United Nations S/PV.9159



## **Security Council**

Seventy-seventh year

**9159**th meeting Friday, 21 October 2022, 10 a.m. New York Provisional

President:	Mr. Biang	(Gabon)
Members:	Albania	Ms. Dautllari
	Brazil	Mr. Costa Filho
	China	Mr. Geng Shuang
	France	Mrs. Broadhurst Estival
	Ghana	Ms. Oppong-Ntiri
	India	Mr. Ravindran
	Ireland	Mr. Mythen
	Kenya	Mr. Kimani
	Mexico	Mr. De la Fuente Ramírez
	Norway	Ms. Juul
	Russian Federation	Mr. Polyanskiy
	United Arab Emirates	Mrs. Nusseibeh
	United Kingdom of Great Britain and Northern Ireland	Mr. Kariuki
	United States of America	Mrs. Thomas-Greenfield
Agenda		

The question concerning Haiti

Letter dated 8 October 2022 from the Secretary-General addressed to the President of the Security Council (S/2022/747)

Report of the Secretary-General on the United Nations Integrated Office in Haiti (S/2022/761)

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The meeting was called to order at 10.05 a.m.

## Adoption of the agenda

The agenda was adopted.

## The question concerning Haiti

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**The President** (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Haiti to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

Members of the Council have before them document S/2022/765, which contains a draft resolution submitted by Mexico and the United States of America.

I should like to draw the attention of Council members to document S/2022/747, which contains the text of a letter dated 8 October 2022 from the Secretary-General addressed to the President of the Security Council, and document S/2022/761, which contains the report of the Secretary-General on the United Nations Integrated Office in Haiti.

The Council is ready to proceed to the vote on the draft resolution before it. I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

## In favour:

Albania, Brazil, China, France, Gabon, Ghana, India, Ireland, Kenya, Mexico, Norway, Russian Federation, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America

**The President** (spoke in French): The draft resolution received 15 votes in favour. The draft resolution has been adopted unanimously as resolution 2653 (2022).

I shall now give the floor to those members of the Council who wish to make statements.

Mrs. Thomas-Greenfield (United States of America): As co-penholders on resolution 2653 (2022), the United States and Mexico would like to jointly thank Security Council members for their thorough and expedient review and consultations. By adopting this resolution, we have taken an important step to help the Haitian people. After robust and inclusive negotiations, I feel this resolution is truly reflective of Council consensus. Even operating under the accelerated time frame, we were able to incorporate the views of all members of the Council.

This resolution is an initial answer to the calls for help from the Haitian people. They want us to take action against criminal actors, including gangs and their financiers, who have been undermining stability and expanding poverty in their vibrant society. In response, the Council sanctioned one of the country's most notorious gang leaders — a gang leader whose actions have directly contributed to the humanitarian crisis that has caused so much pain and suffering to the people of Haiti.

We are sending a clear message to the bad actors that are holding Haiti hostage. The international community will not stand idly by while they wreak havoc on the Haitian people. Sanctions are at their most effective when they are targeted specifically towards bad actors and allow humanitarian aid to reach civilian populations. The resolution we adopted today accomplishes both those objectives. We also worked to incorporate clear, measurable and well-defined methods to periodically review the efficacy of these sanctions, and I thank my colleagues for their strong voices on this matter. We have laid a great foundation for future action to stymic criminal actors and those who finance and support them.

But I want to stress that today's adoption of this resolution is only the first step. We have much more work to do. Now that the Council has taken deliberate and decisive action to send a strong signal to the gangs and those who fund them through new targeted sanctions, we must build on those efforts to address another immediate challenge — to help restore security and alleviate the humanitarian crisis in Haiti.

As I said in the Council on Monday (see S/PV.9153), the United States and Mexico are working on a draft resolution that would authorize a non-United Nations international security assistance mission in order to help improve the security situation and enable the flow

of desperately needed humanitarian aid. That is not only a response to a request from the Government of Haiti, but also one of the options that the Secretary-General recommended that the Security Council consider in the light of the deteriorating security environment. While today's actions were important, we must keep doing everything we can to help the Haitian people in their time of need.

