 2024 (previously cited), para. 13; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), paras 14-15; Human Rights Watch, *Living a Nightmare: Haiti needs an urgent rights-based response to escalating crisis*, 14 August 2023, <https://tinyurl.com/4kwbx8av>; pp. 22-25; ICG, “Haitians turn to mob justice as the gang threat festers”, 3 July 2023, <https://tinyurl.com/mr3vutiz>; Centre d’analyse et de recherche en droits de l’homme [Centre for Analysis and Research in Human Rights or CARDH], *Impacts du « Bwa Kale » sur l’insécurité et le kidnapping en Haïti [Impact of the “Bwa Kale” movement over insecurity and kidnapping in Haiti]*, 26 May 2023, <https://tinyurl.com/3essnr68> (in French).

<sup>125</sup> See, for example, UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), para 15; Human Rights Watch, *Living a Nightmare* (previously cited). In November 2024, after gangs once again escalated attacks on the capital, *Bwa Kale* attacks soared, with residents joining the police in killing gang members. See, for example, Reuters, “More than two dozen killed after attempted attack on Haiti suburb”, 19 November 2024, <https://tinyurl.com/5f45snuu>; France 24, “Doctors Without Borders halts operations in Haiti’s capital amid threats from police”, 19 November 2024, <https://tinyurl.com/bdH9yZwk>; Miami Herald, “More than 100 suspected gang members have been killed as vigilantism grows in Haiti”, 25 November 2024, <https://tinyurl.com/esw93rxe>.

<sup>126</sup> The age of the *Bwa Kale* victims could not be discerned from the videos.

<sup>127</sup> Haiti TV Infos, Facebook post on 19 October 2024, (link withheld).

<sup>128</sup> Interview in person, 23 September 2024, Port-au-Prince.

Amnesty International has documented the cases of five boys who were taken into custody by authorities as a result of being reported by community members. Three of them acknowledged having carried out activities for gangs.<sup>129</sup> Of the remaining two who maintained they had no association with gangs, one was taken into custody as a means of protecting him after he was rounded up by community members who proceeded to coerce a “confession” out of him that he was a lookout, according to officials.<sup>130</sup>

The 12-year-old who told Amnesty International that he was forced by members of Grand Ravine to be an “antenna” said he had lost direction on the way to collect information for the gang one day.<sup>131</sup> “The population saw me and started beating me... they said I was doing antenna [work] for gang members... there were so many people [who were beating me]... I was bleeding,” he added, explaining that he was taken to a police station afterwards.<sup>132</sup>

Many of the interviewed children said they felt ostracized within their own communities. They described feeling trapped, unable to go out to other neighbourhoods out of concern for their safety and unable to leave altogether because they don’t have enough money. The 16-year-old who said he buys food and water for Grand Ravine members said, “Some people in the community look at me wrong.”<sup>133</sup> He added: “I feel like I’m living in a prison. I want the security to be better so I can be free... I can’t go anywhere. I’m stuck in one spot. People always know where you come from... They think you are part of a gang... [Officials] said most people who live in these areas are not innocent. But some are innocent. They tell people to leave. Some can’t afford to leave, and they have to remain.”<sup>134</sup>

These testimonies and digital evidence highlight the extent of work needed to ensure effective community healing for any reintegration process to work. Any reintegration processes must not be top-down. Haitians have had little faith in successive central governments,<sup>135</sup> and so community-based processes that would be more relevant to the affected communities and gain their support should be prioritized.



*A poster at one of the central offices of the Haitian National Police’s Brigade for the Protection of Minors describes children as the “country’s hope” and warns not to commit violence against them. © Amnesty International*

<sup>129</sup> Interviews in person, 19-25 September 2024, Port-au-Prince.

<sup>130</sup> Interviews in person, 17 and 21 September 2024, Port-au-Prince.

<sup>131</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>132</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>133</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>134</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>135</sup> See, for example, Freedom House, “Freedom in the World 2024: Haiti”, <https://tinyurl.com/26jxu5pu>; Council on Foreign Relations, “Haiti’s Troubled Path to Development”, 25 June 2024, <https://tinyurl.com/ybtzv8te>

## STALLED REINTEGRATION

The CRC and its optional protocol require states to take measures to support the reintegration of all children who have been subject to any form of exploitation or abuse.<sup>136</sup> In October 2023, the Haitian government signed a protocol with the UN to create pathways for the transfer and care of children associated with armed gangs who are encountered during security operations.<sup>137</sup> The protocol enshrines many standards and principles already codified in international law, including on humane treatment, conditional release, alternatives to detention and legal assistance.<sup>138</sup>

Government officials and representatives from the UN, as well as from international and Haitian NGOs involved in child protection told Amnesty International that preparations were underway to set up a number of transit centres to receive children.<sup>139</sup> But while the framework agreement and at least one transit centre exist, a fully-fledged demobilization and reintegration process had not started yet. Interviewees described to Amnesty International several obstacles. First, significantly more resources are needed to fund the construction of transit centres in safe areas, including outside the capital, and to support a variety of key functions, including training for protection actors and security forces.

Another key barrier stalling the process, interviewees said, was the ongoing insecurity. Protection actors said it would be irresponsible to encourage children to demobilize en masse, with gangs in control of the vast majority of the metropolitan area, and the government having no leverage to engage in negotiations with them. Reintegration back into their communities of origin is not an option under the current circumstances, interviewees said, as children will remain at huge risk from both the gangs and community members. As such, prevention and protection against recruitment and use of children is additionally critical.

Meanwhile, the situation in the Centre for the Re-education of Minors in Conflict with the Law, or *Centre de Rééducation des Mineurs en Conflit avec la Loi* (CERMICOL), is deeply concerning. Amnesty International visited the facility, interviewed officials with knowledge of the situation there, including from the directorate operating CERMICOL, as well as two boys held there, and reviewed local and international human rights reports about the centre.<sup>140</sup> At the time of Amnesty International's visit in September 2024, CERMICOL was holding four times the capacity of persons it was meant to house – with 390 men, women, girls and boys, instead of 100 boys for which it was intended, said the official from the Directorate of Prison Administration (DAP).<sup>141</sup> This has affected confinement conditions, including sleeping arrangements, sanitation facilities and the quality of food.

The facility is meant to serve as a rehabilitation centre for boys who were taken in by law enforcement, providing them with education, vocational training and other support, both as their situation is reviewed by an investigative judge as well as after conviction. But in recent years, the centre has turned into “a complex penitentiary”, said the DAP official.<sup>142</sup> Gang attacks on the women's prison in Cabaret in 2022 and on a series of penitentiary facilities for men in 2024 have resulted in the transfer of the remaining adult inmate population from those facilities to CERMICOL.<sup>143</sup> The cohabitation of detainees in such a way leads to conditions – and is in itself – in contravention with the CRC,<sup>144</sup> as well as various principles and standards on

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<sup>136</sup> Convention on the Rights of the Child (CRC), Article 39; OPAC, Article 6(3).

<sup>137</sup> The protocol applies not only to Haitian law enforcement personnel, but also to members of the Kenyan-led Multinational Security Support (MSS) mission. Protocol on file with Amnesty International. See also UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 78; UN Special Representative of the Secretary-General for Children and Armed Conflict, Report, 26 July 2024, UN Doc. A/79/245, para. 23. Such handover protocols that provide for the swift transfer of children from the custody of security actors to civilian child protection authorities are part of the UN's child protection infrastructure employed in various countries around the world, predominantly in armed conflict. See, UN Security Council (UNSC) Resolution 2427 (2018), adopted on 9 July 2018, UN Doc. S/RES/2427, para. 19; Paris Principles, para. 7.21.

<sup>138</sup> The CRC calls for detention as a measure of last resort, for the shortest time, and, when a child is alleged to have committed a crime, requires treatment in line with child justice standards which include, where appropriate, pursuing alternatives to judicial proceedings and institutional care. CRC, Articles, 37(b) and 40.

<sup>139</sup> Interviews by video calls and in person, June-September 2024.

<sup>140</sup> See, for example, UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), paras 39; Réseau National de Défense des Droits Humains (RNDDH) or National Human Rights Defense Network, « Traitements cruels, inhumains et dégradants au CERMICOL: Le RNDDH tire la sonnette d'alarme » [“Cruel, inhuman and degrading treatment at CERMICOL: The RNDDH sounds the alarm”], 9 September 2024, <https://tinyurl.com/bdh4dpb7> (in French).

<sup>141</sup> Interview in person, 25 September 2024, Port-au-Prince. Amnesty International's researchers observed the overcrowding first-hand. At the time of the delegation's visit, there were 93 boys, 131 men, 157 women and nine girls held at the facility, according to officials.

<sup>142</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>143</sup> Interview in person, 25 September 2024, Port-au-Prince. See also BINUH, *Quarterly report April-June 2024* (previously cited), p. 9.

<sup>144</sup> CRC, Article 37(c).



the separation of prisoners by sex and age, among other considerations that are meant to uphold dignity and other rights.<sup>145</sup>

The DAP official said that the adult male inmates were kept in the two classrooms that were meant to provide educational services for the children, meaning school had to be halted for the boys except ninth grade students who needed to sit for state exams.<sup>146</sup> Even recreation time for the boys has been impacted, with women and girls using the yard, including for bathing and laundry purposes with no privacy.<sup>147</sup>

Amnesty International documented the detention of boys in CERMICOL who are under age 13, the minimum age of criminal responsibility in Haiti.<sup>148</sup> Under Haiti's domestic laws, children below the age of 16 should not be held in detention facilities.<sup>149</sup>

Furthermore, of the 93 boys held at the facility (many of whom are believed to be associated with gangs), none had been convicted, the DAP official said.<sup>150</sup> The Port-au-Prince Juvenile Court had not been able to operate since 2019 due to gang violence, said DAP and Justice Ministry officials.<sup>151</sup> Some court sessions were held in CERMICOL in October 2023, but the practice came to a halt since early 2024 after the intensification of gang violence and transfer of adult male inmates who now occupy the classrooms where the court sessions were held, the DAP official said.<sup>152</sup>

While the impact of resource restrictions and security complications are understandable, the length of the delay in having effective child justice functions cannot continue. The Committee on the Rights of the Child recommends that a court or other competent body makes a final decision on charges brought against a child no later than six months from the initial date of detention, or else the child should be released.<sup>153</sup>

Therefore, the Haitian government should transfer children who have been held in CERMICOL without charge or trial for over six months, including for alleged acts committed while associated with gangs, to the child protection agency the Institute for Social Welfare and Research (or *Institut du Bien Être Social et de Recherches* IBESR), or other relevant civilian child protection actors for reintegration. For children who have been held in the facility for less than six months, the authorities must consider alternative arrangements for mobile courts, so their cases can be urgently adjudicated. Per Haitian law, children between ages 13 and 16 who are found to have committed a crime should be placed in diversion programmes, which provide an alternative to serving a sentence in the formal justice system, and not in CERMICOL, which, in essence, qualifies as a de facto place of detention.<sup>154</sup>

The Haitian government should also increase the minimum age of criminal responsibility from 13 to at least 14, in line with the recommendations of the Committee on the Rights of the Child and transfer all children

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<sup>145</sup> UN Basic Principles on the Treatment of Prisoners, adopted on 14 December 1990; United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), para 29; Principles and best Practices on the Protection of Persons Deprived of Liberty in the Americas, adopted on 13 March 2008. It also goes against guarantees in the Haitian constitution, which enshrines that conditions in prisons must reflect "respect for human dignity". Haiti, Constitution, 1987 (revised 2012), Article 44-1.

<sup>146</sup> Interview in person, 25 September 2024, Port-au-Prince. UN guidance stipulates that children who are detained and who are of compulsory school age have the right to education. UN General Assembly (UNGA), Resolution 45/113: *Rules for the Protection of Juveniles Deprived of their Liberty*, adopted on 14 December 1990, UN Doc. A/RES/45/113, para. 38.

<sup>147</sup> Interview in person, 25 September 2024, Port-au-Prince. See also RNDDH, "Cruel, inhuman and degrading treatment at CERMICOL" (previously cited). UN guidance calls for children who are detained to have "the right to a suitable amount of time for daily free exercise, in the open air whenever weather permits". UNGA, Resolution 45/113 (previously cited), para. 47.

<sup>148</sup> Haiti, Penal Code, 1835, <https://tinyurl.com/mr39cs6p>, Article 50. For children between ages 11 and 13 who have committed a crime, the judge may order measures for the child's "protection, supervision, assistance, or education". Organisation Mondiale Contre la Torture (OMCT), *Rights of the Child in Haiti: Report on the implementation of the Convention on the Rights of the Child by the Republic of Haiti*, October 2002, <https://tinyurl.com/3v2k49m6>, p. 12. See also *Avocats sans Frontières Canada / Lawyers Without Borders Canada (ASFC), Les Mineurs en Conflit avec la Loi en Haïti : Guide à l'intention des praticiens du droit*, [Minors in Conflict with the Law in Haiti: Guide for Legal Practitioners], November 2015, <https://tinyurl.com/3hcy9ybp> (in French), pp. 14-16.

<sup>149</sup> Under Haiti's Penal Code, a child below the age of 16 who has committed a crime may, for example, be handed to their guardian or placed in a diversion programme like an educational facility. Haiti, Penal Code (previously cited), Article 50. In more serious cases, the child may be sentenced for a period of up to eight years in a "corrective education centre". Haiti, Penal Code (previously cited), Article 51. Under the decree of 19 September 1989, children below the age of 16 cannot be held in a detention centre. Email correspondence with Haitian human rights lawyer, 18 December 2024, on file with Amnesty International. The UN Committee on the Rights of the Child states that in child justice systems "diversion should be the preferred manner of dealing with children". Committee on the Rights of the Child, General Comment 24: Children's Rights in the Child Justice System, 18 September 2019, UN Doc. CRC/C/GC/24, para. 16. This appears to be the case, at least in theory, for children below 16 in Haiti. CERMICOL, which is under the jurisdiction of the Directorate of Prison Administration (DAP), and which is no longer able to provide adequate rehabilitative and education services, qualifies as a de facto detention facility. In December 2024, Amnesty International learned that, through joint advocacy, UNICEF and IBESR facilitated the release and reintegration of 13 boys from the facility between October and November. Interview by video call, 13 December 2024.

<sup>150</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>151</sup> Interviews in person, 23 and 25 September 2024, Port-au-Prince.

<sup>152</sup> Interview in person, 25 September 2024, Port-au-Prince. Additional structural problems such as the insufficient number of investigative judges and repeated strikes by judges further undermine the judicial process and the child justice system, according to RNDDH and UN human rights reporting.

<sup>153</sup> Committee on the Rights of the Child, General Comment 24 (previously cited) para. 90

<sup>154</sup> See Haiti, Penal Code (previously cited), Articles 50 and 51. See footnote 147 for further explanation of why CERMICOL qualifies as a de facto place of detention.

below this age to child protection actors.<sup>155</sup> In developing its response for children in CERMICOL, the government should be guided by the principle of the best interests of the child.<sup>156</sup>



Amnesty International visited the Centre for the Re-education of Minors in Conflict with the Law, or CERMICOL (seen in the top photo), and documented overcrowding and other unlawful detention practices there. Researchers spoke to officials there and at the child protection agency, IBESR (seen in the bottom photo), about issues stalling reintegration. © Amnesty International

<sup>155</sup> Haiti, Penal Code (previously cited), Article 50; Committee on the Rights of the Child, General Comment 24 (previously cited), para. 22.

<sup>156</sup> See CRC, Article 3(1), which requires states to consider the best interests of the child in all actions concerning children.

# 3. RAPE AND OTHER SEXUAL VIOLENCE

Armed gangs have abducted, raped, and sexually assaulted girls during attacks on neighbourhoods or after taking territorial control of an area. Girls remain trapped in unsafe parts of Port-au-Prince and have been unable to leave when threatened or attacked by gang members. Armed gangs have also sexually exploited girls who are desperate to earn money for food and other expenses. This broad pattern of brazen sexual violence and exploitation against girls is possible because of the gangs' dominant control of neighbourhoods, as widespread impunity enables gang members, either alone or in a group, to commit these crimes without fear of accountability.

Rape and other forms of sexual violence against women and girls in Haiti have historically been used in times of political instability and as a systematic tool by gangs.<sup>157</sup> The UN has expressed alarm about the seemingly deliberate escalation of attacks on women and girls associated with the coordinated assault by gangs that started in early 2024,<sup>158</sup> reigniting concerns dating back to 2022.<sup>159</sup> Mass displacement has also historically left women and girls in Haiti at increased risk of sexual violence;<sup>160</sup> the latest waves of displacement causing “unprecedented” levels of such violence according to the UN.<sup>161</sup>

Amnesty International has documented the cases of 18 girls who were subjected to rape and other forms of sexual violence by gang members, some of them were assaulted more than once.<sup>162</sup> In 10 of these cases the girls were subjected to collective rape, and in nine cases the girls were abducted. Additionally, researchers interviewed two girls who were raped in displacement sites after they were forced out of their neighbourhoods due to gang violence.

The majority of the girls who were raped said they were not able to identify the specific gangs to which their assailants belonged. Some girls were attacked by specific gang members who had pursued them by force or were coerced by gang members they knew or encountered into exploitative “relationships” or commercial sex. Others knew which gang was in control of the area and linked their assailants to certain groups. The

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<sup>157</sup> See, for example, Amnesty International, *Don't Turn Your Back on Girls: Sexual Violence Against Girls in Haiti* (Index: AMR 36/004/2008), 27 November 2008, <https://tinyurl.com/2s3t79pj>

<sup>158</sup> The 2024 report of the Secretary-General on conflict-related sexual violence referenced the situation in Haiti and included the following as “parties of concern”: G9, 5 Segon, Grand Ravine, Kraze Baryè and 400 Mawozo. UNSG, *Conflict-related sexual violence*, 4 April 2024, S/2024/292, paras 18, 86-89, Annex p. 35. See also BINUH, *Quarterly report July-September 2024* (previously cited), p. 9; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 26 September 2024 (previously cited), paras 16 and 18; BINUH, *Quarterly report April-June 2024* (previously cited), pp. 7-8; UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 74; UNSG, Report, 27 June 2024, para. 38; Panel of Experts on Haiti, *Interim report 29 March 2024* (previously cited), paras 53-55; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), para. 19.

<sup>159</sup> OHCHR and BINUH, *Sexual violence in Port-au-Prince: A weapon used by gangs to instill fear*, 14 October 2022, <https://tinyurl.com/ndhmka8d>

<sup>160</sup> See, for example, Amnesty International, *Aftershocks: Women Speak Out Against Sexual Violence in Haiti's Camps* (Index: AMR 36/001/2011), 6 January 2011, <https://tinyurl.com/4vxz72m5>

<sup>161</sup> See, for example, UN News, “Haiti: Displaced women face ‘unprecedented’ level of insecurity and sexual violence”, 17 July 2024, <https://tinyurl.com/yasxsk3v>; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 26 September 2024 (previously cited), para 22.

