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## Human Rights Council

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### **Compilation prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21**

## **Haiti**

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

#### 1. International human rights treaties<sup>2</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1972)	ICESCR (2013)	ICCPR-OP 2
	ICCPR (1991)	CAT (signature only, 2013)	CAT (signature only, 2013)
	CEDAW (1981)	OP-CRC-SC (2014)	OP-CAT
	CRC (1995)	ICRMW	OP-CRC-AC
	OP-CRC-AC (signature only, 2002)	(signature only, 2013)	(signature only, 2002)
	CRPD (2009)		ICRMW (signature only, 2013)
	ICPPED (signature only, 2007)		ICPPED (signature only, 2007)
<i>Reservations and/or declarations</i>			
<i>Complaints procedures, inquiries and urgent action<sup>3</sup></i>	OP-CRPD, art. 6 (2009)		ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			ICCPR-OP 1
			OP-CEDAW
			CAT (signature only, 2013)
			OP-CRC-IC
		ICRMW (signature only, 2013)	
		ICPPED (signature only, 2007)	

#### 2. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		
	Palermo Protocol <sup>4</sup>		Rome Statute of the International Criminal Court
	Convention on refugees and its Protocol <sup>5</sup>		
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II <sup>6</sup>		1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness
	ILO fundamental conventions <sup>7</sup>		Additional Protocol III to the 1949 Geneva Conventions <sup>8</sup>
			ILO Conventions Nos. 169 and 189 <sup>9</sup>
			Convention against Discrimination in Education

1. In 2016, the Committee on the Rights of the Child recommended that Haiti ratify OP-CRC-IC, OP-CAT, ICCPR-OP 2, ICPPED and ICRMW.<sup>10</sup> In 2016, the Committee on the Elimination of Discrimination against Women encouraged Haiti to ratify OP-CEDAW, CAT, ICRMW and ICPPED.<sup>11</sup>
2. Recalling recommendations 88.18 and 88.19 that Haiti accepted during its first universal periodic review,<sup>12</sup> the Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that the Government include the ratification of the 1954 and 1961 Conventions on the new Parliament's agenda.<sup>13</sup>
3. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women recommended that Haiti ratify ILO Convention No. 189.<sup>14</sup>
4. The United Nations Educational, Scientific and Cultural Organization (UNESCO) encouraged Haiti to ratify the Convention against Discrimination in Education.<sup>15</sup>

## **B. Constitutional and legislative framework**

5. In 2016, the Secretary-General regretted the electoral and institutional uncertainties following two rounds of legislative elections and one of presidential and municipal polls in August and October 2015.<sup>16</sup> After a year without a functioning Parliament, elected legislative candidates had taken office in January 2016. Mounting tensions relating to allegations of electoral fraud resulted in the presidential run-off being postponed sine die in response to increasing security concerns.<sup>17</sup> In February 2016, the National Assembly had elected the Senate and National Assembly Chair as provisional President of the Republic for a period not exceeding 120 days.<sup>18</sup>
6. In June 2016, the Secretary-General remained concerned about the continuing political uncertainty and further delays in completing the electoral process.<sup>19</sup> He underlined that Haiti could ill afford a prolonged period of transitional governance and reiterated the need for a democratically elected leadership to take on the growing challenges the country faced.<sup>20</sup> In 2016, the Human Rights Council called upon the country's political stakeholders to take forward the electoral process.<sup>21</sup>
7. The Independent Expert on the situation of human rights in Haiti observed that the systematic postponing of the elections since 2011 had led to the executive directly appointing local authorities in municipalities and to a standstill in the Senate and Chamber of Deputies in January 2015.<sup>22</sup>
8. The Security Council expressed its deep disappointment that Haitian actors had failed to meet the election deadlines agreed and condemned any attempt to destabilize or manipulate the electoral process, in particular through violence.<sup>23</sup>
9. The United Nations Stabilization Mission in Haiti (MINUSTAH) Human Rights Section reported that important amendments to the Constitution had entered into force in 2012. It highlighted, among others, the State responsibility for providing free education to all; the recognition of the Superior Council of the Judiciary as the body in charge of controlling the judiciary; and the establishment of the Permanent Electoral Council, as a standing body.<sup>24</sup>
10. The Human Rights Committee recommended that Haiti, when drafting the new criminal code, which the Government undertook to adopt at the end of 2014, include a definition of torture that covered also psychological torture and adequately provide for the prosecution and conviction of perpetrators of such acts.<sup>25</sup> The Independent Expert on Haiti indicated that a draft bill to amend the Criminal Code had been presented to the President in March 2015 with important human rights content.<sup>26</sup> The MINUSTAH Human Rights Section noted that further significant amendments would almost certainly be made to this

bill, particularly when it was submitted to Parliament. The Section invited the Government, among other parties, to ensure that the bill included the criminalization of war crimes and prohibited any amnesty for political crimes committed with serious violations of human rights. Reform of the Code of Criminal Procedure was still under way.<sup>27</sup> The Human Rights Council encouraged Haiti to follow up on the draft criminal code and code of criminal procedure.<sup>28</sup>

11. The Committee on the Rights of the Child recommended that Haiti expedite the adoption of the Child Protection Code.<sup>29</sup>

12. The Committee on the Elimination of Discrimination against Women was concerned that the promulgation of laws and strategies had not yielded concrete results due to lack of consistent and coordinated actions, as well as inadequate resources. It also noted the slowness of the legislative process and the long delays in the promulgation of laws affecting women's rights.<sup>30</sup>

## C. Institutional and human rights infrastructure and policy measures

### Status of national human rights institutions<sup>31</sup>

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle<sup>32</sup></i>
Office de la protection du citoyen	-	A (2013)

13. The Human Rights Committee remained concerned about the limited resources available to the Ombudsman's Office and called on Haiti to ensure that the recommendations of the Office were taken into account.<sup>33</sup>

14. The Human Rights Section was concerned to note that the new Government lacked a focal point for human rights. The Interministerial Committee on Human Rights, created in 2013, had lost its impetus in the new climate.<sup>34</sup> The Independent Expert on Haiti recommended that there be, at the highest governmental level, a human rights entity with capacity to ensure the effective operation of the Interministerial Committee on Human Rights.<sup>35</sup>

15. The Independent Expert considered that a plan of action to promote and protect human rights should be put in place, in cooperation with civil society and the Ombudsman's Office.<sup>36</sup>

16. The Committee on the Rights of the Child recommended that Haiti strengthen institutional capacities to investigate and prosecute all allegations of corruption and mismanagement of funds.<sup>37</sup>

## II. Cooperation with human rights mechanisms

17. Haiti submitted a midterm review regarding the follow-up to the recommendations put forward during its universal periodic review in 2011.<sup>38</sup>

## A. Cooperation with treaty bodies

### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	August 1999	-	-	Fourteenth report overdue since 2000
Committee on Economic, Social and Cultural Rights	-	-	-	Initial report overdue since 2016
Human Rights Committee	March 1995	2012	October 2014	Second report due in 2018
Committee on the Elimination of Discrimination against Women	February 2009	2014	March 2016	Tenth report due in 2020
Committee on the Rights of the Child	January 2003	2013	January 2016	Combined fourth to sixth reports due in 2021; initial report on OP-CRC-SC due in October 2016
Committee on the Rights of Persons with Disabilities	-	2014	-	Initial report pending consideration

### 2. Responses to specific follow-up requests by treaty

<i>Concluding observations</i>			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Human Rights Committee	2015	Duvalier-proceedings and implementation of the National Commission on Truth and Justice recommendations; firearm deaths by security forces; alleged threats against human rights defenders, journalists and political opposition; elections <sup>39</sup>	2016. <sup>40</sup> Follow-up dialogue ongoing
Committee on the Elimination of Discrimination against Women	2018	Temporary special measures; draft law on combating violence against women; marriage and family relations <sup>41</sup>	-

## B. Cooperation with special procedures<sup>42</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Slavery Haiti Internally displaced persons Housing	Internally displaced persons Haiti
<i>Visits agreed to in principle</i>	-	-

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Visits requested</i>	Food	African descent
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, nine communications were sent. The Government did not reply to the communications.	