Mr. De la Fuente Ramírez (Mexico) (spoke in Spanish): At the outset, I would like to thank the members of the Security Council for their participation in the negotiations process and for their constructive comments, which undoubtedly helped to strengthen the recently adopted text of resolution 2653 (2022). We welcome the unanimous nature of the adoption, as it reflects the unity of the Council on a complex topic that is not free of controversy. In the face of the crisis in Haiti, the Security Council has given a clear signal that the violence must stop and cannot remain unpunished.

Equally important is the establishment of an embargo on any transfer of arms to non-State actors who are terrorizing the civilian population and destabilizing the country. As we have repeatedly stated, arms trafficking is a scourge for many countries and must be vigorously combated. This resolution is a step in that direction and sends a clear signal that the Security Council will not stand idly by and will take action — not only against those who generate violence in the streets but also those who support, sponsor and finance them.

With this resolution, the United States and Mexico seek to support Haiti in its struggle to establish peaceful coexistence and democratic governance. Mexico reiterates its full solidarity with our sister nation of Haiti and urges the members of the Council to continue to work on the required next steps to meet that objective.

Mr. Geng Shuang (China) (spoke in Chinese): On Monday, we discussed the situation in Haiti in this Chamber (see S/PV.9153). The members of the Security Council expressed their deep concern that Haiti is deeply engulfed in multiple political, security and humanitarian crises. They stressed the need for a political solution to ease the people's suffering and unanimously called for robust action to crack down on criminal gangs in the country.

Just now, the Security Council unanimously adopted resolution 2653 (2022), imposing sanctions

on Haitian criminal gangs, with travel bans, assets freezes and arms embargoes, translating the Council's consensus on curbing gang violence, protecting the Haitian people and restoring security and social order in Haiti into practical actions. China welcomes that.

China has always called for caution on the use or threat of use of sanctions in international relations, regardless of the circumstances. However, considering the urgency of the current situation in Haiti and the call of its people, China was the first in the Council to propose targeted sanctions against Haitian criminal gangs. Our proposal was quickly echoed by other Security Council members and countries of the region. We commend the United States and Mexico, as co-penholders, for preparing the resolution and for seeking the views of others in the process in order to continuously improve the text. We also commend other Council members for their serious and responsible manner during the consultations and for working jointly to enable this resolution to be adopted on the basis of consensus.

We hope that resolution 2653 (2022) will send a clear signal to the criminal gangs in Haiti, urging them to immediately cease their misdeeds, stop harming the people and desist from chipping away at Haiti's economic, social and security foundations. We hope that this resolution will send a clear signal to Haitian political factions, requiring them to immediately stop colluding with criminal actors, stop partisan fighting, put the interests of the country and the people first and reach a consensus on the nation's political structure and transitional arrangements as soon as possible. We also hope that resolution 2653 (2022) will send a clear signal to the Haitian people that the Security Council has been paying attention to their suffering and will do its utmost to help them eradicate the scourge of gang violence and remove this crushing weight off their backs.

Haiti is on the brink of collapse and is in dire need of the help of the international community. After the adoption of this resolution, the Council will continue to monitor developments in Haiti. We hope that in the next stage of its deliberations on the Haiti issue the Security Council will continue to uphold the spirit of consultation and solidarity, adhere to the principle of results-oriented and practical results, guided by consideration of all views and prudent decision-making. China is ready to play an active and constructive role in that regard.

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Ms. Juul (Norway): Norway voted in favour of resolution 2653 (2022). The alarming situation in Haiti, as discussed in our recent Council meeting (see S/PV.9153), requires action from the international community. The Haitian people deserve our full attention, assistance and dedication. And today, in response, the Council is establishing its first sanctions regime since 2017. This sanctions regime is an important stepping stone for reducing the abilities of criminal actors and gangs to continue their violence and illegal activities, which paralyse Haiti.

Our considerations focused on creating a robust and well-designed regime — one that will act as a constraint and deterrence from sexual and gender-based violence, the recruitment of children to armed groups and criminal networks and human rights abuses that threaten the peace and security of Haiti and the region. It is important that the sanctions regime also includes a robust humanitarian carve-out.