<sup>162</sup> Their ages ranged from 14-17 at the time of the interviews, in addition to one young woman who had just turned 18 but was 16 when she was raped. The vast majority of the cases documented took place in 2024: Nine of the girls were raped in 2024, five were subjected to other forms of sexual violence in 2024. Of the girls who were subjected to other forms of sexual violence in 2024, one was also raped in 2023, and another was raped in 2021. Additionally, three other girls plus the 18-year-old young woman were raped in 2023.



gangs involved in the cases documented by Amnesty International include: 400 Mawozo, Grand Ravine, 5 Segon and possibly Chien Méchant.<sup>163</sup>

The CRC requires state parties to prohibit the abduction of children and, along with the ICCPR, requires states to protect children's liberty.<sup>164</sup> Under international and domestic law, a child that is abducted for sexual or other forms of exploitation is considered a trafficking victim.<sup>165</sup>

The CRC also requires states to protect children from sexual exploitation and abuse, including prostitution, as well as from torture, cruel, inhuman, or degrading treatment, which includes acts of rape and sexual violence.<sup>166</sup> In addition, under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography states must prohibit and prevent the exploitation of children in commercial sex, as well as take all feasible measures to support survivors with their physical and psychological recovery.<sup>167</sup> Regional instruments also require states to prohibit sexual violence.<sup>168</sup>



Mass displacement has historically left women and girls in Haiti at increased risk of sexual violence. According to the UN, the repeated waves of displacement in 2024 have caused “unprecedented” levels of such violence. © Amnesty International

## LARGE-SCALE ATTACKS AND DAILY RISKS

Girls have been raped and subjected to other forms of sexual violence by gang members in the course of attacks on neighbourhoods, to terrorize the population as an area is being invaded, or to wrest control from

<sup>163</sup> Certain attacks are attributed to specific gangs based on testimonies of witnesses and survivors in the cases where they knew the perpetrators or the gang in control of the area, as well as based on open-source reporting and information obtained from NGOs. In one case, one of the survivors said she believed the perpetrators belonged to Chien Méchant based on news coverage about the attack on the area by that gang. The UN verified the involvement of several gangs in sexual violence against 41 girls in 2023, including: Baz Gran Grif de Savien, 5 Segon, Canaan, Belekou, Grand Ravine, Kraze Baryè, Ti Bwa, Bel-Air, 400 Mawozo, Kokorat Sans Ras and other members of the G9 Family and Allies and G Pèp coalition. UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 74.

<sup>164</sup> CRC, Articles 35, 37(b); International Covenant on Civil and Political Rights (ICCPR), Article 9(1).

<sup>165</sup> OSRSG CAAC, *Child Trafficking and Armed Conflict* (previously cited), pp. 16-17, 19; Haiti, Anti-trafficking Law (previously cited), Articles 1.1.1, 1.1.2, 1.1.5, 1.1.17.

<sup>166</sup> CRC, Articles 34, 37(a); OSRSG CAAC, *The Six Grave Violations Against Children During Armed Conflict: The Legal Foundation*, October 2009 (updated November 2013), <https://tinyurl.com/3mx65494>, pp. 16-17. Haitian law also prohibits the recruitment, transfer, or harboring of children for prostitution. Haiti, Law relating to the prohibition and elimination of all forms of abuse, violence, ill-treatment or inhuman treatment against children (previously cited), Article 2(b).

<sup>167</sup> Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, Articles 1, 9(1), (4).

<sup>168</sup> ACHR, Articles 5, 7, 11. The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, which states that every woman has the right to be free from violence in public and private, commits Haiti to prevent, punish and eradicate sexual violence. Articles 3 and 7.

other gangs. Girls face further risks at the hands of gangs, including abductions and sexual attacks on their way to school or while running errands, on foot or on public transport. Girls are also harassed on the street by gang members, which can escalate to rape and other sexual violence, and are at times particularly targeted, including in their homes.

An 18-year-old young woman described to Amnesty International how she was raped as part of a wider attack when the gang 5 Segon invaded her neighbourhood in early 2023. She was 16 at the time. She said:

**They came and said they were taking over the area. They did what they did and stole everything. They basically took everything... When they were coming, my mom ran. I was trying to get some clothes, and they came in [to my house]. Three men raped me... [They] had guns, and they hit me and threatened to kill me. They were large guns... I am very scared I will see them again. But I can't afford to leave [the area].**<sup>169</sup>

Even when gangs claimed they would spare the population, such as after the announcement of the Viv Ansanm alliance in September 2023, they did not follow through. In March 2024, a 16-year-old girl who lived in the neighbourhood of Carrefour-Feuilles went back to the area a few months after her family had escaped gang violence there.<sup>170</sup> The gangs had told people they could go back,<sup>171</sup> she said, so she went to collect birth certificates and identification cards they abandoned in the chaos of fleeing.<sup>172</sup> She added:

**First, [one of the gang members] took my hand and said, 'Hey, follow me.' There was another guy that came behind me and [covered] my face and dragged me for a long period of time, taking me somewhere. It was at least a 30-minute walk. They had guns in their hands. Another guy asked, 'Where are you going with a little girl?' They said, 'We just took her now.' They brought me into a house and they both raped me. After that, one of them said they might as well kill me. The other one said they were finished with me and should let me go.**<sup>173</sup>

In pain and in ripped clothes, she walked back to the displacement site where her family had moved; someone gave her something to wear along the way.<sup>174</sup> "I was ashamed and afraid to tell my mother... Then I couldn't speak for three months... I told my mother in June. Finally, I talked again and explained to my mom what happened. She brought me to a doctor."<sup>175</sup> They found out she was pregnant. "It is not my choice; now I have to take care of a baby without a father."<sup>176</sup>

Even simple daily activities have become a risk for girls in gang-controlled areas. For example, two teenage sisters were abducted by gang members on their way back from school and then taken to a house where they were raped.<sup>177</sup> On 12 February 2024 in the commune of Tabarre, the sisters were walking together when gang members, possibly belonging to Chien Méchant, took them.<sup>178</sup> The girls were subjected to collective rape; one of them by five men, the other by six.<sup>179</sup> The younger sister said:

**We were covered in blood... Both of us had not had sex before. We had injuries on our vaginas... It was painful... There was so much blood. When I think about it sometimes, I tell myself, look at my age. This happened to me. My mom says, 'Don't cry, have courage.' I think about it and tell myself, I'm a child, why did this happen to me?**<sup>180</sup>

A 17-year-old girl who lived in Carrefour-Feuilles said she was raped on 19 December 2023 by gang members.<sup>181</sup> Living with a family that exploited her as a domestic worker, she was sent out late that night to

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<sup>169</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>170</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>171</sup> This was a reference to pronouncements made by gang leaders, including Jimmy Chérizier after the creation of the Viv Ansanm coalition in September 2023 and claims by the gangs that displaced people, including from Carrefour-Feuilles, can safely return to their homes. See, for example, Reuters, "Haitian gangs call for armed overthrow of PM Henry as chaos escalates", 20 September 2023, <https://tinyurl.com/ydpehw86>; Rezo Nòdwès, « Plusieurs puissants chefs de gangs criminels déclarent mettre bas leurs armes, quelques heures avant le discours de Ariel Henry à l'ONU » ["Several powerful criminal gang leaders declare they are laying down their weapons, a few hours before Ariel Henry's speech at the UN"], 22 September 2023, <https://tinyurl.com/yrmnwjuz> (in French).

<sup>172</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>173</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>174</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>175</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>176</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>177</sup> Interviews in person, 18 September 2024, Port-au-Prince; Interview by voice call with the girls' mother, 20 September 2024.

<sup>178</sup> Interviews in person, 18 September 2024, Port-au-Prince; Interview by voice call with the girls' mother, 20 September 2024. One of the girls said gang members who carried out the attack belonged to Chien Méchant based on news coverage of that gang's attack on the neighbourhood.

<sup>179</sup> Interviews in person, 18 September 2024, Port-au-Prince.

<sup>180</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>181</sup> Interview in person, 18 September 2024, Port-au-Prince.

buy pasta. “I was on the street and two men called me. I said, ‘I’m very busy, I have to buy something.’ They said if I don’t go with them, they have guns and they will put a bullet in my head,” she said.<sup>182</sup> The armed men – dressed in black and covering their faces – took her to an empty house where five of them took turns raping her.

“They said, ‘You’re not going to talk about this. If you talk about it, we’re going to kill you.’ Then they told me to leave,” she said.<sup>183</sup> She then went and bought the pasta, and when she got home, she took a bath and did not tell anyone what happened. A week later, she ran away from the abusive household and went to a displacement site. A woman from the camp took her to the hospital and, at a later visit, the girl found out she was pregnant. “It destroyed me... I have nobody to help me with the baby.”<sup>184</sup>

Another common tactic has been stopping public transport vehicles at checkpoints and forcing girls out at gunpoint to sexually assault them. Amnesty International documented two such cases. A 16-year-old girl said that in April 2023, she was pulled out of a bus alongside five women in Cité Soleil.<sup>185</sup> Gang members, who she believed belonged to G9, took her and the others to a house with a garden.<sup>186</sup> In the garden, they hit her on the head with a gun, knocking her unconscious.<sup>187</sup> She woke up to find herself naked, she said, and after that they tied her to a chair where she pleaded for her life.

“They hit me again, then they took me and raped me. Three guys raped me... Later, they released me, but they left me like I was born – without a dress. People found me on the street and put a dress on me,” she said.<sup>188</sup> When she returned home, she did not tell anyone she was raped until she missed a period a month later and her mother took her to a health centre where they found out she was pregnant.<sup>189</sup>

She said that with the aid of her mother she drank “everything” to abort the pregnancy, but nothing worked; she was later denied an abortion at a medical facility.<sup>190</sup> With no job and limited resources, the child she was forced to deliver was suffering from malnutrition at the time of the interview. “I tried to kill myself. My mom stopped me.... I drank Clorox [bleach]. People had time to take me to the hospital... I used to have a lot of dreams. But since having the baby, all my dreams have gone away. One big dream was to finish school and become a nurse,” she added.<sup>191</sup>

Abortion remains illegal in Haiti pending long awaited reform to the Penal Code, which is meant to legalize it until the 12th week of pregnancy in all cases and allow access at any stage for rape survivors.<sup>192</sup> The UN Committee on the rights of the Child (The Committee) has highlighted that girls should “make autonomous and informed decisions on their reproductive health”.<sup>193</sup> The Committee has recommended that contraceptive methods “should be made easily and readily available” to adolescents, and that states ensure access to “safe abortion and post-abortion care services, irrespective of whether abortion itself is legal”.<sup>194</sup>

The Committee has also urged states to “decriminalize abortion to ensure that girls have access to safe abortion and post-abortion services”.<sup>195</sup> The Committee has reiterated its call to decriminalize abortion “in all circumstances” in several of its reviews of countries’ compliance with the treaty. The Committee has also made clear its view that laws and regulations that criminalize and punish abortion violate girls’ right to non-discrimination.<sup>196</sup>

<sup>182</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>183</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>184</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>185</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>186</sup> The G9 alliance waged an attack on Cité Soleil in March and April 2023 targeting areas controlled by the then rival group, the G-Pèp federation. Widespread rape of girls and women were widely reported as an integral part of that attack. See, for example, Human Rights Watch, *Living a Nightmare* (previously cited), pp. 20, 27- 30 and 32. See also OHCHR and BINUH, *Sexual violence in Port-au-Prince* (previously cited), para. 41.

<sup>187</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>188</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>189</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>190</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>191</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>192</sup> See, for example, Le Nouvelliste, « L’entrée en vigueur du nouveau Code pénal repoussée au mois de juin 2025 » [“New Penal Code Implementation Delayed to June 2025”], 24 June 2024, <https://tinyurl.com/54rypezn> (in French); Library of Congress, “Haiti: Government Postpones Bringing New Criminal Code into Force”, 22 June 2022, <https://tinyurl.com/27r5wtp2>

<sup>193</sup> Committee on the Rights of the Child, General Comment 15: On the Right of the Child to the Highest Attainable Standard of Health (Article 24), 17 April 2013, UN Doc. CRC/C/GC/15, para 56.

<sup>194</sup> Committee on the Rights of the Child, General Comment 15 (previously cited), para. 70.

<sup>195</sup> Committee on the Rights of the Child, General Comment 20: On the Implementation of the Rights of the Child During Adolescence, 6 December 2016, UN Doc. CRC/C/GC/20, para. 60.

<sup>196</sup> See, for example, Committee on the Rights of the Child, Concluding Observations: Saudi Arabia, 17 March 2006, UN Doc. CRC/C/SAU/CO/2, para. 28.



The denial or delay of safe abortion is a form of gender-based violence that may in some cases constitute torture or cruel, inhuman or degrading treatment.<sup>197</sup> Treaty body jurisprudence also indicates that denial of abortion can amount to violations of the rights to health, privacy and, in some cases, the right to be free from cruel, inhumane and degrading treatment.<sup>198</sup>

The IACHR is also of the view that absolute bans on abortion violate a number of rights, including the rights to life, humane treatment, privacy and health.<sup>199</sup>

In some cases, gang members identified and targeted specific girls in the community. A 14-year-old girl told Amnesty International that on 1 February 2024, a gang member showed up to her house in the commune of Croix-des-Bouquets and asked for her.<sup>200</sup> She was not there, but the member of 400 Mawozo, which is known to control the area, insisted that her mother fetch her, “or he will come back and kill everyone in the house”.<sup>201</sup> He waited by the house as the mother brought the girl back. He then took the girl to a nearby empty house, raped her and then let her go.<sup>202</sup> Within two days, the family fled the area. “I used to go to school, but after the incident, I stopped,” the girl said.<sup>203</sup>

A 14-year-old girl from Martissant said she was repeatedly harassed on the street by a gang member in her area.<sup>204</sup> She explained:

**He would call me and say, ‘I like you.’ I didn’t answer... The harassment was constant. He threatened me and said, ‘I will kill you if you tell people that you are being harassed.’ I feared for my life. The pressure was constant... When he ran into me, he pointed a gun at me. He would say, ‘If you don’t do what I want, I will shoot you.’ He would stick his gun to the side of my ribs and say, ‘One of these nights, I will kill you.’<sup>205</sup>**

On 22 July 2024, she stepped out at night to buy some food.<sup>206</sup> On the way back home, she ran into him. He was armed and with two other gang members, and so she was too scared to run from them. He took her to a house and raped her at gunpoint, threatening that “this could be your last day”.<sup>207</sup> After the rape, “he kicked me on the ground and said, ‘You are not worth anything anymore.’”<sup>208</sup> He warned her against telling anyone what happened and then poured a bottle of an alcoholic drink on her and cursed.<sup>209</sup>

In addition to rape, Amnesty International also documented cases of other forms of sexual violence that girls have been subjected to by gang members. A 16-year-old girl said she was sexually assaulted by a member of Grand Ravine while she was at a nightclub in Fontamara in September 2024.<sup>210</sup> The girl said that he had approached her and started touching her breasts. She could see his gun and feared responding aggressively, she said.<sup>211</sup> When she tried to step away, he went after her and tried to put his gun in her hand.<sup>212</sup> She told him she did not want that. “He started to yell at me and say that I’m playing hard to get,

<sup>197</sup> CEDAW, General Recommendation 35: Gender-based violence against women, 26 July 2017, UN Doc. CEDAW/C/GC/35, para. 18. See also UN Committee against Torture (CAT), Concluding Observations: Poland, 29 August 2019, UN Doc. CAT/C/POL/CO/7, paras 33(d), 34(e); CAT, Concluding Observations: United Kingdom of Great Britain and Northern Ireland, 7 June 2019, UN Doc. CAT/C/GBR/CO/6, paras 46 and 47. Haiti has signed but not ratified the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. UN Human Rights Treaty Bodies, Ratification Status for Haiti (previously cited).

<sup>198</sup> See, for example, UN Human Rights Committee, Views: *Whelan v. Ireland*, adopted on 17 March 2017, UN Doc. CCPR/C/119/D/2425/2-14, para. 7.6; *Mellet v. Ireland*, adopted on 31 March 2016, UN Doc. CCPR/C/116/D/2324/2013, para. 7.4-7.6; *K.L. v. Peru*, adopted on 24 October 2005, UN Doc. CCPR/C/85/D/1153/2003, para. 6.3; *V.D.A. v. Argentina*, adopted on 29 March 2011, UN Doc. CCPR/C/101/D/1608/2007, para. 9.2. Haiti has ratified the ICCPR but has not accepted its individual complaints procedure.

<sup>199</sup> See, for example, IACHR, “IACHR takes case involving El Salvador’s absolute ban on abortion to the Inter-American Court of Human Rights”, 11 January 2022, <https://tinyurl.com/4w8jdr5k>

<sup>200</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>201</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>202</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>203</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>204</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>205</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>206</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>207</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>208</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>209</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>210</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>211</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>212</sup> Interview in person, 19 September 2024, Port-au-Prince.



A 16-year-old girl described to Amnesty International being sexually assaulted by a gang member in 2024, one year after she was abducted and subjected to collective rape by gang members. © Amnesty International

that I'm pretending to be different from other girls... He continued to yell at me saying, 'You're not the only girl in town!'" she said, adding that she then walked out of the club.<sup>213</sup> In an unrelated incident, the same girl was raped a year prior in Martissant after being abducted from a bus by gang members, held for three days, beaten, repeatedly raped by men and women and forced to do "nasty things" before ultimately being released.<sup>214</sup>

Another 16-year-old girl who was also attacked in Martissant said around 10 gang members stopped the bus she was riding in June 2024.<sup>215</sup> One of them had tried to pursue her in the past, she said. The gang members started touching her face and breasts, and when she asked them to stop, they beat her and knocked her on the ground where she lay in shock.<sup>216</sup> She said they stepped away to get their guns, which gave street vendors a chance to hide her. "My father said we would leave, that he would take us somewhere else, but we have no money for that. We have to stay... I'm very scared. I don't go that route anymore," she said.<sup>217</sup>

## EXPLOITED IN 'RELATIONSHIPS' AND COMMERCIAL SEX

Gang members coerce girls into "relationships",<sup>218</sup> as well as exploit them in commercial sex.<sup>219</sup> Both situations amount to sexual violence and, in some cases, trafficking in persons as well.<sup>220</sup> According to international standards, children involved in commercial sex acts are victims of sexual exploitation, which the International Labour Organization recognizes as one of the worst forms of child labour and a severe human rights violation.<sup>221</sup> Amnesty International has documented five cases where girls were exploited in "relationships" and commercial sex.