18. The Human Rights Section recommended that the State should avail itself of the expertise of the Working Group on Arbitrary Detention, the Special Rapporteur on torture and the Special Rapporteur on the independence of judges and lawyers in its efforts to fight against prison overcrowding and extended pretrial detention.<sup>43</sup> The Human Rights Section also recommended that the State extend an invitation to the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence in order to address the gross violations of human rights committed in the past, particularly during the presidency of Mr. Duvalier.<sup>44</sup>

### **C. Cooperation with the Office of the United Nations High Commissioner for Human Rights**

19. Cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), through the human rights component of MINUSTAH, took place mainly through significant technical and financial support provided to the Government, non-governmental organizations and the Ombudsman's Office.<sup>45</sup>

## **III. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Equality and non-discrimination**

20. Concerned about the persistence of discriminatory provisions in the Criminal and Civil Codes, the Committee on the Elimination of Discrimination against Women recommended that Haiti prioritize its law reform process.<sup>46</sup>

21. The same Committee noted that women and girls continued to be subjected to widespread gender discrimination and mistreatment and that pervasive gender-based violence represented the most severe manifestation of discrimination in the country.<sup>47</sup> It recommended that Haiti put in place a strategy to combat discriminatory stereotypes; and design and implement, in collaboration with civil society, awareness-raising programmes to enhance non-stereotypical portrayals of women.<sup>48</sup>

22. The same Committee was concerned that women and girls with disabilities continued to face severe stigmatization and were often subjected to violence and sexual exploitation.<sup>49</sup>

23. The United Nations country team noted that, although Haiti had no law discriminating on the basis of sexual orientation, certain acts of violence against lesbian, gay, bisexual, transsexual and intersex persons had neither been punished by the courts nor condemned by the authorities. Judicial abuse had been reported against homosexual men who had engaged in consensual sexual relations.<sup>50</sup> The Human Rights Committee recommended that Haiti launch a national awareness campaign, addressing first the forces of law and order and judicial personnel and later the general public, to combat stereotypes based on sexual identity.<sup>51</sup>

## **B. Right to life, liberty and security of the person**

24. The Human Rights Section had followed up on allegations of the unlawful use of force by State officials that, in several cases, had resulted in death.<sup>52</sup> The majority of these cases took place during demonstrations. The Secretary-General noted that disciplinary and judicial investigations into allegations of unlawful use of force by the national police remained limited.<sup>53</sup> According to checks carried out by the Human Rights Section, in most cases where firearms had been used, no investigations had been carried out.<sup>54</sup> The Human Rights Committee recommended that Haiti ensure that cases of firearm deaths caused by the forces of law were investigated and prosecuted.<sup>55</sup>

25. The Human Rights Section noted that the Inspectorate-General of the National Police had as yet been unable to respond adequately to human rights violations observed in police practices, such as arbitrary arrests and the use of force and ill-treatment.<sup>56</sup>

26. The Independent Expert on Haiti noted that cases of public lynchings were reported regularly.<sup>57</sup> The Human Rights Section stressed that, while shortcomings in the justice system and public order were among the causes of lynching, those same weaknesses rendered the State unable to prevent such crimes.<sup>58</sup> The Independent Expert on Haiti recommended issuing a reminder that it was prohibited to take justice into one's own hands, and systematically investigating cases of public lynchings.<sup>59</sup>

27. The country team had concerns about conditions of detention, including prison overcrowding, malnutrition and the lack of adequate health care.<sup>60</sup> The Secretary-General noted that only 3 of the 17 detention facilities under the jurisdiction of the Penitentiary Administration offered slightly more than 1 square metre per detainee, and that detainees spent more than 23 hours a day confined to their cell.<sup>61</sup> The Human Rights Section noted that this situation was caused by, inter alia, failings in the justice system and the large number of unlawful arrests.<sup>62</sup> The Section noted that the conditions in which detainees were held in police stations were just as gruelling.<sup>63</sup> The Human Rights Committee was concerned about the lack of separation between remand and convicted prisoners.<sup>64</sup> The Committee on the Rights of the Child was concerned that there was only one detention facility where children and adults were separated.<sup>65</sup> The country team stated that the practice of transferring children to the central prison as soon as they reached the age of 16 constituted a major problem.<sup>66</sup>

28. The Human Rights Section noted that unlawful arrests were carried out systematically and repeatedly.<sup>67</sup>

29. The Human Rights Committee was concerned about the disproportionate use of pretrial detention, with a direct impact on prison overcrowding, which amounted to inhuman and degrading treatment.<sup>68</sup> Haiti should ensure that all detainees enjoyed the right to habeas corpus and urgently address the situation of persons who had been in pretrial detention for years.<sup>69</sup> The Committee on the Rights of the Child was concerned that children were subjected to lengthy pretrial detention.<sup>70</sup> The Committee on the Elimination of Discrimination against Women raised similar concerns with regard to women.<sup>71</sup> The Human Rights Section noted that, in the vast majority of documented cases of pretrial detention, the failure of the responsible judge to carry out a judicial review was unlawful, and that 74 per cent of the detainees awaiting trial at the National Penitentiary in February 2014 were being held illegally.<sup>72</sup> The Independent Expert on Haiti considered that resolving the problem of extended pretrial detention called for a more robust response to corruption in the judiciary; better time management for judges and prosecutors; more proactive application of the Code of Criminal Procedure; and a revision of the Penal Code.<sup>73</sup> The Human Rights Section noted that understanding the issue of pretrial detention would not suffice to resolve problems related to deprivation of liberty.<sup>74</sup>

