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Haiti

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I. Introduction

1. The Republic of Haiti underwent its second universal periodic review in November 2016. During the review, 213 recommendations were addressed to the Government. On 20 December 2016, after consultations with civil society, the Government accepted 188 of the recommendations, noted 23 and refused 2.
2. In accordance with General Assembly resolution 60/251 establishing the universal periodic review mechanism, States under review must submit to the Human Rights Council a mid-term report on follow-up to accepted recommendations two years after the review, and a new national report four years after the review.
3. In the present report, information on the implementation of the recommendations accepted is grouped into 24 themes, according to area. The technical secretariat of the Interministerial Human Rights Committee decided to address themes 4 and 6 together under a single heading, as they deal with similar recommendations. There was no recommendation related to theme 24, so it is omitted. In the light of the word count requirement, the recommendations are provided in an annex to this report.
4. The report draws on information gathered from relevant stakeholders and was prepared following discussions between the technical secretariat of the Interministerial Human Rights Committee and the representatives of State institutions. On 6 October 2021, a national consultation workshop, organized in partnership with the United Nations Integrated Office in Haiti, was held with civil society. Numerous human rights organizations submitted opinions and recommendations.
5. Regrettably, the coronavirus disease (COVID-19) pandemic and the tragic death of President Jovenel Moïse prevented the submission of the present report by the given deadline.

II. Implementation of recommendations and progress made

A. Theme 1 – Ratification of international human rights instruments

6. Haiti has ratified several international human rights instruments, including the Convention on the Rights of the Child and its Optional Protocols. It has not yet ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
7. Haiti signed the Convention against Torture in December 2013 but the parliament has not yet ratified it.
8. The International Labour Organization Domestic Workers Convention, 2011 (No. 189) has not yet been ratified. However, on 26 July 2019, the State adopted the National Plan of Action to Combat Child Labour and a list of hazardous occupations that children may not perform. Haiti has been a party to the International Covenant on Economic, Social and Cultural Rights since 2012 and is currently preparing its initial report.
9. Haiti recently became the ninety-first State party to the 1954 Convention relating to the Status of Stateless Persons and the seventy-second State party to the 1961 Convention on the Reduction of Statelessness. The parliament ratified these two international instruments on 22 March 2017. The instruments of ratification were deposited with the Secretary-General of the United Nations on 27 September 2018.
10. Haiti has submitted one initial report and nine periodic reports in the framework of the Convention on the Elimination of All Forms of Discrimination against Women.
11. The Haitian State has strived to meet its international human rights commitments. It regularly submits reports on the implementation of the conventions that it has ratified. Such reports have been reviewed by the Human Rights Committee (initial report, in October 2014); the Committee on the Elimination of Discrimination against Women (combined eighth and ninth periodic reports, in February and March 2016); and the Committee on the Rights of Persons with Disabilities (initial report, in 2018).

B. Theme 2 – Adoption of the national human rights action plan

12. The Government has drawn up a draft national action plan for the implementation of universal periodic review recommendations for the period 2019–2022. On 13 December 2019, the plan was validated by civil society at a workshop held with the technical and financial support of the Office of the United Nations High Commissioner for Human Rights. Preliminary training was held on 16 and 17 April 2019 and from 8 to 10 October 2020 with a view to developing a database to track the implementation of these recommendations.

C. Theme 3 – Public policy and poverty reduction

13. The Strategic Development Plan for Haiti has several components, including on food security, health and education.

1. Food security

14. Several programmes have been implemented to improve food security. The aim of the programmes is to modernize and boost agriculture by diversifying and increasing crop and livestock production. Vaccination campaigns against classical swine fever virus, rabies and anthrax have been carried out. More than 1.2 million cattle have been vaccinated.

15. More than 400,000 dogs have also been vaccinated.

16. Food security programmes with a focus on crop and livestock production have been implemented.

a. Crop production

Agricultural incentives programme

17. From 2017 to 2020, approximately 22,000 farmers, both women and men, were provided with financial and technical support to develop, during the spring and winter seasons, annual crops and agroforestry systems covering an area of 11,100 ha in selected communes of the Centre and Sud Departments. As a result, some markets have seen improvements in the supply and availability of local products.

Co-Financing Fund for Agricultural Extension Services

18. Approximately 40 rural producers' organizations received investment to carry out 40 projects in the Nord and Nord-Est Departments, with an emphasis on the processing of agricultural products such as maize, rice, coffee, cocoa, groundnut and fruit. According to the latest report of the National Food Security Council, these projects have benefited 10,350 people, 48 per cent of them women.

b. Livestock production

Livestock farm recapitalization programme

19. In the Sud and Grand'Anse Departments, technical packages including goats, poultry and plant material for animal feed were distributed to 6,020 farmers (of whom 85 per cent were women). The target of distributing 15,680 goats and 21,000 poultry was fully met. A total of 757 kids were also distributed, generally two per family, to 330 indirect beneficiary families.

20. With the support of such programmes, many livestock farmers, most of whom are female heads of household, have been able to re-establish herds of goats that were lost during Hurricane Matthew.

Irrigation system improvement programmes

21. The construction and rehabilitation of irrigation systems has resulted in the irrigation of 3,000 ha, improving access to water for 3,800 farmers.

- Fifteen solar-powered pumps (able to pump between 500 and 1,450 gallons per minute) have been installed with a view to irrigating approximately 1,000 ha in the plain of Gonaïves, Artibonite Department. Co-funding has been secured for the installation of 250 three-inch motorized irrigation pumps in the Nord and Nord-Est Departments.
- In the Nord, Nord-Est, Sud and Grand'Anse Departments, 14,150 ha of watershed areas have been planted with agroforestry systems that combine food crops and fruit trees with forest trees.
- 4,500 ha have been planted mainly with food crops to increase the national food supply.
- The Marion dam, in the Nord-Est Department, was inaugurated on 3 May 2021.
- The La Tannerie irrigation system in Grande Rivière du Nord is under construction.
- Construction of the Mirebalais dam commenced on 30 December 2020.

