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Summary record of the 4240th meeting

Held at the Palais Wilson, Geneva, on Thursday, 3 July 2025, at 3 p.m.

Chair: Mr. Soh

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The meeting was called to order at 3.10 p.m.

Consideration of reports submitted by States Parties under article 40 of the Covenant
(continued)

*Second periodic report of Haiti (CCPR/C/HTI/2; CCPR/C/HTI/Q/2;
CCPR/C/HTI/RQ/2)*

1. *At the invitation of the Chair, the delegation of Haiti joined the meeting.*
2. **The Chair** said that updated replies to the list of issues had been circulated to Committee members in an informal document, in French only.*
3. **A representative of Haiti**, introducing her country's second periodic report (CCPR/C/HTI/2), said that, since the submission of the written replies to the Committee's list of issues in 2020 (CCPR/C/HTI/RQ/2), the country had experienced both positive and negative developments. On the positive side, the Government had stepped up efforts in many areas to strengthen the rule of law and respect for human rights. In the meantime, however, the country had been plunged into a situation of unprecedented insecurity, necessitating the deployment of the Multinational Security Support Mission in October 2024 in accordance with an agreement between Haiti and Kenya on police and security cooperation, following the adoption of Security Council resolution 2699 (2023). In view of those developments, it had been necessary to submit updated replies to the list of issues.
4. From 2020 to 2025, Haiti had been confronted with repeated political crises, marked by protests known as *peyi lòk* (shut down the country, in Haitian Creole). The situation had been compounded by the coronavirus disease (COVID-19) pandemic, frequent flooding and the earthquake of 14 August 2021, which had devastated part of the southern region. The complex situation had been further exacerbated by the assassination of the President of the Republic, Jovenel Moïse, on 7 July 2021. In April 2024, an agreement for a peaceful transition had been reached, establishing a transition period with a nine-member Transitional Presidential Council and a Prime Minister, with the aim of restoring security, pursuing constitutional reform, organizing democratic elections, undertaking economic and judicial reforms and fighting against corruption. To achieve those objectives, the agreement provided for the establishment of the Government oversight body, the National Security Council, and the National Conference and its steering committee. As part of the constitutional reform provided for in the agreement, a referendum decree had been adopted by the Council of Ministers on 23 June 2025, which meant that a referendum would be held on the adoption of a new constitution.
5. Given the extremely difficult situation, it was necessary for the Government to prioritize certain issues over others. The main priority was combating insecurity, given that the achievement of all other objectives was dependent on the security situation. Considerable efforts were being made to strengthen the capacity of the national police and the armed forces, including through an 11 per cent increase in their funding under the 2024/25 amending budget. An agreement had been concluded with Colombia to monitor the Haitian coastline in order to curb the illegal trafficking of firearms.
6. The Government attached great importance to the judicial reform already initiated by its predecessors. The reform had included the establishment of six new courts of first instance between September 2024 and April 2025, the publication of the law of 10 September 2018 on the creation of the National Council on Legal Assistance and the establishment of legal aid offices in 18 jurisdictions across the country. The amended Criminal Code and the amended Code of Criminal Procedure had been adopted by the Council of Ministers on 24 June 2025, marking an important step in the fight against insecurity, corruption and impunity. Two important decrees had also been adopted as part of the judicial reform: the decree of 16 April 2025 on the creation of two specialized judicial divisions, one to deal with complex financial crimes and the other to deal with mass crimes and sexual violence; and the decree of 4 May 2023 penalizing money-laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.

* Subsequently circulated as document CCPR/C/HTI/RQ/2/Add.1.

7. Despite its limited resources, the Government had made every effort to combat impunity. However, due to the deteriorating security situation, most of the prisons in Port-au-Prince had been vandalized, resulting in the escape of a number of inmates. The Government had had to relocate a number of courts to a safer environment in order to allow judicial activities to resume. The State was doing its utmost to ensure respect for the right to life, in accordance with article 19 of the Constitution and the provisions of the Covenant, by following up on complaints against police officers for excessive use of force and by organizing human rights training sessions for police personnel. However, despite those efforts, some citizens, driven by anger at the atrocities committed by criminal groups, resorted to extreme methods such as lynching gang members who had been captured instead of handing them over to the police. The Government strongly condemned any form of mob justice, which was contrary to the Constitution and the country's international human rights commitments.