Let me also highlight the significance of the Council's recognition of the need for fair and clear procedures, and the Council's intent to authorize the Ombudsperson to remedy that issue. Observing due process is instrumental to maintaining the efficiency and legitimacy of any sanctions regime. Norway has advocated for stronger safeguards of due process for years, and it is significant that the Council has now made so clear its intent to authorize the Ombudsperson to ensure due process beyond the sanctions regime of the Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015), concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities.

It is important that the Council maintain its intention and continue its engagement on due process. We welcome that step in assisting the people of Haiti. Norway stands ready to continue discussions on another draft resolution, which the United States highlighted, and which, we hope, will swiftly be shared with the wider membership.

Mr. Polyanskiy (Russian Federation) (spoke in Russian): The Russian Federation voted in favour of resolution 2653 (2022), put forward by the United States of America and Mexico, which establishes a Security Council sanctions regime against criminal gangs in Haiti.

Agreeing on an acceptable text did not come easily to the Council. We note that the sponsors changed their

initial approach, which was not very constructive, and ultimately took into account the concerns of other Council members over the excessive haste around this issue and the related artificial deadlines. The consensus on the resolution shows that, even in the current circumstances, the Security Council can achieve good results if we act responsibly, respect each other's positions and have a genuine interest in finding a compromise in order to resolve challenging problems together.

We hope that, in putting forward this sanctions resolution, Washington and Mexico acted on the basis of the shared view of regional actors, many of which, frankly speaking, are under no lesser pressure from organized crime than Haiti. In that regard, the United States is by no means on the safe side.

Despite our support for the resolution, we are not convinced that international restrictive measures will provide an adequate response to the range of problems that are plaguing Haiti. A lasting solution must therefore lie in an inclusive political process, socioeconomic development and the eradication of poverty and inequality. State institutions in Haiti must be strengthened and be free from external dictates, which have permeated almost all the country's modern history.

We note that the problems of illegal arms flows and organized crime in the Caribbean are not confined to Port-au-Prince. Other actors, some of them quite highprofile, are also involved in the complex cross-border networks, and they must not be overlooked by the sanctions committee that is being established and its panel of experts, which must act strictly within their respective mandate.

In any case, restrictive measures must not lead to Haiti's exclusion or hinder its political process. Security Council sanctions are not a punitive tool, but rather one of the strongest means in the Security Council's toolkit to respond to emerging threats. International restrictions should be regularly reviewed to assess their appropriateness and be eased or completely lifted, as required. We will continue to closely monitor that.

**Mr. Mythen** (Ireland): In the light of the truly desperate situation in Haiti and the responsibility of the Security Council to respond with urgency, Ireland welcomes the unanimous adoption of resolution 2653 (2022) to establish a new sanctions regime for Haiti.

Today, for the first time in five years, the Security Council adopted a new sanctions regime — one that is focused on the gangs strangling Haiti and its people.

Ireland expresses strong appreciation for the efforts of the United States and Mexico, as the co-penholders, in drafting the resolution, as well as for working with fellow Council members on their perspectives on the draft text. In that regard, we welcome the inclusion of sexual and gender-based violence as a stand-alone designation criterion.

Ireland also believes that it is essential that the Council include the strengthening of fair procedures and due process for delisting in this new regime. As a member of the Group of Like-Minded States on Targeted Sanctions, Ireland welcomes the specific reference to the Ombudsperson in the nineteenth preambular paragraph. We now look forward to concrete progress on extending the mandate of the Office of the Ombudsperson to Haiti and all other sanctions regimes.

Currently, the Ombudsperson is mandated to review cases only from the ISIL (Da'esh) and Al-Qaida sanctions list. We have now added the Haiti sanctions regime. That leaves 14 other sanctions committees for which there is no independent system to review delisting requests. We all have an interest in ensuring that United Nations sanctions respect international due process standards, and the time has now come for the Security Council to substantively address those concerns.

While this resolution, and the sanctions regime that it creates, cannot alone resolve the multifaceted crisis engulfing Haiti, it is a significant action of the Security Council in support of the Haitian people. The adoption of the resolution demonstrates the seriousness with which the Security Council is prepared to act against criminal gangs and for the people of Haiti. Ireland will continue to do its part to ensure that the Council continues to assume that responsibility.