2. Modernization and revitalization of the fisheries sector

22. To modernize the fisheries sector, a plan for the co-financing of fishing gear and equipment was drawn up and implemented in three departments of the Grand Sud region.

3. Projects with a social impact

23. The Government has undertaken several housing development and construction programmes. As a result, 2,238 families have been provided with the keys to their new homes (242 housing units in Terrier Rouge, 184 in Ouanaminthe, 218 in Quartier Morin, 750 in Caracol in the Nord Department, 180 in Gressier, 156 in Cabaret and 508 in Lumane Casimir village in the Ouest Department).

24. Further programmes were launched after Hurricane Matthew struck the Grand Sud, leading to the reconstruction of 2,150 housing units so that affected households could be rehoused in improved conditions.

25. As part of a programme for the integrated development of informal neighbourhoods in Port-au-Prince, the Government has rebuilt 339 housing units in the neighbourhoods of Martissant (Dantès Deluy) and Baillergeau, allowing 339 vulnerable households to live in decent homes rebuilt according to earthquake- and cyclone-resistant standards.

26. Under a programme for the renewal of regional and local development hubs and a programme of territorial organization and development, 78 community projects have been funded in the spheres of sanitation, education, urban infrastructure, justice and public security, health, and sport and culture, among others.

27. Social safety net programmes have been implemented in relation to:

(a) Youth employment: 77 labour-intensive projects were carried out in six departments, benefiting 5,378 young people from impoverished neighbourhoods;

(b) Cash and food transfers: as part of the COVID-19 response, financial and nutritional support was provided to 126,816 households, totalling 6,531,085 people. Cash transfers worth 9,800 gourdes (G) per household were distributed, with a total outlay of G 1,341,210,000, together with 5,349 metric tons of food;

(c) Subsidies for the subcontracting sector: 54,000 workers from 53 companies were paid G 250 per working day for two weeks during temporary factory closures due to COVID-19.

28. The Government carried out four social assistance projects under the “Kore Pèp” programme. It distributed 3,131,442 solidarity baskets and 708,000 hot meals; inaugurated 1,092 community restaurants in the Ouest, Artibonite, Nord, Nord-Est and Nord-Ouest Departments; and provided monthly cash transfers of G 1,000 to 67,831 mothers.

29. To guarantee the right to adequate food, nine agricultural projects were carried out, benefiting 2,300 small producers.

30. Financial support has been provided to support the activities of 23 rural cooperative savings and credit associations with 14,283 beneficiaries, 60 per cent of whom are women.

31. To reduce poverty, the Government has:

- Developed a new map of poverty and potential to better target its efforts to help the poorest people
- Developed the National Plan for Food and Nutrition Security, including a child-friendly nutrition component
- Developed a new social protection system to provide better support for vulnerable groups

D. Themes 4 and 6 – Rule of law, law reform and judicial reform

1. Adoption and implementation of legislation to ensure the rule of law

32. To strengthen the rule of law, a new Criminal Code and a Code of Criminal Procedure have been published. These Codes provide for new offences and the applicable punishments, taking into account the international instruments ratified by Haiti. They will enter into force in 2022. In the meantime, the Government has appointed a commission to revise them in the light of comments by civil society organizations and to draft their implementing legislation.

33. The draft Child Protection Code was submitted to Parliament in September 2014.

2. Reform of justice institutions

34. The following measures have been taken to strengthen justice institutions:

(a) Preparation of a new Organic Act on the Ministry of Justice and Public Security

A bill is being drafted.

(b) Strengthening of the Judicial Inspectorate

The Judicial Inspection Service has been upgraded to unit status, resulting in efficiency gains.

(c) Passage of legislation: the Legal Aid Act

The National Council on Legal Assistance was established pursuant to the Legal Aid Act of 10 September 2018. The Council will work to reduce rates of prolonged pretrial detention and prison overcrowding. Legal aid offices are operating in 7 out of 18 jurisdictions in order to facilitate access to justice for the most vulnerable people. Legal aid offices will be set up in the remaining 11 jurisdictions once the budget of the National Council on Legal Assistance permits.

3. Action against prolonged pretrial detention

35. Prolonged pretrial detention has been a recurring problem in the justice and prison system for decades. Several measures have been taken to solve the problem. For example, the Ministry of Justice and Public Security and the High Council of the Judiciary have supported efforts by public prosecutors' offices and courts to hold more criminal hearings and trials. Between May 2018 and June 2019, 2,982 out of 11,113 detainees were convicted.

36. As for the prolonged pretrial detention of minors, the Government has implemented projects to support minors in conflict with the law, resulting in the reintegration of 103 out of 162 children (63.58 per cent) during the period from 2017 to May 2019.

37. Minors are currently held separately from adults. Boys are held at the Rehabilitation Centre for Children in Conflict with the Law and the girls at the Cabaret civilian prison. Girls are held separately from adult women.

38. In order to reduce rates of prolonged pretrial detention and prevent the recurrence of the problem, the Government has developed a priority strategic action plan for 2021–2022

with the goal of increasing the number of cases heard by the courts. A steering committee for the plan has been established, with the United Nations Development Programme, the United Nations Integrated Office in Haiti, the Justice Sector Strengthening Programme, the Office of the Ombudsman, the National Council on Legal Assistance and the High Council of the Judiciary participating as observers.

