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Summary record of the 4241st meeting

Held at the Palais Wilson, Geneva, on Friday, 4 July 2025, at 10 a.m.

Chair: Mr. Soh

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

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

Second periodic report of Haiti (continued) ([CCPR/C/HTI/2](#); [CCPR/C/HTI/Q/2](#);
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1. *At the invitation of the Chair, the delegation of Haiti joined the meeting.*
2. **The Chair** recalled 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** said that the two new judicial divisions specializing in financial crimes and in mass crimes and sexual violence were each composed of 10 prosecutors and 10 judges. The divisions would collaborate with the police and financial oversight bodies and would be funded by the State and international partners.
4. **A representative of Haiti** said that public confidence in the police was growing progressively thanks to awareness-raising, joint efforts to address the security situation in the country and training for police officers in better protecting the population. When a complaint was lodged against police officers, the General Inspectorate of the Haitian National Police opened an investigation and took appropriate action, including punitive measures.
5. **A representative of Haiti** said that surveillance measures had been stepped up to curb the circulation of weapons and munitions in the country. In addition to planning the installation of scanners at customs, the Government had banned the entry of containers arriving from the United States of America via the Dominican Republic and had established that, as of April 2025, all foreign goods must enter Haiti via maritime routes, in order to limit the smuggling of weapons across the land border with the Dominican Republic. The national police had tightened checks on vehicles and was working with the armed forces to intensify border controls and ensure the imposition of penalties when illegal cargo was uncovered. Nevertheless, corruption and underfunding continued to hamper efforts, hence the call for increased international cooperation in stopping arms trafficking to Haiti.
6. **A representative of Haiti** said that academia, civil society organizations and political parties had been involved in the development of the draft constitution, which had been circulated nationwide.
7. **A representative of Haiti** said that midwives were trained in identifying obstetrical complications and played a central role in their early detection and in ensuring that patients remained stable prior to transfer to a healthcare facility, but caesareans were performed by obstetricians. Midwives were also responsible for post-operative follow-up, especially in rural or remote areas. In a context of persistent insecurity and institutional weakness, ensuring the safety of midwives and access to healthcare for pregnant women was a priority of the Ministry of Public Health and Population.
8. **Mr. Ndiaye** said that he wondered what obstacles might be preventing the State Party from ratifying the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, given that, in practice, the death penalty was never imposed in Haiti. He wished to know what measures the State Party intended to take to address the adverse effect of gang violence on healthcare personnel and facilities and, thus, on the population's enjoyment of the right to life. He also wished to know how the State Party planned to address the egregious overcrowding in prisons, the inaccessibility of prisons for inmates with disabilities and the lack of mechanisms for prisoners to lodge complaints about their conditions of detention.
9. **Mr. Carazo** said that he would like the State Party to comment on reports that torture was a daily occurrence in prisons and police facilities and to explain; why those who committed such acts were not investigated and prosecuted. He wondered what had delayed the entry into force of the new Criminal Code, which established the offence of torture, including psychological torture; what steps, including training for law enforcement personnel,

* Subsequently circulated as document [CCPR/C/HTI/RQ/2/Add.1](#).

were being taken to ensure that the torture-related provisions of the Code were correctly applied; and why the State Party had yet to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

10. The State Party's denials notwithstanding, there were reports of widespread forced evictions since the earthquake in 2010, in clear violation of articles 12 and 17 of the Covenant. In the particular case of the neighbourhood of Pèlerin 5, families had reportedly been forcibly removed under threat of death and without being given the chance to retrieve their belongings, exposing them to further violations of their human rights. Against that backdrop, he would like to know why three of the seven owners of houses that had been demolished and subsequently rebuilt in that area had not yet retaken possession of their properties and what measures the State Party was taking to investigate and prosecute the officials who had been involved in the forced evictions.