A 17-year-old girl who lived in Martissant described to Amnesty International how a gang member – who courted several other girls – repeatedly went after her when she moved into the area to live with a family member in early 2024.<sup>222</sup> She said:

**When he saw me the first time, he asked for my phone number. I said I didn't have a phone. He offered to buy me a phone, I said no... He began to harass me and tell me 'I want to be your boyfriend, and if you don't want that I will kill you'. I was afraid... I didn't want to die, so I accepted to be with him... I cannot count how many times he asked me... And after I accepted to be his girlfriend, he would force me to have sex with him... he would do everything to force me to have sex with him... It was my first time... He is not someone I love, and it was the first time for me to have sex.**<sup>223</sup>

She said that he pointed his gun at her on more than one occasion to force her to do things she did not want to do, and once threatened to shoot her in the foot for stepping out to buy something without his

<sup>213</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>214</sup> Interview in person, 19 September 2024, Port-au-Prince. She said she did not know the affiliation of the group that attacked her in 2023 as at the time, both Grand Ravine and 5 Segon were operating in the area and unlike with the man who assaulted her in 2024, she did not know the assailants from the 2023 attack.

<sup>215</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>216</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>217</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>218</sup> These so-called "relationships" are exploitative, with girls often having little to no agency in the situation.

<sup>219</sup> Amnesty International does not recognize the involvement of children in commercial sex acts as sanctioned sex work the way the organization views the involvement of consenting adults. In this context, children are considered victims of sexual exploitation. Amnesty International, *Policy on state obligations to respect, protect and fulfil the human rights of sex workers* (Index: POL 3040622016), 26 May 2016, <https://tinyurl.com/m7s72n2e>, pp. 3-4.

<sup>220</sup> As previously mentioned, the Palermo Protocol requires the following three elements to be met for adults to be considered victims of trafficking: 1) an action, such as the "recruitment, transportation, transfer, harbouring or receipt of a person" 2) carried out by a particular means including "the threat or use of force or other forms of coercion, of abduction, of deception, of the abuse of power or of a position of vulnerability" 3) "for the purpose of exploitation", including slavery or practices similar to slavery. Only the action and purpose elements are required to establish trafficking for children, as they cannot consent to their intended exploitation. Palermo Protocol, Article 3(a), (b), (c).

<sup>221</sup> ILO Convention 182 (Worst Forms of Child Labour), Articles 3(b) and 6(1).

<sup>222</sup> Interview in person, 20 September 2024, Port-au-Prince. She did not know which gang he belonged to, but said 5 Segon is the gang that controls the area.

<sup>223</sup> Interview in person, 20 September 2024, Port-au-Prince.

permission.<sup>224</sup> She said she ultimately managed to end the “relationship”, adding: “I’m afraid he might go to his group and talk about our situation, and they would do something bad to me... like kidnap me or kill me.”<sup>225</sup>

Another 17-year-old girl said that in late 2023 she fell in love with a man in his 20s without knowing he was a member of Grand Ravine.<sup>226</sup> “When I found out he is a gang member, I was so ashamed. I told him I wanted to break up with him and he wouldn’t let that happen,” she said.<sup>227</sup> At first, he cried and pleaded with her saying it was not his choice to join the gang. She initially agreed to stay in the relationship but changed her mind after a few months.<sup>228</sup> She attempted to end it with him again, and then learned she was pregnant. That’s when the threats started, she said, including telling her he would kill her if she did not keep the pregnancy.<sup>229</sup>

She attempted and failed to have an unsafe abortion with the help of her mother.<sup>230</sup> He forced her to have sex with him a few times until she managed to put an end to the relationship. His acts of intimidation included pointing his gun at her and a male friend once when he saw them walking together. “Now, I stay home... I would like to give birth to my baby safely. And after that I want to live somewhere else,” she said.<sup>231</sup>

A 16-year-old girl living in an area under the control of 5 Segon described to Amnesty International how she started being involved in commercial sex with gang members after experiencing repeated stretches without food, including, she said, “a whole week that I could not eat or provide food for my kid”.<sup>232</sup> She also resorted to dating a gang member for “protection”, but as her testimony shows, this so-called protection only made her more vulnerable to further abuse and exploitation.<sup>233</sup> Still with him at the time of the interview, she said he sometimes gave her money, but mostly beat her and treated her “like an animal”.<sup>234</sup> She explained that when gang members call her, she is obliged to respond. She said:

**In this situation, I don’t have a choice. If they say come here, and I don’t come, they see it as disrespect. They will shoot you... even though they know I’m dating someone. They give me money if they want... They will pick you and you never know if they will pay you... I have been picked up numerous times. They always have guns... It can happen three or four times a week. They see you and say, ‘Let’s go.’ If you refuse, they hit you with a gun. I tried. I could be shot one day. They grab you and they kick you. Some pay. Some don’t... They give you 1,500 gourdes [USD 11.40] or 1,000 gourdes [USD 7.60] – enough to feed the baby and buy sandals and dresses.**<sup>235</sup>

Being involved in commercial sex with gang members was not her first experience with gang-related sexual violence. In 2021, she was raped by five members of 5 Segon during an attack by the gang on her area.<sup>236</sup> Her family couldn’t afford to flee and one night, after days of being holed in the house, she stepped out to get some food. A gang member told her to stop and fired a shot in the air. She was taken to a house where she was beaten and raped.<sup>237</sup> “After that, they pushed me down the stairs and told me to get out of there. It was very hard for me to get up... They said, ‘Why don’t we shoot you instead?’ I made the effort to leave.”<sup>238</sup> That was how she got pregnant.

Another girl exploited in commercial sex said, “We started to do things we are not supposed to do to feed ourselves.”<sup>239</sup> She explained that she and other female relatives had been pressured into this by a group of gang members that came to their house. The 17-year-old added:

**Sometimes they give us 2,500 gourdes [USD 19], we take it to feed ourselves. There are some of them who are not aggressive, but most of them are so aggressive. They say angrily, ‘I give you money... you have to have sex with me’... Sometimes they force me to have sex with them... If they don’t pay, I just**

<sup>224</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>225</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>226</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>227</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>228</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>229</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>230</sup> She was in visible discomfort during the interview and explained that she had been in pain for a while since the botched abortion attempt.

<sup>231</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>232</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>233</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>234</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>235</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>236</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>237</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>238</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>239</sup> Interview in person, 23 September 2024, Port-au-Prince.

**do it and give up because I'm afraid of them... When I don't want to have sex with them, they use the gun to pressure me... They held a gun to my head many times... Some of them when I ask them to use a condom, they listen to me, but some of them when I ask for that, they refuse and... sometimes they beat me.<sup>240</sup>**

## SEXUAL VIOLENCE IN DISPLACEMENT SITES

With tens of thousands of people who were displaced by gang violence crammed into various makeshift set-ups, including schools and other government buildings across the Port-au-Prince metropolitan area, the additional risk of sexual violence in those sites has become a major concern. Aid workers and displaced girls themselves told Amnesty International that those who have fled the grip of gangs in their areas have found no respite in the insecure camps.

Women and children's groups said they have come across different situations of sexual violence in the context of camps, including rapes by camp residents and, at times, camp committee members in charge of the site.<sup>241</sup> Displaced women and girls are also, at times, sexually exploited in exchange for assistance, or to access toilets, an aid worker said,<sup>242</sup> something the UN has also documented.<sup>243</sup>

Amnesty International researchers observed first-hand the absolute lack of privacy and crowded conditions in two displacement sites they visited. Wide open rooms with no doors and uncovered bathing facilities, which aid workers said was common in other camps as well, left girls further exposed.<sup>244</sup>

A 14-year-old girl was raped in mid-2024 inside an open-air displacement site in an area under police control, the girl's mother said.<sup>245</sup> The girl told Amnesty International she had stepped out of the family's tent, where they had resided for several years, to fetch water alone at night, when three men started calling her. "I told them, 'I don't know you. Why are you calling me?' I went inside [the water station], there was no one else. They raped me there," she said.<sup>246</sup> The men – whose faces were covered – had no guns.

"They said they had seen me around and know where I'm [staying], that if I didn't do it, I will have problems with them... One of them had a big knife... He pointed it at me... I was afraid and let them do what they wanted... They had my hands [behind my back]... one controlled my hands, the other my legs... the three of them [took turns]," she said.<sup>247</sup> She did not tell her mother until a month later. The family continues to live in the camp.

Another 14-year-old girl told Amnesty International she was raped in May 2024 by a camp committee member in a displacement site set up in a school.<sup>248</sup> The girl's family was displaced from Carrefour-Feuilles after a gang attack on the area. In the camp, she slept next to a family member in a cramped room packed with other displaced people, including a camp committee member. She described what happened on the night of the attack, saying: "I went inside. It was very dark. There is no light. Only in the day can you see... everyone was asleep except him, [the committee member]."<sup>249</sup> She said she tossed and turned for a while and the committee member asked her why she wasn't sleeping. At some point, she heard something like the sound of a spray and started feeling different, she said.<sup>250</sup> She felt lightheaded and then felt someone touching her. She said she tried to wake up the family member who was lying next to her and called the names of others in the room, but no one woke up.<sup>251</sup>

When she woke up in the morning, the tights she had under her dress "were not the way they were supposed to be on", she said.<sup>252</sup> She felt pain in her vagina and struggled to walk. When that camp committee member saw her crying, he asked her what was wrong, and she told him. She added: "He said to me, 'I will tell you something if you don't tell anyone... Did you feel someone touch you? It was me. If I

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<sup>240</sup> Interview in person, 23 September 2024, Port-au-Prince.

<sup>241</sup> The committee members are often self-proclaimed. They are not assigned by an entity that supervises the camp but are members of the community who take charge.

<sup>242</sup> Interview by video call with a representative of a feminist Haitian NGO that focuses on the rights of women and girls, 4 September 2024.

<sup>243</sup> See, for example, UN News, "Haiti: Displaced women face 'unprecedented' level of insecurity and sexual violence" (previously cited).

<sup>244</sup> A 17-year-old girl living in a displacement site in Port-au-Prince, for example, told Amnesty International how girls and women have to shower in an exposed area and that boys climb up to an elevated vantage point and take photographs of them while bathing. Interview in person, 24 September 2024, Port-au-Prince.

<sup>245</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>246</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>247</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>248</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>249</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>250</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>251</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>252</sup> Interview in person, 25 September 2024, Port-au-Prince.

explain this to you, don't tell anyone, or I will have you killed, or make you disappear.”<sup>253</sup> He then told her that he had digitally raped her,<sup>254</sup> that that was why she was in pain and that there was no reason to cry. When her family found out what happened, they reported it to the police and the man was arrested and is facing legal proceedings.<sup>255</sup> The girl had to move from the camp to a temporary shelter; members of her family stayed behind.<sup>256</sup>



*Amnesty International's researchers observed the lack of privacy and crowded conditions in two displacement sites they visited in September 2024. Wide open rooms and uncovered bathing facilities, which aid workers said was common in other camps as well, left girls further exposed. © Amnesty International*

## STIGMA AND FEAR

Several girls said they grapple with the stigma associated with sexual violence, at times facing rejection not only from the wider community, but sometimes from their own families as well. As detailed in testimonies above, many also fear the possibility of further attacks by gang members, including perpetrators of sexual violence who continue to reside in the same areas. Girls who were involved in “relationships” and commercial sex with gang members also said they worried about their safety and how society views them.

A 14-year-old girl who was raped by five gang members in June 2024 in the commune of Croix-des-Bouquets near a displacement site where she stays with her mother said others in the community have changed the way they engage with her.<sup>257</sup> “They don't treat me the same way after what happened. They are not comfortable with me. They think I got AIDS or that I'm pregnant. They stay away from me and my mom,” she said.<sup>258</sup>

The 17-year-old girl from Carrefour-Feuilles who escaped from the abusive household where she was a domestic worker to a displacement camp after she was gang raped said she withheld from others in the camp how she got pregnant.<sup>259</sup> “If they know, they will mock me,” she said.<sup>260</sup>

The 16-year-old displaced, pregnant girl who was raped in March 2024 after going back to Carrefour-Feuilles to collect some belongings said: “I'm treated differently now... This has caused me to stay inside. I

<sup>253</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>254</sup> Digital rape involves penetration of the vagina or anus with one or more fingers.

<sup>255</sup> The girl and her mother showed Amnesty International's delegates the medical and police reports about the assault. On file with Amnesty International.

<sup>256</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>257</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>258</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>259</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>260</sup> Interview in person, 18 September 2024, Port-au-Prince.

don't get fresh air... I'm treated badly in the camp... My mother said, 'I have enough raising you, and now I have to take care of a kid of one of the bums?'"<sup>261</sup>

The 17-year-old pregnant girl who broke up with her partner after learning he was a gang member said that her own mother is ashamed of her and asked her to move out when the girl found out she was pregnant.<sup>262</sup> She also said she feared having her picture taken by people who actively seek to out individuals with any association with the gangs:

**I'm so afraid that someone would take my picture and share it on social media and say that I'm a woman of a gang member... I'm not afraid of death. But I'm afraid to die in this situation I'm in, as someone pregnant with the child of a gang member... I prefer to die for another reason, not this.**<sup>263</sup>

This fear of having one's photo taken echoes the case of another girl, mentioned in the previous chapter, who does chores and deliveries for Ti Bwa, and is afraid of being recognized from social media.

The 18-year-old young woman who was raped in an attack on Martissant in 2023 when she was 16 said that aside from the threat of reprisal due to living in gang-controlled areas, there is often an assumption that all girls living in those areas are sexually involved with gang members.<sup>264</sup> This causes even more fear and shame. She said:

**It's hard to go somewhere else... You get told things like, 'Here comes the queen', meaning you mess around with gang members. [People] can tell [which area] you belong to from the direction you're coming from. I was walking by the stadium... and someone said, 'There goes the girlfriend of a gang member.'**<sup>265</sup>

Not only did it sting because she is not in fact in a "relationship" with a gang member, but also because it had come a few months after she was gang raped by members of 5 Segon, she said.<sup>266</sup>

## INSUFFICIENT ACCESS TO HEALTHCARE SERVICES

Girls who are subjected to sexual violence by gang members – including the pervasive incidence of collective rape – require highly specialized healthcare.<sup>267</sup> Health services have traditionally been overstretched in Haiti, and gang violence has further crippled access to services for myriad reasons, including insecurity limiting the population's movement and attacks on medical facilities.<sup>268</sup> For example, at the height of gang attacks in 2024, the UN said that six out of 10 hospitals in Port-au-Prince were barely functional.<sup>269</sup> More than half of the rape survivors interviewed by Amnesty International received medical care, but nearly all of them accessed it through international and local NGOs.

Rapes by gang members leave girls susceptible to sexually transmitted infections (STIs). A number of the girls interviewed by Amnesty International said they had indeed contracted STIs as a result of being raped. Unplanned pregnancies resulting from gang-perpetrated sexual violence have also left girls facing major health risks, including obstetric-related complications since young girls' bodies are not fully developed for childbirth and having to resort to unsafe abortion methods. The girls interviewed by Amnesty International said that even when they do have access to health services after being assaulted, several barriers – including insecurity and financial constraints – prevented them from having sustained access to these services.<sup>270</sup>

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<sup>261</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>262</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>263</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>264</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>265</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>266</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>267</sup> Haiti has an obligation to ensure the realization of the right to the highest attainable standard of physical and mental health, which requires, among other things, that healthcare facilities, goods and services are available in sufficient quantity, that they are accessible to everyone without discrimination, and that they are of good quality. International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 12; UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment 14: The Right to the Highest Attainable Standard of Health (Article 12), 11 August 2000, UN Doc. E/C.12/2000/4, para. 12.

<sup>268</sup> Interview by video call with a representative of an international medical NGO, 10 July 2024. See also Arens Jean Ricardo Medeus and others, "Impact of gang violence in Haiti on healthcare delivery and medical education", August 2024, *The Lancet*, Volume 36, <https://tinyurl.com/4vf7zsc6>; UN News, "Haitian capital's crippled health system 'on the brink'", 28 June 2024, <https://tinyurl.com/mse9c9nv>; AP, "Haiti health system nears collapse as medicine dwindles, gangs attack hospitals and ports stay shut", 23 April 2024, <https://tinyurl.com/3ukzac3p>; Doctors Without Borders / Médecins Sans Frontières (MSF), "Attack on ambulance forces suspension of activities in Port-au-Prince emergency centre", 15 December 2023, <https://tinyurl.com/bsuk8mf8>; MSF, "Haiti: How violence is affecting health and health care workers", 10 April 2024, <https://tinyurl.com/454xztv5>

<sup>269</sup> UNICEF, "Violence sending shocks around Haiti's collapsing health system", 22 May 2024, <https://tinyurl.com/49enabv4>. See also UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 26 September 2024 (previously cited), para. 21.

<sup>270</sup> Interviews in person, 18-25 September 2024, Port-au-Prince.

The 17-year-old girl from Martissant who tried to abort her unplanned pregnancy after she learned that her partner was a gang member said that she had first gone to a traditional healer who gave her something to ingest, which resulted in her bleeding and not losing the pregnancy.<sup>271</sup> She continued to be in pain for months and finally saw a doctor. “I see a doctor and do ultrasounds and buy medicine, but I don’t have enough money to do all the things I need to do. There are many tests I need to do that I haven’t done yet.”<sup>272</sup>

Access to mental health services and psycho-social support is crucial for survivors of sexual violence. States have an obligation to respect, protect and fulfil the right to the highest attainable standard of physical and mental health.<sup>273</sup> This requires ensuring the availability, accessibility, affordability and acceptability of quality health facilities, goods and services, including mental health treatment and care.<sup>274</sup> It also requires recognizing and addressing the role of underlying determinants of health – including social, economic and environmental determinants – as key to good mental health and well-being.<sup>275</sup> As in many other low-income countries, in Haiti even in the best of circumstances these services had been extremely limited, despite the presence of government plans committing to its provision.<sup>276</sup>

Many of the rape survivors interviewed by Amnesty International said they had no access to such services and support, but some said they did see counsellors in health facilities after they received medical care or in the displacement sites where NGOs have provided some care for survivors.<sup>277</sup> Even in the most constrained circumstances, the government – not NGOs – is the primary duty-bearer in ensuring the realization of minimum core standards of the right to health.<sup>278</sup>

It was clear to Amnesty International’s researchers that international and local NGOs have stepped in to fill some of the gaps and exerted efforts to provide some level of psycho-social support in medical facilities and at displacement sites. But these services cannot remain largely reliant on civil society groups and need to be significantly scaled up, including ensuring the provision of more specialized care given the extent of the crisis. Additionally, as has been proven time and again in similar crises, governments and international partners, including humanitarian and development actors, must ensure that these services are provided long-term to guarantee ethical and sustainable care.<sup>279</sup>

## BARRIERS TO JUSTICE

As mentioned above, there is significant stigma associated with sexual violence. Similarly, as detailed in some of the aforementioned testimonies, fear of reprisals from gang members is salient, preventing survivors from coming forward to the police. The widespread absence of the police in gang-controlled areas also meant that survivors simply had no one to go to, and they feared that authorities would end up associating them with the gangs. Financial constraints and rampant impunity in the country are also among the considerations with which survivors have to grapple.