39. With the exception of the civilian prison in Port-au-Prince, international standards on the minimum space available to each detainee (2.5 m²) are respected in all prisons, including the women's prison in Cabaret and the prisons of Fort Liberté and Hinche.

40. In order to improve the quality of detainees' food, a nurse nutritionist has been appointed at the National Penitentiary. This initiative will be extended to all detention centres. Detainees who fall ill receive comprehensive care, thanks to an action plan implemented by the Directorate of Prisons Administration.

41. The Government already has a special national child protection strategy document.

4. Independence of the judiciary

42. The independence of the judiciary is one of the guarantees of access to justice. The High Council of the Judiciary, the communal and departmental assemblies and the executive branch all played a role in making judicial independence a reality.

43. The High Council of the Judiciary was established pursuant to the Act of 13 November 2007, which specifies under articles 1 and 2 that the judiciary is independent of the executive and legislative branches and that judicial power is vested in the courts.

44. Judges – from justices of the peace up to Court of Appeal judges – are appointed by the President on the recommendation of the High Council of the Judiciary. Court of Cassation judges are appointed by the President on the recommendation of the Senate.

5. Improving access to justice

45. The Government has strengthened public prosecutor's offices by appointing 107 deputy government commissioners. In the courts, 72 judges have been appointed, including 48 justices of the peace and two children's judges.

46. Forty students, including eight women, have trained to become registrars at the Legal Service Training College. They are gradually being appointed. In addition, 46 students are currently in training to become judges or prosecutors.

47. Judges are recruited by appointment and not by election.

E. Theme 5 – Strengthening the National Police

48. From 2021, all candidates applying to join the National Police must provide letters of reference from two reputable individuals.

49. The thirtieth and most recently qualified class of the National Police, consisting of 656 police officers, including 140 women, graduated on 9 August 2019. The current class (the thirty-first) has 640 trainee officers, including 133 women. A competitive process has been launched for admission to the thirty-second class. The National Police currently has 14,877 officers.

50. Cooperation partners have provided training to specialized units and an anti-gang unit has been set up within the National Police. New equipment has been made available. A strategic development plan for the period 2017–2021 called for police numbers to be increased to 20,000 officers.

51. A new class of 102 officers, including 12 women, of the Rapid Intervention and Law Enforcement Unit graduated from the National Police School on Wednesday, 8 January 2020.

52. 67 new commissioners have graduated from the National Police Academy and will bolster the senior ranks of the National Police.

F. Theme 7 – Combating impunity

53. Between 2017 and 2021, multiple events occurred in Haiti that caused loss of life or displacement of people. The Government has identified such events at the following locations:

(a) **Lilavois**

On Thursday, 12 October 2017, police officers went to Lilavois 39, in Port-au-Prince, to arrest some armed robbers. The officers resorted to excessive force and collateral damage was caused. The National Police acknowledged the misconduct on the part of the officers and referred the case to the public prosecutor's office. The prosecutor's office sent the case files to the office of the investigating judge for legal action.

(b) **Grand Ravine**

In November 2017, police officers went to Grand Ravine in pursuit of armed robbers without the knowledge of their superiors. The operation resulted in the deaths of five residents. After an investigation, some of the police officers suspected of involvement were placed in solitary confinement; others went into hiding. Their files are with the investigating judge.

(c) **La Saline**

On the night of 13 to 14 November 2018, several residents were killed in an outbreak of violence in La Saline. The Central Directorate of the Criminal Investigation Service has collected evidence and criminal proceedings are under way.

The case file was transferred to the investigating judge on 4 January 2019. Since then, 74 complaints have been filed, 80 victims interviewed and 21 suspects arrested. Two government officials implicated in the case have been dismissed. However, in August 2019, an action was brought before the Court of Cassation to have the case removed from the investigating judge who had been assigned and have it referred to another investigating judge, on grounds of bias.

(d) **Bel-Air**

On the night of 4 to 5 November 2019, clashes between rival gangs in the Bel-Air neighbourhood of Port-au-Prince resulted in 26 deaths and the destruction of houses. The Central Directorate of the Criminal Investigation Service conducted an investigation. The case file is with the investigating judge.

(e) **Carrefour Feuilles**

In late 2018, residents of the Carrefour Feuilles neighbourhood of Port-au-Prince complained of repeated robberies carried out by an armed gang led by Sony Jean, alias Tije. The National Police conducted several operations, culminating in the death of Jean Sony in an exchange of fire. Some 19 people were arrested and 64 others implicated. The file is with the investigating judge.

All of these cases, which remain under investigation, refer to acts of violence committed within the jurisdiction of the Court of First Instance of Port-au-Prince.

(f) **Delmas 32**

On the evening of 30 June 2021, armed individuals opened fire on people in the vicinity of Delmas 32. Several civilians, including a political activist, Antoinette Duclair, and a journalist, Diego Charles, were killed. After an investigation, two police officers were arrested and their files were sent to the public prosecutor's office attached to the Court of First Instance of Port-au-Prince.

Other events

(g) **Arms trafficking**

In December 2019, after a report was drawn up by a justice of the peace, the National Police arrested a businessman, Arby Larco, who was in possession of firearms. The public prosecutor's office referred the case file to the investigating judge. A committal order was issued on 1 April 2020.

(h) **Assassination of the President**

On the night of 6 to 7 July 2021, President Jovenel Moïse was assassinated by a group of foreign mercenaries at his private residence. The National Police has arrested several people, including 18 Colombians and 2 Haitian Americans. The file is currently with the office of the investigating judge, which is continuing to conduct interviews. The accused are being held in pretrial detention.

