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Haiti Justice Sector (July 2026): Joint Submission by the Coalition of Haitian and Solidarity Human Rights Organizations

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Introduction

1. Haiti's justice sector has long been characterized by institutionalized impunity, corruption, political interference, and material resource constraints. The consequences have included unaddressed violence and corruption; inhumane detention conditions, egregious rates of pretrial detention, and other due process violations; and a fundamental lack of access to justice for most Haitians, especially those who are poor or otherwise marginalized.¹
2. The governance and insecurity elements of Haiti's crisis have particularly impacted judicial function. First, government collapse,² including Parliamentary loss of quorum in 2020,³ and the still-unsolved 2021 assassination of President Jovenel Moïse,⁴ has meant that judicial appointments have become entirely extraconstitutional and even more politicized, and that no progress has been made on much-needed institutional and legislative improvements. Second, widespread insecurity and escalating humanitarian needs⁵ have reduced court function, impeded access for staff and the public, further shrunk resources, and destroyed infrastructure – all while exponentially increasing violent crimes and other harms requiring accountability.⁶ The crisis has also generated additional opportunities for corruption⁷ and state capture,⁸ while disrupting existing mechanisms for tackling these harms and promoting accountability more generally. The result is deepened impunity that keeps feeding the cycles of violence.
3. The State has not materially implemented any of the recommendations from the last UPR cycle.⁹
4. This submission relies on information from and analysis by organizations that work on human rights, access to justice, due process, anti-corruption, good governance, and detainee rights, and are based primarily in Haiti.¹⁰

I. Legal Framework

5. Haiti has ratified a robust set of international obligations with respect to access to justice, due process, and prohibitions on inhumane treatment, which carry the force of law through Article 276(2) of its Constitution.¹¹ However, as a practical matter, these rights are not enforced. A number of instruments are yet to be adopted in spite of supported recommendations from the last UPR cycle.¹²

6. Haiti's laws are outdated and ill-suited for modern accountability and due process standards. A new Penal Code that aimed to modernize Haiti's laws and improve protections for, e.g., gender-based violence (GBV), discrimination, technology-related offenses, and financial crimes,¹³ was illegally promulgated by decree in 2020 and then (in amended form) in 2025,¹⁴ but is not in effect. There are serious constitutional concerns with the lawfulness of the promulgation process: legislative power under Haiti's Constitution rests exclusively with Parliament and fundamental legislative reform cannot be accomplished by decree.¹⁵ Further, the government has not undertaken the necessary training, dissemination, or public awareness activities, and the transitional authorities have themselves postponed implementation indefinitely.¹⁶
7. Notwithstanding its limited authorities and these constitutional constraints, Haiti's transitional government adopted two additional decrees in December 2025 that risk deepening impunity, corruption, and judicial politicization by placing top officials beyond the reach of accountability and silencing civil society efforts to expose misconduct.¹⁷ The first imposes practically insurmountable obstacles to courts obtaining jurisdiction over high officials in corruption cases, and thereby risks effectively insulating them from accountability.¹⁸ The second authorizes significant prison sentences and fines – increased where implicating any government officials – for “defamation” (defined without exceptions for truth and responsible journalism), as well as for any refusal to meet accompanying disclosure requirements that may put sources and whistleblowers at risk.¹⁹ The decrees have been forcefully criticized by Haitian civil society.²⁰

II. Lack of Meaningful Access to Justice

8. Haiti's justice system has long been unable to deliver justice for the vast majority of Haitians due to chronic under-resourcing and capacity constraints, executive interference with judicial independence, and entrenched corruption. Individuals with money, political connections, or armed group affiliations routinely avoid accountability, while ordinary Haitians lack meaningful access to legal remedies. The resulting institutionalized impunity is a fundamental driver of Haiti's insecurity and government collapse, which are in turn further exacerbating justice sector challenges.²¹

II.A. Resource and Capacity Limitations Exacerbated by Armed Group Violence

9. Insecurity has compounded the historic weaknesses of Haiti's justice sector. Since 2021, the Network for the Defense of Human Rights (RNDDH) has documented 85 armed attacks against police and justice sector infrastructure, with 41 stations and substations razed or decommissioned.²² The police can barely protect themselves: as of June 20, 2025, 78 of the 413 police facilities in the country were non-operational as a result of armed group attacks;²³

an average of 3 officers have been killed each month over the past five years, including 48 in 2025.²⁴ Multiple prison breaks further undercut correctional capacity and due process.²⁵