30. The Human Rights Section continued to witness cases of illegal police custody. Consistent problems included individuals being held in custody beyond the 48-hour legal deadline with as primary cause the inaction of the judicial authorities.<sup>75</sup>
31. The Committee on the Rights of the Child was concerned about gender-based violence against women and girls, particularly in internally displaced persons camps.<sup>76</sup>
32. The same Committee was concerned by a general reluctance to report cases of sexual exploitation and abuse; the frequent refusal by authorities to investigate cases of gender-based violence; and the fact that victims needed to present a medical certificate in cases of rape to initiate criminal proceedings.<sup>77</sup> The Human Rights Section noted that “amicable” arrangements, often organized by district court judges, were an obstacle.<sup>78</sup> It recommended that the police refer complaints to prosecutors’ offices rather than to such judges.<sup>79</sup> It also recommended the adoption of a directive stipulating that the absence of a medical certificate in cases of sexual assault should not prevent the perpetrators of such crimes from being prosecuted.<sup>80</sup> The Committee on the Elimination of Discrimination against Women urged Haiti to ensure the draft law on combating violence against women did not refer to mediation in such cases.<sup>81</sup>
33. The Committee on the Rights of the Child was concerned about parents often refusing to bring cases of sexual exploitation and abuse of children to justice and accepting compensation by the perpetrator instead.<sup>82</sup>
34. The same Committee was concerned about the vulnerability of children of single mothers to sexual abuse as they were left with strangers during working hours, particularly in internally displaced persons camps. It urged Haiti to ensure that working mothers could leave their children in adequate day-care centres.<sup>83</sup>
35. It noted that cases of forced or arranged marriage continued to occur, in particular in the event of rape or pregnancy.<sup>84</sup>
36. The Committee on the Elimination of Discrimination against Women was concerned about reports of women and girls who were compelled by circumstances to enter into “transactional sex”, as well as cases of sexual exploitation by MINUSTAH personnel.<sup>85</sup> It called on Haiti to put in place a legal framework, protect women and girls vulnerable to sexual exploitation by MINUSTAH personnel and provide them with access to justice.<sup>86</sup>
37. The Committee on the Rights of the Child was concerned that corporal punishment was still extensively practised in all settings, and that the law prohibiting corporal punishment lacked clarity and was insufficiently implemented.<sup>87</sup>
38. It was concerned about the climate of fear and violence linked to gangs and recommended that Haiti establish programmes providing gang members with assistance to leave gangs and be reintegrated into society.<sup>88</sup>
39. The Secretary-General stated that the practice of placing children in domestic service (*restaveks*) was widespread.<sup>89</sup> The International Labour Organization (ILO) noted that one child in 10 was in domestic service.<sup>90</sup> The Committee on the Rights of the Child noted with concern that many child domestic workers were forced to work in slavery-like conditions, subjected to physical, emotional and sexual abuse.<sup>91</sup> It recommended that Haiti criminalize the practice of placing children in domestic service.<sup>92</sup> The Human Rights Committee recommended that Haiti strengthen the Minors’ Protection Unit.<sup>93</sup>
40. The Committee on the Rights of the Child was concerned about the increasing number of children in street situations, further exacerbated by the 2010 earthquake.<sup>94</sup>
41. The Committee on the Elimination of Discrimination against Women called on Haiti to ensure sufficient resources for the effective implementation of the law on trafficking of persons.<sup>95</sup>

42. The same Committee was concerned that trafficking in women and girls, especially at the border with a third country, was ongoing, and that cases of human trafficking were reportedly often not investigated by the police.<sup>96</sup> The Committee on the Rights of the Child recommended that Haiti implement victim protection policies introduced by law and ensure that child victims were always treated as such.<sup>97</sup>

### **C. Administration of justice, including impunity, and the rule of law**

43. The Human Rights Committee was concerned about the lack of independence of the judiciary, due to interference in the justice system and with regard to the selection of judges.<sup>98</sup> The Independent Expert on Haiti noted that the practice of appointing or removing judges to advance political ends continued unabated.<sup>99</sup> The Human Rights Committee recommended that Haiti ensure the effective operation of the Judicial Inspectorate of the High Council of the Judiciary.<sup>100</sup> The Independent Expert considered that the establishment of specialized chambers to deal with certain serious crimes in which political factors come into play and with financial crimes would effectively tackle corruption.<sup>101</sup>

44. According to the Human Rights Section, access to justice remained a serious concern and was hindered by absenteeism among judges and court clerks.<sup>102</sup> The Special Rapporteur on the human rights of internally displaced persons recommended that the Government guarantee equal access to justice for all, including internally displaced persons.<sup>103</sup>

45. The Committee on the Rights of the Child was concerned that juvenile courts existed only in Port-au-Prince and Cap-Haïtien and that the number of juvenile judges was still insufficient.<sup>104</sup> It was furthermore concerned that the age for determining whether juvenile or adult law was applied was the age at which the child was judged; and that, while Haiti indicated that 13 was the age of criminal responsibility in practice, that was not explicitly stipulated.<sup>105</sup> It urged Haiti to specify the age of criminal responsibility of 13 years or more in law.<sup>106</sup>

46. The Special Rapporteur on internally displaced persons noted that the number of police officers trained remained insufficient to meet the rule of law challenges.<sup>107</sup> The Independent Expert on Haiti stressed the importance of completing the vetting process.<sup>108</sup>

47. The Human Rights Committee considered that Haiti should pursue its investigations in the Duvalier case and implement the recommendations of the National Commission on Truth and Justice in respect of the serious violations committed between 1991 and 1994.<sup>109</sup> The Independent Expert on Haiti considered that no significant headway had been made since Duvalier's death in 2014.<sup>110</sup> He recommended that a national commission be set up to provide redress to the victims of serious violations committed under the regime of the two Duvaliers and the military, as well as acts of violence perpetrated by groups supporting or opposing President Aristide.<sup>111</sup> The country team has encouraged Haiti to allow pending cases of serious human rights violations to continue until a verdict is reached, including when some of the alleged offenders have died.<sup>112</sup>

### **D. Right to marriage and family life**

48. The Committee on the Rights of the Child noted that, according to the Civil Code, girls could be married as of age 15 and boys as of age 18 and recommended that Haiti establish a minimum age of marriage of 18 for both girls and boys.<sup>113</sup>

49. UNHCR indicated that the 2014 Law on Paternity, Maternity, and Filiation would help closing gaps in birth and civil registration, including by ensuring that children born

outside of marriage could be registered.<sup>114</sup> The Committee on the Rights of the Child noted that the law excluded children born outside wedlock before 2014.<sup>115</sup> Considering that there were between 2.5 and 3 million undocumented persons in Haiti, UNHCR recommended that the Government adopt improved civil registration procedures aligned with the draft Nationality Law; and ensure that civil registration was free of charge and accessible to all.<sup>116</sup> The Special Rapporteur on internally displaced persons recommended that the Government launch a countrywide registration process aimed at ensuring that all internally displaced persons had access to personal documentation.<sup>117</sup> UNHCR recommended that the Government transfer the draft Nationality Law to Parliament for adoption.<sup>118</sup>

50. The Committee on the Rights of the Child noted that a high number of children were in alternative care institutions despite having one or both parents alive; and that the majority of alternative care institutions were privately run and profit motivated.<sup>119</sup>

51. The same Committee welcomed enactment of the law reforming adoption in 2013.<sup>120</sup>

### **E. Freedom of expression, association and peaceful assembly, and the right to participate in public and political life**

52. The Human Rights Committee was concerned about allegations of threats, harassment and intimidation by security forces and political authorities against human rights defenders, journalists and opposition members.<sup>121</sup> It recommended that Haiti investigate all attacks and bring the perpetrators to justice.<sup>122</sup> The Human Rights Section has recommended that the State adopt a legal framework in which human rights organizations can operate with complete independence.<sup>123</sup>

53. UNESCO encouraged Haiti to introduce a freedom of information law and decriminalize defamation.<sup>124</sup>

54. In 2016, the Secretary-General noted that no women had been elected to either chamber.<sup>125</sup> The Committee on the Elimination of Discrimination against Women recommended that Haiti enforce the constitutional 30 per cent minimum quota for women at all levels of national life through sanctions for non-compliance.<sup>126</sup>

### **F. Right to work and to just and favourable conditions of work**

55. The ILO noted that over 90 per cent of the active population worked in the informal economy, in conditions that were often unacceptable.<sup>127</sup> The Committee on the Elimination of Discrimination against Women noted that women were concentrated in the informal sector in low-paid jobs, without social protection and often facing sexual harassment.<sup>128</sup> It recommended that Haiti adopt legislation to define sexual harassment in the workplace.<sup>129</sup>