Mr. Kimani (Kenya): Kenya thanks Mexico and the United States for their consultative efforts in drafting resolution 2653 (2022), which we just adopted. Kenya voted in favour of the resolution after making every effort, as one of the three African members of the Security Council (A3), to ensure that it had a review mechanism and that it targeted those compromising Haiti's peace. We thank the co-penholders and other members for welcoming the A3's proposals.

This new resolution is one of the most tangible measures that the Security Council has recently taken. It represents the first real step upon which to build a comprehensive and lasting solution to the Haitian crisis. It is a strong signal of the Council's determination to stand with the people of Haiti against the gangs and their sponsors.

Kenya welcomes the specific and measurable benchmarks for the review of the sanctions. Such benchmarks will enable the Security Council to assess progress, with a view to progressively adjusting the measures as the situation improves. We congratulate the Council on taking that step, and we advocate for its continuation in other files.

The implementation of the sanctions will rely heavily on the cooperation and support of the international community, particularly States of the region. It will require information-sharing and coordination to ensure that those responsible for the suffering of Haitians are held accountable.

Further assistance to strengthen the capacity of Haitian institutions remains critical. In that regard, we welcome and support the recent initiatives by the Caribbean Community and other friends of Haiti.

We reiterate our strong support for a Haitian-led and Haitian-owned solution to the current political crisis. We have every confidence that, despite their now divergent views, the Haitian political leaders will find the will and the capability to build consensus and chart a viable way forward for Haiti.

As Kenya, we will continue to take a keen interest in the safety, security and prosperity of Haiti and to offer every support within our means, even after our tenure in the Security Council ends in December. I reaffirm Kenya's solidarity with the people of Haiti and our commitment to the protection of Haiti's sovereignty, territorial integrity and political independence.

Mrs. Nusseibeh (United Arab Emirates): By voting in favour of resolution 2653 (2022), the United Arab Emirates reiterates its support for the Security Council's efforts to directly address the difficult security situation in Haiti through targeted sanctions against armed gangs.

The violence and terror that armed gangs impose on the people of Haiti remain completely unacceptable. Establishing a sanctions regime against armed gangs in Haiti through resolution 2653 (2022) is an important

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step in addressing such acts. In particular, the arms embargo to prevent the supply of illicit weapons to armed groups is very much needed.

The sobering briefings and reports we heard about the dire humanitarian situation in Haiti, including the widespread food and water insecurity, the lack of electricity, fuel and medical support, and now the resurgence of cholera, were nothing short of devastating. We therefore welcome the fact that the resolution incorporates the proposal made by the United Arab Emirates and supported by Council members for a humanitarian carve-out to minimize the impact of sanctions measures on humanitarian assistance to Haiti. We applaud the co-penholders' constructive approach to that critical issue, which is reflected in the resolution's unanimous adoption today — a muchneeded sign of the potential of Council unity.

In addition, we welcome the co-penholders' inclusion of the proposals we made to give increased recognition to the important roles played by the countries of the region and regional organizations, including the Caribbean Community, to support Haiti on its path to establishing peace and stability.

We also welcome the inclusion in resolution 2653 (2022) of proposals for strengthened sanctions designation criteria to address the horrifying reports of sexual and gender-based violence by armed gangs. We fully endorse the language included in the text. We look forward to future discussions to establish clear, well-defined and achievable benchmarks for the eventual lifting of sanctions when the time is right.

We recognize that resolution 2653 (2022) is not a panacea that will put Haiti back on the path to peace. We once again urgently call on all stakeholders in Haiti to work towards an inter-Haitian political settlement.

Mr. Costa Filho (Brazil): We remain deeply concerned about the situation in Haiti. We truly hope that resolution 2653 (2022), which we adopted today, will have an effective impact on the ground. We believe that prohibiting the transfer of small arms and light weapons and ammunition to non-State actors in Haiti and imposing appropriate measures on those engaging in or supporting violence, including an assets freeze and a travel ban, may help curb the escalation of violence in the country.