10. Judicial function is likewise severely constrained. Multiple courthouses in the West and Artibonite Departments have been shut down or forced to relocate, along with prosecutors' offices and Haiti's human rights ombudsman, the Office for the Protection of Citizens (OPC); most that remain active have significantly reduced operations.²⁶ In 2025, three of Haiti's 18 trial courts (Mirebalais, Croix-des-Bouquets, and Port-au-Prince) held no criminal hearings²⁷ and only 243 felony trials were held nationwide.²⁸ This means that the overwhelming majority of serious cases are not being heard.²⁹ In Mirebalais, the Trial Court, Peace Court, and prosecutor's office have all been closed since April 2025.³⁰ Even where courts remain nominally open, judicial staff at times cannot reach them due to insecurity³¹ and the State does not provide adequate protection for staff or witnesses.³² In April and May 2024 at least five law officers and lawyers were killed and another kidnapped in the Artibonite and North Departments.³³ Armed groups have looted and burned the homes of sitting judges³⁴ and ransacked court offices, taking or destroying evidence, records and crucial case files.³⁵
11. Judicial operations were further constrained by inadequate resources: the justice sector commands only a small percentage of the budget it shares with security forces. The results are low, frequently frozen salaries (exacerbated by inflation), and insufficient resources; responsive strikes by court personnel are common and have periodically brought the justice system to a further standstill.³⁶ The latest four-month strike ended only in March 2026 and involved virtually all prosecutors and deputies across all trial and appeals courts.³⁷
12. The consequences of these drastic reductions in judicial capacity are particularly acute for Haiti's large number of pretrial detainees.³⁸ But relocation also generally compounds geographic and economic barriers to accessing justice: residents of working class neighborhoods and the Port-au-Prince city center are faced with dangerous and expensive travel to reach still-functioning courts in areas like Delmas, which prevents many from pursuing their cases.³⁹
13. In general, poor and rural Haitians are especially ill-served by Haiti's justice system. Courts are concentrated in major cities, leaving rural Haitians – almost half the population – facing prohibitive distances, lack of transportation, and insecurity.⁴⁰ High court costs and legal fees impose significant barriers to accessing justice for the poor.⁴¹ Legal documents are generally prepared in French, which most Haitians do not speak, and proceedings are not always held in Haitian Creole.⁴² Even when individuals are aware of their rights, these barriers, as well as poor treatment by authorities, skepticism and stigma – especially for survivors of GBV, fear of reprisals in the absence of government protections, and the practical improbability of obtaining remedies discourage victims from pursuing complaints.⁴³

14. Access to justice is further strained by skill and capacity constraints, training deficits, and dysfunction.⁴⁴ There is a lack of secure physical infrastructure and digitized case files.⁴⁵ Files are regularly lost⁴⁶ and evidence is stolen, including from secured court facilities.⁴⁷ There are few trained forensic specialists and storage facilities for physical evidence are inadequate.⁴⁸ Investigations are further hampered by coordination failures⁴⁹ and the lack of adequate equipment and safety mechanisms: there is insufficient protection for judges, while police lack protective equipment, specialized training, and encrypted communications. Court proceedings are further disrupted by the absence of security personnel and absence of court reporters, which compromises record integrity for proceedings.⁵⁰ Law enforcement officials regularly fail to execute judicial orders, including arrest warrants.⁵¹
15. While heavily touted, the *pôles judiciaires* are unlikely to significantly improve access to justice. The two specialized units – with jurisdiction over corruption and mass crimes, including sexual violence – were authorized by decree in April 2025 and “inaugurated” in May 2026.⁵² As of writing, they had not commenced investigations or prosecutions. There are compelling reasons to question whether the *pôles* will improve accountability, as several elements raise concerns that they will be symbolic at best, and at worst will actively damage the capacity of Haiti’s already weak justice system. First, the December immunizing decree⁵³ largely strips the anti-corruption unit of its function. Second, as with other initiatives heavily reliant on foreign funding and support for proper function,⁵⁴ the *pôles* lack a sustainable foundation, and therefore risk eventual sunset, even as they are already struggling to begin operations.⁵⁵ Third, jurisdictional limitations to the Port-au-Prince area and lack of a formal referral system for cases risk procedural challenges that would reduce their impact.⁵⁶ Fourth, some advocates have questioned the suitability of all the appointed judges and prosecutors, some of whom have a history of politicized decision-making and legal errors, and have been criticized for their handling of cases like the PetroCaribe corruption scandal.⁵⁷ Finally, the units are diverting legal skills, talent, attention, and resources away from Haiti’s main justice sector,⁵⁸ which is ultimately charged with securing accountability. Thus, especially in light of jurisdictional constraints, they risk delivering limited justice for some, while reducing the justice system’s already low capacity for all.

