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**UNIVERSAL PERIODIC REVIEW
54TH SESSION**

**STATUS OF HUMAN RIGHTS IN THE REPUBLIC OF HAITI
FOR THE 54TH SESSION OF THE
UNIVERSAL PERIODIC REVIEW**

The European Centre for Law and Justice (ECLJ) was founded in 1998 and is a non-governmental organization dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. This report discusses the status of human rights in the Republic of Haiti (Haiti) for the 54th session of the Universal Periodic Review (UPR).

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Background

1. Haiti is an island country in the Caribbean Sea and has a population of approximately 12.5 million people.¹ The population is predominantly Christian, with approximately 54.7% of the population identifying as Catholic, 15.4% as Baptist, 7.9% as Pentecostal, 2.1% as Vodou, 10.2% as nonreligious, and 9.7% as other.²

2. Haiti's last review was held on January 31, 2022.³ As a result of the review, Haiti received 221 recommendations, 205 of which it accepted.⁴ It was recommended by the Bahamas, and supported by Haiti, that the government "[a]ddress the practices of profiteering by orphanages and 'restavek' children by implementing legislation to prohibit those practices and strengthening protection for children in vulnerable situations."⁵ It was also recommended by Djibouti, and supported by Haiti, that the government "[p]ursue efforts to implement additional measures to combat violence in organized gangs and insecurity, in particular by providing the police with adequate resources."⁶ No recommendations were made regarding religious freedom. In our last report on Haiti, we also expressed concern over the problem of human trafficking. In Haiti, children are exploited for labor under the restavek system, in which poor children are given away to wealthy families and used for domestic service.⁷

Legal Framework

3. Under Article 1.1 of Haiti's 2014 Anti Trafficking Law:

"Trafficking in persons" (or "human trafficking") means the recruitment, transport, harboring, or receipt of persons by means of a threat or use of force or other forms of coercion, by **kidnapping**, by fraud, by deception, by abuse of power or of a position of vulnerability or by **giving and receiving payments or benefits to obtain the consent of a person having control over another person**, for the purpose of exploitation.

Exploitation includes, at a minimum, forced labor or servitude, exploitation or prostitution of others or pimping, pornography, or other forms of sexual exploitation, forced marriage or marriage for exploitation, **forced begging**, removal of organs or tissues, and adoption for the purpose of exploitation as defined in the present law.

Any consent given by a person under the conditions listed above, which led to purposes of exploitation mentioned above, shall never be valid when any of the means set forth **in the first paragraph** is involved.

The recruitment, transport, transfer, harboring, or receipt of a child or the hosting of a child for the purpose of exploitation shall be considered "trafficking in persons," even if this does not involve any of the means set forth **in the first paragraph**.⁸

4. Additionally, under Article 1, “[a]ny person found guilty of trafficking in persons as defined in article 1.1 commits a crime and shall be liable to imprisonment for a term of 7 to 15 years and a fine of between 200,000 and 1,500,000 gourdes.”⁹

5. Haiti is a party to the International Covenant on Civil and Political Rights (ICCPR).¹⁰ Under Article 8 of the ICCPR, “No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited. No one shall be held in servitude.”¹¹

6. Haiti is also a party to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.¹² Under Article 9 sec. 1 of this Protocol:

1. States Parties shall establish comprehensive policies, programmes and other measures:

(a) To prevent and combat trafficking in persons; and

(b) To protect victims of trafficking in persons, especially women and children, from revictimization.¹³

Child Trafficking and Exploitation

7. In our last report on Haiti, we expressed concern over the trafficking and exploitation of children across the country. We noted how the practice of “restavek” exploited children from poor families to be forced to work in domestic service. Often, these children are forced to work extremely long days for no pay.

8. Additionally, in our previous report, we noted that the government had begun implementing measures to crack down on the exploitation and trafficking of children. These measures included allocating funding for the first time in five years to the National Committee Against Human Trafficking in order to hire and train lawyers, conduct awareness campaigns, train investigators and police, and design standard operating procedures. Unfortunately, children are still being exploited and trafficked at high rates, and the situation has gotten worse as trafficking gangs have increased their operations to exploit vulnerable children across the country.