8. The crisis facing the country had been accompanied by an increase in violence against women, especially in camps for internally displaced persons. The Government was working to protect survivors of violence and facilitate their access to justice, in particular through the creation of the Office to Combat Violence against Women and Girls and the organization of training courses for police officers and judges tailored to the needs of survivors. Medical support and legal and psychosocial assistance were offered to women and girls in camps for internally displaced persons. Article 262 of the amended Criminal Code established the punishments for acts of torture and barbarity, with sentences ranging from 15 to 20 years' imprisonment.

9. Prison overcrowding remained a major problem, especially since the destruction of the main prisons in March 2024. Public prosecutors and courts of first instance had therefore received instructions to hold regular criminal trials, with or without a jury, to relieve overcrowding in prisons outside the capital.

10. The holding of free and transparent elections, which had been impeded by the crisis, remained one of the Government's priorities. The Transitional Presidential Council was making every effort to organize general elections in 2025 and install an elected president on 7 February 2026. To that end, \$65 million had been allocated to the electoral fund managed by the United Nations Development Programme office in Haiti, and municipal and departmental electoral offices had been set up.

11. Despite the progress that had been achieved, the application of the Covenant had not yet reached the level required for the construction of a State based on the rule of law. However, the Government undertook to continue to do everything in its power to implement the Covenant.

12. **Mr. Quezada Cabrera** said that the Committee welcomed the updated replies to the list of issues and was grateful to the State Party for sending a delegation to participate in the dialogue in person despite the difficult circumstances. The escalation of the serious political, economic, humanitarian and human rights crisis that Haiti had been suffering for decades meant that the population was now even more vulnerable to human rights violations and abuses such as sexual violence, murder and the recruitment and use of children by gangs.

13. Noting that the Covenant could be invoked before the courts by any individual and that it had been invoked in habeas corpus applications brought by persons deprived of their liberty, he said that he would be interested to know whether the courts themselves directly applied the Covenant and, if so, whether the delegation could provide some examples of cases in which they had done so. He also wished to know whether training for judges included courses on international human rights law and the Covenant in particular. In view of reports that government commissioners had, in violation of the Covenant, opposed the execution of release orders issued by judges when granting habeas corpus petitions, he would appreciate further information on who those officials were and what role they played in the judicial system.

14. He would also like to know whether the State Party had initiated domestic procedures for acceding to the first Optional Protocol to the Covenant. He would be interested to hear whether the draft constitution was in line with the Covenant, whether it had been prepared with the broad participation of different political and social groups, and whether a

constitutional referendum could realistically be held, given the serious security and humanitarian crisis affecting the State Party.

15. He would like to know when the state of emergency mentioned in the State Party's updated replies had been declared, whether it was still in force, which articles of the Covenant had been derogated from, and whether the State Party had informed the other States Parties to the Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it had derogated, in line with article 4 (3).

16. He would be interested to know whether the budget allocated to the Office for the Protection of Citizens, the national human rights institution, was sufficient to allow it to fulfil its functions and extend its activities to the most remote parts of the country; whether there were plans to expand the Office's powers to include the consideration of human rights violations arising from the acts and omissions of private entities, in accordance with the recommendations made by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions in 2019; and whether State bodies complied with the recommendations of the Office, especially in the context of its visits to places of deprivation of liberty.