56. The ILO reported that the unemployment rate among young people in urban areas was over 41 per cent.<sup>130</sup> The Committee on the Elimination of Discrimination against Women noted that women faced high unemployment rates, persistent horizontal and vertical segregation in the labour market and a gender wage gap.<sup>131</sup>

57. The Special Rapporteur on internally displaced persons encouraged livelihood opportunities and training of internally displaced persons where they were settled.<sup>132</sup>

58. The Committee on the Elimination of Discrimination against Women recommended that Haiti expedite the promulgation of the bill on domestic workers' labour conditions; and guarantee domestic workers' access to social protection.<sup>133</sup>

## **G. Right to social security and to an adequate standard of living**

59. The Committee on the Rights of the Child was concerned about widespread, extreme and increasing family poverty.<sup>134</sup> The Independent Expert on Haiti recalled that 60 per cent of Haitians earned less than US\$ 1 per day; 74 per cent of families lived in slums; 60 per cent of the population lacked access to basic health care; and almost half of the country's children did not attend school.<sup>135</sup>

60. The Independent Expert added that, although Haiti had made significant progress on most of the Millennium Development Goals, significant challenges remained such as inequality; low income levels; the lack of measures to combat deforestation and the loss of biodiversity.<sup>136</sup>

61. The Committee on the Rights of the Child noted that food insecurity and malnutrition remained prevalent.<sup>137</sup> The World Food Programme observed that Haiti had experienced one of the worst droughts in recent decades and that, as a consequence, 1.5 million people were severely food insecure while 3.6 million were food insecure.<sup>138</sup> The Independent Expert on Haiti encouraged donor countries to support agricultural revitalization activities through programmes facilitating the marketing of food products.<sup>139</sup>

62. The Committee on the Rights of the Child was concerned about the poor housing situation, further exacerbated by the 2010 earthquake.<sup>140</sup> The Special Rapporteur on internally displaced persons observed that, before the earthquake, Haiti had already been witnessing a lack of urban planning and of a cadastre, inequalities, corruption and weaknesses in the rule of law, and rapid growth in the urban population. National authorities should regulate the quality of individually constructed houses and ensure that they met minimum requirements.<sup>141</sup>

63. The Independent Expert on Haiti indicated the need of a reliable cadastral system.<sup>142</sup>

64. The Special Rapporteur on internally displaced persons recommended that the Government ensure that the housing policy provided for a clear procedure for evictions.<sup>143</sup>

65. The Secretary-General pointed out that Haiti continued to be vulnerable to drought.<sup>144</sup> The Office for the Coordination of Humanitarian Affairs indicated that 42 per cent of Haitians did not have access to clean water and 72 per cent lacked adequate sanitation.<sup>145</sup> The Committee on the Rights of the Child recommended that Haiti prioritize provision of drinking water and sanitation services in reconstruction activities and ensure that the population had access to treated drinking water.<sup>146</sup>

## **H. Right to health**

66. The Committee on the Rights of the Child was concerned that more than half of the population did not have access to basic health care and urged Haiti to increase the portion of its annual budget devoted to health to at least 15 per cent.<sup>147</sup>

67. The same Committee noted that the rate of maternal mortality remained high.<sup>148</sup> The Committee on the Elimination of Discrimination against Women recommended that Haiti increase the number of trained health-care providers and medical personnel.<sup>149</sup>

68. The Committee on the Rights of the Child urged Haiti to prevent the spread of communicable diseases, focusing on providing adequate sanitation and access to clean drinking water.<sup>150</sup> The Special Rapporteur on internally displaced persons stated that poor access to water and sanitation directly impacted health conditions in camps.<sup>151</sup> The Independent Expert on Haiti stated that the cholera epidemic continued to plague the country and that efforts to eradicate it had been insufficient.<sup>152</sup> He recommended that a

truth, justice and redress commission be established for the victims of cholera.<sup>153</sup> Several special procedure mandate holders had an exchange of communications with the Secretary-General regarding the lack of access to remedy and compensation for the victims of the cholera epidemic, and the purported responsibility of the United Nations.<sup>154</sup>

69. The Committee on the Rights of the Child recommended that Haiti reduce sources of air pollution and provide households with stoves with more efficient combustion.<sup>155</sup>

70. It was concerned that abortion was criminalized, except in the case of threat to the life of the mother, and recommended that Haiti decriminalize abortions in all circumstances.<sup>156</sup>

71. In the view of the country team, the fight against HIV/AIDS remained a major challenge because persons under 18 years of age had limited access to sexual and reproductive health services unless they were accompanied by a parent or guardian.<sup>157</sup> The Committee on the Rights of the Child recommended that Haiti ensure that sexual and reproductive health education was part of the mandatory school curriculum.<sup>158</sup>

## **I. Right to education**

72. UNESCO stated that the number of children who had never been to school fell by over half between 2000 and 2012.<sup>159</sup> However, the country team noted that only 68 per cent of children finished primary education, while only 33 per cent finished basic education.<sup>160</sup> The Independent Expert on Haiti indicated that illiteracy was prevalent among nearly half of the adult population.<sup>161</sup> The Committee on the Rights of the Child noted that educational infrastructure was poor, few teachers were qualified and salaries were not regularly paid.<sup>162</sup> It added that the education sector was dominated by private schools, often not officially authorized or monitored.<sup>163</sup>

73. UNESCO recommended that Haiti prioritize achieving universal, free and compulsory primary education<sup>164</sup> and take additional steps toward an inclusive and quality education.<sup>165</sup> The Committee on the Rights of the Child recommended that Haiti establish a regulatory framework for private schools.<sup>166</sup> The Independent Expert recommended the adoption of urgent measures to eradicate illiteracy within a reasonably short time.<sup>167</sup>

74. The Committee on the Elimination of Discrimination against Women was concerned about the low enrolment and dramatic decline in completion rates of girls at the secondary school level.<sup>168</sup>

## **J. Persons with disabilities**

75. The Committee on the Elimination of Discrimination against Women welcomed the adoption of the 2012 Integration of Persons with Disabilities Law and recommended that Haiti effectively enforce it.<sup>169</sup>

76. The Committee on the Rights of the Child was concerned about the limited access to education for children with disabilities and the insufficient measures to enable inclusive education.<sup>170</sup>

## **K. Migrants, refugees and asylum seekers**

77. UNHCR recommended that the Government adopt a legislative framework on asylum.<sup>171</sup>

78. The Independent Expert on Haiti was concerned by the risk of statelessness for Haitians not possessing identity documents and for persons of Haitian origin born abroad who were denied access to a nationality by virtue of Haitian law, the law of the country of their birth or other practices.<sup>172</sup>

79. The Secretary-General noted that, from July 2015 through mid-January 2016, the International Organization for Migration (IOM) had registered more than 69,000 persons returning to Haiti from a third country. The situation of returnees remained difficult, owing to insufficient reception capacity, limited resources and tensions in border communities.<sup>173</sup>

80. The Committee on the Rights of the Child was concerned that Haiti provided insufficient support to undocumented families of Haitian descent expelled from a third country.<sup>174</sup> It recommended that Haiti immediately provide them with identity documentation.<sup>175</sup>

81. The same Committee was concerned about the extremely difficult living conditions in makeshift camps of Haitians, among stateless families of Haitian descent and children born abroad to undocumented Haitian migrants, as well as unaccompanied children expelled from a third country.<sup>176</sup> The Independent Expert on Haiti called on the authorities to take urgent steps to ensure that persons entering from a neighbouring country had access to health care, education and sanitation, food and drinking water.<sup>177</sup>