11. In response to the damage wrought by Hurricane Matthew in 2016, the Government had declared a state of emergency in four departments as well as a nationwide state of environmental emergency to facilitate the reconstruction of infrastructure. In that context, he wished to know how the State Party had protected the 600,000 children affected by the hurricane from violations of their rights, what financial and other resources had been allocated to reconstruction, how many people were still in need of housing or other support and what their current living situation was. Could the State Party provide evidence of its claim that the states of emergency had restricted economic rights only?

12. **Mr. Quezada Cabrera** said that he would be grateful for information on the National Plan of Action to Combat Child Labour, specifically on its duration and results and any ways in which it was linked to the National Strategy and Plan to Combat Trafficking in Persons. He would appreciate information on the number of *restavèk* children, children forced to beg and child victims of other forms of exploitation who had received protection from the State and the nature of that protection. He would also welcome information on any measures, including financial, envisioned to strengthen the Social Welfare and Research Institute as the main institution responsible for child protection; on the activities of the National Committee against Trafficking in Persons in the area of child exploitation; and on any actions taken to address organ trafficking, the ill-treatment of children in orphanages and foster homes, and the lack of victim protection services.

13. It had been reported that, as a result of the serious political crisis in Haiti, many children, especially those with disabilities, had been subjected to violence, including recruitment by gangs, sexual abuse, serious injury and even murder. He wished to know, therefore, what steps the State Party was taking to prevent and combat such violations of the Covenant and to protect children from all forms of violence. He would be interested in learning more about the commission that had been set up to support the establishment of a national network of shelters and rehabilitation centres. In particular, he would like to know whether it had sufficient resources to carry out its functions and what its work entailed.

14. It would be helpful if the delegation could describe the functions of the National Committee against Trafficking in Persons and indicate whether it had sufficient resources to carry out its work. He would like to know whether the results of the National Strategy and Plan to Combat Trafficking in Persons for the period 2017–2022 had been evaluated and whether a new plan had been prepared. He would like updated information, for the period since October 2014, on the number of investigations carried out in relation to trafficking offences, including trafficking for the purposes of domestic slavery and forced prostitution, the number of persons convicted, the sentences imposed and the reparation provided to victims. He also wished to know what measures had been taken at the border with the Dominican Republic to prevent trafficking in persons, especially the trafficking and sale of children.

15. It would be helpful if the delegation could indicate whether the revised versions of the Criminal Code and the Code of Criminal Procedure had entered into force and describe the main amendments that they contained. He would like to know what measures had been taken to address attacks by criminal groups on courthouses and to guarantee the safety of judges and justice officials. He would appreciate updated information on the situation of the National Council on Legal Assistance, including clarification as to whether it had the budget needed

to establish legal aid offices in all jurisdictions. He would like to know who had been appointed to the High Council of the Judiciary, how the members of that body were appointed and how their independence was guaranteed. It would be helpful if the delegation could explain why Court of Cassation judges were appointed on the recommendation of the Senate, not the High Council of the Judiciary, and how their independence was guaranteed in that context. He would also be interested to know whether the High Council of the Judiciary played a role in combating corruption in the judicial sphere. Lastly, he wondered what measures had been taken to address the lack of resources faced by the justice sector and whether there had been an increase in the budget allocated to the judiciary.

16. **Ms. Tigroudja** said that she would like more information on the content of the agreement on judicial capacity-building that had recently been signed with the United Nations Office on Drugs and Crime. While midwives might be considered a priority by the State Party, the reality was that they worked in extremely dangerous conditions and lacked access to basic medical equipment and medicines. With that in mind, she wondered whether the delegation could expand on its response to her questions on the subject. She would also like to invite the delegation to comment on reports that internal displacement had given rise to a civil registration crisis, as displaced persons had lost their identity documents, births had gone unregistered and the exercise of various fundamental rights had been severely affected as a result.

