

118TH CONGRESS
2D SESSION

S. RES. _____

Supporting the efforts of the United States and international partners to facilitate a security environment that is conducive to holding free and fair elections in Haiti and promoting a durable return to democratic governance.

IN THE SENATE OF THE UNITED STATES

Mr. MURPHY (for himself, Mr. CASSIDY, and Mr. KAINÉ) submitted the following resolution; which was referred to the Committee on _____

RESOLUTION

Supporting the efforts of the United States and international partners to facilitate a security environment that is conducive to holding free and fair elections in Haiti and promoting a durable return to democratic governance.

Whereas, on July 7, 2021, Jovenel Moïse, the former President of Haiti, was assassinated in his home, aggravating a complex and dynamic political crisis which has debilitated the capacity of the country;

Whereas, in the absence of a functioning and democratically elected central government in Haiti, criminal gangs have flourished, often with the backing of the country's political and economic elites, creating a security vacuum and humanitarian crisis that has exposed Haitians to the

overwhelming threat of indiscriminate violence, including rampant gender-based violence;

Whereas widespread gang violence in Haiti has culminated in killings and kidnappings of civilians, including at least 1 United States citizen;

Whereas criminal gangs have seized control of up to 80 percent of Port-au-Prince and critical infrastructure, including health care providers, schools, and transit facilities;

Whereas, according to the International Organization for Migration, more than 350,000 Haitians are internally displaced, with gang violence accounting for 93 percent of such displacement;

Whereas, according to the United Nations, 3,334 Haitians were victims of intentional homicide between January 1 and September 30, 2023, while the projected homicide rate per 100,000 people doubled compared to the 2022 homicide rate;

Whereas gangs in Haiti have routinely engaged in kidnaping for ransom, abducting 1,787 people between January 1 and September 30, 2023;

Whereas, as of March 2024, there were 79,411 suspected cases of cholera in Haiti and the risk of a cholera outbreak has been exacerbated by the gangs' control of critical infrastructure, including hospitals and health clinics;

Whereas endemic corruption in Haiti, which ranked 171 out of 180 countries in Transparency International's 2022 Corruption Perceptions Index, which is worse than the 2017 ranking of 157 out of 180, has entrenched criminal gangs, deprived Haitians of economic prosperity, and presents significant obstacles to lasting government reform;

Whereas the United Nations Office for the Coordination of Humanitarian Affairs issued an appeal for \$674,000,000 in February 2024 to meet the needs of an estimated 3,600,000 Haitians who require humanitarian assistance (12 percent more Haitians than were supported in 2023) and are highly vulnerable as a result of the worsening security situation and near-collapse of basic services in Haiti;

Whereas, according to the World Food Programme, 4,950,000 Haitians were food insecure as of September 2023, and 68 percent of the country's population had insufficient food consumption as of March 2024;

Whereas the United Nations Office on Drugs and Crime has documented that illicit firearms and drug trafficking from the United States to Haiti have, in part, fueled the cycle of violence across Haiti;

Whereas on June 25, 2022, the Bipartisan Safer Communities Act (Public Law 117–159) made gun trafficking a Federal offense and granted the government new authorities to hold firearms smugglers accountable and to prosecute perpetrators;

Whereas Homeland Security Investigations, in coordination with the Department of State, has utilized these new authorities to set up a Transnational Criminal Intelligence Unit in Haiti to work with the Haitian National Police to investigate and prosecute transnational crimes, including firearms and ammunition smuggling, human trafficking, and transnational gang activity;

Whereas, in July 2023, the Department of Justice appointed the first United States Coordinator for Caribbean Firearms Prosecutions to ensure collaboration with the De-

partment of State and investigate gun-related crimes in the region;

Whereas, on November 16, 2023, Haiti and the Bureau of Alcohol, Tobacco, Firearms and Explosives signed a memorandum of understanding to facilitate cooperation through the eTrace system, an investigative tool used by the bureau to track firearms used in criminal activity, including their purchase history and manufacturer or importer;

Whereas the interim government of Prime Minister Ariel Henry was not duly elected to office and lacked the constitutional or public legitimacy to unilaterally organize free and fair elections;

Whereas the expiration of the terms of the majority of the members of the Parliament of Haiti on January 10, 2023, without elected officials to succeed them, led to the suspension of the legislature's activities and have left the Haitian people without a functioning government;

Whereas, in February 2023, the interim government appointed members to the High Transition Council, which is charged with facilitating a roadmap for eventual democratic elections, but progress was hampered by gang violence and a failure by Prime Minister Henry to reach political consensus with major opposition parties;