17. He would appreciate information on any legislative or other steps taken since 2018 to end discrimination on the basis of sexual orientation, including acts of violence against lesbian, gay, bisexual and transgender persons and attacks on institutions that defended their rights. It would also be interesting to learn whether measures had been taken to allow organizations representing that community to hold public demonstrations and to provide them with protection in the course of those activities. Although the bills on reputation and certificates of good conduct and on the strengthening of marriage had not been adopted by the Chamber of Deputies and had thus not acquired the force of law, he wondered whether there was still a possibility that they might be resubmitted for consideration. In the updated replies to the Committee's list of issues, the State Party had explained that Haitian society resisted the introduction of practices that had long been strongly criticized and that it was therefore difficult to legislate in a way that would require acceptance by the public of practices that it condemned. In the light of that statement, he wished to know whether measures had been taken or at least considered to change that discriminatory culture and ultimately put an end to the stigmatization of lesbian, gay, bisexual and transgender persons.

18. **Ms. Tigroudja** said that all of the problems the country was currently facing – insecurity, the humanitarian crisis, endemic gang violence, forced displacement, the dysfunctional justice system, chronic impunity and serious challenges to the rule of law – were linked to corruption. According to the report of the expert on the situation of human rights in Haiti (A/HRC/54/79), corruption was the number one enemy in Haiti, more than 90 per cent of Haitian public officials were not in compliance with the national anti-corruption law, and Haiti had ranked 171st out of 180 countries in the Transparency International Corruption Perceptions Index for 2022. With that in mind, she would appreciate information on the measures taken to ensure progress in the PetroCaribe case and to guarantee the personal safety of the judges working on it. She wondered whether the State Party was considering setting up a special prosecutor's office for financial crimes or appointing judges specialized in financial crimes and whether it could provide more information on the new judicial division specializing in complex financial crimes. She would be interested to know what measures had been taken to support the work of the Anti-Corruption Unit and the Central Financial Intelligence Unit and to ensure that they operated independently.

19. She would welcome an explanation of the continued delay in the trials and investigations related to the serious human rights violations committed during Jean-Claude Duvalier's presidency, which had still not resulted in any convictions or reparations. She would also be grateful if the delegation could clarify the information provided in the updated replies to the list of issues regarding the situation of Jean Robert Gabriel, who had been convicted in absentia by the Gonaïves Court of First Instance in the "Raboteau massacre" case.

20. It would be useful to receive information on the status of the preliminary framework bill on violence against women and girls; any plans to criminalize forms of sexual violence other than rape, such as incest, marital rape, domestic violence, including femicide, and

sexual harassment; and any training on sexual and gender-based violence for police officers and judges. She would like to know what measures had been taken to encourage women to report violence committed against them, including through the new judicial division specializing in sexual offences, and what State services or funds had been set up for survivors of such violence.

21. Lastly, she would appreciate information on the investigation of gang-related violence, including in cases where the police were accused of supporting or encouraging it, and she wished to know whether the perpetrators in cases of lynching, stoning, mutilation and burning had been prosecuted and handed sentences commensurate with the gravity of their acts. She would also welcome the delegation's comments on how trust between the police and the civilian population could be restored in the context of the security crisis and the growing incidence of mob justice.

22. **Mr. Carazo** said that the State Party's report lacked details on concrete actions against impunity, merely acknowledging that systemic issues continued to hinder the administration of justice, despite recent legal reforms offering a potential path forward. He wished to know how the State Party intended to address the issue of impunity in both the immediate and long-term future. It would be especially useful to learn about any measures taken to expedite judicial proceedings in respect of the attack on the neighbourhood of La Saline in Port-au-Prince in November 2018 and the extrajudicial executions carried out in the Lilavois and Grand Ravine cases. He wondered, in particular, why the investigating judge originally appointed to the La Saline case had been removed from it.

23. Gender disparities remained a significant concern in Haiti, with women still underrepresented in public bodies. He wondered how the State Party was addressing that issue and what progress had been made with respect to the strategy for ensuring the equality of women and girls before the law mentioned in the State Party's replies to the list of issues ([CCPR/C/HTI/RQ/2](#), para. 26). He also wondered what actions were being taken to ensure women's access to healthcare, including abortion services, and to ensure access to medicines, in the light of reports that irregular armed groups were taking over and destroying health facilities to control territory and that people could not reach hospitals because of roadblocks, and when they did, there were no medicines available.