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<sup>271</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>272</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>273</sup> ICESCR, Article 12.

<sup>274</sup> CESCR, General Comment 14, para. 12 and 17.

<sup>275</sup> CESCR, General Comment 14, paras 4 and 11.

<sup>276</sup> OHCHR and BINUH, *Sexual violence in Port-au-Prince* (previously cited), para. 76; World Health Organization (WHO), “Mental Health Atlas 2020 Country Profile: Haiti”, 15 April 2022, <https://tinyurl.com/4ukp3h3i>

The Lancet Commission on Global Mental Health and Sustainable Development created with the aim of reframing the prioritization of mental health within the context of achieving the Sustainable Development Goals acknowledged that countries of all income levels allocate a much lower proportion of their health budgets to mental health than is needed. In its landmark 2018 report, it recommended that, in general, low- and middle-income countries should increase mental health allocations to at least 5% of their health budgets. See Vikram Patel and others, “The Lancet Commission on mental health and sustainable development”, *The Lancet*, 9 October 2018, Vol. 392, Issue 10157, pp. 1553-1598, <https://tinyurl.com/ycxpebnn>

<sup>277</sup> Interviews in person, 18-25 September 2024, Port-au-Prince.

<sup>278</sup> CESCR, General Comment 3: The Nature of States Parties’ Obligations (Article 2.1), 14 December 1990, UN Doc. E/1991/23, paras 11 and 12; CESCR, General Comment 14, paras 43(a), 44(a). Parties to the ICESCR have an obligation to take steps both “individually and through international assistance and co-operation” to progressively realize the covenant’s rights. ICESCR, Articles 2(1), 22, 23. Similar provisions on international assistance are also codified in the Convention on the Rights of the Child (Article 4), and the Convention on the Rights of Persons with Disabilities (Articles 4(2) and 32). International declarations and commitments, including the 1993 Vienna Declaration and Programme of Action and the 1986 Declaration on the Right to Development have also affirmed the importance of international assistance and co-operation, underscoring the co-responsibility of the international community in fulfilling human rights. See also the following general comments by treaty bodies: CESCR, General Comment 2: International Technical Assistance Measures (Article 22), 2 February 1990, UN Doc. E/1990/23; CESCR, General Comment 3 (previously cited); Committee on the Rights of the Child, General Comment 4: Adolescent Health and Development in the Context of the Convention on the Rights of the Child, 1 July 2003, UN Doc. CRC/GC/2003/4, para 43.

<sup>279</sup> See, for example, Amnesty International, “*They are forgetting about us*”: The long-term mental health impact of war and Ebola in Sierra Leone (Index: AFR 51/4095/2021), 25 May 2021, <https://tinyurl.com/yxke7faz>



“If I as much as think about going to the police, I’m a dead person,” said the 16-year-old girl from Martissant who is exploited in commercial sex with gang members.<sup>280</sup> The 16-year-old girl whose bus was stopped in Martissant by gang members who proceeded to touch her body and beat her in June 2024 said: “I was scared to tell the police. I didn’t want them to think I was a girlfriend of a gang member.”<sup>281</sup>

In many cases, the girls simply could not identify the assailants who attacked them, an issue that several girls cited as stopping them from reporting the attacks. In the vast majority of the cases documented by Amnesty International, gang members wore masks while assaulting the girls. The 17-year-old girl who was raped and impregnated by five gang members in Carrefour-Feuilles in December 2023 said: “I wanted to report it to the police, but I didn’t see [the assailants’] faces, I don’t have any proof. So, I gave up... I’m afraid the police would ask me if I saw [the assailants’ faces], and I didn’t, if I know them, and I don’t.”<sup>282</sup>

The 14-year-old girl who was raped by five gang members in June 2024 in the commune of Croix-des-Bouquets said no one in her family was left with any form of identification or paperwork after the gang that had attacked her neighbourhood burned her family’s house to the ground.<sup>283</sup> “Our identification cards burned in the house. We have no IDs to go to the police with. It is hard. We gave up,” she said.<sup>284</sup> Several interviewees told Amnesty International they lost all their belongings, including identification cards and other crucial documents, when they fled gangs’ assaults on their areas.

For many interviewees, the notion of going to the police was out of the question due to the absolute absence of law-enforcement personnel in gang-controlled areas. Many scoffed at the idea of reporting their attacks to authorities. The 16-year-old girl who was abducted and gang raped in Martissant in 2023, and then again sexually assaulted by a gang member in Fontamara in 2024, said:

**Are you kidding me? It’s not possible [to report the attacks to the police]... There is no police... The only chief in town are the gang members. If you have an issue with someone, you have to go see [the gang leader] and resolve the problem with him. He is the only chief. There are no police officers in town right now. They have been pushed out. And even those police officers who are still there, they cannot do anything for us because they work with gang members. If you see a police officer in town right now, there’s no need to waste your time and talk to him, because he works with gang members.**<sup>285</sup>

In only one of the cases documented by Amnesty International, the survivor of sexual violence reported the attack to the police. But even in that case, the girl’s mother said the family had to pay exorbitant amounts to the lawyer representing them in the ensuing legal proceedings. “All the money I have has gone to the lawyer for this case... Sometimes I borrow money so I can pay him. I have not been offered a lawyer [by the state],” said the mother of the 14-year-old girl who was raped in May 2024 by a camp committee member in the displacement site the family had moved to from Carrefour-Feuilles.<sup>286</sup>

She said that she has had to pay the lawyer various amounts at different stages, including 15,000 gourdes (USD 114) to appear in court every time the defendant does.<sup>287</sup> Other committee members and camp residents pressured the family to drop their complaint and settle for a payment from the assailant, but the mother refused. Since then, the mother said she has been excluded from the distribution of aid that is delivered to the camp by an NGO.<sup>288</sup> The mother and part of the family remained in the camp, but the girl moved to a shelter run by an NGO for survivors of sexual violence.

UN and NGO representatives told Amnesty International that the extremely limited number of shelters that exist are overwhelmed.<sup>289</sup> They said more facilities were needed to take in child survivors of sexual violence and provide the necessary rehabilitation and care as well as protection during and after legal proceedings.<sup>290</sup> Various UN agencies are working on coordinating efforts to have an up-to-date mapping of services and referral pathways, but much of their work remains woefully underfunded.<sup>291</sup>

More broadly, as with survivors of other forms of violence by the gangs, girls who have been sexually assaulted are affected by the general impunity afforded to gang members.<sup>292</sup> This continues to be the case

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<sup>280</sup> She also never reported the 2021 rape by 5 Segon members when she was 13. Interview in person, 23 September 2024, Port-au-Prince.

<sup>281</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>282</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>283</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>284</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>285</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>286</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>287</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>288</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>289</sup> Interviews by video calls, June-September 2024.

<sup>290</sup> Interviews by video calls, June-September 2024.

<sup>291</sup> Interviews by video calls, June-September 2024.

<sup>292</sup> See, for example, OHCHR and BINUH, *Sexual violence in Port-au-Prince* (previously cited), paras. 4, 8, 14, 56, 80.

despite the existence of a number of specialized police units to address sexual violence and for child protection.<sup>293</sup>

Under Haitian law, rape or sexual assault are punishable with 10 years of forced labour, which is increased to 15 years if the victim is a child under the age of 15.<sup>294</sup> A new criminal code, which is meant to come into effect in June 2025,<sup>295</sup> will add new penalties to existing crimes, including a 15- to 20-year prison term for the rape of a child under 15, as well as new crimes such as soliciting a minor engaged in commercial sex.<sup>296</sup>

In September 2024, Haitian authorities and the UN signed a protocol aimed at the creation of specialized judicial chambers to prosecute “mass crimes, including sexual violence and financial crimes”.<sup>297</sup> Haitian authorities must urgently prioritize the operationalization of the protocol and ensure that these judicial bodies are staffed with professionals specifically trained to attend to victims of these crimes and that they follow victim-centred and trauma-informed procedures. As part of their efforts to ensure effective judicial processes and care for survivors, authorities must also work closely with national and international civil society organizations present in the field and who have been at the forefront of assisting victims and their families.



*Gang members, such as this one photographed in the capital Port-au-Prince on 22 February 2024, often wear masks in public. In most of the cases documented by Amnesty International, gang members wore masks while raping the girls, an issue that several girls cited as one of the reasons stopping them from reporting the attacks since they could not identify the specific assailants. © Giles Clarke / Getty Images*

<sup>293</sup> OHCHR and BINUH, *Sexual violence in Port-au-Prince* (previously cited), para. 82; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 September 2023 (previously cited), para. 54.

<sup>294</sup> Haiti, Decree amending the regime of sexual assault and eliminating discrimination against women in this area, 11 August 2005, <https://tinyurl.com/3ueevbmy> (in French), Articles 2-3.

<sup>295</sup> The new criminal code is meant to replace one dating back to 1835. The late President Jovenel Moïse had issued a decree in March 2020 – the details of which were published in the official gazette in June of that year – revising the Penal Code. The new code was originally meant to go into effect in 2022. But the move caused an uproar and its entry into force was later postponed more than once. See, for example, Miami Herald, “Legalization of abortion, gay rights has Haiti churches up in arms, criticizing president”, 6 August 2020, <https://tinyurl.com/556k3fmx>; Haiti Libre, “Postponement of the penal code”, 25 June 2024, <https://tinyurl.com/52abex2c>; Le Nouvelliste, « L’entrée en vigueur du nouveau Code pénal repoussée au mois de juin 2025 » [“New Penal Code implementation delayed to June 2025”], 24 June 2024, <https://tinyurl.com/2u2e2zna> (in French).

<sup>296</sup> Le Moniteur, « Sommaire : Décret Code Pénal » [“Summary: Penal Code Decree”], 24 June 2020, <https://tinyurl.com/2ymzbhif> (in French), Articles 298(2) and 384. See also Library of Congress, Global Legal Monitor, “Haiti: Government postpones bringing new criminal code into force”, 28 July 2022, <https://tinyurl.com/27r5wtp2>; Le Nouvelliste, « Mise au point des auteurs du nouveau Code pénal » [“Clarification from the authors of the new Penal Code”], 22 July 2020, <https://tinyurl.com/yhmya4v9> (in French).

<sup>297</sup> BINUH, *Quarterly report July-September 2024* (previously cited), p. 11. This step came after the Ministry of Justice and Public Security created a team in July 2024 to monitor and prioritize sexual violence cases. According to the UN, the creation of that team “resulted in 18 sexual violence cases being adjudicated, including two involving children. Following these trials, twelve defendants were convicted, five were released, and one case was dismissed”. BINUH, *Quarterly report July-September 2024* (previously cited), p. 11. The work of that team was mentioned to Amnesty International in an interview with a justice ministry official. Interview in person, 23 September 2024, Port-au-Prince.

# 4. KILLINGS AND INJURIES

Gang violence has left a trail of death and destruction across the Port-au-Prince metropolitan area and surrounding regions. Children were killed and injured during invasions of neighbourhoods, as a result of indiscriminate and, at times, direct fire. According to the UN Secretary-General's report on children and armed conflict, the UN verified the killing of 128 children and the maiming of 79 others as a result of gang violence in 2023.<sup>298</sup> The UN's OHCHR subsequently reported that at least 5,601 people were killed and 2,212 were injured in gang violence in Haiti in 2024. A breakdown of how many of those were children was not made public at the time of the finalization of this report, but with these figures representing an increase of 1,150 people killed and 540 injured compared to 2023, the number of children killed and injured in 2024 also likely spiked.<sup>299</sup>

Amnesty International has documented the cases of 12 children who were injured (10) or lost their lives (2) as a result of gang-related violence and associated incidents.<sup>300</sup> Their ages ranged from five to 17. The gangs linked to the cases documented by Amnesty International include Brooklyn, Simon Pelé, Belekou, Boston and Grand Ravine. At least two cases involved crossfire between gangs and the police.

International human rights law recognizes the right to life.<sup>301</sup> The International Covenant on Civil and Political Rights and the American Convention on Human Rights also demand that no one be arbitrarily deprived of their life.<sup>302</sup> In addition, the CRC requires state parties to “ensure to the maximum extent possible the survival and development of the child”.<sup>303</sup> Haitian law requires the state to guarantee the right to life and criminalizes killing.<sup>304</sup>

## INDISCRIMINATE GUNFIRE

Interviewees said that gang violence has become such a daily reality in many neighbourhoods that many families include more than one victim, at times the same victim experiencing multiple attacks. A 14-year-old girl from Delmas described to Amnesty International how a ricocheting bullet, shot by gang members attacking a bank next to her house, ended up piercing her face, going in and out her upper lip.<sup>305</sup> The girl was standing at the entrance of her house alongside her mother when the incident happened in September 2024.<sup>306</sup>

The girl's mother took her to a hospital where she underwent surgery. “I was so afraid to enter the operating room... After I woke up, I saw my mom crying so hard. She had thought I would never wake up, that I would

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<sup>298</sup> UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 73.

<sup>299</sup> UN News, “More than 5,600 killed in Haiti gang violence in 2024”, 7 January 2025, <https://tinyurl.com/y7224dfv>; UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), para. 18.

<sup>300</sup> One case dated to 2023, the remaining 11 took place in 2024.

<sup>301</sup> ICCPR, Article 6(1); CRC, Article 6(1); ACHR, Article 4(1)

<sup>302</sup> ICCPR, Article 6(1); ACHR, Article 4(1)

<sup>303</sup> CRC, Article 6(2).

<sup>304</sup> Haiti, Constitution (previously cited), Article 19; Haiti, Penal Code (previously cited), Title II, Chapter 1, Section 1.

<sup>305</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>306</sup> Interview in person, 24 September 2024, Port-au-Prince.

die. When I woke up, I felt so much pain all around [my mouth]” she said, a diagonal scar visible between her nose and upper lip.<sup>307</sup>

“It’s not a calm area. There is trouble all the time. There is so much gunfire. I can’t stand the gunfire,” the girl said, adding that her 17-year-old brother was killed on 14 June 2024 after he was shot in the stomach by a stray bullet amid fighting in the area.<sup>308</sup> As gunshots rang out in the neighbourhood, he had told her not to go out but stepped out himself to share some food with a friend living nearby. She said:

**We [struggled to] even find a place to keep my brother’s body before the funeral... It’s like I lost a part of my body, it’s like I lost my best friend, my counsellor. I lost a huge presence in my life. Since then, I don’t know how to be happy, and I don’t want to stay in the area. I want to go somewhere else... We can’t find food easily... My mom doesn’t have enough resources, sometimes when she goes out to sell things, she comes back with nothing. Sometimes we spend the whole day without eating, we can go to sleep without eating anything all day... My mother no longer has customers; people are afraid [of the fighting] and left the town... We don’t have the resources to leave.**<sup>309</sup>

In August 2024, a 17-year-old boy was catching public transport on the outskirts of Cité Soleil on his way home, from a seminar on empowering young people, when he was struck by stray gunfire.<sup>310</sup> In visible pain and discomfort, he described to Amnesty International how he stopped to switch vehicles not realizing that there was an ensuing shootout, which he was later told was between Simon Pelé gang and the police:

**I felt something warm on my belly. I looked down and saw my clothes were bloody red... I was shot in one side. [A] bullet is stuck. [Doctors] could not get it out... I am in critical pain. I will [be going] back to the doctor to cut me again to take the bullet out... I can’t run. I can’t eat much... I don’t feel good at all. I hear gunshots and feel like I’m going crazy.**<sup>311</sup>

Others were shot next to him, but he did not know them, he said. It was the second time the boy had been injured due to gang-related violence. In November 2021, on his way back from watching a football match, he was shot in his arm in the commune of Tabarre. Members of the Brooklyn gang were engaged in a shootout that injured him and others, he said.<sup>312</sup>

On 1 January 2024, a 10-year-old boy was hit by stray bullets resulting from fighting between Boston and Brooklyn gangs in Cité Soleil, an aid worker said.<sup>313</sup> The community raised funds to help with the boy’s medical procedures.<sup>314</sup> The 10-year-old told Amnesty International he was on his way to buy ice for his mother when he was hit by two bullets.<sup>315</sup> He said one of the bullets went through his ear, and another remained lodged in his head; doctors told him it was inoperable. “It is difficult to put on sandals. I have to lift my foot up. One time, I tried to put on my sandal, I felt light-headed, and I fell... Ever since I got hit, I can’t walk the same way anymore,” he said.<sup>316</sup> After the incident, his mother took him out of school, he said, explaining that she feared it may exacerbate his injury.<sup>317</sup>

Even after gangs form alliances or call truces, rivalries don’t quite dissipate. The most casual of events can spark violence, and children end up paying the price. On 11 September 2024, when a referee in a football match in Cité Soleil awarded a penalty kick to Boston, the home team, clashes ensued between the neighborhood gang and that of the opposing team, Simon Pelé, as well as members of Belekou gang (all part of the G9 alliance).<sup>318</sup>

Uninvolved spectators and bystanders in the community were killed and injured. A 14-year-old girl who had stepped out to buy something for her mother told Amnesty International she was hit by four bullets – one went through her breast, two through her lower arm, and one remained lodged in her upper arm:

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<sup>307</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>308</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>309</sup> Interview in person, 24 September 2024, Port-au-Prince.

<sup>310</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>311</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>312</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>313</sup> Interview by voice call, 23 September 2024.

<sup>314</sup> Interview by voice call, 23 September 2024.