82. The Human Rights Section was concerned about Haiti's limited ability to respond to the risks of deportation created by an increasingly strict regional migration policy.<sup>178</sup>

## **L. Internally displaced persons**

83. The Special Rapporteur on internally displaced persons noted that the rental subsidy policy, aimed to help internally displaced persons leave camps, was a transitional measure to decongest the camps. In order to be sustainable, the policy must be linked to income-generating activities.<sup>179</sup> He recommended that the Government, with the support of development actors, develop return and resettlement incentives with regard to rural areas, accompanied by livelihood schemes.<sup>180</sup> He also recommended the establishment of transparent eligibility criteria for the allocation of land for internally displaced persons in urban settings.<sup>181</sup>

84. The Special Rapporteur noted that, according to IOM, 75 per cent of internally displaced persons lived on private land and were thus vulnerable to eviction. Evictions had been carried out in some reported cases, by municipal and/or police officers.<sup>182</sup> The Special Rapporteur urged the Government to urgently halt any forced evictions until durable solutions were found for all internally displaced.<sup>183</sup>

85. The Human Rights Section noted that informal settlements created before or after the earthquake were in the process of becoming neighbourhoods as a result of their growing populations. Their people did not benefit from aid programmes intended to rehouse persons displaced by the earthquake; they were thus in extremely vulnerable situations.<sup>184</sup>

86. The Committee on the Rights of the Child recommended that Haiti carry out a countrywide profiling and needs-based assessment of internally displaced persons.<sup>185</sup>

## **M. Right to development, and environmental issues**

87. The Committee on the Elimination of Discrimination against Women recalled the vulnerability of Haiti to environmental and climate change and natural disasters.<sup>186</sup> The

Committee on the Rights of the Child recommended that Haiti discontinue deforestation to reduce the impact of the climate change consequences.<sup>187</sup>

88. The Special Rapporteur on internally displaced persons recommended that Haiti put in place a coordinated disaster risk preparedness plan of action.<sup>188</sup>

#### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Haiti from the previous cycle (A/HRC/WG.6/12/HTI/2).

<sup>2</sup> The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>3</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol.

<sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/ihl](http://www.icrc.org/ihl).

- <sup>7</sup> International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- <sup>8</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/ihl](http://www.icrc.org/ihl).
- <sup>9</sup> ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), and Domestic Workers Convention, 2011 (No. 189).
- <sup>10</sup> See CRC/C/HTI/CO/2-3, paras. 73 and 74. See also A/HRC/22/65, paras. 49 and 102 (d).
- <sup>11</sup> See CEDAW/C/HTI/CO/8-9, paras. 52 and 57. See also A/HRC/22/65, paras. 49 and 102 (d); MINUSTAH Human Rights Section and the Office of the United Nations High Commissioner for Human Rights (OHCHR), Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 130 (c), available from [www.ohchr.org/Documents/Countries/HT/ReportMINUSTAH-OHCHRJuly2014\\_June2015\\_fr.pdf](http://www.ohchr.org/Documents/Countries/HT/ReportMINUSTAH-OHCHRJuly2014_June2015_fr.pdf).
- <sup>12</sup> For the full text of the recommendations, see A/HRC/19/19, recommendations 88.18 (Norway) and 88.19 (France).
- <sup>13</sup> UNHCR submission for the universal periodic review of Haiti, pp. 2 and 4. See also CRC/C/HTI/CO/2-3, para. 27 (h); CEDAW/C/HTI/CO/8-9, para. 28; A/HRC/31/77, para. 20, and Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 33.
- <sup>14</sup> See CRC/C/HTI/CO/2-3, para. 63 (g), and CEDAW/C/HTI/CO/8-9, para. 32 (e).
- <sup>15</sup> UNESCO submission for the universal periodic review of Haiti, para. 45 (i).
- <sup>16</sup> See S/2016/225, paras. 58 and 2.
- <sup>17</sup> *Ibid.*, paras. 59 and 60.
- <sup>18</sup> *Ibid.*, paras. 13 and 12.
- <sup>19</sup> Statement of the Secretary-General on Haiti of 16 June 2016, available from [www.un.org/sg/statements/index.asp?nid=9813](http://www.un.org/sg/statements/index.asp?nid=9813).
- <sup>20</sup> "Haiti Can 'Ill Afford' Prolonging Transitional Governance, Secretary-General Says, Urging Authorities to Seek Peaceful Completion of 2015 Elections", 1 June 2016, press release SG/SM/17812, available from [www.un.org/press/en/2016/sgsm17812.doc.htm](http://www.un.org/press/en/2016/sgsm17812.doc.htm). See also S/2016/225, para. 63.
- <sup>21</sup> See A/HRC/PRST/31/1, para. 6. See also A/HRC/31/77, paras. 69 and 105 (c); and A/HRC/22/65, para. 100.
- <sup>22</sup> See A/HRC/31/77, para. 54. See also A/HRC/28/82, para. 61.
- <sup>23</sup> Security Council Press Statement on Haiti, 13 May 2016, press release SC/12364, available from [www.un.org/press/en/2016/sc12364.doc.htm](http://www.un.org/press/en/2016/sc12364.doc.htm).
- <sup>24</sup> See Human Rights Section and OHCHR, "Bi-Annual Report on Human Rights in Haiti January-June 2012", paras. 12-14. Available from [www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2012\\_en.pdf](http://www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2012_en.pdf). See also UNCT submission for the universal periodic review of Haiti, para. 6.
- <sup>25</sup> See CCPR/C/HTI/CO/1, para. 12.
- <sup>26</sup> See A/HRC/31/77, para. 71.
- <sup>27</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 27.
- <sup>28</sup> See A/HRC/PRST/31/1, para. 4.
- <sup>29</sup> See CRC/C/HTI/CO/2-3, para. 9. See also A/HRC/22/65, paras. 72 and 104 (e).
- <sup>30</sup> See CEDAW/C/HTI/CO/8-9, para. 9. See also para. 12 (b).
- <sup>31</sup> According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