24. **Mr. Ndiaye** said that he would be grateful if the State Party could indicate what urgent measures were being considered to protect women and girls in gang-controlled areas; and what mechanisms were in place to ensure the safety of survivors of sexual violence, to encourage reporting despite persistent stigma and to address the risk of reprisals in that context. He would like to know what steps were being taken to improve access to medical, psychological and legal services for survivors, especially in rural or gang-controlled areas. He would also be interested to know whether there were plans to publish a report on the implementation of the National Plan to Combat Violence against Women and Girls for the period 2017–2027, what had been achieved under the Plan thus far and what resources had been allocated for its implementation.

25. He wondered what measures were being considered to protect the right to life of people in extreme poverty, particularly those exposed to degrading living conditions, and whether there was an intersectoral strategy to prevent avoidable deaths linked to poverty. He would appreciate details on the steps taken to protect civilians in areas under the control or influence of armed gangs, with a particular focus on vulnerable groups such as women, children and older persons. He also wished to know what safeguards were in place to prevent extrajudicial executions, enforced disappearance and forced displacement and what results had been achieved in that regard.

26. It would be useful to receive recent data on complaints filed against law enforcement officers for excessive use of force, including information on the judicial follow-up to those complaints. He would like to know what safeguards were in place to ensure the independence and effectiveness of the General Inspectorate of the Haitian National Police, particularly in its investigations into police conduct in high-risk areas, and what measures had been taken to prevent the police from using disproportionate force during demonstrations. Clarification of whether specific protocols were applied in such situations and whether those protocols were regularly evaluated would be welcome, as would details on the measures taken to

strengthen police operations in gang-controlled areas and information on the results achieved in the fight against gang impunity.

27. He wondered whether the State Party was considering a road map for ratifying the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, once institutional conditions allowed, and whether there were any consultations under way to move that ratification process forward.

28. He wished to know whether alternatives to detention, such as mediation or provisional release, had led to a tangible reduction in the number of people in prolonged pretrial detention and how the State Party ensured that prisoners were actually released upon completion of their sentences. He would welcome more recent data in that regard. He wondered whether the computerized judicial case management system had been reactivated and whether specific measures were being considered to ensure the appropriate separation of detainees, particularly in overcrowded or partially destroyed facilities. He would appreciate information on efforts to improve detention conditions, including in terms of access to water, food and healthcare, and on the progress of prison construction projects.

29. He would be grateful for recent, disaggregated data on the number of women and girl victims of violence who had received legal, medical or psychosocial support or had made use of shelters over the previous three years. He wished to know how the State Party ensured the accessibility of such services in rural and insecure areas and whether local partnerships were in place. He also wondered what additional measures had been taken to remove barriers to comprehensive support for victims of sexual and gender-based violence; whether the State Party conducted regular evaluations of those measures; and whether data on the number of beneficiaries could be shared.

30. Lastly, he would welcome clarification of the total number of judges, prosecutors, police officers and other professionals trained in handling sexual and gender-based violence cases, including details on the frequency, content and geographic coverage of the training. How did the State Party ensure that all courts and police stations, including those in the areas most affected by insecurity, had trained personnel?

The meeting was suspended at 4.10 p.m. and resumed at 4.50 p.m.

31. **A representative of Haiti** said that, in the agreement for a peaceful transition of April 2024, the Government had defined its priorities, which included combating insecurity, organizing a referendum and leading the country to elections in order to establish a Government elected by the people. The increase in the budget allocated to the national police and the armed forces would help them better manage the challenges they faced. There was a need to strengthen the Multinational Security Support Mission in Haiti, as the promised deployment from Kenya had not yet been fully realized. The national police, the armed forces and the Multinational Security Support Mission were essential to tackling insecurity and achieving the goal of holding a referendum. All nine members of the Provisional Electoral Council were currently on the ground, monitoring the establishment of departmental and communal electoral offices and identifying areas where additional efforts were needed. They were not waiting for the security situation to be fully resolved before moving forward with preparations for the referendum.