G. Theme 8 – Combating corruption

PetroCaribe file

54. In 2018, civil society organizations filed a complaint against the State for the mismanagement of the so-called PetroCaribe fund. The fund's revenue was generated from a low-interest loan agreement concluded with Venezuela that was intended to finance the socioeconomic development of Haiti. Many authorities have examined this case; the Senate produced two reports that were forwarded to the Superior Court of Auditors and Administrative Disputes for legal action. The Court itself has produced several reports, the most recent in August 2020. The judge appointed to investigate this case transmitted an order to the public prosecutor's office on 31 January 2019. Following the publication of the Senate's first report, the State filed a criminal complaint on 3 February 2019.

55. The Government has allocated special funds to the Superior Court of Auditors and Administrative Disputes to facilitate the work of the auditors. A file detailing the various decisions taken by the Council of Ministers between September 2018 and January 2019 was given to the Court's judges.

56. On 22 June 2021, the investigating judge suspended the case owing to the Court's failure to issue restitution orders against the accused and the lack of a decision by the parliament. He ordered a stay of proceedings pending the completion of these legal formalities.

H. Theme 9 – Conclusion of the electoral process

Indirect elections for municipal assemblies

57. The Provisional Electoral Council organized indirect elections from Monday, 10 July 2017 to Friday, 14 July 2017. The final results were announced on 19 July 2017. In these elections, 698 out of 708 members were elected to municipal assemblies in 140 communes.

58. In 2020, the Provisional Electoral Council was constituted to organize general elections. On 27 September 2021, the new Government repealed the decree by which the Council's members had been appointed. It is now undertaking consultations with different stakeholders to reconstitute the Council with a new membership.

I. Theme 10 – Economic, social and cultural rights

1. Right to food

59. Working with the Haitian authorities, the Government of Canada has funded a Can\$ 79 million project to enhance "Creole garden" agroforestry systems, Macaya coffee cultivation and mango production. In addition, the Government of Haiti, in partnership with

the United States Agency for International Development and the private sector, financed the training of 45 entrepreneurs in investment.

60. On 9 December 2020, the Council of Ministers adopted a national policy for food sovereignty, food security and nutrition. It rests on four fundamental pillars: (i) rebalance the policy mix to reduce the dominance of policies favourable to international trade so that food security and nutrition policies carry greater weight; (ii) promote agriculture and agro-industry as the engine for economic recovery and the elimination of hunger and malnutrition; (iii) invest in social safety nets so that no one is left behind; and (iv) improve the availability of and access to high-quality basic services necessary for nutrition security.

61. Before adopting the national policy, the Government drew up departmental food and nutrition security plans for the period 2015–2025 in order to guarantee the right to food.

62. The implementation plan for this policy is currently being prepared and will include a raft of measures.

63. A multisectoral food and nutrition security programme has already been launched on a pilot basis in the Upper Artibonite region and the North-West Department.

2. Right to education and literacy

64. The Government has adopted a Ten-Year Education and Training Programme for the period 2020–2030. Steps have been taken to achieve the primary goal of the plan, which is basic education for all. Thus, more than 600,000 children attend the first two cycles of basic education for free. However, an annual contribution of G 1,000 is required for the third cycle.

65. In the sphere of cooperation for education, Haiti has forged special relationships with agencies including the United Nations Children's Fund (UNICEF), the United Nations Development Programme, the French Development Agency and the United Nations Educational, Scientific and Cultural Organization. This cooperation facilitates the implementation of projects by the Ministry of Education and Vocational Training, notably the Civic Education for the Future (Nouvelle Éducation Citoyenne Tournée vers l'Avenir) project and the improvement of family education centres.

66. The Ministry of Education and Vocational Training has established a Bureau of Preschool Education to facilitate access to education for all disadvantaged children. It is now introducing preschool education in State primary schools in order to increase the provision of public education services.

67. The duration of basic education has been extended from six to nine years. From now on children will receive nine years of free basic education.

68. Between 2000 and 2019, school provision increased by more than 20 per cent, with an annual average growth rate of 1.3 per cent. The number of students rose by an average 1.7 per cent per year, making an overall increase of more than 25 per cent over the past two decades. At the same time, the number of State schools has more than doubled, allowing the public sector to receive five times as many students. The current school population is estimated at 4 million students. There are approximately 20,000 schools, including 140 State high schools and 2,800 State primary schools. The public sector accounts for 20 per cent of school infrastructure and the non-public sector 80 per cent. An estimated 25 per cent of students are enrolled in State schools.

69. The Government has addressed the recurring problem of teachers' working conditions. It has regularized the situation of the 13,000 teachers identified since 2011/12 as not having a letter of appointment; these teachers were paid during the 2020/21 fiscal year.

3. Measures in favour of free education

70. Measures taken in favour of free and non-discriminatory education include:

(a) The Community School Nationalization Programme

More than 300 community schools have been taken into State ownership.

(b) The Free and Compulsory Universal Schooling Programme

Since 2016, the Government has scaled back its ambitions and is focusing on increasing public-sector capacity and getting more young people into State primary schools.

(c) Provision of school canteens

Under the National School Canteen Programme, supported by the World Food Programme, some State schools provide children with a hot meal. This programme was implemented in 3,367 beneficiary schools, covering a total of 857,350 children, or 21 per cent of the school population. The goal is to reach the entire school population, estimated at 4 million children.

(d) Programmes to build State primary schools in all communal sections

To meet the demand for education, which has been expressed by societies throughout the Caribbean, the State is committed to building at least one State primary school in each communal section.