Whereas, on October 6, 2022, Prime Minister Henry and 18 members of the Council of Ministers issued an appeal to the international community for security assistance and technical support to assist the Haitian National Police's efforts to combat gang violence;

Whereas, on October 2, 2023, the United Nations Security Council overwhelmingly voted to adopt Resolution 2699/

2023, which authorizes the formation and deployment of a Multinational Security Support (referred to in this preamble as the “MSS”) mission to re-establish security and the Government of Kenya has subsequently agreed to lead the MSS mission in close coordination with the Government of Haiti;

Whereas United Nations Security Council Resolution 2699/2023 authorizes the MSS mission to provide operational support to the Haitian National Police—

(1) to support the provision of security for critical infrastructure and transit locations;

(2) to help to ensure unhindered and safe access to humanitarian aid; and

(3) to build security conditions that are conducive to holding free and fair elections in Haiti;

Whereas the Government of Kenya has volunteered to send 1,000 police officers to support the MSS mission and the Kenyan parliament has subsequently voted to approve this action;

Whereas, on April 25, 2024, Ariel Henry resigned as prime minister and a 9-member transitional presidential council, composed of representatives from political parties and civil society, was sworn in and charged with—

(1) selecting a new prime minister;

(2) appointing members to an electoral commission to facilitate the election; and

(3) swearing in a new president by February 7, 2026;

Whereas Caribbean Community (commonly known as “CARICOM”) member states are vital partners in supporting the MSS mission and Antigua and Barbuda, the Bahamas, Bangladesh, Barbados, Benin, Chad, Guyana,

and Jamaica have each publicly committed to contributing personnel or resources to the MSS mission;

Whereas the MSS mission is not a substitute for a sustainable, professional, and well-equipped Haitian National Police that protects and serves the entirety of the Haitian people;

Whereas Congress, through the passage of the Haiti Development, Accountability, and Institutional Transparency Initiative Act (division V of Public Law 117–103), has previously directed the Secretary of State to prioritize the protection of human rights and anti-corruption efforts in Haiti and urges the Department of State to integrate these priorities into oversight and accountability mechanisms for the MSS mission;

Whereas a Haitian-led, inclusive, and sustainable political solution is the only path forward for the country to restore security, the rule of law, democratic institutions, and economic stability; and

Whereas the international community and those contributing to the MSS mission must ensure that—

(1) the MSS mission does not inadvertently support nondemocratic actors who would attempt to seize on improved security conditions to entrench their own power or perpetuate instability; and

(2) lessons learned from previous international missions in Haiti, including the need to promote respect for human rights and promote accountability, are applied: Now, therefore, be it

1 *Resolved*, That the Senate—

1 (1) recognizes the urgent need to restore peace
2 and security and alleviate the humanitarian crisis in
3 Haiti as part of an overarching strategy—

4 (A) to promote a return to democratic gov-
5 ernance in the country; and

6 (B) to ensure that Haitians enjoy their
7 right to liberty and security of person;

8 (2) supports a MSS mission, as authorized by
9 the United Nations Security Council on October 2,
10 2023, which adequately—

11 (A) complies with international law, includ-
12 ing international human rights law, as applica-
13 ble;

14 (B) takes all necessary steps to protect ci-
15 vilians and respect the rule of law;

16 (C) maintains the popular support of the
17 Haitian people;

18 (D) consults with and incorporates feed-
19 back from impacted populations, with attention
20 to vulnerable communities, including women,
21 children, and the economically disadvantaged;
22 and

23 (E) is bound by strict time constraints and
24 is subject to oversight and renewal by the

1 United Nations Security Council in specified in-
2 crements;

3 (3) applauds the assistance and other support
4 the Department of State and the Department of De-
5 fense have provided to secure intelligence, airlift,
6 communications, and medical support for the MSS
7 mission;

8 (4) commends the support offered to-date by
9 CARICOM and international partners, including An-
10 tigua and Barbuda, the Bahamas, Bangladesh,
11 Benin, Chad, Guyana, and Jamaica, which is nec-
12 essary to operationalize the MSS mission;

13 (5) calls on other members of the international
14 community to pledge financial assistance, logistical
15 and operational support, and personnel to the MSS
16 mission to the greatest extent possible;

17 (6) endorses international election monitoring
18 in Haiti in support of free and fair elections; and

19 (7) encourages additional assistance from the
20 United States and the international community to
21 address Haiti's humanitarian needs, including
22 through additional contributions to the United Na-
23 tions Humanitarian Appeal for fiscal year 2024 and
24 for subsequent fiscal years.