17. The Committee was deeply concerned by reports that attacks on journalists and human rights defenders continued to go unpunished. It had been informed, for example, that five journalists had been murdered in 2024 and that their deaths had not been investigated; that several journalists had been killed by police fire during a demonstration in February 2025; that gang violence had led to several media outlets being shut down; and that social media was being used by gangs to incite violence against journalists. The situation posed a serious threat to freedom of expression and the right to receive information. It was unclear how a referendum could be held if the State Party was unable to ensure the free circulation of ideas, democratic pluralism and the safety of journalists and human rights defenders. In the light of those concerns, she would like to know what measures would be taken to ensure that violence against journalists did not go unpunished; to support the work of human rights defenders and guarantee their safety; and to better regulate the use of social media in order to combat cyberviolence against journalists and human rights defenders.

18. The Committee was also concerned by reports that demonstrations were often suppressed through the excessive use of force by the police or hindered by gangs. For example, 22 people had been killed and 48 people injured by the police during anti-Government protests in January and February 2024. In July 2024, the right to protest had reportedly been suspended, without the State Party having declared a derogation from the Covenant. Freedom of association was also severely limited, as many civil society organizations faced attacks and threats that prevented them from carrying out their work. She would like the delegation to explain what measures were being taken to investigate and hold accountable police officers who had used excessive force to suppress peaceful demonstrations and gangs who had hindered the exercise of the right to protest; and to ensure that civil society organizations were able to carry out their work safely and without being subjected to intimidation or harassment.

The meeting was suspended at 10.50 a.m. and resumed at 11.30 a.m.

19. **A representative of Haiti** said that prison overcrowding remained a major problem, especially as the country's main prisons had been destroyed in March 2024. To address the issue, one prison was being renovated and three new prisons, each with a capacity of 5,000 inmates, were being built. In 2023 and 2024, criminal trials with or without a jury had been held in 14 jurisdictions to relieve overcrowding in prisons outside the capital. Those trials had resulted in 129 convictions and the release of 155 prisoners. A total of 55 applications for habeas corpus had been submitted, of which 42 had been considered by the courts. In addition, special hearings held in October 2024 had led to the release of seven minors, and a number of women prisoners were being considered for release. Efforts were being made to prevent arbitrary arrests and to ensure that cases were examined within the time frame established by law.

20. In February 2024, the prison population had been around 12,000, and the National Penitentiary in Port-au-Prince had accounted for one third of all prisoners. On 2 March 2024, most of the inmates at the National Penitentiary had escaped. The remaining inmates had been transferred to the Rehabilitation Centre for Children in Conflict with the Law. Only 12 escapees had been recaptured. There were now 7,158 prisoners in Haiti, the majority of whom were men in pretrial detention. The number of pretrial detainees remained high because of the recent mass arrests. The overall decrease in the prison population was due to the fact that some prisons had been stormed and mass escapes had occurred. Despite efforts to step up prison security by redistributing personnel, the ratio of staff to inmates – 1 guard for every 14 prisoners – remained a source of concern.

21. Courts were encouraged to use non-custodial alternatives to pretrial detention in cases where accused persons were unlikely to flee or commit repeat offences. Steps were being taken to improve coordination between the judicial and prison authorities and institute regular reviews of prisoners' files to ensure that prisoners who had served their sentences were released promptly.

22. The Government aimed to ensure that women and girls, men, and boys were held separately in all prisons in the country, including the Rehabilitation Centre for Children in Conflict with the Law, which housed 172 women and girls, 287 men and 89 boys. However, for security and infrastructure reasons, that policy could not be strictly followed in prisons in the capital.

23. The number of deaths in prisons had fallen from 74 in 2024 to 59 in 2025 thanks to improved coordination with national and international partners on the provision of medical care and other assistance. In addition, health facilities had been set up in several prisons. Although the Government remained committed to improving conditions of detention, its progress was limited by the security crisis, logistical difficulties and budgetary constraints. The presidential commission set up in 2017 to investigate the causes of deaths at the civilian prison in Port-au-Prince between 2016 and 2017 had identified a number of contributing factors, including a prison occupation rate far above the norm; poor healthcare, nutrition and hygiene; irregularities in prison management and logistics; and issues caused by prolonged periods of pretrial detention and insufficient legal monitoring. The recommendations issued by the commission, which the Government was committed to following up on, included improving prison conditions, reducing the length of pretrial detention, combating corruption in the prison system, ensuring that prisoners had access to psychological support and reintegration mechanisms and investigating suspicious deaths.