In the framework of a programme to support the recovery of the education sector, led by the Fund for Economic and Social Assistance, 60 schools have been built and 87 renovated, thus improving learning conditions for 55,577 students throughout the country. The National Education Fund is also involved in the renovation and construction of State primary schools.

4. Right to health, sanitation and drinking water

71. To increase access to health services, in recent years the Ministry of Public Health and Population has appointed 153 new health professionals. As at December 2020, there were 1,782 nurses and 1,841 doctors.

In addition:

(a) From June to September 2020, the Ministry recruited 1,410 extra staff to strengthen COVID-19 treatment sites in all 10 departments;

(b) Scholarships have been granted for 15 doctors and nurses to study a specialization in Cuba;

(c) Residents and doctors have been deployed on social service in all 10 departments.

72. Since early 2019, the Ministry has built nine health facilities and rehabilitated five, bringing the number of operational health facilities to more than 1,000. Of these, 13 per cent are hospitals, 16 per cent health centres with beds, 36 per cent health centres without beds and 35 per cent dispensaries.

73. The following health facilities were inaugurated in 2020 and 2021:

- The quarantine service at Toussaint Louverture Airport (a joint initiative of the National Airport Authority, the National Port Authority and the International Organization for Migration), with an administrative service, a cafeteria and two rooms, each with two beds
- Five new health centres with beds in the Nord Department (Baron, Grand Pré/Quartier Morin, Bord de Mer/Limonade, Brostage/Dondon and Bois Neuf/Saint Raphaël)

74. The following equipment has been acquired as part of the COVID-19 response:

- 463 tons of supplies and equipment, ordered at a cost of US\$ 18 million and received in March 2020
- 21 oxygen generators and 136 respirators, which have been installed in hospitals in the different departments

75. The National Ambulance Centre has been strengthened with the purchase of 27 new ambulances. As at 2021, it had 87 road ambulances, 5 water ambulances and 1 air ambulance (a public-private service).

76. The Government paid an annual contribution of G 83 million to acquire new vaccines in 2018/19.

77. The State has taken over blood transfusion services, through half of the requests for blood bags and the collection of 12,000 blood bags in the last six months of 2020.

78. As at early 2021, 45 investment projects were in progress in the framework of a public investment programme. These included 16 rehabilitation projects and construction projects in relation to 3 hospitals, 20 health centres, 2 regional ambulance centres, 1 blood transfusion centre and 3 departmental offices (Sud-Est, Nippes and Nord-Ouest).

79. To prevent epidemics, a national reporting network of 653 epidemiological surveillance sites has been set up to ensure the permanent availability of epidemiological information on priority diseases, thus supporting timely decision-making, early detection of outbreaks and follow-up.

80. One hundred and fifty-three epidemiological surveillance officers have been appointed and 42 individuals have obtained a qualification in field epidemiology.

81. There have been no confirmed cholera cases since January 2019.

82. The Government's response to the COVID-19 pandemic has included:

(a) Developing electronic and paper-based epidemiological surveillance tools, including a guide;

(b) Setting up 66 COVID-19 sampling sites in the 10 departments and decentralizing analysis activities;

(c) Disseminating messages and information about COVID-19 via the communication platforms of the Ministry of Public Health and Population and national media;

(d) Conducting screening at airports and the border crossings of Malpasse, Ouanaminthe, Anse à Pitre and Belladère;

(e) Ramping up hospital laboratory testing capacity: as at 12 September 2021, 115,692 tests had been performed;

(f) Establishing 156 COVID-19 vaccination sites (in 120 institutions and 36 other units) throughout the country, with 117,881 people having received their first dose and 66,888 fully vaccinated.

J. Theme 11 – Trafficking in human beings

83. Several subcommittees have been established under the National Strategy and Plan to Combat Trafficking in Persons 2017–2022. The Government has allocated G 24 million to strengthen the National Committee against Trafficking in Persons.

84. The Act of 30 April 2014, the Trafficking in Persons Act, has been disseminated and training on the Act has been organized. The National Council on Legal Assistance and the National Committee against Trafficking in Persons have joined forces to assist victims of trafficking in persons.

85. In 2020, the Ministry of Social Affairs and Labour developed and approved standard operating procedures.

86. In May 2021, the Dominican Republic, Haiti and Jamaica signed a tripartite agreement to suppress trafficking in persons in the three countries.

87. A study on domestic service and an assessment of children's homes were carried out as part of the effort to combat all forms of trafficking. The assessment led to the publication of two documents, entitled "Protection 9" and "Yon Fanmi pou Chak Timoun" (A family for every child).

88. Investigations into trafficking in persons yielded the following results:

(a) The conviction of a former mayor of Ouanaminthe for domestic abuse and sexual assault;

(b) The conviction, on 20 March 2019, of an individual who was sentenced to 15 years' imprisonment for trafficking children.

89. Other trafficking cases are awaiting judgment before the courts of Port-au-Prince and Jacmel.

K. Theme 12 – Women's rights

1. Improvements in the protection and promotion of women's rights

90. A gender equality policy has been drawn up for the period 2014–2034. It was accompanied by the Gender Equality Action Plan, which guided the Government's actions, programmes and initiatives during the period 2014–2020.

91. Within this framework, the Government has disseminated and evaluated the gender equality policy, created seven gender units in ministries and held an information and awareness-raising workshop on the rollout of a departmental gender network.

92. Awareness campaigns on respect for women's bodies ("respekte kom se dignite'm") especially during festivities, have been conducted.

93. The ongoing judicial reform strengthens the protection of women by codifying sexual harassment and partially legalizing abortion.

2. Elimination of violence against women

94. In 2018, the Government submitted to the parliament a preliminary draft framework law on the prevention, punishment and elimination of violence against women and girls. This document was taken up by the parliament and became a parliamentary bill, which was submitted to the Senate on 4 April 2018.