II.B Corruption and Lack of Judicial Independence

16. Corruption permeates the Haitian justice system at every level, reflecting, and in turn further enabling, institutional weakness. Low salaries create vulnerabilities to bribery exacerbated by the humanitarian pressures of the crisis. In June 2026, the Superior Council of the Judiciary (CSPJ) – the independent body responsible for the administration and discipline of judges – upheld the non-certification of 26 judges based on allegations of corruption, illicit enrichment, and lack of moral integrity.⁵⁹ Judges and clerks impose unauthorized fees to initiate proceedings. Police routinely request bribes to investigate complaints or execute arrests, or ask for fuel or transportation money because they are otherwise unable to travel.

Thus, individuals with means can pay to secure case advancement or their release; those without are left without recourse or languishing in pretrial detention.⁶⁰

17. Judicial integrity and independence are structurally compromised as well. Executive control over the judicial budget⁶¹ and appointments enables enormous pressure on and control over judges and proceedings.⁶² The executive has politically weaponized the appointment and renewal process for judicial mandates: for example, mandates of judges working on cases implicating government-connected individuals have been allowed to lapse, thereby stalling the underlying investigations.⁶³ The CSPJ has been systematically weakened and underfunded.⁶⁴ According to most Haitian constitutional experts, the executive has had no constitutional mandate since 2021,⁶⁵ yet many judicial appointments have been made⁶⁶ without check – including virtually all positions on Haiti’s highest court.⁶⁷ This risks further entrenching political control.
18. Institutionalized corruption and politicization mean that cases implicating powerful individuals – political figures, business elites, or armed group leaders – are routinely stalled, reassigned, or closed without result.⁶⁸ For example, according to an audit by watchdog *Ensemble Contre la Corruption* (ECC), the government’s principal anti-corruption entities, the Anti-Corruption Unit (ULCC) and the Central Unit of Economic and Financial Intelligence (UCREF), submitted a total of 166 reports to various national jurisdictions for criminal proceedings between 2005 and 2024. Only four judgments – and two convictions – resulted.⁶⁹ More generally, the ULCC has issued a number of extensively supported reports implicating high level government officials in corruption and malfeasance; yet there has been no resulting accountability, and in some cases, the Port-au-Prince Court of Appeals overturned any resulting rulings.⁷⁰ For example, although the judicial investigation by Judge Jean Wilner Morin into former General Customs Administration Director Romel Bell found sufficient evidence to refer him for trial on corruption charges in May 2024,⁷¹ the Court of Appeals overturned that decision and rapidly dismissed the case in November 2025 in a decision that many Haitian legal practitioners consider politically motivated.⁷² Serious and persistent allegations of corruption against three former members of the Transitional Presidential Council were sidelined and are now ostensibly subject to the December immunizing decree.⁷³ There are allegations that the Central Directorate of the Judicial Police has improperly intervened in cases and accepted bribes, enabling deep-seated police corruption that contributes to Haiti’s crisis.⁷⁴
19. Threats and violence against judicial actors further undermine judicial independence, especially since the State has persistently failed to prevent, investigate, or prosecute this type of incident.⁷⁵ Multiple judges who sought to make progress on the PetroCaribe corruption scandal and in other politically sensitive cases experienced threats and violence, were replaced, or resigned.⁷⁶ Judge Morin received serious death threats in connection with politically sensitive cases, including the prosecution of Romel Bell described above.⁷⁷ The Secretary General of the Fort-Liberté Bar Association was killed in September 2024 after

receiving multiple threats.⁷⁸ The 2020 assassination of Port-au-Prince Bar Association President, lawyer, and vocal critic of the Moïse administration Monferrier Dorval remains unsolved.⁷⁹