<sup>315</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>316</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>317</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>318</sup> AP, “Fresh wave of violence erupts in Haiti’s capital over a soccer match”, 13 September, <https://tinyurl.com/2avus25f>; Le Nouvelliste, « Cité Soleil : un penalty contesté provoque une nouvelle guerre des gangs » [“Cité Soleil: Controversial penalty triggers another gang war”], 12 September, <https://tinyurl.com/5n92yv9n> (in French); Haiti Libre, “Football match sparks gang war in Cité Soleil”, 13 September 2024, <https://tinyurl.com/4dp8km8p>

I was bleeding... I was thinking I'm going to die... I hid in a lottery shop... there were other people hiding there too... I stayed there a while... Someone wrapped my hand to stop the bleeding... Inside, we could still hear the gang members fighting and the shooting outside... I called my mother using someone else's phone... When my mother arrived, we were not able to go outside. Later, someone came to the store and... said we can go outside... We went home... My mother changed my clothes to go to the hospital... Since then, I don't go out anymore, I don't go to see friends... I don't want to be taken by surprise again and find myself shot in the middle of gunfire... Every time I try to sleep, everything hurts.<sup>319</sup>



A 14-year-old girl described to Amnesty International being hit by four bullets on 11 September 2024 when gangs clashed after a referee in a football match in Cité Soleil awarded a contested penalty kick. © Amnesty International

## DELIBERATE ATTACKS

A common tactic used by gangs to punish residents of neighbourhoods under the control of rival groups is to target the population with long-range gunfire, which the UN describes as sniper attacks, especially in contested areas or along turf borders.<sup>320</sup> This modus operandi has been employed in various areas, particularly by gangs operating in Cité Soleil.<sup>321</sup>

A 16-year-old boy from the Boston neighbourhood of Cité Soleil told Amnesty International he was shot, on 20 January 2024, by an unseen gunman he referred to as a sniper, when he was in the market buying beans. He recounted:

**He shot me in the leg... My leg felt numb. I tried to run relying on my other leg... The gunman continued to shoot at me. As I was trying to run away, a motorcycle driver saw me and took me to the hospital. When I arrived at the hospital, my leg swelled up and became so big... The doctor said, 'If I don't amputate your leg, you're going to die.' My mother arrived at the hospital, and she didn't want the doctor to do the amputation. But the doctor insisted and said if he doesn't do it, I'm going to die. As we**

<sup>319</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>320</sup> See, for example, OHCHR and BINUH, *The Population of Cité Soleil in the Grip of Gang Violence*, February 2023, <https://tinyurl.com/534aaw7r>, paras 3, 28, 38, 40, 41, 73, 79; Panel of Experts on Haiti, *Interim report 29 March 2024* (previously cited), para. 49(b); UN High Commissioner for Human Rights, *Situation of human rights in Haiti*, 25 March 2024 (previously cited), para. 20.

<sup>321</sup> See, for example, OHCHR and BINUH, *The Population of Cité Soleil in the Grip of Gang Violence* (previously cited).



**waited for my mother’s decision, by morning time, a bad smell started to emanate from my leg. Finally, my mother decided to let the doctor amputate it.**<sup>322</sup>

The boy – whose right leg was amputated above the knee – said the shots came from a perching position that became known in the community as belonging to the Brooklyn gang. In subsequent days the group continued to terrorize residents of the boy’s area by shooting from that higher ground.<sup>323</sup> The area where he lived had been controlled by Boston for several years; the two gangs ultimately “made peace” later in 2024, the boy said.<sup>324</sup> He added: “I don’t know why [the shooter] did that to me... My life has changed so much. I used to have many friends. We used to go out to hang out, but right now, it’s like people don’t want to be friends with me. It’s like they see me as different... So, I just watch as they play with their phones and play outside.”<sup>325</sup>

In the carnage of invading neighbourhoods, gang members at times break into homes and murder families at point-blank range. In August 2023, gang members who had stormed into a house in Carrefour-Feuilles shot dead a man and injured his 10-year-old son, two aid workers said.<sup>326</sup> The father was shot between his eyes in front of the child. Amnesty International met the child who confirmed the events and showed researchers the scar on his torso resulting from being shot in the stomach.



Satellite imagery from 2 December 2024 shows some of the destruction in the Solino neighbourhood of Port-au-Prince, an area that witnessed heavy fighting between gangs and the police. Yellow polygons highlight areas with heavily damaged and destroyed buildings. Smoke is visible rising from one area. © 2025 Airbus

## ASSOCIATED DEATHS AND INJURIES

Amnesty International has documented a number of cases where a death or injury were not directly perpetrated by the gangs, or others engaging in clashes with them, but still occurred in events that were associated with gang violence. For example, the organization documented the cases of four children who fell and had serious injuries as they were escaping gang violence. Amnesty International also documented a rare case of a girl who died after she inhaled tear gas when a canister was lobbed – seemingly inadvertently – into the displacement site where she was staying amid fighting outside.

In April 2024, the seven-year-old girl was at a crowded displacement site set up in one of the schools in the capital as the canister landed in the yard while heavy gunfire rang out outside, the girl’s mother said.<sup>327</sup> She explained:

**No one could step out in the street that day. Everything was shut down... I was unable to breathe. Phlegm came out from my daughter’s nose. Several people tried to help bring her back to life, but they**

<sup>322</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>323</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>324</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>325</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>326</sup> Interview in person, 24 September 2024, Port-au-Prince; Text message exchange, 22 October 2024.

<sup>327</sup> Interview in person, 25 September 2024, Port-au-Prince.

**couldn't. She was well until the gas [canister] was thrown in. I was in a panic... We were unable to step out... By the time we could the next day, she had passed away... The ambulance came in the morning. She had passed away by then.<sup>328</sup>**

Many people in the camp were affected by the gas, the woman said. It was not the first time clashes had broken out in proximity to the displacement site. "We were very close. She was very intelligent... She was affectionate," the mother said of her daughter.<sup>329</sup>

In August 2023, Grand Ravine launched a series of notorious attacks on the neighbourhoods of Savane Pistache and Carrefour-Feuilles, killing and injuring many residents and displacing thousands.<sup>330</sup> Several interviewees described to Amnesty International the mayhem they experienced fleeing the violence. A 13-year-old boy who now lives with debilitating pain after he fell and injured his side and back while escaping told Amnesty International:

**I can move a certain way, but when I try to run, I can't... Those guys were shooting and burning people in their houses. They reached our neighbourhood. We started to run. I fell. My mom pulled [me up], I got stuck on a tree and I saw a trail of blood. People were chopped with machetes, and I saw dead bodies... I was still able to run after I fell, but I was in pain... Now I feel it more on one side.<sup>331</sup>**

The boy's mother said she had taken him to the hospital, and he did an initial round of tests, but she could no longer afford to pay for medical care and so he remains in pain.<sup>332</sup>

Another boy who was escaping the same spate of attacks said he was running with his mother and sister when he fell and severely injured his hip.<sup>333</sup> As a result, the 15-year-old now has one leg that is longer than the other. The fall had exacerbated a basketball injury he had sustained several months prior, he said.<sup>334</sup>

"The day I fell is a day I will never forget as it set us back a lot. I left everything. There is a lot we lost. I packed a few clothes. I have been wearing the same sneakers since. We didn't take money," he said.<sup>335</sup> He added that he needs a special shoe to even out the length of his legs so he can walk better. He also requires a surgery, which the doctor said costs USD 10,000.<sup>336</sup> "People make fun of me, and I don't like it. I'm depressed. The way people make fun, it's like I'm not human. I even wanted to drink Clorox [bleach]," he said.<sup>337</sup>

Interviews highlighted the extent of fear communities across the capital live in, such that people immediately take to running at the first sound of shots fired. A displaced woman who had fled gang violence in Savane Pistache said that in September 2024 she was in Port-au-Prince city centre with her five-year-old son to borrow money from a friend as they hadn't eaten all day.<sup>338</sup> Fighting broke out between gang members and the police, she said. When she tried to run with her son the little boy fell and was stomped on in a stampede. When she took him to the hospital, they found out that his left arm was broken.<sup>339</sup>

The same bone in his arm had barely just healed from a prior break he sustained three months prior when he fell in the displacement site where they live. Two of the women's children, eight-year-old twins, a boy and girl, were killed in an attack by gang members on their area several years ago.<sup>340</sup> "You don't know where to live in peace in Haiti," the mother said.<sup>341</sup>

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<sup>328</sup> Interview in person, 25 September 2024, Port-au-Prince. Deaths resulting from tear gas inhalation are generally rare. Amnesty International finds this account credible given a variety of factors, including the crowded space, long period of exposure and description of the girl's state and symptoms. Children are particularly at risk of the adverse effects of tear gas, including an increase in mucous production that could result in suffocation. See, for example, Forbes, "Tear gas is especially harmful to children – here's why", 28 November 2018, <https://tinyurl.com/3bzzh2hz>; CNN, "This is how tear gas affects children", 29 November 2018, <https://tinyurl.com/8aktr4wc>; Craig Rothenberg and others, "Tear gas: an epidemiological and mechanistic reassessment", *Annals of the New York Academy of Sciences*, 8 July 2016, <https://tinyurl.com/32apy8ve>; Amnesty International, Tear Gas: An Investigation, <https://teargas.amnesty.org/#top>

<sup>329</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>330</sup> See, for example, RNDDH, "The increasing violence in the West and Artibonite departments: RNDDH denounces the complicity of the CSPN", 18 August 2023, <https://tinyurl.com/3s5japxy>; Le Nouvelliste, « Carrefour-Feuilles: La PNH veut reprendre le contrôle de la situation » ["PNH's attempt to restore order in Carrefour-Feuilles"], 14 August 2023, <https://tinyurl.com/2j9wjacx> (in French); IOM, "Emergency Tracking Tool (ETT): Updates on displacement following violences at Carrefour-Feuilles", 25 August 2023, <https://tinyurl.com/44jbrjzf>

<sup>331</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>332</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>333</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>334</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>335</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>336</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>337</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>338</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>339</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>340</sup> Interview by voice call with the woman's oldest son who was with the twins when they were killed, 26 October 2024.

<sup>341</sup> Interview in person, 26 September 2024, Port-au-Prince.



## WEAPONS AND AMMUNITION

Gangs in Haiti rely on an array of weapons to commit human rights abuses. There is no precise and detailed data, but the most recent estimate by experts puts the number of firearms in circulation in Haiti at 600,000.<sup>342</sup> The most commonly available calibres include 9x19mm handguns, and 5.56x45mm and 7.62x39mm rifles, with demand steadily increasing.<sup>343</sup> There are three main ways for gangs to acquire firearms and ammunition: diversion from government stockpiles, imports and local craft production.

The diversion of law enforcement weapons from government stockpiles is a longstanding issue in Haiti. In 2023, the UN Panel of Experts on Haiti found that “[b]etween 2012 and 2023, close to 2,500 police firearms were declared lost or stolen”.<sup>344</sup> The exact modalities of diversion patterns are not well known, but it can be safely assumed that a significant share of these firearms is captured or sold (directly or indirectly) to gang members.<sup>345</sup> The Galil ACE 22 – a relatively rare compact variant of the modern version of the Israeli Galil, and a standard issue rifle of the Haitian National Police – is, for instance, a frequent sight among Haitian gang members, open-source analysis shows.<sup>346</sup>

Imports of firearms, which have been prohibited since 2023 – with the exemption of Haitian government and UN-authorized security forces – under several UN Security Council resolutions,<sup>347</sup> heavily contribute to the stockpiling of weapons by gangs. Due to its geographical proximity, limited controls and the presence of a large Haitian diaspora, the US is, by far, the main source of weapons smuggled into Haiti.<sup>348</sup>

Weapons of US origin also reach Haiti through third countries, including the Dominican Republic and Jamaica.<sup>349</sup> US Customs and Border Protection have stepped up their efforts to interdict shipments of weapons from the US (Florida in particular) to Haiti, resulting in a number of seizures.<sup>350</sup> In 2022, Miami Homeland Security Investigations publicized a seizure of larger calibre rifles, such as Barrett MRAD SMR, Barrett 20" M82A1 and M2 heavy machine gun,<sup>351</sup> all designed for long-range engagement and against armoured targets, raising concerns that gangs are attempting to obtain more powerful weapons.

In July 2022, Haiti concluded the preparation of its National Action Plan and a baseline assessment for the Caribbean Firearms Roadmap, an initiative aimed at reducing the risk of diversion of firearms and ammunition in the region.<sup>352</sup>

While Haiti does not have any industrial weapons production capacity, recent research suggests that privately manufactured firearms (PMFs), such as craft-made, 3D-printed or converted blank guns are an increasing source of threat.<sup>353</sup> In 2020, for instance, US customs officials seized milled lower and upper receivers, manufactured using computer numerical control technologies, bound for Haiti.<sup>354</sup> These elements are usually parts of kits that, once assembled, become “ghost guns”, firearms that are

<sup>342</sup> Anne-Séverine Fabre and others, CARICOM IMPACS and Small Arms Survey, *Weapons Compass: The Caribbean Firearms Study*, April 2023, <https://tinyurl.com/dbbhpee>, p. 60. Reliable data is lacking due to weak enforcement of gun registration among other challenges.

<sup>343</sup> Panel of Experts on Haiti, *Final report 30 September 2024* (previously cited), para. 73.

<sup>344</sup> Panel of Experts on Haiti, *Final report of the Panel of Experts on Haiti submitted pursuant to resolution 2653 (2022)*, 15 September 2023, UN Doc. S/2023/674, para. 107.

<sup>345</sup> According to the panel of experts, some police officers sell their firearms and ammunition to gang members. Panel of Experts on Haiti, *Final Report 15 September 2023* (previously cited), para. 107.

<sup>346</sup> See, for example, Charles Villa, “I met the gangs of Port-au-Prince, capital of Haiti”, 11 October 2024, <https://tinyurl.com/3xkktm9e>; Jamaica Constabulary Force, X post: “This rifle & six rounds were seized in Rockfort, St. Andrew Sunday morning. The weapon bears the insignia of the Haitian Police.”, 4 June 2017, <https://tinyurl.com/3kc26285>

<sup>347</sup> UN Security Council (UNSC), Resolution 2699 (2023), adopted on 2 October 2023, UN Doc. S/RES/2699, para. 14; UNSC, Resolution 2751 (2024), adopted on 30 September 2024, UN Doc. S/RES/2751, para. 2.

<sup>348</sup> Panel of Experts on Haiti, *Final Report 15 September 2023* (previously cited), para 96; United Nations Office on Drugs and Crime (UNODC), Report, 17 January 2024, S/2024/79, paras. 2, 11, 12; Government Accountability Office, “Caribbean firearms: Agencies have anti-trafficking efforts in place, but State could better assess activities”, 14 November 2024, <https://tinyurl.com/yufatz3h>

<sup>349</sup> Small Arms Survey, *Weapons Compass: The Caribbean Firearms Study* (previously cited); Panel of Experts on Haiti, *Final Report 15 September 2023* (previously cited), paras. 96, 97, 103, 104, Annex 31, 32; UNODC, Report, 16 October 2024, S/2024/752, paras. 2 and 18; UNODC, *Haiti's criminal markets: Mapping Trends in Firearms and Trafficking*, 17 February 2023, <https://tinyurl.com/d3b4aert>, p. 19.

<sup>350</sup> See, for example, Panel of Experts on Haiti, *Final report 15 September 2023* (previously cited), Annex 29; Haitian Times, “As Haitian gangs escalate attacks, cutting off ammunition supplies could be crucial”, 29 October 2024, <https://tinyurl.com/35zea9fz>; NBC News, “Department of Homeland Security working to stop illegal gun flow into Haiti”, 30 March 2024, <https://tinyurl.com/mr3ky4j6>

<sup>351</sup> AP, “US officials warn of uptick in weapons smuggled to Haiti”, 17 August 2022, <https://tinyurl.com/5n7vaz5e>

<sup>352</sup> UN Office for Disarmament Affairs, “Haiti finalizes National Action Plan on firearms after welcoming second in-person mission from UNLIREC”, 15 July 2022, <https://tinyurl.com/k72nsaz7>

<sup>353</sup> Small Arms Survey, *Weapons Compass: The Caribbean Firearms Study* (previously cited), pp.90-100; Panel of Experts on Haiti, *Final Report 15 September 2023* (previously cited), Annex 29.

<sup>354</sup> Small Arms Survey, *Weapons Compass: The Caribbean Firearms Study* (previously cited), p. 93

untraceable due to the absence of serial number or identification marks.<sup>355</sup> Reports on seizures by the Haitian National Police also indicate that authorities have confiscated craft-made guns in anti-gang operations.<sup>356</sup>

Testimonies by children underscored the ubiquitous presence of guns around them, including how they are often thrust into their hands and are central in the gangs' acts of violence such as rape. Given that Haiti produces no weapons of its own, containing the illicit trade in arms and preventing diversion of weapons is essential in curbing the abuses committed by gangs. The 14-year-old girl from Cité Soleil who was hit by four bullets in September 2024 said: "I want to tell [the world] to help us change the situation we're in right now in Haiti and remove all the guns... I don't want what happened to me to happen to someone else."<sup>357</sup>



*A map of the centre of Port-au-Prince shows fires detected by sensors on NASA satellites during times when heavy fighting and destruction were reported in 2024. A high density and prevalence of fires were detected between 5 February and 1 April 2024 in areas in the west resulting in 24 hotspots, shown with red icons. High density and prevalent fires were also detected to the east between 31 October and 4 December 2024 resulting in 20 hotspots, shown with orange icons. More fires are likely to have occurred than were detected by the sensors. © 2025 Planet Labs PBC*

<sup>355</sup> UN News, "Haiti: Gangs have 'more firepower than the police'" (previously cited).

<sup>356</sup> See, for example, Haiti Brise-Info, Facebook post on 9 December 2023, <https://tinyurl.com/3mern49a>

<sup>357</sup> Interview in person, 22 September 2024, Port-au-Prince.

# 5. IMPACT ON CHILDREN WITH DISABILITIES

Research has consistently shown the disproportionate impact, including additional risks, that children with disabilities sustain in situations of conflict and crisis.<sup>358</sup> Amnesty International documented the experiences of 11 children with disabilities living amid Haiti's gang violence, interviewing nine of them directly.<sup>359</sup> The ages of the children, eight of whom were displaced, ranged from seven to 15.

The children with disabilities who were interviewed experienced various disabilities, including physical and psycho-social disabilities. Some had more than one disability. Two had acquired a physical disability as a result of gang violence. Researchers also interviewed representatives of organizations and facilities that support persons with disabilities and observed first-hand the inadequate and inaccessible conditions in two displacement sites in the capital.

Haiti is a state party to the Convention on the Rights of Persons with Disabilities (CRPD), and as such the Haitian government is required to take measures to “promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity”.<sup>360</sup> Article 11 of the CRPD specifically addresses the need to take “all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters”.<sup>361</sup>

Haiti has also ratified the Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities, which includes obligations to “adopt the legislative, social, educational, labor-related, or any other measures needed to eliminate discrimination against persons with disabilities and to promote their full integration into society”.<sup>362</sup> International assistance is required to support the government in meeting these obligations.