95. A third National Plan to Combat Violence against Women and Girls is in place for the period 2017–2027.

96. The Government has identified new displacement camps that appeared after the earthquake of 14 August 2021, adding to those that had been set up after the 2010 earthquake, the number of which had been declining significantly. The Government has also noted internally displaced persons' camps in the Martissant and Delmas 2 neighbourhoods of Port-au-Prince.

97. The public prosecutor's office at the Court of First Instance of Port-au-Prince has a unit that receives complaints of gender-based violence. A female deputy government commissioner is usually in charge of this unit.

98. All police stations have an office that monitors violence against women and girls.

99. Various actions have been taken:

(a) The gender section of the National Police has organized training for police officers;

(b) The Central Directorate of the Criminal Investigation Service has created a sexual offences unit;

(c) The National Commission on Women's Affairs was created in order to work on prevention and gender issues.

100. Sexual exploitation is punishable under the Trafficking in Persons Act. Forced marriage is not practised in Haiti.

3. Women's participation in decision-making

101. Article 158 of the Electoral Decree of 3 July 2021 specifies that, in senatorial elections, political parties or groups must put forward one female candidate in each segment of three candidates on the list.

102. In local government elections, political parties or groups must put forward at least one female candidate on each ticket.

103. The Decree also provides that, in departmental or national elections, political parties and groups that present a list in which half of the candidates are women will receive an extra 25 per cent in funding.

104. According to the latest survey conducted by the Office of Management and Human Resources, 23,439 out of 81,948 civil servants – or 29.77 per cent – are women. Some 13 per cent of female civil servants occupy leadership positions.

105. Between March 2017 and October 2021, the percentage of women in the public administration varied between 19.23 per cent and 28.5 per cent.

L. Theme 13 – Children's rights

1. Improvements in the promotion and protection of children's rights

106. More than 70,000 children currently benefit from protection services aimed at preventing violations of their rights. These children might return to live with their biological families, with support, or be placed in the care of their extended family or adopted. Some 39,000 couples have received psychological support and different forms of support have been provided to 500 families, 300 women in difficulties and more than 100 children.

107. The child protection system in Haiti is composed of a central office, 9 regional offices, 4 border service points and 11 working groups. It has been strengthened through the revised Adoption Act, the Paternity, Maternity and Filiation Act, the Trafficking in Persons Act, and the ratification in 2014 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

2. Eradication of child labour

108. Following the latest assessment of residential centres, 167 children's homes have been shut down and a further 94 will be closed. Some 304 out of 754 have been placed on probation owing to detected cases of violence against children.

109. Since 2017, the State has worked with UNICEF, the Government of Canada and other actors on a project to combat child domestic labour. The project is being implemented in 16 communes in the Ouest, Grand'Anse and Sud Departments.

110. The Government has finalized the list of hazardous occupations that children may not perform and the National Plan of Action to Combat Child Labour. On 27 June 2019, the U-Report platform was made operational in order to strengthen the engagement of young people on issues relating to the rights of the child. Through the platform, 20,000 young people, 36 per cent of them girls, have been educated about child labour and other issues affecting children and young people.

111. The National Institute for Vocational Training and the International Labour Office launched a vocational training programme under which 841 vulnerable adolescents, including 378 girls aged 14–17 years, have received training in such areas as tailoring, plumbing, agricultural techniques and the arts.

112. In 2019–2020, 838 child domestic workers, including 503 girls, were reunited with their biological families. Some 9,285 children have received school reintegration support. Care was provided for 677 survivors of gender-based violence.

113. Moreover, 4,518 vulnerable households at risk of family separation received assistance aimed at preventing child labour.

114. Some 140,146 persons, including 74,519 women, actively participated in efforts to protect children's rights and to prevent and respond to gender-based violence and child domestic labour. Child protection committees and community actors played a prominent role in such efforts.

115. The Government has accredited 120 foster families and a further 68 are awaiting accreditation. In 2019, 165 children were placed in foster families.

116. The "Yon Fanmi pou chak Timoun" programme reminds the public that only the administrative and/or judicial authorities can place children in children's homes or in other families, in accordance with article 139 of the decree of 4 November 1983.

117. Child domestic labour or domestic service is no longer an accepted practice.

118. A document on support for children deprived of parental care, including street children, has been prepared.

119. The combined efforts of the entities that make up the National Committee against Human Trafficking will contribute to the reduction of child domestic work.

120. The Ministry of Justice and Public Security and UNICEF are implementing a comprehensive birth registration programme in the Grand'Anse, Centre and Artibonite Departments.

M. Theme 14 – Internally displaced persons

121. The Government is aware that the security situation has deteriorated, forcing the inhabitants of some areas to flee their homes. In response, the High Council of the National Police continues to authorize operations against armed gangs. An operation named "Mache pran yo" was launched on 19 September 2021.

122. The judicial and police authorities are instructed to suppress all forms of violence against women and girls in camps.

123. The relocation of internally displaced persons is under way. For three months, from July to September 2021, the Government, in coordination with UNICEF, the United Nations Development Programme, Food For The Poor and the World Food Programme, distributed food rations and hot meals to families.

124. Other partners, such as Catholic Relief Services and the St. Luke Foundation for Haiti, provide financial support. Catholic Relief Services paid 90 families G 25,000 each for their relocation. The St. Luke Foundation is planning to financially assist 40 families in the amount of G 55,000 each.

125. School kits were distributed to the children for the current academic year.

N. Theme 15 – Rights of persons with disabilities

126. From March 2017 to September 2021, the following progress was made in the area of disability rights:

(a) The decree establishing the status, organization and functioning of the National Solidarity Fund for the Inclusion of Persons with Disabilities was published on 27 August 2020.