II.C. Culture of Impunity

20. The dynamics of low competence accompanied by corruption and political interference have generated institutionalized impunity that shields the powerful and leaves ordinary Haitians without effective recourse. As a consequence, most Haitians are skeptical that the justice system is capable of delivering accountability and are often reluctant to report harms based on expectations of futility, corruption, and – especially for survivors of GBV – possibility of retaliation or harassment and abuse by the authorities. Moreover, chronic impunity for grave human rights violations emboldens perpetrators, erodes public trust in state institutions, and constitutes a fundamental driver of insecurity and instability.⁸⁰
21. The deadly 2018 La Saline massacre⁸¹ is a particularly dramatic illustration of the causal link between Haiti’s entrenched culture of impunity and social unrest, including violence. The attack was masterminded by government officials working with the leader of an armed group in order to suppress popular anti-corruption and pro-democracy mobilization.⁸² In spite of victim demands and cases brought with support of human rights lawyers like the *Bureau des Avocats Internationaux* (BAI),⁸³ the investigation was stalled for years through a recusal motion and the deliberate non-renewal of mandates for the judges assigned to the case – a pattern of political interference to preserve impunity.⁸⁴ In July 2024, an investigating judge formally charged over 30 individuals, but no convictions followed.⁸⁵ Neither the senior government officials (Fednel Monchery and Joseph Pierre Richard Duplan), nor the armed group leader (former police officer Jimmy Chérizier), have ever been convicted. Chérizier has since become one of the main architects of the present crisis as the leader of the *Viv Ansanm* armed group coalition.⁸⁶
22. There likewise has been no meaningful progress in investigating and prosecuting the massacres of Grand Ravine (2017), Bel Air (2019), Plaine du Cul-de-Sac (2022), Carrefour-Feuilles (2023), Wharf Jérémie (2024), and Pont-Sondé (2024);⁸⁷ or for the rest of at least 58 massacres documented by RNDDH since 2018.⁸⁸ Likewise, investigations into the assassinations of Dorval,⁸⁹ activist Antoinette Duclair, journalist Diego Charles, and LGBTQ+ activist Charlot Jeudy – among many others killed with impunity – remain effectively stalled.⁹⁰ The Dorval case has cycled through four investigating judges and still currently lacks an assigned judge.⁹¹ Even the assassination of President Moïse remains at a standstill, with the most meaningful proceedings taking place outside the country. No one has been tried for the killing in Haiti, and the case is currently stalled at the Port-au-Prince Court of Appeals.⁹²
23. The investigation into the embezzlement of more than two billion dollars in public funds from the PetroCaribe program is another blatant example of corruption and politicized

impunity.⁹³ The scandal implicated numerous senior government officials, including former Presidents Moïse and Michel Martelly, and prompted the popular mobilizations targeted by the La Saline and other contemporaneous civilian massacres. Following sustained political pressure, the investigating judge suspended the investigation in 2021,⁹⁴ and the case has not progressed since.⁹⁵ The investigating judge was later removed from office for lack of moral integrity by the CSPJ, further supporting assessments that his conduct in the case had been improper, corrupt, and politically motivated.⁹⁶ According to leading PetroCaribe advocates, those who worked to advance related accountability have had to go into hiding or flee the country; some were murdered.⁹⁷

III. Violations of Rights to Humane Treatment and Due Process

24. State failure to adequately resource the justice system and unaccountable government abuses have long put Haiti's prison system in flagrant violation of humane treatment and due process obligations. The State has made no progress towards addressing any related UPR recommendations.⁹⁸
25. Judicial dysfunction described in Section II generates extreme levels of pretrial detention – third-worst in the world for 2025.⁹⁹ Combined with inadequate facilities and resources, it results in catastrophic overcrowding and inhumane, deadly conditions. The crisis has deeply exacerbated each part of this dynamic.
26. The detention system is also structurally unjust: corruption and extortion at every stage of the correctional process exploit and trap those without money and power, while the wealthy and powerful walk free. Judicial personnel extort detainees and their family members for payments in return for procedural progress not meant to be subject to fees: for example, demanding payments for a bailiff to serve an already issued release document or for a prison to process a release even after that individual is legally free to go.¹⁰⁰ According to *Chans Alternativ*,¹⁰¹ individuals deported to Haiti with criminal records are especially vulnerable to ill-treatment and extortion by Haitian officials – who sometimes place deportees in inhumane conditions to extract bribes from their families or collaborate with armed groups to seek payouts through facilitating kidnapping.¹⁰²