24. Government commissioners were officers of the executive branch attached to the courts. Their status did not affect the independence of the judiciary, which was a principle that the State was committed to upholding, in compliance with the Constitution and its international obligations. The High Council of the Judiciary had implemented several measures to ensure the independence of judges and prosecutors, including introducing the mandatory accreditation of such officials in February 2024. To prevent prolonged periods of detention, the Government would implement a plan to ensure that criminal trials continued to be held on a regular basis and would promote the use of the immediate summary trial procedure.

25. **A representative of Haiti** said that the forty-ninth legislature had considered a bill on the ratification of the Convention against Torture but had not adopted it, so the bill would be resubmitted to the next parliament. The internal regulations of the prison administration prohibited all forms of torture and inhuman or degrading treatment. The Government had provided funding to the National Committee against Trafficking in Persons to support the implementation of its plan of action. The Committee had signed a memorandum of understanding with the National Council on Legal Assistance with a view to providing victims of trafficking with free legal aid. It had also signed a collaboration agreement with the State University of Haiti on conducting research into trafficking in persons, under which approximately 100 students had received instruction on the subject. Judges, prosecutors and government commissioners had received guidance on bringing traffickers to justice. Legal proceedings had been initiated and orders had been issued with respect to a number of traffickers. Unfortunately, however, several had escaped from detention during the mass jailbreaks that had taken place in March 2024. In response, the Ministry of Justice and Public

Security had instructed the public prosecution service to devote special attention to trafficking cases.

26. In the face of difficulties ensuring the safety of pregnant women, midwives and other health personnel in the current crisis, the Ministry of Public Health and Population had collaborated with United Nations agencies and non-governmental organizations to establish strategies for ensuring the continuity of healthcare services, including providing a minimum initial service package for sexual and reproductive health and using mobile clinics in high-risk areas. Efforts were under way to strengthen the technical skills of midwives and establish mechanisms for protecting them. Haiti remained committed to ensuring equitable and safe access to maternity care.

27. The High Council of the Judiciary was the body responsible for monitoring and ensuring discipline in the judiciary. The Council administered its own budget and organized the operation of the courts pursuant to the decree of 22 August 1995 on the organization of the judicial system, amending the decree of 18 September 1985. While judges, who were appointed by presidential decree, were irremovable under the Constitution, the Council was able to purge the judiciary, without interference by the executive branch, through the use of mandatory accreditation.

28. **A representative of Haiti** said concerns that the death penalty might be reintroduced were unfounded, as the Constitution, which took precedence over all other laws and international agreements, prohibited its use in all cases. The same was true of the draft constitution that was presently under discussion. The legislature would be able to discuss the possibility of acceding to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty, once it was functioning again.

29. The expropriation by the Government of private homes with the objective of building roads and ensuring the security of airport infrastructure had been carried out in accordance with article 36.1 of the Constitution, which provided that property could be expropriated for purposes of public utility and that its owners were entitled to prior and fair compensation determined by an expert and to a legal remedy.

30. **A representative of Haiti**, summarizing the information provided in paragraphs 99 to 106 of the updated replies to the list of issues, said that a social protection project for the period March 2021–June 2029 had been developed to assist households with children under the age of 5, pregnant and breastfeeding women and people with disabilities, and various measures had been taken to raise awareness of the harmful effects of child domestic labour and to remove children from situations of that kind.

31. The recent judicial reforms that had been undertaken were outlined in paragraphs 23–28 of the updated replies. A training programme for justice officials and criminal investigation officers on the implementation of the new Criminal Code and the new Code of Criminal Procedure had been developed, and a special commission had been established under the Ministry of Justice and Public Security to ensure that cases of gender-based violence were properly investigated throughout the country.