- <sup>32</sup> The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
- <sup>33</sup> See CCPR/C/HTI/CO/1, para. 6. See also S/2016/225, p. 18; S/2015/157, para. 28, CRC/C/HTI/CO/2-3, paras. 15 and 16, and United Nations country team submission for the universal periodic review of Haiti, para. 9.
- <sup>34</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 36.
- <sup>35</sup> See A/HRC/31/77, para. 108. See also para. 72.
- <sup>36</sup> See *ibid.*, para. 106.
- <sup>37</sup> See CRC/C/HTI/CO/2-3, para. 13 (b).
- <sup>38</sup> See [www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRImplementation.aspx). See also A/HRC/28/82, para. 17.
- <sup>39</sup> See CCPR/C/HTI/CO/1, para. 22.
- <sup>40</sup> Letter dated 4 February 2016 from the Permanent Mission of the Republic of Haiti to the United Nations and other international organizations in Geneva. Available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HTI/INT\\_CCPR\\_FCO\\_HTI\\_23025\\_F.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HTI/INT_CCPR_FCO_HTI_23025_F.pdf).
- <sup>41</sup> See CEDAW/C/HTI/CO/8-9, para. 58.
- <sup>42</sup> For the titles of special procedure mandate holders, see [www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx).
- <sup>43</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 130 (b).
- <sup>44</sup> *Ibid.*, para. 130 (d).
- <sup>45</sup> See country team submission for the universal periodic review of Haiti, para. 16.
- <sup>46</sup> See CEDAW/C/HTI/CO/8-9, paras. 11, 12 and 49.
- <sup>47</sup> *Ibid.*, para. 9. See also CRC/C/HTI/CO/2-3, para. 22 (a).
- <sup>48</sup> See CEDAW/C/HTI/CO/8-9, para. 20 (a) and (c). See also CRC/C/HTI/CO/2-3, para. 23 (c), and CCPR/C/HTI/CO/1, para. 8.
- <sup>49</sup> See CEDAW/C/HTI/CO/8-9, para. 41. See also para. 42, and CRC/C/HTI/CO/2-3, paras. 46 and 47.
- <sup>50</sup> See country team submission for the universal periodic review of Haiti, para. 23. See also CCPR/C/HTI/CO/1, para. 9, CEDAW/C/HTI/CO/8-9, paras. 47 and 48, CRC/C/HTI/CO/2-3, para. 22 (b), A/HRC/25/71, para. 55, and A/HRC/29/34/Add.2, para. 61.
- <sup>51</sup> See CCPR/C/HTI/CO/1, para. 9.
- <sup>52</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 41.
- <sup>53</sup> See S/2016/225, para. 33.
- <sup>54</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Juillet-Décembre 2013, p. 14. Available from [http://minustah.unmissions.org/sites/default/files/old\\_dnn/wp-content/uploads/2014/06/Haiti-Rapport-semestriel-juillet-decembre-2013.pdf](http://minustah.unmissions.org/sites/default/files/old_dnn/wp-content/uploads/2014/06/Haiti-Rapport-semestriel-juillet-decembre-2013.pdf).
- <sup>55</sup> See CCPR/C/HTI/CO/1, para. 10.
- <sup>56</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Juillet-Décembre 2013, p. 19.
- <sup>57</sup> See A/HRC/22/65, para. 38. See also country team submission for the universal periodic review of Haiti, para. 28.
- <sup>58</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 85.
- <sup>59</sup> See A/HRC/22/65, para. 101 (k).
- <sup>60</sup> See country team submission for the universal periodic review of Haiti, para. 30.
- <sup>61</sup> See S/2016/225, para. 32. See also CCPR/C/HTI/CO/1, para. 15; A/HRC/28/82, paras. 48-50; and country team submission for the universal periodic review of Haiti, para. 29.
- <sup>62</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 3.
- <sup>63</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Janvier-Juin 2013, p. 34. Available from [www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2013\\_fr.pdf](http://www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2013_fr.pdf). See also A/HRC/28/82, paras. 51-53.

- <sup>64</sup> See CCPR/C/HTI/CO/1, para. 15. See also CEDAW/C/HTI/CO/8-9, para. 45.
- <sup>65</sup> See CRC/C/HTI/CO/2-3, para. 70 (e). See also CEDAW/C/HTI/CO/8-9, para. 45.
- <sup>66</sup> See country team submission for the universal periodic review of Haiti, para. 31.
- <sup>67</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti — Janvier-Juin 2014, paras. 37-39. Available from [http://minustah.unmissions.org/sites/default/files/old\\_dnn/wp-content/uploads/2014/12/Ha%C3%Afti-rapport-semestriel-janvier-%C3%A0-juin-2014-with-Appendix.pdf](http://minustah.unmissions.org/sites/default/files/old_dnn/wp-content/uploads/2014/12/Ha%C3%Afti-rapport-semestriel-janvier-%C3%A0-juin-2014-with-Appendix.pdf). See also S/2016/225, para. 32, and A/HRC/22/65, para. 31.
- <sup>68</sup> See CCPR/C/HTI/CO/1, para. 15. See also CRC/C/HTI/CO/2-3, para. 70 (d), and country team submission for the universal periodic review of Haiti, para. 29.
- <sup>69</sup> See CCPR/C/HTI/CO/1, para. 15. See also A/HRC/31/77, paras. 43-46.
- <sup>70</sup> See CRC/C/HTI/CO/2-3, para. 70 (d).
- <sup>71</sup> See CEDAW/C/HTI/CO/8-9, para. 45.
- <sup>72</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Janvier-Juin 2014, para. 41. See also country team submission for the universal periodic review of Haiti, para. 41.
- <sup>73</sup> See A/HRC/22/65, para. 54.
- <sup>74</sup> Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Juillet-Décembre 2013, p. 28.
- <sup>75</sup> Human Rights Section and OHCHR, Bi-annual report on human rights in Haiti, January-June 2012, para. 36. Available from [www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2012\\_en.pdf](http://www.ohchr.org/Documents/Countries/HT/MINUSTAH-OHCHRJanuaryJune2012_en.pdf).
- <sup>76</sup> See CRC/C/HTI/CO/2-3, para. 30.
- <sup>77</sup> *Ibid.*, paras. 34 (a) and 30 (a) and (b). See also CCPR/C/HTI/CO/1, para. 13; Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1er juillet 2014-30 juin 2015, paras. 99 and 100; and country team submission for the universal periodic review of Haiti, para. 36.
- <sup>78</sup> Human Rights Section and OHCHR, “La réponse policière et judiciaire aux cas de viol en Haïti”, August 2013, p. 1. Available from [http://minustah.unmissions.org/sites/default/files/old\\_dnn/pdfs/droithomme/HRS.SGBVReport.2013.08.pdf](http://minustah.unmissions.org/sites/default/files/old_dnn/pdfs/droithomme/HRS.SGBVReport.2013.08.pdf). See also CEDAW/C/HTI/CO/8-9, para. 21 (f); Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 79.
- <sup>79</sup> Human Rights Section and OHCHR, La réponse policière et judiciaire aux cas de viol en Haïti, p. 18.
- <sup>80</sup> Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Juillet - Décembre 2012, p. 7. Available from [http://minustah.unmissions.org/sites/default/files/old\\_dnn/pdfs/droithomme/RapportSemestrielJuillet-Decembre2012.pdf](http://minustah.unmissions.org/sites/default/files/old_dnn/pdfs/droithomme/RapportSemestrielJuillet-Decembre2012.pdf). See also Human Rights Section and OHCHR, “La réponse policière et judiciaire aux cas de viol en Haïti”, p. 18, CRC/C/HTI/CO/2-3, para. 31 (a) and (b); CCPR/C/HTI/CO/1, para. 13; and CEDAW/C/HTI/CO/8-9, para. 22 (d).
- <sup>81</sup> See CEDAW/C/HTI/CO/8-9, para. 22 (a). See also Human Rights Section and OHCHR, Rapport sur la réponse de la police et du système judiciaire aux plaintes pour viol dans la région métropolitaine de Port-au-Prince, June 2012, p. 30, available from [www.ohchr.org/Documents/Countries/HT/RapportSGBV\\_fr.pdf](http://www.ohchr.org/Documents/Countries/HT/RapportSGBV_fr.pdf); CRC/C/HTI/CO/2-3, para. 31 (a); and CCPR/C/HTI/CO/1, para. 13.
- <sup>82</sup> See CRC/C/HTI/CO/2-3, para. 34 (b).
- <sup>83</sup> *Ibid.*, paras. 34 (e) and 35 (e).
- <sup>84</sup> *Ibid.*, para. 38.
- <sup>85</sup> See CEDAW/C/HTI/CO/8-9, para. 23. See also CRC/C/HTI/CO/2-3, para. 34 (c).
- <sup>86</sup> See CEDAW/C/HTI/CO/8-9, para. 24 (f). See also CRC/C/HTI/CO/2-3, para. 35 (c).
- <sup>87</sup> See CRC/C/HTI/CO/2-3, para. 32.
- <sup>88</sup> *Ibid.*, paras. 36 and 37.
- <sup>89</sup> See S/2016/225, para. 35. See also CRC/C/HTI/CO/2-3, para. 62; A/HRC/22/65, para. 68; and A/HRC/31/77, para. 70.
- <sup>90</sup> ILO, “L'OIT en Haïti”, December 2015, p. 1. Available from [www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_441095.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_441095.pdf).
- <sup>91</sup> See CRC/C/HTI/CO/2-3, para. 62 (a). See also para. 28 (b), CEDAW/C/HTI/CO/8-9, para. 31 (d), CCPR/C/HTI/CO/1, para. 14, A/HRC/25/71, para. 56; and S/2016/225, para. 35.