III.A. Inhumane Detention Conditions

27. Haiti's detention conditions fall dramatically below international minimum standards. The crisis has exacerbated already extreme violations.¹⁰³ Generalized insecurity and humanitarian collapse impede most functions, while four major prison breaches orchestrated by armed groups between September 2022 and March 2025 reduced national correctional capacity by approximately 44%.¹⁰⁴ Of Haiti's 24 prison facilities, only 14 remain operational.¹⁰⁵

28. As a result, prisons are operating at three to eight times their intended capacity, with so little space per person that detainees are forced to sleep in shifts.¹⁰⁶ In July 2025, thirteen Jacmel prison detainees died due to severe overcrowding and extreme heat.¹⁰⁷ Women and children are sometimes held alongside men, putting them at heightened risk of harm, including sexual violence.¹⁰⁸ The CERMICOL facility in Delmas, which was originally built to hold and provide services for approximately 100 juveniles, now imprisons more than 500 men, women, and children,¹⁰⁹ and has suspended critical programs for children.¹¹⁰ Police stations are being used as de facto detention centers to meet some of the burden; the resulting holding areas are unsanitary, unventilated, and overcrowded.¹¹¹
29. The State is not providing even minimal food, clean water, sanitation, or healthcare for detainees. Civil society and private citizens provide assistance, but it is dwarfed by the scale of need and further impaired by crisis-related travel risks and new restrictions on visitation imposed in response to the prison breaks.¹¹² There is also evidence of resource diversion through corruption.¹¹³ In 2018, the OPC acknowledged that conditions of detention were “alarming” and unlawful, leading in some cases to starvation, infections, and psychiatric disorders.¹¹⁴ In 2025, 134 incarcerated individuals – nearly 2% of the prison population – died, most due to insufficient access to medical care, food, drinking water, and unsanitary conditions.¹¹⁵
30. Abuse by corrections officers and police is widespread and systematic. Detainees have been beaten, tortured, and killed both in prisons and police holding areas.¹¹⁶ Women, children, LGBTQ+, and mentally ill individuals face distinct risks. For example, in 2023, 17 women were raped during a mutiny at the Gonaïves prison.¹¹⁷ In 2024, several women were raped after male inmates broke into the women’s section at the Jacmel prison.¹¹⁸ According to *Chans Alternativ*, authorities facilitated rape of detainees perceived to be gay at the Port-au-Prince Penitentiary.¹¹⁹ *Chans Alternativ* further reports that mentally ill individuals are sometimes placed into prisons without charges and detained for years, and are particularly vulnerable to abuses by both prison officials and other detainees.¹²⁰
31. There is no meaningful mechanism for detainees to file complaints or contest the conditions of their detention,¹²¹ and even OPC reports (restrained by resource limitations and political pressure)¹²² have not provoked change.

III.B. Excessive Pretrial Detention

32. Haiti’s judicial system is consistently unable to process accused persons in a timely manner. Haitian law requires that detainees be brought before a judge and charged within 48 hours,¹²³ but some individuals are detained for over a decade without charge or trial.¹²⁴ Children have been incarcerated for years for offenses as minor as stealing shoes or a telephone, without ever appearing before a judge.¹²⁵ On average, pretrial detention lasts nearly four years¹²⁶ and some detainees spend longer in pretrial detention than mandatory sentences for their alleged

offenses.¹²⁷ The pretrial detention rate remained at approximately 82% throughout the review cycle¹²⁸ (88.5% for women).¹²⁹