The Charter of the United Nations provides the Security Council with a set of instruments to maintain

international peace and security, sanctions being among them. Sanctions can be legitimate and effective when they are multilaterally created, strategically targeted and designed to have minimal impact on the civilian population.

However, as with any coercive measure, they may have unintended consequences. That is why, during the negotiations, Brazil strived to include monitoring mechanisms, listing criteria, humanitarian exemptions and carve-outs and the conditions for lifting sanctions. We consider all those parameters to be essential for applying such measures in a responsible and effective manner.

We welcome the fact that a humanitarian carve-out was added to the text. Humanitarian actors must be able to provide assistance to civilians in need. If they are not able to perform humanitarian and impartial relief actions due to over-compliance or the criminalization of their activities, the most vulnerable will be the first ones to endure the consequences. While recognizing the specificity of each sanctions regime, we encourage that the carve-out adopted today be replicated in other situations in a horizontal manner.

The Security Council has come some way in improving its sanctions regimes, with the transition to targeted sanctions, the creation of humanitarian exemptions and the establishment of monitoring mechanisms through panels of experts. However, there is an ongoing need to ensure minimum standards of due process, in line with international human rights law instruments. Due process challenges continue to affect the effectiveness of United Nations sanctions. In that regard, we regret the fact that the Council missed the opportunity to address that challenge in this resolution.

The extension of the mandate of the Ombudsperson to the current sanctions regime or the creation of an equivalent review mechanism to independently examine delisting requests could have strengthened due process in United Nations sanctions. Ultimately, that step would also have strengthened the effectiveness of the Council by minimizing the risk of having its decisions challenged in domestic or international tribunals by listed entities and individuals.

We take note that the reference to the Office of the Ombudsperson was incorporated as a preambular paragraph. We look forward to further advancing the important issue of due process, both in this sanctions

regime and in other United Nations sanctions regimes in a horizontal manner.

Setting up a new sanctions regime in the Security Council after five years is a huge responsibility and sets the precedent for future action in the Council. That is why we would have welcomed a more transparent and interactive process of negotiations in order to fully address all outstanding issues. Although we believe that more could have been achieved if we had had more time for an in-depth debate, we hope that resolution 2653 (2022) will encourage and foster positive developments.

In conclusion, I would like to reaffirm that Brazil's commitment to Haiti is unwavering and that we are not oblivious to the suffering of the Haitian people.

Ms. Oppong-Ntiri (Ghana): Ghana welcomes the unanimous adoption of the Haiti sanctions resolution (resolution 2653 (2022)), which reflects the Security Council's collective determination to implement targeted sanctions against persons who engage in or support gang violence and criminal activities in Haiti. Ghana voted in favour of the resolution, and we wish to acknowledge the co-penholders, Mexico and the United States, for their efforts to accommodate the input of the various delegations and ultimately forge a consensus.

The people of Haiti are confronted with serious challenges as gangs continue to perpetrate kidnappings, murder and gender-based and sexual violence and to destroy the lives and livelihoods of ordinary Haitians. We hope that the measures we just adopted in the resolution will help to resolve the challenges and signal to the criminal actors perpetrating those heinous acts in Haiti that they will be held to account.

Responding to the humanitarian and security crisis in Haiti is what we owe as Council members to ordinary Haitians, and this sanctions resolution targeting gangs is only one such step. We therefore welcome the strengthened benchmarks in the resolution that will enable the Council to make an overall assessment of the effectiveness and appropriateness of the measures it contains.

We are particularly glad that the measures in the resolution also aim to ensure that there are no adverse humanitarian consequences for ordinary Haitians, especially given the unfortunate experience of the sanctions imposed on Haiti in past decades.

Haitians have suffered enough, and our actions as a Council must not in any way worsen the plight

of the Haitian people. We recognize that the effective implementation of resolution 2653 (2022) will require the support and cooperation of all Member States, particularly actors in the region. We therefore call on neighbouring countries and others in the region to support the Council in the implementation of the resolution.

In conclusion, I would like to reaffirm our unwavering commitment to Haiti and all Haitians. We seek only the best interests of the people. While we reiterate the call for Haitian-led and Haitian-owned solutions to the current crisis, we will continue to do our utmost to support the people of Haiti.