## DIFFICULTIES FLEEING VIOLENCE

As repeatedly proven in situations of instability, children with disabilities face a bigger risk fleeing violence, including due to limited mobility and having to abandon their assistive devices. They are often dependent on others to save their lives, as a result. In some cases, children with disabilities interviewed by Amnesty International had to endure this more than once as they and their families found themselves facing repeated displacement in pursuit of safety.

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<sup>358</sup> See, for example, Amnesty International, *Excluded: Living with disabilities in Yemen's armed conflict* (Index: MDE 31/1383/2019), 3 December 2019, <https://tinyurl.com/3ycbk8rv>; Amnesty International, “We all need dignity”: The exclusion of persons with disabilities in Türkiye's earthquake response (Index: EUR 44/6704/2023), 26 April 2023, <https://tinyurl.com/bdzvx3ha>; Human Rights Watch, “UN: High risk in conflicts for children with disabilities”, 2 February 2022, <https://tinyurl.com/26arvutm>

<sup>359</sup> The situations of the remaining two were documented through interviewing their parents.

<sup>360</sup> Convention on the Rights of Persons with Disabilities (CRPD), Article 1. See also Haiti, Law of 11 May 2012 on the integration of persons with disabilities, <https://tinyurl.com/4976mbzh> (in French).

<sup>361</sup> CRPD, Article 11.

<sup>362</sup> Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities, Article 3.

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

“People were running when gang members invaded our neighbourhood. Gang members burned people’s homes... It was nighttime... My uncle carried me and ran with me,” said a 12-year-old girl with limited mobility who fled the August 2023 assault on Carrefour-Feuilles by Grand Ravine.<sup>363</sup> At first, the family joined others in a displacement site in Carrefour-Feuilles, but they had to leave again when attacks escalated, moving to another site in a school in the centre of Port-au-Prince. The girl’s mother who carried her during the second escape said that three months after the attack, she went back to their house, but it was burned down and nothing in it, including the girl’s wheelchair, was spared.<sup>364</sup>

A 13-year-old boy with limited mobility described his escape from a gang attack on Delmas 18 in March 2023. “They set our house on fire. My mother and I ran away... We came out with just the clothes on our backs,” he said.<sup>365</sup> The boy’s mother said: “I had to carry him... I couldn’t push him in the chair, the path was not flat, there was mud and people were running everywhere.”<sup>366</sup>

The 15-year-old whose basketball injury was severely exacerbated when he fell while escaping from Carrefour-Feuilles said he had used a crutch for about a month soon after the initial basketball injury but stopped because other children had started mocking him.<sup>367</sup> On the night of the attack, “I forgot the crutch. With people saying, ‘Go, go!’ I didn’t think to take it. I only thought about it when I got to [our friend’s] house,” he said.<sup>368</sup>

Another 12-year-old girl with multiple disabilities who fled the August 2023 Carrefour-Feuilles assault said she was able to run on her own, but described how her impaired mobility resulting from a curved spine slowed her down.<sup>369</sup> At one point, she slipped, and the charging crowds fell on top of her in the melee, she said.<sup>370</sup>

These testimonies highlight how the lack of any warning ahead of gang attacks has left children with disabilities in more peril, undermining their enjoyment of their right to life on an equal basis with others.

## ACCESS TO ASSISTIVE DEVICES AND SERVICES

Even before the current crisis, the availability of quality assistive devices and technologies was a challenge in Haiti, which has the lowest GDP per capita in Latin America and the Caribbean.<sup>371</sup> This is a common problem in low-income countries where as few as 3% of persons with disabilities have access to assistive devices and technologies.<sup>372</sup> Gang violence has disrupted every facet of life, including the already limited access to these crucial products and services.

Of the six children with disabilities who need and would benefit from assistive devices, only two had any equipment – one had a wheelchair, the other crutches, though their quality was in question. The mother of the 13-year-old boy with limited mobility who fled from Delmas 18 said a friend guided her to a non-governmental office where she could obtain one, and she did.<sup>373</sup> It did not appear tailored for his needs and size; wheelchairs must be fit for purpose for the individuals using them or they can cause more harm.<sup>374</sup>

The 16-year-old boy who was shot by a sniper in Cité Soleil and had his leg amputated in January 2024 was given crutches by an international NGO after his surgery. He said they were crucial for him but pointed out how by the time of the interview with Amnesty International in September, the crutches were already falling apart.<sup>375</sup> He had received important care during his nine-day stay at the hospital and afterwards during three subsequent hospital visits, including physical therapy and psycho-social support, but it was short-lived. Explaining how gang violence continues to affect him, he said:

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<sup>363</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>364</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>365</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>366</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>367</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>368</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>369</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>370</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>371</sup> World Bank, “Greater inclusion necessary for Haitians living with a disability”, 17 December 2021, <https://tinyurl.com/5c3fshch>

<sup>372</sup> WHO, “Assistive Technology”, 2 January 2024, <https://tinyurl.com/u938vwm6>

<sup>373</sup> She did not know the name of the entity she visited, but she said it was not a government office. Interview in person, 26 September 2024, Port-au-Prince.

<sup>374</sup> See, for example, WHO, “Guidelines on the provision of manual wheelchairs in less resourced settings”, 2008, <https://tinyurl.com/yxcd5p2d>, p. 41; WHO Regional Office for South Asia, “Fact sheet on wheelchairs”, October 2010, <https://tinyurl.com/22unaef3>

<sup>375</sup> Interview in person, 22 September 2024, Port-au-Prince.



**I don't feel comfortable [with these crutches]... I don't go to the hospital anymore, and if you look at them, you can see how they are quite worn out and need to be replaced. They are damaged... [At the hospital], the psychologist told me 'Don't feel sorry, we can place a prosthetic leg for you in the future and you will be able to walk like you have a real one.' I didn't receive it yet; I haven't been back to the hospital in three months... There is always gunfire and fighting by gang members, and people don't go outside often.<sup>376</sup>**

The boy added that he used to rely on his legs to make food graters that his mother would then sell to support the family. He explained that he used his feet as part of the process of shaping the metal, something he is no longer able to do, alongside not being able to sit down as he had, to do this kind of work.

The mother of the 12-year-old girl with limited mobility who fled Carrefour-Feuilles without her wheelchair in August 2023 said she wanted to buy another one for her daughter to improve the girl's life in displacement, but she did not have the money. Other children with disabilities interviewed in need of assistive devices never had one to begin with. Assistive devices and prostheses are essential to enabling persons with disabilities to live active, independent lives.



*A 16-year-old boy, whose leg was amputated in January 2024 after he was shot by a gang member, was given crutches by an international NGO, but by the time of the interview with Amnesty International in September, the crutches were already falling apart, and he was unable to get new ones. © Amnesty International*

For many, these devices are considered part of their bodies and who they are, and in the case of children, particularly affect their developmental and educational outcomes.<sup>377</sup> States have an obligation to take immediate steps to ensure that persons with disabilities have access to healthcare, including rehabilitation services and programmes as well as the provision of assistive devices and technologies.<sup>378</sup> States must use their maximum available resources including those made available through international cooperation and assistance to guarantee this. Resources allocated to children with disabilities should be sufficient to cover all their needs, including assistive devices and financial support for families.<sup>379</sup> The UN Committee on the

<sup>376</sup> Interview in person, 22 September 2024, Port-au-Prince.

<sup>377</sup> UN Special Rapporteur on the Rights of Persons with Disabilities, Report, 9 August 2016, UN Doc. A/71/314, para. 44.

<sup>378</sup> CRPD, Articles 4 (general obligations), 20 (on personal mobility) and 26 (on habilitation and rehabilitation). See also Articles 11 (on protection in situations of risk and humanitarian emergencies) and 28 (on adequate standard of living and social protection). The Special Rapporteur on the Rights of Persons with Disabilities maintains that "access to essential habilitation and rehabilitation, to essential assistive devices and to essential health services needed by persons with disabilities owing to their impairment should be considered as core obligations that are not subject to progressive realization". UN Special Rapporteur on the Rights of Persons with Disabilities, Report, 16 July 2018, UN Doc. A/73/161, para. 18.

<sup>379</sup> Committee on the Rights of the Child, General Comment 9: The Rights of Children with Disabilities, 27 February 2007, UN Doc. CRC/C/GC/9, para. 20.

Rights of Persons with Disabilities recommended that Haiti “include[s] mobility aids, devices and assistive technologies in the context of international cooperation”.<sup>380</sup>

Several children with different types of disabilities whose situations were examined by Amnesty International said that they required access to specialized healthcare and related services, including physiotherapists and occupational therapists. Interviewees indicated that some NGOs have been catering to basic health needs through mobile clinics, but it remained clear that many of the children interviewed did not have access to crucial specialist services – something that the government, as well as donors and other humanitarian actors, must ensure is equally prioritized.

Armed gangs in Haiti have systematically attacked schools and hospitals.<sup>381</sup> Children with disabilities are essentially doubly impacted: schools and clinics that cater to the specific needs and rights of children with disabilities have been looted, destroyed and burned; while at the same time there were not enough of them in the first place.<sup>382</sup> Amnesty International interviewed the directors of two such facilities, documenting two attacks on a school and a clinic which had historically been among the very rare establishments that offer education, vocational training, and medical services to children with disabilities.

On 2 August 2024 late at night, around 15 gang members from the 400 Mawozo gang stormed into the Montfort Institute, a school in the commune of Croix-des-Bouquets for deaf and deaf-blind children and young adults, said a senior staff member who was present at the time of the attack.<sup>383</sup> She recounted:

**Gang members invaded the school and took everything. When they entered the school, the children were so afraid... We have a farm where we teach children agriculture. When they entered the site, they took all the animals we had... When the children started screaming gang members pointed their guns at the children and said, 'If you continue screaming, we will kill you.' So, the children lay on the floor... In the night they took everything – our cars, our materials, our resources. They spent the whole night taking our things in the site.**<sup>384</sup>

In the morning, about 18 staff members organized into a human chain the 37 male and 24 female students (whose ages ranged from three to 22) and exited the building.<sup>385</sup> No one was injured. Gangs subsequently occupied the building, said the staff member who has supervisory duties.<sup>386</sup> The administration placed the children in different locations, including with other congregations.

All students in the school used to have assistive devices – mainly hearing aids – but “when the incident happened, they didn’t have time to take the devices... because [their] life is more important,” said the administrator.<sup>387</sup> The school was able to replace belongings such as clothes, but not the assistive devices which were imported and are not locally produced. She said the school had not been able to obtain new devices since 2017; a US-based donor entity had stopped visiting the country due to insecurity.<sup>388</sup>

In April 2024, gangs vandalized and looted Saint Vincent’s Medical Centre which provided specialist care and equipment, including physical rehabilitation and orthotics.<sup>389</sup> Located in Port-au-Prince’s city centre, it is one of two main facilities run by Saint Vincent’s Centre, an institution of the Episcopal Church in Haiti. “This is a huge loss for the country and children with disabilities are suffering the consequences,” said a senior administrator of Saint Vincent’s Centre.<sup>390</sup>

Saint Vincent also operates a school in Croix-des-Bouquets for children with sensory and physical disabilities. The school, too, was affected by the violence. For example, the bus service the government used to provide to transport students to the facility has been interrupted, the administrator said, explaining that the service was key in ensuring children were able to attend given issues with public transport, including

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<sup>380</sup> UN Committee on the Rights of Persons with Disabilities, Concluding observations: Initial report of Haiti, 13 April 2018, CRPD/C/HTI/CO/1, para. 47.

<sup>381</sup> UNSG, *Children and armed conflict*, 3 June 2024 (previously cited), para. 75.

<sup>382</sup> Committee on the Rights of Persons with Disabilities, Concluding observations: Initial report of Haiti (previously cited), paras. 12, 44, 46.

<sup>383</sup> Interview by voice call, 21 September 2024. See also Le Nouvelliste, « L’Institut Montfort, école dédiée aux sourds-muets et sourds-aveugles, attaqué par des bandits » [“Montfort Institute, Serving the Deaf and Deaf-Blind, Attacked by Bandits”], 6 August 2024, <https://tinyurl.com/5d3siuca> (in French); Le Placantin, « Même les sourds-muets sont ciblés, les bandits armés ont attaqué l’institut Montfort de la Croix-des-Bouquets » [“Even the deaf and mute are targeted, armed bandits attacked the Montfort Institute in Croix-des-Bouquets”], 6 August 2024, <https://tinyurl.com/3uruh33d> (in French).

<sup>384</sup> Interview by voice call, 21 September 2024. She detailed that among the looted resources were: 60 cows, 150 pigs, 60 goats, 10 sheep and 300 chickens.

<sup>385</sup> Interview by voice call, 21 September 2024.

<sup>386</sup> Interview by voice call, 21 September 2024.

<sup>387</sup> Interview by voice call, 21 September 2024.

<sup>388</sup> Interview by voice call, 21 September 2024.

<sup>389</sup> Interview by voice call, 21 September 2024.

<sup>390</sup> Interview by voice call, 21 September 2024.



inaccessibility and discriminatory attitudes.<sup>391</sup> Furthermore, due to gang violence, many students were displaced more than once rendering them no longer in contact with the school, he said, adding that even staff face difficulties coming to school due to repeated flare-ups of fighting.<sup>392</sup>

Several of the children with disabilities interviewed by Amnesty International said they were no longer able to resume going to school after they were displaced. Two parents explained that, in the first place, they had succeeded with difficulty in getting their children admitted to schools when they lived in their communities after many other schools would not accept them on account of their disability.<sup>393</sup> Living in displacement, those rare opportunities, they said, were not likely to come again.<sup>394</sup>

One parent said her daughter used to attend a private school for children with disabilities but can no longer do that after they were displaced; the mother said she cannot afford to pay for it because gangs destroyed her business.<sup>395</sup> The 16-year-old boy whose leg was amputated after he was shot by a sniper in Cité Soleil said he now has to incur the extra cost of paying for a motorcycle to go to school while in the past he used to walk to it.<sup>396</sup>

According to the UN Guiding Principles on Internal Displacement, displaced persons have the right to an adequate standard of living.<sup>397</sup> Relocation sites must fulfil the criteria for adequate housing according to international human rights law, including sanitation and washing facilities, accessibility of housing and access to healthcare services, schools, childcare centres among other social facilities, whether in urban or rural areas.<sup>398</sup> Moreover, “ensuring access to health-related habilitation and rehabilitation services, as well as assistive devices and technologies, is a State obligation and responsibility that cannot be handed over to non-profit organizations and charities.”<sup>399</sup> Actors involved in humanitarian response programming, including UN agencies, donors and international and local NGOs, also have commitments on inclusion and non-discrimination.<sup>400</sup>

Research has established that exposure to prolonged violence and other emergencies impacts mental health – by causing new distress and mental health conditions as well as further exposing persons with pre-existing conditions.<sup>401</sup> Children are particularly at risk;<sup>402</sup> Haiti is no exception.<sup>403</sup> Meanwhile, as previously mentioned in Chapter 3, the availability of mental health services and psycho-social support services is extremely lacking.

The mental health harm caused by gang violence was palpable in Amnesty International’s interviews with children and their families.<sup>404</sup> A 13-year-old girl who escaped the carnage inflicted on Carrefour-Feuilles by Grand Ravine in August 2023 described how she consistently experiences flashbacks of the day she and her family fled after gang members threatened them at gunpoint and burned down their house.<sup>405</sup> She said:

**I saw dead bodies. It’s had an impact on me. Now when I pick a book, I find it hard to concentrate. I see that day... Mom did not speak for days... I get nightmares, I cannot sleep. I have visions of what I**

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<sup>391</sup> Interview by voice call, 21 September 2024.

<sup>392</sup> Interview by voice call, 21 September 2024. In April 2024, the Haitian government’s Office for the Secretary of State for the Integration of Persons with Disabilities issued a statement expressing alarm about attacks on persons with disabilities and their facilities, including an attack on one of the buildings affiliated to Saint Vincent Centre. Bureau du Secrétaire d’État à l’Intégration des Personnes Handicapées, Facebook post on 28 April 2024, <https://tinyurl.com/4prkm7zx>

<sup>393</sup> Interviews in person, 22 September 2024, Port-au-Prince.

<sup>394</sup> Interviews in person, 22 September 2024, Port-au-Prince.

<sup>395</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>396</sup> Interview in person, 22 September 2024, Port-au-Prince. Additional costs to access services are recognized as a disproportionate impact that affects persons with disabilities. See, for example, UN Special Rapporteur on the Rights of Persons with Disabilities, Report, 9 August 2016 (previously cited), para. 13.

<sup>397</sup> UN Principles on Internal Displacement, Principle 18. See also Principle 19 (on medical care), Principle 23 (on education).

<sup>398</sup> UN Basic Principles and Guidelines on Development-Based Evictions and Displacement (Basic Principles), paras 16 and 55. The Basic Principles have been used as a general standard for evictions and displacement due to the wide range of specific state obligations they cover, even for evictions and displacements caused by other reasons.

<sup>399</sup> UN Special Rapporteur on the Rights of Persons with Disabilities, Report, 16 July 2018 (previously cited), para. 52.

<sup>400</sup> See, for example, Sphere, *The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response* (Fourth Edition), 6 November 2018, <https://www.spherestandards.org/handbook/>; UN Inter-Agency Standing Committee (IASC), Guidelines: Inclusion of Persons with Disabilities in Humanitarian Action, July 2019, <https://tinyurl.com/pjpk4v6f>

<sup>401</sup> The WHO maintains that more than one in five people living in settings of large-scale violence have a mental health condition. UN News, “One-in-five suffers mental health condition in conflict zones, new UN figures reveal”, 12 June 2019, <https://tinyurl.com/4ikrvb79>; Fiona Charlson and others, “New WHO prevalence estimates of mental disorders in conflict settings: a systematic review and meta-analysis”, *The Lancet*, 11 June 2019, <https://tinyurl.com/2s46n4nk>

<sup>402</sup> UNICEF, “Protecting children’s mental health in emergency settings”, 4 May 2023, <https://tinyurl.com/3ewtwnpy>; Save the Children, “5 ways conflict impacts children’s mental health”, <https://tinyurl.com/yx3n4pay>

<sup>403</sup> Plan International, “Haiti violence heightens children’s emotional stress”, 18 March 2024, <https://tinyurl.com/2s4e3x67>

<sup>404</sup> On more than one occasion Amnesty International did not proceed with conducting an interview with a child because the child showed visible signs of distress.

<sup>405</sup> Interview in person, 26 September 2024, Port-au-Prince.