33. It is practically impossible for detained persons who are not wealthy to challenge their detention effectively¹³⁰ given the judicial challenges described in Section II¹³¹ and distinct barriers of the carceral system. Those who lack money or connections generally cannot secure release; outcomes differ for those who can pay bribes or retain counsel.¹³² Effective legal aid is scarce:¹³³ the few government-supported initiatives and Bar Association programs often assign inexperienced attorneys who do not have sufficient training or time to provide minimally competent representation.¹³⁴ Human rights organizations like the BAI provide effective support, but have few lawyers and resources.¹³⁵ The prison registration process is not always followed upon entry into the system or transfer, and individuals can effectively go “missing” from their families,¹³⁶ isolating them from resources and support. Some detainees remain in prison even after completing their sentences.¹³⁷

IV. Distinct Failures to Protect

34. The limitations of Haiti’s justice system are most acutely felt by those without money or power and those who criticize the system. Poverty and rural geography result in particular disadvantages; so does LGBTQ+ identity. Several groups with intersecting characteristics face distinct added barriers as well; these include survivors of GBV, children recruited into armed groups, and human rights defenders (including journalists). In addition, victims of law enforcement misconduct – whether excessive use of force or assault – face overwhelming barriers to justice. Investigations into allegations of unlawful killings, rape, inmate abuse, and excessive use of force are routinely delayed or fail to progress, reinforcing impunity and undermining public confidence in the justice system. For example, between March 2025 and January 2026 the UN documented 247 cases of summary executions or unlawful use of force by police and almost 1,100 deaths or injuries of civilians with no armed group affiliation (22% of the total) from security force operations.¹³⁸ While some investigations had been opened, as of May 2026 none were reported to have resulted in sanctions or compensation.¹³⁹
35. There are systematic failures to investigate and prosecute specific categories of allegations – most notably GBV – that reflect not only resource constraints, but also persistent training deficits and institutional bias.¹⁴⁰ Similar patterns are documented across the country and for other marginalized groups.¹⁴¹

IV.A. Gender-Based Violence

36. GBV directed at women and girls is endemic in Haiti¹⁴² and has intensified dramatically as the security crisis has deepened. Armed groups have weaponized sexual violence as an instrument of terror against civilian populations.¹⁴³
37. Yet in spite of the widespread and worsening nature of sexual violence, the justice system's response to GBV is systematically inadequate, and the State has implemented none of the related recommendations from the last UPR.¹⁴⁴ There is no systematic data collection on GBV, particularly in displacement contexts.¹⁴⁵ Survivors also frequently experience skepticism, sexism, and victim-blaming – as well as procedural and financial barriers.¹⁴⁶ As a consequence, reporting rates are extremely low, masking the true incidence. For example, 84% of GBV survivors surveyed in Cité Soleil in 2022 did not report their assaults to authorities.¹⁴⁷
38. Investigations are rarely opened and virtually never reach trial. BINUH reported that only 36% of GBV complaints had been assigned to an investigating judge and none had gone to trial in Grand-Anse in 2020, for example – a failure representative of national trends.¹⁴⁸ The BAI, which has accompanied survivors of sexual violence in the justice system since 2010, describes the clearance rate as negligible and observes that an increasing number of survivors cannot identify their perpetrators, with the State failing to conduct adequate investigations.¹⁴⁹ RNDDH recorded only 43 convictions for rape between October 2022 and September 2023¹⁵⁰ at a time when reported assaults numbered in the thousands.¹⁵¹

IV.B. Children, Especially Those Associated with Armed Groups

39. The State's failure to protect children has resulted in shocking levels of recruitment into armed groups and devastating humanitarian impacts. Children are particularly vulnerable to the privations of Haiti's deepening humanitarian crisis;¹⁵² skyrocketing rates of sexual violence (UNICEF estimated a 1,000% rise in sexual violence directed at children between 2022 and 2023);¹⁵³ and related traumas.¹⁵⁴ They are forced into joining due to their resulting desperation for food, violence and threats, and the lack of any viable alternatives – as well as violent reprisals against those attempting to leave.¹⁵⁵ While no formal counts exist, a conservative estimate based on consistent reporting that children are up to 50% of armed group members suggests there are as many as ten thousand children conscripted – or more.¹⁵⁶
40. As a consequence of real or perceived armed group membership, children are also becoming the frequent targets of violence and killing by government forces and civilian “defense” groups that often operate jointly with, or at least with the tacit approval of, the police.¹⁵⁷ Child-specific safeguards during State security operations remain largely absent, and children have been subjected to extrajudicial killings, beatings, arbitrary arrest, inhumane detention, and ill-treatment while in custody. A number of police officers explicitly consider children involved with armed groups as combatants who may be targeted, notwithstanding their

training in child protection obligations.¹⁵⁸ Government-approved drone strikes have killed at least 17 children since March 2025.¹⁵⁹