Mrs. Broadhurst Estival (France) (spoke in French): The Council met on Monday to discuss the situation in Haiti (see S/PV.9153). France is extremely concerned about the situation on the ground, in particular the suffering of the local population. France stands with the Haitian people and will continue to mobilize support for Haiti. That is why France welcomes the unanimous adoption in resolution 2653 (2022), on a new sanctions regime to put an end to the unacceptable actions of the gangs in Haiti.

France welcomes the constructive spirit in which the negotiations were conducted. We hope that the Council will continue along that path and take the next essential steps towards establishing peace and security in Haiti.

**The President** (*spoke in French*): I shall now make a statement in my capacity as the representative of Gabon.

Gabon voted in favour of resolution 2653 (2022) and is pleased that it was adopted unanimously by the members of the Security Council. We voted for it because it is our responsibility to safeguard the Haitian people from chaos and restore the hope that has been swamped by insecurity and distress. We voted for it because the text of the resolution aims to neutralize the gangs sowing terror in Haiti, dry up their financing and supplies, protect the civilian population, especially women and children, and create the conditions necessary to respond to a cholera outbreak. We hope that the text that we just adopted will be immediately implemented in both the letter and spirit, and above all we believe that the Council has just sent a strong message of solidarity to the Haitian people to say that we stand with them. We reaffirm our commitment to respecting Haiti's sovereignty and territorial integrity.

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I now resume my functions as President of the Council.

I give the floor to the representative of Haiti.

Mr. Rodrigue (Haiti) (spoke in French): At the outset, I would like to thank the United States of America and Mexico, the co-penholders of the Haiti dossier in the Security Council, for drafting the text of resolution 2653 (2022) and having successfully led the negotiations that enabled its unanimous adoption. I also want to express my gratitude to all delegations for their constructive engagement in the negotiations, which contributed to the final version of a text in which the interests of all are taken into account. In that regard, I would like to express the deep appreciation of the Government and the people of Haiti to them.

The Haitian delegation welcomes the unanimous adoption of resolution 2653 (2022), which establishes a specific sanctions regime that targets the leaders of armed gangs operating in Haiti and all who support them by providing them with financing, arms and ammunition and any other resources. The restrictive measures consist of travel bans on such individuals, freezes of their assets and an arms embargo on non-State actors. The sanctions are based on well-defined criteria outlined in resolution 2645 (2022) — engaging in or supporting gang violence, engaging in criminal activities, committing human rights violations, obstructing the delivery of humanitarian aid or essential commodities to the population and undertaking other activities that undermine the peace, stability and security of Haiti and the region.

There is no doubt that those measures will help curb the violent and deadly activities of the armed groups that are proliferating in the country and causing mass casualties and displacement. They send a powerfully deterrent political message that is likely to change the behaviour of actors operating on the ground. By taking this step, the Council has shown its determination to support the Haitian people in their return to a secure environment and political stability. It demonstrates the resolve of the international community to play its role in resolving the serious multidimensional crisis facing my country in order to show the Haitian people that they are not alone and that their cries of distress have been heard.

It is certainly a step in the right direction. However, we must continue on this path to achieve a lasting result. However effective they may be as a deterrent, sanctions alone will not be able to eliminate the high level of violence that is plaguing Haiti and causing untold suffering to the population, particularly women and children. The Haitian National Police — as we have said time and again — lacks the capacity to deal with the threat posed by armed groups. In his report of 13 October, the Secretary-General acknowledges that

"[i]mproving national policing capacities alone will not be sufficient to bring about the transformative change Haiti needs to sustainably address the multifaceted security crisis" (S/2022/761, para.79).

In that regard, the Haitian Government's request for robust support in the form of a specialized force that would assist the Haitian National Police deserves careful consideration by Council members.

In conclusion, my delegation would like to stress that we are in a race against time, as we are dealing with a country that is sinking deeper into an abyss of violence and insecurity every day. The lives of thousands of people are at stake. With every day that is lost in providing an adequate response to the situation, too many innocent victims are also lost.

The meeting rose at 10.45 a.m.