(b) Inspectors from the Labour Directorate of the Ministry of Social Affairs and Labour conducted training sessions for employers and senior managers in the textile sector.

(c) Fifty young persons with disabilities have joined the civil service following a competitive examination. In addition, the Government and Food for The Poor are implementing a project to deliver 100 accessible housing units for persons with disabilities, in accordance with the Act of 13 July 2018 on Accessibility Standards for the Built Environment.

(d) A module on accessibility and universal design has been integrated into the curricula of civil engineering and architecture programmes at the State University of Haiti.

127. A preliminary bill is being drafted to establish a national disability observatory to replace the National Council for the Rehabilitation of Persons with Disabilities.

O. Theme 16 – Cooperation between the State, civil society and the international community

128. In 2019 and 2020, the Prime Minister and civil society organizations held regular meetings with a view to improving the human rights situation. A road map has been adopted and the national choice of 11 priority Sustainable Development Goals was validated.

129. The Interministerial Committee on Human Rights, acting in unison with the United Nations Integrated Office in Haiti, has carried out various activities aimed at protecting and promoting human rights more effectively, including:

(a) The development of a draft national human rights action plan with priority actions for a three-year period (2019–2022). In this framework, in April 2019, the Government and the United Nations Integrated Office in Haiti organized a two-day workshop with various stakeholders on the Arcadins coast (Ouest Department). There was an exchange of knowledge between the Haitian officials and an expert from Geneva;

(b) The organization, in partnership with the United Nations Integrated Office in Haiti, of two capacity-building sessions with a view to setting up a database to track the implementation of recommendations received during the universal periodic review;

(c) A consultation workshop on the national report, funded by the United Nations Integrated Office in Haiti and held on 6 October 2021.

P. Theme 17 – Cooperation with international human rights mechanisms

130. Haiti has always cooperated with United Nations mechanisms, as demonstrated by its reporting on the implementation of the international conventions it has ratified – including the International Convention on Civil and Political Rights (in 2014 and 2018), the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities – and its submission of national and mid-term reports under the universal periodic review procedure in 2011 and 2017.

131. Haiti has ratified the International Covenant on Economic, Social and Cultural Rights. It is preparing its initial report.

Q. Theme 18 – Equal treatment and non-discrimination

132. To promote equal treatment and non-discrimination, the Government has:

- Paid a monthly cash benefit to 18,000 female-headed households
- Set up a programme to raise public awareness of women's rights, for the period 2017–2020
- Supported female entrepreneurs involved in the agroprocessing of breadfruit (2017–2020)

R. Theme 19 – Improvement of civil registration and identification procedures

133. To improve registration and identification procedures, the Government has opened new centres for the reception and delivery of identity documents.

134. The Ministry of Justice and Public Security is working to strengthen civil registration by opening new registry offices and equipping some hospitals to provide birth registration services. The birth registration system has been improved thanks to the coordinated involvement of several entities. The Government has joined a UNICEF project aimed at enhancing equal and inclusive access to the birth registration system.

135. The project is being trialled in the Artibonite, Centre and Grand'Anse Departments. It is expected that the computerization of the identification system and the training of birth registration officials will deliver a significant improvement.

S. Theme 20 – Protection of journalists, lawyers and human rights defenders

1. Disappearance of the journalist Vladjimir Legagneur

136. On 13 March 2018, photojournalist Vladjimir Legagneur was reported missing in the Grand Ravine neighbourhood. The National Police went to the scene, identified the journalist's hat and took some bone samples, which were sent to the forensic police for DNA testing. A dozen people have been arrested. The case file is with the investigating judge.

2. Case of the journalist Rospide Pétion

137. The journalist Rospide Pétion was murdered on the evening of 10 June 2019 in the area of Portail Léogâne. After a report by the justice of the peace, the public prosecutor's office attached to the Court of First Instance of Port-au-Prince ordered a police investigation. A suspect has been arrested and the case file is with the investigating judge.

3. Case of the journalist Néhémie Joseph

138. On 10 October 2019, the journalist Néhémie Joseph was murdered at Mirebalais. The case was referred to the public prosecution service and then transferred to the investigating judge on 20 October 2019. Thirteen people have been interviewed and another was arrested in the Dominican Republic. The investigation is ongoing.

4. Case of the lesbian, gay, bisexual and transgender rights activist Charlot Jeudy

139. The activist Charlot Jeudy died on the night of 25 and 26 November 2019 under suspicious circumstances. An investigation was conducted by the Bureau for Criminal Affairs. An autopsy was carried out. Suspects have been questioned. The case file is currently with the investigating judge.

5. Case of Bar Association President Monferrier Dorval

140. On the evening of 28 August 2020, the President of the Port-au-Prince Bar Association, Monferrier Dorval, was shot dead in his home in the neighbourhood of Pèlerin 5. The police went immediately to the scene, accompanied by a justice of the peace.

141. After an investigation, several suspects were arrested. The file was sent to the public prosecutor's office at the Court of First Instance of Port-au-Prince and then transmitted to the investigating judge. On 16 September 2021, the investigating judge withdrew from the case. A new judge was appointed on 6 October 2021.

T. Theme 21 – Natural disaster management and preparedness

142. To raise awareness of natural disaster risks, the Government has:

- (a) Updated the national contingency plan and set up communal, departmental and national emergency operations centres which are activated in the event of an alert;
- (b) Disseminated educational messages among the general public and in schools via community media during gatherings;
- (c) Organized earthquake and tsunami drills.