41. These compounded harms have prompted the UN Secretary-General to recognize Haiti among the world's most concerning situations for children since 2022,¹⁶⁰ with one of the highest rates of grave violations against children in the world for the past two years.¹⁶¹
42. Haiti's juvenile justice system is fundamentally unable to provide children with humane due process or access to justice. The Port-au-Prince Juvenile Court has not functioned since 2019 due to armed group violence.¹⁶² Children are detained arbitrarily and held alongside adults in inhumane conditions in violation of Haitian law and international standards.¹⁶³ CERMICOL is no longer limited to holding juveniles, and has not only become dangerous and inhumane for children, but has also stopped all intended education and rehabilitation opportunities.¹⁶⁴
43. Measures taken towards planning for the demobilization and reintegration of children appear woefully inadequate.¹⁶⁵ The State signed a Protocol on the Transfer, Reception, and Care of Children Associated with Armed Groups with the UN in October 2023¹⁶⁶ and UNICEF reports that it has demobilized and reintegrated over 140 children through a 2024 protocol with the State.¹⁶⁷ However, the reality of Haiti's detention practices and capacity makes large-scale compliance impossible and the scale of the challenges dwarfs the reintegration capacity and effort displayed to date.

IV.C. Failures to Protect Journalists and Human Rights Defenders

44. The State has made no progress in implementing UPR recommendations concerning the protection of journalists and human rights defenders, the establishment of effective protection mechanisms, or ensuring accountability for any attacks.¹⁶⁸ Journalists and human rights defenders therefore operate in an environment of acute danger compounded by widespread insecurity, institutional collapse, and government abuses – shrinking Haiti's civic space as some are forced to stop their work, flee the country, or are killed.¹⁶⁹
45. Haiti has become one of the most dangerous places in the world for the press.¹⁷⁰ Armed groups have killed and kidnapped journalists and destroyed or occupied newsrooms.¹⁷¹ The worst single incident in recent years took place in December 2024, when two journalists were killed and seven injured during an armed group attack at the planned reopening of the State University Hospital.¹⁷² In April 2024, armed groups vandalized and looted the offices of the National Press and *Le Nouvelliste* – Haiti's oldest newspaper – forcing the latter to suspend operations.¹⁷³ Civilian-led “defense” groups,¹⁷⁴ government supporters,¹⁷⁵ and police officers¹⁷⁶ have also targeted journalists covering demonstrations with sometimes deadly violence.
46. The State has consistently failed to protect against or investigate these abuses: only two investigations are known to have been opened into the multiple press killings during the

review cycle.¹⁷⁷ Haiti is now ranked first on the Committee to Protect Journalists' latest (2024) Impunity Index, worse than Syria and Somalia.¹⁷⁸

47. Human rights defenders are likewise experiencing threats and attacks without adequate government response.¹⁷⁹ For example, feminist organization *Nègès Mawon* has experienced such severe threats that it has been forced to relocate twice.¹⁸⁰ One of its members received extensive threats and harassment on social media, to which police remained unresponsive in spite of repeated reports and documentation.¹⁸¹ In November 2023, threats and violence against the *Centre d'Analyse et Recherche en Droits de l'Homme* – including the kidnapping of a staff member – forced the organization to suspend its activities indefinitely.¹⁸² Haitian human rights organization RNDDH's leader has received death threats from armed groups and former government officials, including former President Martelly.¹⁸³
48. The State consistently fails to provide credible protections, investigate, or constrain the perpetrators, leaving advocates to make difficult choices to halt their work, flee their home country (as with multiple leaders of *Nègès Mawon*), or face violent and sometimes deadly harm.¹⁸⁴