**saw... I used to be able to study with no problem. Now it's hard; I always relive what I saw. I would be happy to go back to school, but I don't know if I could stay focused enough to learn.**<sup>406</sup>

The mother of another 13-year-old girl who fled Carrefour-Feuilles described how the condition of her daughter, who lives with a psycho-social disability, has worsened in displacement. “When we were in Carrefour-Feuilles and she heard gunfire and saw people being killed, she was really terrified, and it caused her problems,” the woman said.<sup>407</sup> She added: “After we ran away from Carrefour-Feuilles, she is more sensitive. Whenever she hears anything, she is very jumpy... Even though she doesn't see gang members anymore where we are, if she hears any gunfire, she starts to panic.”<sup>408</sup>

Several interviewees who live in displacement sites and those who received medical care in hospitals after serious injuries said they received some level of psycho-social support. Amnesty International noted the presence of local NGOs who implement programming in displacement sites, in cooperation with international partners, including UN agencies. However, these services remain extremely limited and are practically a drop in the ocean given the size of the mental health crisis due to the exploding gang violence, let alone Haitians' multiple and cumulative traumatic exposures in recent decades.

States are obligated “to take all necessary measures” to protect children from the harmful effects of armed violence and to ensure that they “have access to adequate health and social services, including psychosocial recovery and social reintegration”.<sup>409</sup> The government must ensure the availability and accessibility of mental health services in its response, including through requesting technical and financial assistance; donors and other humanitarian actors must contribute to mental health systems strengthening. The provision of mental health services must not dwindle after the emergency phase – the creation of sustainable systems of care is crucial.<sup>410</sup>

## INADEQUATE CONDITIONS IN DISPLACEMENT

Amnesty International observed first-hand the inadequate conditions of living in displacement sites. For persons with disabilities, there were additional challenges and significant barriers to accessibility, which were highlighted in the interviews with children with disabilities and their families.

Many displacement sites were set up in schools and churches. Dozens of people are crammed into classrooms or sleep under tarps in yards, and those are supposedly the ones in better conditions. Where people are able to stay indoors, most rooms do not have enough space to allow for all residents to lie down among their piled-up belongings. A man who has a 7-year-old daughter with growth and intellectual impairments said there are close to 50 people in the small classroom where they have been taking shelter since fleeing Carrefour-Feuilles in 2023.<sup>411</sup>

Living in a camp setting can be particularly difficult for persons with intellectual disabilities as well as for persons with mental health conditions. Changes in their routines and, for some, not knowing where they are affects their behaviour and quality of life; and in some cases, they are not tolerated by other camp residents.<sup>412</sup> The seven-year-old girl with growth and intellectual impairments used to rely on a tablet for entertainment and to pass a good amount of her time; the family left it behind when they fled and now she has no way to entertain herself. She is further isolated by other camp residents' attitudes towards her, her father said.<sup>413</sup> “It is not a normal life... She is different now,” he said.<sup>414</sup>

Several children with physical disabilities said their sleeping conditions exacerbated their pain – at home they slept in beds, in the camps some slept on sheets or thin mattresses that were neither durable, nor comfortable. Two displaced girls with physical disabilities expressed particular distress about others stepping on them – causing pain in areas affected by their disability – due to the overcrowded setting.<sup>415</sup>

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<sup>406</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>407</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>408</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>409</sup> Committee on the Rights of the Child, General Comment 9 (previously cited), para 55.

<sup>410</sup> This has been a key call made by disability and other human rights advocates given the long-term mental health impact of violence and crises. See, for example, Amnesty International, “*They are forgetting about us*” (previously cited).

<sup>411</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>412</sup> See, for example, Amnesty International, “*We all need dignity*” (previously cited), pp. 16-17.

<sup>413</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>414</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>415</sup> Interviews in person, 26 September 2024, Port-au-Prince.



During their September 2024 visit, Amnesty International's researchers observed how sanitation facilities in displacement sites were not accessible to persons with disabilities. © Amnesty International

Additionally, the displacement sites are not physically accessible, leaving many children with disabilities dependent on others. Latrines and washing facilities are not accessible, interviewees said; this was also observed by Amnesty International's researchers. Children with physical disabilities often need to be carried in, have to drag themselves through unsanitary conditions to reach these facilities, or end up not using them at all and relying on receptacles placed in their living space, for example. "There are two toilets [in the camp]... they are mixed for men and women. It's not easy for me to use it... In my house, I was able to go to the toilet by myself... In the camp, my mother keeps something next to me for me to use instead of carrying me to the toilet," said the 13-year-old boy with limited mobility who fled Delmas 18.<sup>416</sup>

"The toilet is a little bit far from our tent... I'm not able to use it. Sometimes I just don't go at all... Someone must help me anytime I need to go," said one of the 12-year-old girls with physical disabilities who fled Carrefour-Feuilles.<sup>417</sup> "It's not like living in my house... When I lived in my house, I slept well at night," she added.<sup>418</sup> "I was very grateful when I lived in my house."<sup>419</sup>

Such shelter and sanitation conditions affect their equal ability to practise self-care and undermine autonomy, privacy and inherent dignity. It undermines a series of other rights, including their rights to health and to sanitation, as well as their right to equality and non-discrimination.<sup>420</sup>

The state has an obligation to ensure that sanitation facilities are physically accessible.<sup>421</sup> The path leading to the facility should be safe and convenient for persons with disabilities and it must be maintained that way.<sup>422</sup> "Sanitation facilities should be designed in a way that enables all users to physically access them, including... persons with disabilities".<sup>423</sup> Humanitarian actors also have commitments to ensure accessible and dignified conditions for displaced persons with disabilities.<sup>424</sup>

<sup>416</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>417</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>418</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>419</sup> Interview in person, 26 September 2024, Port-au-Prince.

<sup>420</sup> The right to sanitation – which among other things requires hygienic, accessible facilities that ensure privacy and dignity – has been recognized as being derived from the right to an adequate standard of living; it is therefore implicitly contained in the ICESCR. CESCR, Statement on the Right to Sanitation, 19 November 2010, UN Doc. E/C.12/2010/1, para. 7. The CESCR said the right to sanitation is also "integrally related" to the right to health. See, CESCR, General Comment 14: The Right to the Highest Attainable Standard of Health (Article 12), 11 August 2000, UN Doc. E/C.12/2000/4, para. 11. See also CRPD, Article 28; IASC, Guidelines: Inclusion of Persons with Disabilities in Humanitarian Action (previously cited), pp. 177-187. International human rights law recognizes non-discrimination as part of the protection of all rights. See, for example, UDHR, Preamble and Article 2; ICESCR, Article 2(2); CRPD, Preamble, Articles 3, 4, 5, among other references in the convention.

<sup>421</sup> CESCR, General Comment 15: The Right to Water (Articles 11 and 12), 20 January 2003, UN Doc. E/C.12/2002/11, paras 2, 12(c); CRPD, Article 28(a).

<sup>422</sup> UN Independent Expert on the Issue of Human Rights Obligations Related to Access to Safe Drinking Water and Sanitation, Report, 1 July 2009, UN Doc. A/HRC/12/24, paras 73 and 75.

<sup>423</sup> UN Independent Expert on water and sanitation, Report, 1 July 2009 (previously cited), para. 76.

<sup>424</sup> IASC, Guidelines: Inclusion of Persons with Disabilities in Humanitarian Action (previously cited), Sphere, *The Sphere Handbook* (previously cited).

The government and other actors operating in displacement sites, including humanitarian agencies and organizations, must also protect children with disabilities from sexual violence. As mentioned in Chapter 3, sexual violence is common in displacement sites; research has shown that girls with disabilities are at a heightened risk.<sup>425</sup>

More broadly, the UN High Commissioner for Human Rights has recommended that Haitian authorities “relocate immediately all internally displaced persons currently living in squalid conditions in school premises to safe and appropriate facilities, in accordance with international standards”.<sup>426</sup>



*The violence by the gangs has amounted to an attack on childhood itself. It has caused significant distress and trauma and has undermined children's access to education, restricted their movement and deprived them of their ability to play. © Amnesty International*

<sup>425</sup> See, for example, Amnesty International, *Excluded* (previously cited), pp. 23-24; United Nations Population Fund (UNFPA), “Five things you didn’t know about disability and sexual violence”, 30 October 2018, <https://tinyurl.com/yzyym92m>; Harvard Law School Project on Disability, “Disability & sexual violence”, 27 April 2023, <https://tinyurl.com/8bp2kjum>

<sup>426</sup> UN High Commissioner for Human Rights, *Situation of Human Rights in Haiti*, 26 September 2024 (previously cited), para. 55(k).

## ASSAULT ON CHILDHOOD

The unmitigated gang violence across the Port-au-Prince metropolitan area and surrounding regions has amounted to a de facto attack on childhood itself. One child after another described to Amnesty International how every aspect of their lives has been affected. In addition to causing significant distress and trauma, the violence has undermined other human rights, including the rights to education; to physical and mental development; to protection from violence, exploitation, and abuse; and to freedom of movement.

As mentioned above, children were sometimes approached by gang members to recruit and use them while they played football or as they lived on the streets. Several children described being yelled at and pushed around by gun-toting gang members who ordered them to stop “making noise” or riding a bike, for example. The Convention on the Rights of the Child (CRC) enshrines children’s right to play and to leisure as fundamental, including to ensure growth, resilience and the fulfilment of other rights.<sup>427</sup>

One of the boys who ran errands for gang members said: “Sometimes when they see me playing football, they stop the game... They say if we hit them with the ball, they will pistol whip us or shoot us. There used to be a soccer field where we played ball. Now they [the gang] have control of it. They play and they don’t let us play ball there [anymore]. We play mainly on the street and on another small field.”<sup>428</sup>

Several children described to Amnesty International witnessing gang members murder community members. “Every day they kill people, they burn people, it’s not good to live like that,” said one of the girls who was in a “relationship” with a gang member.<sup>429</sup> Such killings do not just happen in the context of attacks on neighbourhoods, but as a near-daily routine of “maintaining order”. More than one child said they witnessed gang members shoot on sight pickpockets and others engaged in petty crime, for example.

One of the saddest manifestations of how children have been robbed of their childhood is the way by which violence has become normalized, almost expected. One of the sexual violence survivors who was gang raped said: “[The gangs] always, always do bad things in Carrefour-Feuilles. And after that, they kill the people. Always. It’s not a new thing. They always rape women.”<sup>430</sup>

Some children were forced to participate in criminal acts as detailed in Chapter 2 – their description of the coercion and fear highlighted the extent of distress and internal conflict with which they grapple. One of the boys who said he was an “antenna” told Amnesty International: “I do bad things in my community because I don’t have support. As soon as I have support to take care of myself, I will decide to stop doing it on my own, because it’s not good... There are a lot of children in the ghetto whose lives can change if they come and get them and... give them education, another choice, another chance.”<sup>431</sup>

Another boy who was used for spying, and said he was repeatedly pressured to additionally fight with the gang, described how leaders of the group would try to get him to engage in horrific acts he could not stomach. “They killed people in front of me and asked me to burn their bodies. But I don’t have the heart for that,” he said.<sup>432</sup>

The limitations on children’s movement were evident in testimonies collected by Amnesty International. Many children said they were compelled to spend their days indoors. For some, this was not only an issue that undermined their access to recreation, but furthermore their access to livelihood activities and education.<sup>433</sup> “When we try to go to school, they [gang members] stop us and say ‘There is no school! Go back home!’” said a girl from Cité Soleil.<sup>434</sup>

<sup>427</sup> CRC, Article 31; Committee on the Rights of the Child, General comment 17: The Right of the Child to Rest, Leisure, Play, Recreational activities, Cultural Life and the Arts (Article 31), 17 April 2013, UN Doc. CRC/C/GC/17, Section III.

<sup>428</sup> Interview in person, 20 September 2024, Port-au-Prince.

<sup>429</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>430</sup> Interview in person, 18 September 2024, Port-au-Prince.

<sup>431</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>432</sup> Interview in person, 19 September 2024, Port-au-Prince.

<sup>433</sup> Gang violence had disrupted access to education for more than 300,000 children in gang-controlled areas and led to the closure of more than 900 schools in the country, according to the UN and Haiti’s Ministry of Education. UNICEF, “Over 1 million children’s education at risk due to armed violence in Haiti”, 2 October 2024, <https://tinyurl.com/56prupjz>

<sup>434</sup> Interview in person, 22 September 2024, Port-au-Prince.

The very fabric of communities has been deeply damaged, between gangs carving territory, people being forced to take sides, and hundreds of thousands scattering in different directions in pursuit of safety. “I miss my friends, playing football, eating together. We’re all in different places now, we can’t have that anymore,” said one of the boys who fled Carrefour-Feuilles.<sup>435</sup>

The Haitian government, as a party to the CRC, is obligated to “take all appropriate measures to promote physical and psychological recovery and social reintegration of” children who have suffered “neglect, exploitation, or abuse”.<sup>436</sup> Per the CRC, “recovery and reintegration shall take place in an environment which fosters the health, self-respect, and dignity of the child.”<sup>437</sup> The international community must support the Haitian government in fulfilling these obligations.

Victims of violations of international human rights law have the right to full reparation.<sup>438</sup> This right entails adequate, prompt and effective redress in the form of compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.<sup>439</sup>

Reparations must be gender sensitive. They must consider pre-existing power imbalances and ensure a fair assessment of the harm inflicted, as well as equal access to and benefit from reparations. Decisions on reparations and the delivery of reparations should similarly not reinforce pre-existing patterns of gender-based discrimination, but rather strive to transform them.<sup>440</sup>

As detailed above, gang violence in Haiti has had a profound impact on children’s access to school. The government of Haiti could help restore access to education for victims of gang violence through, for example, allocating education resources to children living in areas affected by gang violence. It should also, as a form of reparation, consider providing support beyond what it is already obligated to provide, like access to free primary education, and should acknowledge the harms suffered by survivors of gang violence.<sup>441</sup>

The vast majority of children interviewed said they would like to be able to continue school. Here is some of what they said they would like to be: a doctor, a nurse, an agricultural engineer, a police officer, a lawyer, a cosmetologist, a professional dancer, a flight attendant, a journalist, a businessowner, a jewellery maker, a pilot, a computer programmer, the president. Despite the myriad abuses they experienced, many of the children said it was still possible for their lives to change for the better. They asked for things like accountability for gang leaders, ending the unchecked flow of weapons, and for them to be able to go back to school and their families to have access to livelihood opportunities.

In the words of the boy who lost a leg after being shot by a sniper: “This story is not the end of my life. My life can change. I hope my life will change.”<sup>442</sup>

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<sup>435</sup> Interview in person, 25 September 2024, Port-au-Prince.

<sup>436</sup> CRC, Article 39.

<sup>437</sup> CRC, Article 39.

<sup>438</sup> UN Basic Principles on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted on 16 December 2005, Principle 7(b). This is applicable also in the context of actions committed by private persons or entities. See, for example, UN Committee on Civil and Political Rights (CCPR), General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, 26 May 2004, UN Doc. CCPR/C/21/Rev.1/Add.13, para. 8.

<sup>439</sup> For the general principle, see International Court of Justice (ICJ), *The Factory at Chorzów (Claim for Indemnity)*, 26 July 1927, <https://tinyurl.com/38hkhkkm>; International Law Commission, *Draft Articles on Responsibility of States for Internationally Wrongful Acts*, 2001, Article 1. For more details on the international law principles that underpin the legal framework of reparations, see Octavio Amezcua-Noriega, University of Essex, “Reparation principles under international law and their possible application by the International Criminal Court: Some reflections”, August 2011, <https://tinyurl.com/mwemd24p>

<sup>440</sup> See, for example, Nairobi Declaration on Women’s and Girls’ Right to a Remedy and Reparation, March 2007, <https://tinyurl.com/4upxux3>; UN Special Rapporteur on violence against women, its causes and consequences, Report, 28 May 2014, UN Doc. A/HRC/26/38; UNSG, Guidance note: Reparations for conflict-related sexual violence, June 2014, <https://tinyurl.com/yjkwxyzm>; CEDAW, General recommendation 30: Women in conflict prevention, conflict and post-conflict situations, 18 October 2013, CEDAW/C/GC/30; FAO and others, *Handbook on housing and property restitution for refugees and displaced persons*, March 2007, <https://tinyurl.com/mwux3dh3>

<sup>441</sup> See, for example, Global Survivor’s Fund, *Education as Reparation for Conflict-Related Sexual Violence and Other Serious Human Rights Violations*, January 2023, <https://tinyurl.com/3twrumm8>, paras. 8-9.

<sup>442</sup> Interview in person, 22 September 2024, Port-au-Prince.



# 6. CONCLUSION AND RECOMMENDATIONS

The relentless violence by armed gangs in Haiti has caused untold harm to children. Human rights abuses committed by the gangs are only possible because of uncontrolled insecurity, rampant impunity and lack of access to basic goods such as food. It is the state's responsibility to create a safe environment where children can live, go to school and grow up as citizens who are able to be positively engaged in their community.

The government of Haiti must commit publicly and firmly to protecting the human rights of children and ending the cycle of impunity. In partnership with donors and other child protection actors, the government should develop a comprehensive child protection roadmap and plan, guided by the principle of the best interests of the child, to respond to ongoing abuses and violations. To address the massive challenges, a sustained and coordinated commitment from the international community is indispensable.

An effective disarmament, demobilization and reintegration process for children is crucial. A whole new generation of gang members is being groomed in the ranks of dozens of gangs operating in the Port-au-Prince metropolitan area and its environs. Ensuring the rehabilitation and reintegration of children associated with gangs must be an absolute priority. Among many forms of support, this requires immediate assistance from donors for the development of services, infrastructure and long-term education and livelihood programming. Communities must be consulted and their meaningful participation in design and execution placed at the centre of any such process aimed at national healing.

Strengthening the capacity of the Haitian National Police is a necessity to help restore security and to ensure human rights-compliant policing functions needed for accountability purposes. The protection of children also requires effective arms control to stem the flow of the huge quantity of weapons circulating in Haiti. Neighbouring and regional countries must redouble efforts to ensure that. Additionally, all countries must refrain from forcibly returning Haitians to the country so long as gang violence continues to wreak havoc on communities and undermine human rights on a daily basis.

Survivors of sexual violence – which has become practically endemic at this point – are in desperate need for support. To restore the dignity and other rights of girls who have been brutally assaulted, specialized services and effective justice measures must be prioritized.

More broadly, addressing impunity is a basis for any desired reform and is central to the government fulfilling its obligations towards upholding the rights of children and the wider population. There are steps the Haitian government and its international partners can take in the short term, including expediting the creation of specialized judicial chambers that will take on prosecuting grave human rights violations and corruption.