- <sup>92</sup> See CRC/C/HTI/CO/2-3, para. 63. See also CEDAW/C/HTI/CO/8-9, para. 32 (f), and CCPR/C/HTI/CO/1, para. 14.
- <sup>93</sup> See CCPR/C/HTI/CO/1, para. 14.
- <sup>94</sup> See CRC/C/HTI/CO/2-3, para. 66.
- <sup>95</sup> See CEDAW/C/HTI/CO/8-9, para. 24 (a). See also CRC/C/HTI/CO/2-3, para. 69.
- <sup>96</sup> See CEDAW/C/HTI/CO/8-9, para. 23. See also A/HRC/22/65, para. 70.
- <sup>97</sup> See CRC/C/HTI/CO/2-3, para. 69 (b).
- <sup>98</sup> See CCPR/C/HTI/CO/1, para. 17. See also CEDAW/C/HTI/CO/8-9, para. 13, and country team submission for the universal periodic review of Haiti, para. 40.
- <sup>99</sup> See A/HRC/22/65, para. 30.
- <sup>100</sup> See CCPR/C/HTI/CO/1, para. 17. See also A/HRC/31/77, para. 77, A/HRC/28/82, para. 77, and A/HRC/22/65, paras. 26 and 101 (b).
- <sup>101</sup> See A/HRC/22/65, paras. 37 and 101 (j).
- <sup>102</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 29.
- <sup>103</sup> See A/HRC/29/34/Add.2, para. 82 (h).
- <sup>104</sup> See CRC/C/HTI/CO/2-3, para. 70. See also A/HRC/22/65, para. 73.
- <sup>105</sup> See CRC/C/HTI/CO/2-3, para. 70 (a) and (b).
- <sup>106</sup> Ibid., para. 71 (b).
- <sup>107</sup> See A/HRC/29/34/Add.2, para. 53.
- <sup>108</sup> See A/HRC/22/65, para. 61. See also para. 103 (b).
- <sup>109</sup> See CCPR/C/HTI/CO/1, para. 7. See also country team submission for the universal periodic review of Haiti para. 44.
- <sup>110</sup> See A/HRC/31/77, paras. 74-76. See also A/HRC/28/82, paras. 72 and 73.
- <sup>111</sup> See A/HRC/31/77, para. 75. See also para. 105 (d), A/HRC/28/82, paras. 74, 75, and 90 (d); and A/HRC/25/71, paras. 66 and 83 (f).
- <sup>112</sup> See country team submission for the universal periodic review of Haiti, para. 45. See also OHCHR, "Haïti: l'ONU appelle à poursuivre la lutte contre l'impunité après le décès de Duvalier", 7 October 2014. Available from [www.un.org/apps/newsFr/storyF.asp?NewsID=33484#V2j6-4df21t](http://www.un.org/apps/newsFr/storyF.asp?NewsID=33484#V2j6-4df21t).
- <sup>113</sup> See CRC/C/HTI/CO/2-3, paras. 20 and 21.
- <sup>114</sup> UNHCR submission for the universal periodic review of Haiti, pp. 3-5.
- <sup>115</sup> See CRC/C/HTI/CO/2-3, para. 22.
- <sup>116</sup> UNHCR submission for the universal periodic review of Haiti pp. 3-5. See also CRC/C/HTI/CO/2-3, para. 27, CEDAW/C/HTI/CO/8-9, para. 27, and A/HRC/29/34/Add.2, para. 52.
- <sup>117</sup> See A/HRC/29/34/Add.2, para. 82 (j).
- <sup>118</sup> UNHCR submission for the universal periodic review of Haiti pp. 3-4. See also CEDAW/C/HTI/CO/8-9, para. 28; and CRC/C/HTI/CO/2-3, para. 27 (f).
- <sup>119</sup> See CRC/C/HTI/CO/2-3, para. 42 (a) and (b).
- <sup>120</sup> Ibid., para. 44. See also A/HRC/28/82, para. 18.
- <sup>121</sup> See CCPR/C/HTI/CO/1, para. 19. See also CRC/C/HTI/CO/2-3, para. 18, and country team submission for the universal periodic review of Haiti, para. 46.
- <sup>122</sup> See CCPR/C/HTI/CO/1, para. 19. See also CRC/C/HTI/CO/2-3, para. 19.
- <sup>123</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 127.
- <sup>124</sup> UNESCO submission for the universal periodic review of Haiti, paras. 48 and 47.
- <sup>125</sup> See S/2016/225, para. 10.
- <sup>126</sup> See CEDAW/C/HTI/CO/8-9, paras. 25 and 26 (a). See also para. 18.
- <sup>127</sup> ILO, "L'OIT en Haïti", p. 1. See also A/HRC/29/34/Add.2, para. 39.
- <sup>128</sup> See CEDAW/C/HTI/CO/8-9, para. 31 (b).
- <sup>129</sup> Ibid., para. 32 (b).
- <sup>130</sup> ILO, "L'OIT en Haïti", p. 1.
- <sup>131</sup> See CEDAW/C/HTI/CO/8-9, para. 31 (c).
- <sup>132</sup> See A/HRC/29/34/Add.2, para. 41.
- <sup>133</sup> See CEDAW/C/HTI/CO/8-9, para. 32 (a) and (e). See also para. 12 (b).
- <sup>134</sup> See CRC/C/HTI/CO/2-3, para. 56 (a).