9. The restavek system is inherently exploitative and relies on lying to parents to traffic their children for labor. Parents are promised that their children will receive food, clothing, and education. Because the parents are desperate to provide a better future for their children, they agree to send their children away. However, the reality is very different. The children are forced to live in squalor and are subjected to humiliation and physical, psychological, and sexual abuse.¹⁴ While the exact number of children being exploited through the practice of restavek is unknown, it has been estimated that there could be as many as 300,000 children still living in these conditions.¹⁵ One victim shared how as a restavek she was forced to work by her host family for no pay. Additionally, they would not even allow to her attend school. Thanks to the work of Restavek Freedom, a nonprofit organization fighting child trafficking, she was able to return home to her family.¹⁶

10. Another victim was a sixteen-year-old girl who was forced to perform all the chores around the house. She was severely mistreated and an individual tried to rape her. Thankfully,

she has since been rescued and was returned to her family.¹⁷ These examples highlight the abusive situation that thousands of children in Haiti face every day.

11. The government's ability to combat trafficking has been severely hampered following the assassination of Haiti's president in 2021. The assassination resulted in a massive power vacuum that has led to a massive wave of gang violence, as different gangs fight for power across Haiti. In fact, approximately 90% of the capital, Port-au-Prince, is now under the control of various gangs.¹⁸ The ongoing chaos has not only hampered Haiti's ability to combat human trafficking, but it has also increased the amount of human trafficking taking place in the country. This is because gangs are now involved in exploiting and trafficking boys and girls.

12. While there are no statistics regarding the number of children being trafficked by gangs, approximately 500,000 children are living in areas that are currently under gang control.¹⁹ This puts them at risk of being exploited and trafficked.

13. Young boys have been exploited by gangs to work for them by erecting checkpoints, serving as lookouts, and are even forced to commit violent crimes. One victim shared his story of how he was targeted and exploited by a gang:

I was 10 and I was living with my aunt. She did not have money to send me to school. I chose to stay on the street to beg. Members of the neighbourhood gang, including the "leader", would come to see me. They gave me cigarettes and leftover cocaine. I became heavily addicted. After using cocaine, I no longer behaved like a normal person. I felt like I was in another world and felt ready to kill anyone. The gang was made up only of young men and a few women. They always had weapons and were constantly using cocaine as well. I grew closer to the gang. I became a 'toutè' for the gang. I watched the police and informed the gang of their movements. I had a radio that helped me do my job.²⁰

14. Girls are also exploited and trafficked by gangs. These gangs force young girls into sexual relationships with gang members as well as participate in criminal activities. If the girls refuse, they are subjected to violent reprisals, including rape and physical violence against the girls and/or their families. One girl shared her story of how she was exploited by a gang when she was fifteen years old.

[W]hen I was 15 years old, I was forcibly subjected to sexual exploitation by members of two allied gangs; they forced me to have sexual relationships with several of them on at least six occasions. These gangs control the area where I lived and created an atmosphere of fear, frequently committing abuses and threatening violence if their demands were not met. I became pregnant.

I was also exploited by the gangs to gather information that they used for their criminal activities. In late 2024, I was intercepted by a self-defence group. At first, I was afraid, as I had heard stories of residents, including children, being shot or killed with machetes by self-defence groups or angry mobs simply for suspected collaboration with gangs. However, on this occasion, they responded differently. They contacted a community organization, which took care of me and helped me access medical care and other support.²¹

15. Since December 31, 2025, operations carried out by the Gang Suppression Force (GSF) have shown success in slowing the expansion of gangs across the country. However, the GSF has been unsuccessful in regaining territory that has already been lost to gangs. The GSF has largely been unsuccessful because it lacks the resources and capacity to maintain a strong presence.²² Additionally, the gangs' use of exploited and trafficked children poses a challenge to authorities. To protect these victims that are being exploited by gangs, authorities need to be able to separate actual gang members from victims being forced to commit crimes. Without proper training and resources, it is very hard for authorities to combat these gangs.²³

16. In addition to the GSF, civilians have joined together to fight the surge of violence being carried out by gangs. The Bwa Kale movement began in 2023 to mobilize along-side state forces. These groups consist of highly organized militias taking on the gangs to neighbors gathering together to form a crude neighborhood watch group.²⁴

17. As demonstrated above, hundreds of thousands of children continue to be exploited every day in Haiti. Whether through the practice of restavek or being exploited by gangs, children are living in squalor and facing unimaginable horrors every day. While Haiti supported recommendations to both prohibit the practice of restavek and combat gangs,²⁵ unfortunately, the exploitation and trafficking of humans has only gotten worse.