V. Recommendations

1. Urgently secure sustainable funding and implement policies for improving judicial functions, including (i) independent monitoring capacity to ensure good conduct; (ii) humane prison facilities; (iii) modernization of infrastructure and adequate salaries; (iv) continuing trainings to ensure knowledge of applicable human rights principles, modern investigative and evidentiary skills, and best practices for trauma-informed and victim-centered conduct, as well as the dismantling of any discriminatory stereotypes; and (v) personnel and witness safety.
2. Commit to the full enforcement of all human rights protections and constitutional revision of national laws to align with international standards and practices.
3. Take urgent measures to investigate, prosecute, and secure compensation for victims of all human rights violations, ensuring special measures to support historically marginalized individuals, including GBV survivors, children, human rights defenders, and journalists.
4. Rigorously implement and enforce laws and policies protecting women and girls from GBV and discrimination. Concurrently modernize outdated laws to align them with international standards on human rights – especially with respect to (i) extending legal protections against all forms of GBV; (ii) legalizing abortion; and (iii) combatting discrimination. Ensure and fund adequate protections from, investigation of, and

accountability for GBV in all its forms, including sexual exploitation and abuse, harassment, and domestic violence. Implement rigorous training within the police and judicial workforce to (i) improve understanding of all women's rights as recognized by international law; (ii) institute continuing education to enculturate respect for women's rights and safety, and overcome any trivialization or normalization of GBV; (iii) implement and strictly enforce effective protocols for trauma-informed and victim-focused interviews and investigations, including removing unnecessary barriers like medical certificates for reporting; (iv) provide victims and witnesses with protection from retaliation; (v) ensure timely legal proceedings and zealous prosecutions of substantiated cases; (vi) train judges on appropriate sentencing standards, including damage awards for victims who join as civil parties; and (vii) create and fully fund a case management mechanism to support survivors through the judicial process and improve their access to services.

5. Fully fund and empower independent mechanisms for identifying misuse of police and judicial power, justice sector corruption, and executive interference with judicial function, including improper fees and bribes, politicized decision-making, and abusive conduct. Promptly investigate and prosecute all allegations. Commit to public reporting with specific tracking of responsive sanctions.
6. Ensure that judicial vacancies are promptly filled and mandates are renewed in conformity with legal requirements and corresponding CSPJ assessments. Once constitutional order is restored through elections, establish a mechanism for reviewing and replacing politicized interim appointments, including to Haiti's highest court.
7. Urgently implement clear and strictly enforced policies for State policing and security operations that fully conform to all human rights obligations, including for the humane treatment of individuals associated with armed groups, especially children. Implement and fully fund programs for reintegration that reflect best practices for community reconciliation, psychosocial support, and transformative justice.
8. Urgently address the large pretrial detention population by immediately releasing those who have served terms in excess of their alleged misconduct; holding expedited proceedings, especially for children and those who have committed minor crimes; and providing qualified counsel.
9. Urgently bring conditions of detention in line with minimum standards consistent with human dignity and safety for vulnerable individuals, like women, children, persons with physical or mental disabilities, and LGBTQ+ individuals. Create an independent, accessible, and funded mechanism for monitoring prison conditions and addressing any allegations of mistreatment by detainees.

10. Immediately rescind the December 2025 decrees regarding jurisdiction over corruption and defamation, and affirm principles of accountability at all levels of government and the protected exercise of public scrutiny and free expression. Establish a mechanism for reviewing and rescinding, or replacing in accordance with the Constitution, all unlawful executive actions since the expiry of the Moïse presidential mandate,¹⁸⁵ including promulgating a modernized Penal Code.
11. For all government activities and specifically for recommendations 1-10, closely and continuously consult with and implement the guidance of Haitian human rights, humanitarian, and anti-corruption organizations – including those working in rural areas and at the grassroots – in design, implementation, assessment, and modification of any programs and policies. Where possible, fund and uplift effective local initiatives and best practices, scaling them to develop truly Haitian solutions to challenges.
12. Bar individuals found guilty of serious corruption or public misconduct through proceedings affording reasonable due process from future public authority.

List of Annexes

1. *Matrix of Assessments on Implementation of Relevant 3rd Cycle UPR Recommendations*
2. *List of Submitting Organizations with Descriptions Demonstrating Expertise*

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