32. Although the courts had for years been powerless to deal with the country's gangs, efforts had nonetheless been made to expand access to justice. The creation of six new courts of law and two new judicial divisions had been accompanied by the appointment of dozens of new prosecutors and judges.

33. The Anti-Corruption Unit was no less independent for having its director appointed by the President. In fact, it had produced some 40 reports in which it had laid out numerous allegations of corruption, but because the courts had been under the sway of armed gangs, it had long been impossible to bring the persons implicated to justice. Steps such as the freezing of bank accounts were nonetheless being taken to ensure that people who had previously been untouchable answered for their crimes.

34. A task force, on which the national police and other relevant institutions were represented, had been put together to support the work of the Office for the Protection of

Citizens, in particular its efforts to assist internally displaced persons. The Office had a subunit that focused on preventing violence in camps for displaced persons.

35. Three modular prisons designed to hold a total of several thousand prisoners were being built. One of them was a women's prison. Currently, men and women were held in the same facilities, and adults were not separated from minors. The new women's prison was the beginning of a solution to that problem.

36. The country had been divided into "red zones" and "green zones", and the authorities were doing everything in their power to ensure that, in the green zones at least, which were relatively safe, all the infrastructure necessary for the planned referendum on the draft constitution was in place. Work would be done in the red zones once the security situation had improved. General elections could not be held until a new constitution had been adopted.

37. The Government and the national police had always condemned lynchings and other forms of mob violence. Victims of crime were always urged to turn to the police and the courts.

38. **A representative of Haiti** said that work was being done to improve the difficult situation in her country's prisons. For example, the Ministry of Justice and Public Security had organized missions to better understand what was happening in the prisons and propose concrete solutions. It had turned out that one of the major challenges, caused in large part by limited access to the country's main roads, was supplying prisons with enough food or, in the worst cases, with any food at all. The Ministry had therefore required suppliers of food to the prisons to be based in the immediate vicinity thereof. Until around two months earlier, prison food supplies had been managed exclusively by the central Government. Since then, however, prison administrators had been given greater leeway to manage the affairs of the establishments for which they were responsible, and as a result they were able to meet the needs of those establishments more rapidly and in a way that took better account of the local situation.

39. **A representative of Haiti** said that violence against women, which the State had made considerable efforts to combat, was indeed endemic. Often, in fact, it was used as a means of putting pressure on the authorities. It was, for example, used by gangs as a tool to help them take over internally displaced persons camps or other areas they coveted. The National Plan to Combat Violence against Women and Girls, the impact of which was being evaluated, had been adopted against that backdrop. The Unit for Combating Violence against Women, a unit of the Haitian National Police, was responsible for training police officers to help female victims of violence. The Office to Combat Violence against Women and Girls of the Ministry for the Status of Women and Women's Rights also played a relevant role, including by coordinating inter-agency efforts to develop comprehensive service centres at which female victims of violence could obtain the support they needed. In addition, a project had been developed to provide psychosocial support to female residents of internally displaced persons camps who were victims of violence.

40. The Ministry for the Status of Women and Women's Rights worked together with the Social Welfare and Research Institute and other institutions to help child victims of violence, and a number of measures to strengthen the protection of children had been taken. Alternative forms of care, such as foster care, had been made available, and a programme to reintegrate into society children recruited by armed gangs had been developed. The Ministry and its partners, including the Legal Service Training College, also organized training and outreach sessions for judges. Regrettably, however, large-scale forced displacement, which continued to affect people from nearly all segments of society, had complicated training and outreach efforts.

41. The issue of abortion would need to be discussed further, in consultation with women's organizations, taking into account the changes that had occurred in Haitian society and the problems that the country was currently up against. Women and girls in many areas of the country now faced considerable levels of sexual violence, and there were pockets of gang violence even in departments that were relatively safe.

42. Many people were reluctant to report violence, but incipient efforts, including training and outreach, were being made to encourage reporting. Incest had never been part of Haitian

culture. When it occurred, it usually went unreported and was handled within the family. The mass displacement of the population had, however, required the authorities to ensure that a more formal approach to combating incest was taken.