Recommendations

18. We ask that Haiti take immediate action to protect children from trafficking and exploitation. Haiti must take steps to eliminate the practice of restavek and commit to investigating and prosecuting individuals who are exploiting children. Additionally, we ask that Haiti conduct awareness campaigns to alert parents about this despicable scheme and partner with groups like Restavek Freedom, who are already on the ground working to help victims.

19. Additionally, while we understand that widespread gang violence has hampered Haiti's ability to combat human trafficking, it is essential that the government take all steps necessary to defeat these gangs and regain control of lost territory. This includes working with self-defense groups who are on the ground working to defend their neighborhoods and homes. In addition to combating gangs, authorities must be able to rescue children who are currently being used and exploited by the gangs. Authorities must implement protocols and procedures for identifying these victims, so they are not punished alongside actual gang members and instead get the aid and help that they desperately need.

¹ James A. Ferguson et al., *Haiti*, BRITANNICA, (July 9, 2026), <https://www.britannica.com/place/Haiti>.

² *Id.*

³ *Universal Periodic Review – Haiti*, OHCHR, <https://www.ohchr.org/en/hr-bodies/upr/ht-index> (last updated July 9, 2026).

⁴ *Infographic – Haiti*, OHCHR, <https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session40/ht/2022-12-23/Haiti.pdf> (last visited July 9, 2026).

⁵ OHCHR, UPR of Haiti (3d Cycle – 40th Session): *Thematic List of Recommendations*, 26 (recommendation: 131.201), https://www.ohchr.org/sites/default/files/documents/hrbodies/upr/sessions/session40/ht/2022-09-28/UPR40_Haiti_Thematic_List_of_Recommendations.doc (last visited July 9, 2026).

⁶ *Id.* at 40 (recommendation: 131.79).

⁷ *Haiti*, GLOBAL ORGANIZED CRIME INDEX, <https://ocindex.net/country/haiti> (last visited July 9, 2026).

⁸ ANTITRAFFICKING LAW, art. 1.1, <https://www.annaobserva.org/observatorio/wp-content/uploads/2025/05/Haiti-TIP-Law-2014.pdf>

⁹ *Id.* at art. 11.

¹⁰ *Ratification Status for Haiti*, OHCHR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=74&Lang=EN (last visited July 9, 2026).

¹¹ G.A. Res. 2200A art. 8, International Covenant on Civil and Political Rights (Mar. 23, 1976), <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

¹² *A Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime*, U.N. TREATY COLLECTION, https://treaties.un.org/pages/viewdetails.aspx?src=treaty&mtdsg_no=xviii-12-a&chapter=18&clang=_en.

¹³ *A Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime* art. 9 § 1, Nov. 15, 2000, G.A. Res. 55/25, U.N. Doc. A/RES/55/25, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-prevent-suppress-and-punish-trafficking-persons>.

¹⁴ *“Haiti’s Restavèk Children: The Child Servitude Crisis*, CHILDREN’S DEFENSE FUND, <https://www.childrensdefense.org/haitis-restavek-children-the-child-servitude-crisis/> (last visited July 9, 2026).

¹⁵ *Human Rights in Latin America: A Brief Look at Current Human Trafficking Concerns in Haiti*, THE OHIO STATE UNIVERSITY (Nov. 8, 2024), <https://clas.osu.edu/news/human-rights-latin-america-brief-look-current-human-trafficking-concerns-haiti>.

¹⁶ Chris Karenbauer, *Quelling Child Trafficking in Haiti*, THE Borgen Project (May 29, 2022).

¹⁷ *Transformation Through Connection*, RESTAVEK FREEDOM.

¹⁸ *Last Line of Defense? How Vigilante Groups Are Transforming Haiti’s Security Landscape*, ACLD (Feb. 3, 2026).

¹⁹ *Child Trafficking by Gangs is Putting Haiti’s Future at Risk – UN Report*, OHCD, <https://www.ohchr.org/en/press-releases/2026/02/child-trafficking-gangs-putting-haitis-future-risk-un-report>.

²⁰ *Last Line of Defense? How Vigilante Groups Are Transforming Haiti’s Security Landscape*, *supra* note 18.

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ OHCHR, UPR of Haiti, (3d Cycle – 40th Session) *Thematic List of Recommendations*, *supra* note **Erreur ! Signet non défini.**