- <sup>135</sup> See A/HRC/31/77, para. 27. See also A/HRC/28/82, para. 32, and A/HRC/25/71, paras. 11, 14, 16 and 17.
- <sup>136</sup> See A/HRC/31/77, para. 29. See also A/HRC/28/82, paras. 35 and 36.
- <sup>137</sup> See CRC/C/HTI/CO/2-3, para. 56.
- <sup>138</sup> World Food Programme, “WFP Haiti : Country Brief”, March 2016. Available from <http://documents.wfp.org/stellent/groups/public/documents/ep/wfp273890.pdf>. See also S/2016/225, para. 43, and country team submission for the universal periodic review of Haiti, para. 47.
- <sup>139</sup> See A/HRC/22/65, para. 81. See also para. 106 (b).
- <sup>140</sup> See CRC/C/HTI/CO/2-3, para. 56 (b).
- <sup>141</sup> See A/HRC/29/34/Add.2, para. 31.
- <sup>142</sup> See A/HRC/25/71, para. 45.
- <sup>143</sup> See A/HRC/29/34/Add.2, para. 82 (c).
- <sup>144</sup> See S/2016/225, para. 63.
- <sup>145</sup> Office for the Coordination of Humanitarian Affairs (OCHA), “Humanitarian bulletin: Haiti”, issue 59, March 2016, p. 2. Available from [www.humanitarianresponse.info/en/system/files/documents/files/ocha\\_haiti\\_humanitarian\\_bulletin\\_59-130416.pdf](http://www.humanitarianresponse.info/en/system/files/documents/files/ocha_haiti_humanitarian_bulletin_59-130416.pdf).
- <sup>146</sup> See CRC/C/HTI/CO/2-3, paras. 57 (c).
- <sup>147</sup> Ibid., paras. 48 and 49 (a). See also CEDAW/C/HTI/CO/8-9, para. 34 (a), and A/HRC/22/65, para. 86.
- <sup>148</sup> See CRC/C/HTI/CO/2-3, para. 48 (c). See also CEDAW/C/HTI/CO/8-9, para. 33.
- <sup>149</sup> See CEDAW/C/HTI/CO/8-9, para. 34 (a). See also para. 34 (d).
- <sup>150</sup> See CRC/C/HTI/CO/2-3, para. 49 (e). See also OCHA, “Humanitarian bulletin: Haiti”, issue 59, p. 2.
- <sup>151</sup> See A/HRC/29/34/Add.2, para. 44.
- <sup>152</sup> See A/HRC/31/77, para. 100. See also para. 101.
- <sup>153</sup> Ibid., para. 105 (f). See also A/HRC/28/82, para. 81 and 90 (f); and A/HRC/25/71, para. 83 (h).
- <sup>154</sup> Letter dated 25 September 2014 from the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Independent Expert on the situation of human rights in Haiti, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Special Rapporteur on the human right to safe drinking water and sanitation to the Secretary-General, available from [https://spdb.ohchr.org/hrdb/28th/public\\_-\\_AL\\_Haiti\\_25.09.14\\_\(3.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/public_-_AL_Haiti_25.09.14_(3.2014).pdf); letter dated 25 November 2014 from the Assistant Secretary-General and Senior Coordinator for Cholera Response to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Independent Expert on the situation of human rights in Haiti, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Special Rapporteur on the human right to safe drinking water and sanitation, available from [https://spdb.ohchr.org/hrdb/28th/Haiti\\_ASG\\_25.11.14\\_\(3.2014\).pdf](https://spdb.ohchr.org/hrdb/28th/Haiti_ASG_25.11.14_(3.2014).pdf); letter dated 23 October 2015 from the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Special Rapporteur on extreme poverty and human rights, the Independent Expert on the situation of human rights in Haiti, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Special Rapporteur on the human right to safe drinking water and sanitation to the United Nations Secretary-General, available from [https://spdb.ohchr.org/hrdb/31st/public\\_-\\_OL\\_Other\\_\(7.2015\).pdf](https://spdb.ohchr.org/hrdb/31st/public_-_OL_Other_(7.2015).pdf); letter dated 25 February 2016 from the Deputy Secretary-General to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Special Rapporteur on extreme poverty and human rights, the Independent Expert on the situation of human rights in Haiti, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and the Special Rapporteur on the human right to safe drinking water and sanitation, available from [https://spdb.ohchr.org/hrdb/32nd/OTH\\_25.02.16\\_\(7.2015\).pdf](https://spdb.ohchr.org/hrdb/32nd/OTH_25.02.16_(7.2015).pdf). See also A/HRC/32/53, p. 107, and A/HRC/28/85, p. 84.
- <sup>155</sup> See CRC/C/HTI/CO/2-3, para. 53 (a) and (c).
- <sup>156</sup> Ibid., paras. 50 (a) and 51 (c). See also CEDAW/C/HTI/CO/8-9, paras. 33 and 34 (c).
- <sup>157</sup> See country team submission for the universal periodic review of Haiti, para. 48. See also CRC/C/HTI/CO/2-3, para. 50, and CEDAW/C/HTI/CO/8-9, paras. 29 (d) and 36.
- <sup>158</sup> See CRC/C/HTI/CO/2-3, para. 51 (a). See also CEDAW/C/HTI/CO/8-9, para. 30 (e) and 34 (e).

- <sup>159</sup> UNESCO submission for the universal periodic review of Haiti, para. 27.
- <sup>160</sup> See country team submission for the universal periodic review of Haiti, para. 52.
- <sup>161</sup> See A/HRC/31/77, para. 22. See also A/HRC/28/82, para. 26.
- <sup>162</sup> See CRC/C/HTI/CO/2-3, para. 58 (d).
- <sup>163</sup> Ibid. para. 58 (e).
- <sup>164</sup> UNESCO submission for the universal periodic review of Haiti, para. 45 (iii).
- <sup>165</sup> Ibid., para. 45 (iv).
- <sup>166</sup> See CRC/C/HTI/CO/2-3, para. 59 (e).
- <sup>167</sup> See A/HRC/31/77, para. 105 (a). See also para. 12 (i), and A/HRC/28/82, paras. 26-31 and 90 (a).
- <sup>168</sup> See CEDAW/C/HTI/CO/8-9, para. 29 (a).
- <sup>169</sup> Ibid., para. 4 (e) and 42. See also para. 41; CRC/C/HTI/CO/2-3, paras. 4 (f) and 46; CCPR/C/HTI/CO/1, para. 3 (e), and country team submission for the universal periodic review of Haiti para. 54.
- <sup>170</sup> See CRC/C/HTI/CO/2-3, para. 46 (b).
- <sup>171</sup> UNHCR submission for the universal periodic review of Haiti, pp. 1 and 5.
- <sup>172</sup> See A/HRC/31/77, para. 89. See also A/HRC/25/71, paras. 78 and 79, and A/HRC/29/34/Add.2, para. 48.
- <sup>173</sup> See S/2016/225, paras. 44 and 45.
- <sup>174</sup> See CRC/C/HTI/CO/2-3, para. 26 (f).
- <sup>175</sup> Ibid., para. 27 (g). See also CEDAW/C/HTI/CO/8-9, paras. 27 and 28, A/HRC/31/77, paras. 82 and 105 (g).
- <sup>176</sup> See CRC/C/HTI/CO/2-3, para. 60. See also CEDAW/C/HTI/CO/8-9, para. 43.
- <sup>177</sup> See A/HRC/31/77, para. 87. See also S/2016/225, para. 45.
- <sup>178</sup> See Human Rights Section and OHCHR, Rapport annuel sur la situation des droits de l'homme en Haïti, 1<sup>er</sup> juillet 2014-30 juin 2015, para. 91. See also A/HRC/20/35/Add.1.
- <sup>179</sup> See A/HRC/29/34/Add.2, para. 74.
- <sup>180</sup> Ibid., para. 82 (f).
- <sup>181</sup> Ibid., para. 82 (d).
- <sup>182</sup> Ibid., para. 34.
- <sup>183</sup> Ibid., para. 82 (c). See also CCPR/C/HTI/CO/1, para. 18, A/HRC/31/77, para. 81, A/HRC/28/82, para. 80, and CRC/C/HTI/CO/2-3, para. 64 (b).
- <sup>184</sup> See Human Rights Section and OHCHR, Rapport semestriel sur les droits de l'homme en Haïti, Janvier-Juin 2014, para. 78.
- <sup>185</sup> See CRC/C/HTI/CO/2-3, para. 65 (d). See also A/HRC/29/34/Add.2, para. 82 (a).
- <sup>186</sup> See CEDAW/C/HTI/CO/8-9, para. 39.
- <sup>187</sup> See CRC/C/HTI/CO/2-3, para. 55 (b).
- <sup>188</sup> See A/HRC/29/34/Add.2, para. 82 (i).
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