43. Violence against women and girls was rife in her country. The Ministry for the Status of Women and Women's Rights would be unable to eliminate it on its own. It needed the help not only of other institutions but also of the country's people.

44. **A representative of Haiti** said that judges received training on the State's obligations under the Covenant. The national police, too, had committed to having chiefs and other high-ranking police officers take intensive human rights courses.

45. In the past, lesbian, gay, bisexual and transgender persons had been unable to report the violence to which they had been subjected. Although the situation was still far from ideal, such persons were now viewed as full citizens entitled to State protection. The courts and other public institutions condemned any violence against them.

46. The implementation of the constitutional requirement for 30 per cent of public positions to be filled by women had been mismanaged. Instead of being treated as a floor, the quota had been considered a cap. The draft constitution would establish the equality of all persons before the law. Rather than focusing on quotas as in the past, the Government would advocate for true gender parity, including in decision-making positions. A critical mass of women leaders was necessary if solutions were to be found to address issues such as gender-based violence. The Ministry for the Status of Women and Women's Rights had already held a series of consultations with leaders, including those of political parties, to promote gender parity. Several months previously, the Ministry had submitted a proposal for a decree on cyberviolence and cybercrime, which would, it was hoped, reduce violence against women in particular. It had also recently submitted a proposal for a law on the reorganization of the Ministry, including in respect of its mission and its budget, which was currently insufficient.

47. The Government intended to adopt its first national action plan on the participation of women in the restoration of peace and security, in line with Security Council resolution 1325 (2000) on women and peace and security, by early 2026. The Ministry for the Status of Women and Women's Rights, together with women's organizations, had also launched a peace ambassador initiative in which women from camps for internally displaced persons would go into the gang-controlled red zones to promote a culture of peace. The international community's support of the national police and the armed forces was also crucial to resolving the country's insecurity.

48. **Ms. Tigroudja** said that she would like to know more about how the two recently established judicial divisions would operate. She would also welcome the delegation's comments on the reasons behind the Haitian people's extreme distrust of the police and justice system, and any information on the specific steps being taken to restore their trust. Lastly, she would like to know how the State Party was seeking to address the problem of the circulation of weapons in its territory.

49. **Mr. Quezada Cabrera** said that he would like to know how the concept of a new constitution had originated and who was currently involved in making it a reality. He would appreciate clarification of the terms "red zones" and "green zones" used by the delegation, including with regard to the participation of inhabitants of those zones in a future referendum on the draft constitution. More generally, how did the State Party ensure equal rights for people living in both types of areas?

50. **Mr. Ndiaye** said that the Committee would like to know what recent measures had been taken in follow-up to the report issued by the National Commission for Truth and Justice three decades previously, in respect of the violations committed between 1991 and 1994. He would appreciate a response to his questions about the death penalty, non-custodial alternatives, and the continued detention of prisoners who had served their sentence in full. It would be interesting to learn how the State Party intended to reduce the pockets of insecurity within the more secure areas in its territory.

51. **Mr. Carazo** said that he would like to know how the efforts of the regional and international community over the years to support the rights of the people of Haiti were perceived by the Government.

52. **A representative of Haiti** said that it was hoped that the Police Community of the Americas would help to stem the flow of arms into Haiti. Regarding capital punishment, although Haiti had not yet become a party to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, the legislation in force, including the Constitution, made clear the Government's determination to apply international standards regarding the abolition of the death penalty. The so-called green zones were those areas where people could come and go and had access to State-provided services. The police were doing their utmost to secure the gang-controlled areas, or red zones, but progress was slow.

53. There had been widespread consultations, including with women's organizations, regarding the draft constitution. All those consulted had had over a month to make proposals to the committee tasked with drawing up a draft.

54. **Ms. Tigroudja** said that, given the low rates of medically assisted births in the State Party, she would welcome information on midwives, including how they carried out their work, how their safety was ensured when they travelled from place to place and whether they were trained to deal with high-risk pregnancies and could perform medical procedures such as caesareans.

The meeting rose at 5.55 p.m.