The international community cannot continue to make empty promises and expressions of concern about the situation in Haiti. The country needs immediate and sustained technical and financial assistance to rescue a generation of boys and girls from being lost to repeated cycles of gang violence, especially as gangs continue to consolidate territory and power.

# RECOMMENDATIONS

## TO HAITIAN AUTHORITIES

### ON JUSTICE AND ACCOUNTABILITY

- Ensure that gang members, in particular leaders, as well as members of the police and “self-defence” groups, suspected of serious human rights abuses and violations, including against or affecting children, are investigated. Where there is sufficient admissible evidence, ensure that they are prosecuted in fair trials. Where appropriate, individuals responsible for recruiting and using children in gangs should be held accountable, including through prosecutions under Haiti’s Anti-trafficking Law;
- Ensure that survivors and witnesses can testify as part of any investigation or trial into violations and abuses by members of gangs, the police and “self-defence” groups without fear of reprisal, including by seeking international assistance to provide safe houses, protection programmes and other needed measures. Special measures should be taken for survivors of sexual violence and children;
- Prioritize the creation of specialized judicial chambers to investigate and prosecute serious violations and abuses, including against children, in particular for sexual violence and the use of children for criminal purposes, as per the protocol signed between Haitian judicial authorities and the UN. For cases involving child perpetrators, Haiti’s child justice system should retain primary jurisdiction, or prosecutions should be carried out by civilian personnel trained in child-friendly procedures in line with international child justice standards;
- Ensure that these specialized judicial bodies are staffed with professionals specifically trained to attend to victims of these crimes and that they follow victim-centred and trauma-informed procedures. More broadly, ensure the availability of sufficient and trained judiciary personnel and the presence of resources and expertise to collect and preserve evidence given the current context of violence and high risk that evidence might be lost;
- Develop a specific roadmap to ensure an independent and effective judicial system, including strengthening the *Conseil Supérieur du Pouvoir Judiciaire* (CSPJ), or the Superior Council of the Judiciary, which oversees the performance of the judiciary and is tasked with improving its functioning;
- Strengthen the capacity of the Haitian National Police, including by seeking technical and financial support from donors, to ensure that they carry out law enforcement duties needed to uphold security and stability in compliance with international human rights standards as well as key policing functions that are a prerequisite to effective judicial and accountability processes;

### ON CHILD PROTECTION MECHANISMS

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

## **ON ACCESS TO SERVICES FOR AFFECTED CHILDREN**

- Restore access to education for children in areas affected by gang violence including through prioritizing the rehabilitation of damaged schools, creating spaces for education to make up for those occupied by displaced persons, exploring options for remote learning, and expanding education resources in communities hosting displaced people;
- Provide safe and affordable transport to schools for students and teachers in communities affected by the violence and ensure that services are gender-balanced and accessible to children with disabilities;
- Prioritize mental health and psycho-social support, including through investing sufficiently and progressively, with assistance from donors, in psycho-social support that is tailored to respond to the specific risks for and needs of all children on an equal basis. This includes requiring specific allocations for mental health services from donors contributing to health and other development programmes. Experts recommend a minimum allocation of 5% of the state health budget in such contexts;

## **ON CHILDREN IN DETENTION**

- Prioritize the resumption of activities of the Port-au-Prince Juvenile Court and effective functioning of the child justice system, including by ensuring the availability of investigative judges to handle cases. Ensure that despite the inability of the court to operate in its current headquarters that mobile proceedings resume by creating safe and private spaces for proceedings;
- Release the following children from the Centre for the Re-education of Minors in Conflict with the Law, or CERMICOL, to civilian child protection actors for reintegration:
  - All children who have been held for a period of six months without charge;
  - All children who were associated with gangs and who were not involved in a crime of violence, in line with the terms of the handover protocol;
  - All children below age 14, the minimum age of criminal responsibility recommended by the Committee on the Rights of the Child.
- Ensure that any remaining children in CERMICOL are ones who are reasonably suspected of having committed an internationally recognizable offence and are charged within six months of their initial date of detention. Judges should account for any time already served in CERMICOL when sentencing children, in accordance with the law. In line with the Haitian Penal Code, children between ages 13 and 16 who are found to have committed a crime should be placed in diversion programmes, which provide an alternative to serving a sentence in the formal justice system;
- Immediately take steps to improve the conditions of detention in CERMICOL, including access to food and educational services and ensure that operations there are in line with international human rights norms and standards, including on separation of children from adults;

## **ON PREVENTION, REHABILITATION AND REINTEGRATION**

- Invest in preventive measures to deter the recruitment and use of children into armed gangs, including by introducing community-based programmes that offer children and their families viable alternatives. These programmes should include educational and vocational training as well as, particularly for older children out of school, safe employment opportunities;
- Engage communities affected by gang violence early and substantively before designing reintegration plans and programmes. Consider the establishment of a reconciliation commission and start taking urgent steps to sensitize local communities about the need to treat children associated with gangs as victims first and foremost and about the unlawful nature of *Bwa Kale* acts;
- Recognize that active community engagement is essential and takes time, as it needs to include all communities, including those displaced and in the host community. Children's perspectives should be actively sought out and engagement must be gender-inclusive;
- Take immediate and effective measures to create a comprehensive, sustainable and gender-sensitive plan for disarmament, demobilization and reintegration (DDR) of children, including children who are not actively engaged in fighting. The plan should seek the assistance of the UN's Office of the High Commissioner for Human Rights and renowned experts in the field. Ensure that

any DDR programme includes not just gangs but also others in possession of arms such as “self-defence” groups;

- Ensure that representatives from civil society are consulted in the design of any DDR plan and, along with the media, are allowed access to inspect and monitor the DDR process and regularly inform the public on its progress, while maintaining the security and privacy of children in the programme;
- Develop targeted interventions to support unaccompanied children and children living in the street in at-risk areas;
- Develop a reparations plan for affected children in consultation with civil society and affected communities. Seek and implement expert advice to maximize the impact of reparations on both girls and boys as well as to design and distribute reparations in a manner that is accessible, including to children with disabilities. Provide educational, vocational and other learning opportunities as a form of reparation. This support should go beyond what the government is already obligated to provide;

### **ON SURVIVORS OF SEXUAL VIOLENCE**

- Design an integrated, survivor-centred protection approach for survivors of sexual violence, including the provision of legal and comprehensive health support on an equal basis. This includes working with donors to ensure the availability, accessibility, and quality of medical and psychosocial care for survivors of sexual violence, including through supporting NGOs that provide this support and ensuring its reach to survivors in displacement sites and survivors with disabilities;
- Ensure the availability and accessibility of comprehensive post-rape services, including contraceptives, prophylactic treatment to prevent sexually transmitted infections, HIV treatment, safe abortion and post-abortion care, quality prenatal care specialized for children and survivors of sexual violence, and quality safe obstetric care, including emergency care;
- Ensure that the national police and MSS take measures to guarantee consideration and respect for the particular needs of girls and women in Haiti’s current situation. Personnel should respect the inherent rights and dignity of girls and women at all times and any human rights teams should include experts in the area of violence against women, including rape and sexual abuse;
- In cooperation with international partners and Haitian civil society, develop awareness campaigns to address stigma towards survivors of sexual violence, including girls exploited by armed gangs for sexual purposes. This also includes providing sensitization training to community-based actors and leaders in areas with prevalence of gang activities or recovering from them;
- Ensure that humanitarian actors, including UN agencies and civil society groups engaged in the gender-based violence response, are coordinating responses and interventions for survivors of sexual violence, including sharing up-to-date mapping for services in gang-affected areas;
- Seek assistance from the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict to prevent and effectively respond to sexual violence, and to strengthen the justice sector to respond to sexual violence in line with international norms, standards and principles;
- Examine whether gang-related sexual violence in Haiti meets the criteria under the Rome Statute of the International Criminal Court (ICC) to determine whether it constitutes a crime against humanity;
- Respond favourably to visit requests from the Working Group on Discrimination Against Women and Girls among others and issue an invitation to the Special Rapporteur on Trafficking in Persons, Especially Women and Children, to visit Haiti to investigate the situation of victims of trafficking, including women and girl survivors of gang violence;

### **ON DISABILITY RIGHTS**

- Ensure that the rights of children with disabilities are respected, protected and fulfilled and that they are not an afterthought in the humanitarian and development responses. Ensure that assistance programmes implemented by international partners are inclusive of and non-discriminatory towards persons with disabilities;
- Ensure that healthcare for children with disabilities is of equal quality and available and accessible for them on an equal basis, including access to specialist services, assistive devices and technologies and mental health services;

- Ensure that displaced children have access to sanitation facilities, healthcare services and schools that are physically accessible;
- Ensure that the provision of information on security measures and operations in relation to gang violence is accessible for persons with disabilities;
- Ensure that persons with disabilities and their organizations are included in the development of any child protection and reintegration programmes and plans;

### **ON ARMS PROLIFERATION**

- Implement the provisions set out in the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (The Programme of Action), the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons (The International Tracing Instrument), the UN Firearms Protocol to the UN Convention Against Transnational Organised Crime, and related standards on small arms and light weapons;
- Ensure that arms stockpiles and holdings are secure through the implementation of robust standards on marking, registration, authorisation and distribution of arms and ammunition; developing measures for the collection and destruction of illicit arms in the hands of armed gangs and other unauthorised end users; and taking measures to combat corruption and the illicit trade and diversion of weapons and ammunition from within the military and police forces;
- Continue working with regional partners to stem the flow of arms smuggling into Haiti, including by seeking international technical and financial assistance to improve customs and border controls and the application of end user certification systems;

### **ON LEGAL REFORM**

- Increase the minimum age of criminal responsibility from 13 to at least 14, in line with recommendations of the Committee on the Rights of the Child. Develop a child justice code;
- Expedite reform to the Penal Code, including provisions that legalize access to safe abortion and post-abortion care, including for rape survivors, in line with the Committee on the Rights of the Child General Comment 20 on the implementation of the rights of the child during adolescence (2016). Integrate protections against gender-based violence, including against children, in the revised Penal Code and strengthen provisions that introduced sexual violence as a crime in the Penal Code by decree in 2005 to bring them in line with international law and enable effective prosecution;
- Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC);
- Ratify the Arms Trade Treaty, which establishes common standards for the international transfer of conventional weapons;
- Promptly ratify the Rome Statute of the ICC, signed on 26 February 1999;
- Consider enshrining the provisions of the Rome Statute of the ICC into domestic law to enable the prosecution of crimes under international law, such as sexual violence, within Haiti's domestic courts.

## **TO THE ARMED GANGS**

- Immediately denounce and refrain from the use and recruitment of children, and cease all sexual violence, including against children, and other widespread crimes against boys and girls. More broadly, cease committing other abuses against communities, including killings, intimidation and attacks on schools and hospitals;
- Engage in a demobilization and reintegration process with the government to ensure compliance with domestic law and rules of international human rights law, including those affording special protection to children.

## **TO THE MULTINATIONAL SECURITY SUPPORT MISSION (MSS)**

- Ensure standard operating procedures include a direction to relevant personnel to implement the handover protocol signed between the Haitian government and the UN on the transfer and care of children associated with armed gangs and who are encountered during security operations to civilian child protection actors;
- Ensure transparency with Haitian civil society and other human rights monitors on strategies and mechanisms in place for child protection and prevention of sexual and gender-based violence as well as overall human rights safeguards and mechanisms for monitoring and investigating allegations of abuse and for filing complaints;
- Ensure that all deployed personnel receive robust training on child protection and prevention of sexual exploitation and abuse in line with international standards. Make public the curriculum of human rights trainings and modules provided to those deployed;
- Ensure that personnel report through clear and proper channels any human rights violations and abuses by others that they may witness or serious allegations they receive about their own conduct;
- To guarantee the effectiveness and credibility of the MSS, ensure that there is frequent comprehensive public reporting of the force's activities and findings, including when it comes to child protection, which should be disseminated nationally and internationally;
- Ensure that MSS personnel consider and respect the particular needs of girls in Haiti's current situation, and that they respect the inherent rights and dignity of girls and women at all times. Any human rights team in the force should include experts in the area of sexual violence.

## **TO DONOR STATES AND AGENCIES**

- Ensure the provision of urgent and long-term support to the Haitian government to develop a comprehensive child protection roadmap and plan, guided by the principle of the best interests of the child, to respond to ongoing abuses and violations;
- Significantly and immediately increase technical and financial assistance to various arms of the government of Haiti, including by supporting the underfunded UN Humanitarian Response Plan and supporting comprehensive reparations and rehabilitation and reintegration programmes. Ensure that pledges are met and that any support is gender-sensitive;
- To guarantee the long-term fulfilment of human rights, support Haitian authorities in developing a specific roadmap to ensure an independent and effective judicial system, including strengthening the Superior Council of the Judiciary;
- Support the creation of new and strengthening of existing mobile health clinics and services providing care for victims of gang violence in hard-to-reach areas and displacement sites, including for survivors of sexual violence;
- Ensure the inclusion of children with disabilities in any emergency response and that they are not left behind in development programming;
- Ensure the prioritization of mental health and psycho-social support given the extent of repeated traumatic exposures children have experienced in Haiti and the long-term effect it will have. Ensure that sustainable systems of care are created by supporting systems strengthening in Haiti;
- Ensure the meaningful participation of Haitian civil society in the design and implementation of assistance programmes.

## **TO UN, NGO AND OTHER CHILD PROTECTION ACTORS**

- Mobilize and coordinate technical and other support to the Haitian government to design and implement a comprehensive child protection roadmap and plan that includes programs to deter the recruitment and use of children into armed gangs, including by providing support for livelihood programmes; restoring access to education; disarmament, demobilization and reintegration programmes targeting children; increased access to psycho-social support services; and accountability for grave abuses and violations against children.



## **TO THE CARRIBEAN COMMUNITY (CARICOM) AND THE ORGANIZATION OF AMERICAN STATES (OAS)**

- Provide long-term and comprehensive support to the government of Haiti to ensure it fulfils its obligations with regards to upholding security and human rights;
- Ensure that any immigration measures of member states comply with international human rights laws, namely the principle of non-refoulement. Haitians displaced in the region must be considered refugees under the Cartagena Declaration definition and should enjoy prima facie refugee status;
- Ensure that member states, particularly the Dominican Republic and the United States, stop forcibly removing and deporting Haitians given the continuing gang violence and associated serious human rights harm in Haiti;
- Strengthen measures to combat the illicit trafficking of weapons and ammunition to gangs in Haiti, including the full implementation of the UN sanctions regime mainly by the US, as well as the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) and the Arms Trade Treaty, for those who are a state party.

## **TO THE UN SECURITY COUNCIL**

- Update the list of designated individuals and entities subject to targeted sanctions to include those leaders who are most implicated in responsibility for serious human rights violations, including sexual violence and recruitment and use of children, in order to reflect the full spectrum of violations against children in Haiti;
- Ensure that any consideration regarding the Multinational Security Support Mission (MSS) or other stabilization efforts involves meaningful consultations with Haitian civil society;
- Consider the findings and recommendations of the Office of the High Commissioner for Human Rights (OHCHR) and the appointed expert on the situation of human rights in Haiti, William O’Neil, in the council’s decisions. Invite the High Commissioner and/or the appointed expert to brief the council on the situation in Haiti.

## **TO THE UN SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR CHILDREN AND ARMED CONFLICT**

- Conduct a visit to Haiti to raise awareness on the impact of gang violence on children, to mobilize resources to support survivors, and to encourage periodic training for the Haitian National Police and the MSS on child protection. Brief the UN Security Council on findings and conclusions from the visit;
- Following the listing of armed gangs in Haiti in the 2024 Secretary-General’s report on conflict-related sexual violence, the sanctioning of certain leaders of armed gangs by the Haiti Sanctions Committee, the 2024 findings of the Panel of Experts report, and the findings of this report, encourage the UN in Haiti to further investigate at least G9, Grand Ravine, 5 Segon, Kraze Baryè, and 400 Mawozo armed gangs for rape and sexual violence and Kraze Baryè, Brooklyn, Grand Ravine, Ti Bwa, 5 Segon, 103 Zombie, 400 Mawozo and Belekou for recruitment and use of children, to determine whether they should be recommended for listing in the annexes of the Secretary-General’s report on children and armed conflict.

## **TO THE UN SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL FOR SEXUAL VIOLENCE IN CONFLICT**

- Increase the office’s engagement with Haitian authorities and on the situation in Haiti, and continue to publicly promote the rights and needs of survivors of sexual violence, including within the UN system;
- With the Team of Experts on the Rule of Law and Sexual Violence in Conflict, provide technical expertise to support relevant judicial authorities to ensure accountability for perpetrators of sexual

violence, including gang members, in compliance with international standards. Ensure a survivor-centred and trauma-informed response, in collaboration with civil society; and support authorities in strengthening referral pathways for survivors, including girls and young women associated with the gangs;

- With the Team of Experts on the Rule of Law and Sexual Violence in Conflict, provide technical advice related to the legislative framework on protection and participation of victims.

## **TO THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR)**

- Urge the Haitian government to strengthen child protection programmes, including the creation of a comprehensive reintegration plan for children associated with armed gangs and prioritizing access to education and psycho-social support. Urge OAS member states to provide Haiti the support needed for that;
- Consider conducting an on-site visit to investigate the situation of children in the context of the gang violence in Haiti and share relevant recommendations on reintegration based on experiences of regional member states;
- Include an ex-officio public hearing on children's rights in Haiti in the next period of sessions;
- Urge the IACHR's Rapporteur on the Rights of the Child to consistently monitor and report on the situation of children in Haiti.

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# “I’M A CHILD, WHY DID THIS HAPPEN TO ME?”

## GANGS’ ASSAULT ON CHILDHOOD IN HAITI

Based on 112 interviews – including with 51 children – Amnesty International examined the impact of gang violence on children in Haiti. Abuses and violations documented in eight communes of the West Department included: recruitment and use of children, rape and other forms of sexual violence, and killings and injuries. The impact of the violence on children with disabilities was also documented.

The report shows how gangs exploit children in desperate conditions including to run deliveries, gather information, and do domestic chores. Girls as young as 14 spoke of how multiple gang members raped them during attacks on neighbourhoods or after abductions. Researchers documented cases of children who lost limbs and sustained other catastrophic injuries due to stray bullets or from being targeted. Child protection actors said they need significantly more resources to address the situation.

The Haitian government must immediately step up efforts to address this assault on childhood, including through mobilizing international assistance. Donors and the humanitarian community must ensure that funding and technical expertise are made available to support Haitian authorities, including in developing a comprehensive child protection plan.

Community-based initiatives are needed to start an effective reintegration process for children associated with the gangs. Crucial services such as education and psycho-social support are at the heart of ensuring rehabilitation for the victims.