32. The issue of forced evictions and, more specifically, the case involving the neighbourhood of Pèlerin 5, were covered in paragraphs 152–155 of the updated replies. Article 36.1 of the Constitution stated that properties expropriated for the purposes of public utility had to be returned to their owners in the event that the relevant project was cancelled. Furthermore, the authorities ensured that nobody was evicted from camps or informal settlements without being offered a sustainable and humane alternative..

33. As explained in paragraphs 156–159 of the updated replies, efforts were being made to enable journalists to go about their work in accordance with the law and to step up the protection of human rights defenders, whose activities were essential for democracy. The loss of life that had occurred during the anti-Government demonstrations of 2019 was attributable to the infiltration of the protest movement by members of armed gangs. The Government had subsequently adopted a number of measures to tackle the excessive use of force by police officers during demonstrations, including the strengthening of police training programmes on respect for human rights.

34. The Covenant had been invoked by prosecutors and lawyers in habeas corpus proceedings and other cases involving violations of individual freedoms. It had also been referenced in a document sent to the criminal investigation police by the government commissioner for Port-au-Prince in order to inform the police that certain individuals had been detained for too long and that their case should be referred to the public prosecution service. The government commissioners were in the process of preparing reports outlining suggested measures for reducing overcrowding in prisons. Alternatives to detention were provided for in the new Criminal Code. The safety of judges would be enhanced by assigning them armoured vehicles and personal security teams.

35. The police and the Provisional Electoral Council were working tirelessly to lay the groundwork for the organization of a referendum on the draft constitution, in particular in the three departments in which insecurity was high. The Government would wait for an improvement in the security situation before ordering the courts and competent institutions to take action against the individuals involved in the PetroCaribe case.

36. **Ms. Tigroudja** said that she would be grateful if the delegation could confirm that fewer than 30 per cent of Haitians held an identity document and comment on reports that the National Identification Office was currently unable to issue such documents.

37. **Mr. Quezada Cabrera** said that he would welcome an explanation of the role played by the government commissioners in court proceedings, the requirements that judges had to meet in order to be accredited by the High Council of the Judiciary and the specific ways in which the introduction of the accreditation scheme was helping to clean up the judiciary. He wished to know whether the change in the terminology used to refer to child domestic workers, who were now known as “children in domestic service” rather than “*restavèk* children” had had any substantive consequences.

38. **Mr. Carazo** said that, in his view, the level of insecurity in the State Party meant that protecting and guaranteeing respect for the population’s fundamental rights was currently an impossible task. Accordingly, he wished to remind the international community of its duty to support the State Party and find solutions for the benefit of the Haitian people.

39. **A representative of Haiti**, noting that all countries experienced crises at one time or another, said she remained convinced that Haiti would soon emerge from the current crisis, which all sectors of society were working hard to resolve. The Government acknowledged the need for international support and was aware that much work needed to be done to ensure the implementation of the Covenant to a degree that would allow for the re-establishment of the rule of law. The fact that the majority of the delegation had been unable to obtain the travel documents required to attend the dialogue was a prime example of the challenges currently being faced. The delegation had taken note of the Committee’s comments, which would be shared with the competent authorities with a view to effectively addressing the concerns raised. Her Government would continue to do everything in its power to give effect to the rights enshrined in the Covenant.

40. **The Chair** said that the Committee acknowledged the profound political, economic and humanitarian challenges facing the State Party, which had made it especially difficult to promote and protect human rights. It was precisely in times of crisis, however, that the protection of human rights became all the more essential. The Committee was grateful for the State Party’s willingness to engage in dialogue and encouraged the State Party to press ahead with the legislative, institutional and policy reforms required to ensure the full enjoyment by all individuals in its territory of the rights set out in the Covenant.

The meeting rose at 12.35 p.m.