143. The toll from the 14 August 2021 earthquake stands at 2,248 killed, 12,763 injured and 329 missing. Hospitals, schools and other public and private infrastructure were either damaged or completely destroyed.

144. The Council of Ministers issued an order declaring a state of emergency in the three affected departments, which was published in the Official Gazette of 16 August 2021. The state of emergency was renewed for a second month by decree.

145. The sum of G 3 million was disbursed during the first phase of the emergency. National and international organizations have provided financial support. The Organization of American States donated \$25,000 for the coordination of operations.

146. In addition, the Caribbean Catastrophe Risk Insurance Facility paid \$40 million to the Government following the earthquake, the country having an insurance policy against natural disasters.

147. Decentralized civil protection structures in the form of risk and disaster management committees have been set up in the 10 departments.

148. Up-to-date, useful and timely information was shared with the population during the earthquake. The communal and national emergency operations centres carried out several communication operations. A call centre for emergency management and coordination has been established at the national emergency operations centre.

149. Mattresses, blankets, tents, food kits, hygiene kits, vehicles, radio communication equipment and inputs for humanitarian assistance have been pre-positioned at the national emergency operations centre.

150. Temporary toilet blocks, additional handwashing points and drinking water facilities have been installed in some communities to protect privacy and prevent the risk of pollution and infectious diseases.

151. Several mass or combined distribution operations were carried out in the affected areas. These operations have helped more than 70,000 families by providing them with food kits, hygiene kits, tarpaulins and non-food items.

152. During the period under review, the Civil Defence Department took steps including the prior identification of sites and buildings that could be used as temporary shelters in the event of natural disasters, taking into account their respective capacities.

153. In each commune, a database has been set up to enable the rapid assessment of damage and rehabilitation needs. This facilitated the emergency response during the last earthquake.

154. A list of volunteers who will support the permanent staff of the various committees and provide assistance in emergency situations has been drawn up.

155. Mitigation actions, such as canal clearance, watershed management and the repair of houses whose roofs are damaged or have holes in them, are taken when major weather events are announced. A warning system has been put in place.

156. When an alert is declared, the national, departmental and communal emergency operations centres are immediately activated in order to implement the contingency plan.

157. The national authorities often coordinate their activities with humanitarian partners.

U. Theme 22 – Right to a healthy environment

158. In 2014, the Government prepared a preliminary bill on mining, chapter VIII of which was specifically devoted to environmental protection. The draft strengthened existing environmental provisions.

159. The draft bill also creates environmental obligations in relation to mining and quarrying operations. Article 185 requires the completion of an environmental and social impact assessment, including an environmental and social management plan and a site rehabilitation plan, before a mining permit can be granted. An environmental and social impact assessment is a technical study whose aim is to determine the project's consequences

so as to prevent, limit, mitigate or compensate for negative impacts in accordance with the legislation in force.

160. Henceforth, before beginning any operations that may affect the surface or subsoil within the area of the concession, permit holders must furnish a security guarantee to cover the cost of rehabilitation work. The nature of the guarantee must be approved by the National Mining Authority.

161. The National Mining Authority receives the documents and forwards them to the Ministry of the Environment for its approval or objection.

162. Legal entities are required to meet the same conditions.

163. The bill has not yet been submitted to Parliament.

164. The National Solid Waste Management Service was established pursuant to the Act of 9 August 2017. It replaced the Metropolitan Solid Waste Collection Service, whose activities were considered insufficient because they were limited to Port-au-Prince and the surrounding area. The new Service will therefore have offices in all departments and communes. Together with the local authorities, the Service is responsible for managing solid, medical and highly toxic waste. Its activities include the collection, transport, sorting, recycling, management and processing of waste. The Service is under the supervision of the Ministry of the Environment. Its board of directors is formed of seven members representing line ministries such as the Ministry of Public Works, Transport and Communications and the Ministry of the Interior and Regional and Local Governments.

V. Theme 23 – National human rights institution

165. In Haiti, independent institutions are established in accordance with the Constitution and are organized by law. The Office of the Ombudsman is the independent national human rights institution. The Government consults this institution and takes its human rights recommendations into account.

166. The Office's budget was increased to G 161,493,326 for the fiscal year 2020/21.

III. Challenges and constraints

167. The implementation of the recommendations met with certain challenges and constraints:

- (a) Lack of a database, which constituted a major impediment to timely reporting;
- (b) Lack of material and financial resources for implementation of the recommendations;
- (c) Unfamiliarity with the recommendations due to their limited dissemination.

IV. Expectations

168. Greater technical and financial assistance are needed to support the Government's ongoing efforts to promote and protect human rights, to meet reporting deadlines and to implement universal periodic review and treaty body recommendations.

169. The Government draws attention to the need to continue the capacity-building efforts, especially the training of the technical staff of Interministerial Human Rights Committee with a view to establishing the database. This will facilitate the collection of information for reporting purposes and for tracking the implementation of recommendations.

V. Conclusion

170. The present report describes the Government's efforts to implement the 188 recommendations accepted by Haiti during the second cycle of the universal periodic review. It contains information on the progress achieved in the full or partial implementation of each group of recommendations addressed to it by Member States. This is a clear demonstration of the Government's commitment to the promotion and protection of human rights.

171. There have been many initiatives whose expected outcomes have not been fully attained. Aside from natural disasters, there are many reasons – technical, economic and political – why this is so.

172. The Government is aware of the need to redouble its efforts, as much remains to be done to reach all segments of Haitian society. It is committed to taking positive action, to the fullest extent of its capabilities, to achieve this end.

173. Human rights being a significant factor in development, the international community is called upon to mobilize the necessary resources to further support Haiti in its efforts to protect and promote human rights.
