

**INTER-AMERICAN COMMISSION ON HUMAN RIGHTS
RESOLUTION TO LIFT PRECAUTIONARY MEASURES 45/2025**

Precautionary Measure No. 157-13

**Union of Consequent Citizens for the Respect of Human Rights (UCCRDH)
regarding Haiti**
June 13, 2025
Original: Spanish

I. SUMMARY

1. The Inter-American Commission on Human Rights (IACHR) decides to lift these precautionary measures in favor of the members of the Union of Consequent Citizens for the Respect of Human Rights (*Union des Citoyens Conséquents pour le Respect des Droits de l'Homme, UCCRDH*) regarding Haiti. At the time of making the decision, the Commission considered that, during the more than 11 years the precautionary measures had been in force, the State had not provided a response. Additionally, over 10 years had passed without any communication from the representation that would allow the Commission to determine that the requirements of Article 25 of the Rules of Procedure continued to be met. Consequently, the Commission has decided to lift these precautionary measures.

II. BACKGROUND INFORMATION

2. On September 23, 2013, the Commission requested the adoption of precautionary measures pursuant to Article 25 of its Rules of Procedure, in order to avoid irreparable harm to life and personal integrity of members of the Union of Consequent Citizens for the Respect of Human Rights (hereinafter, UCCRDH), who claimed to be in a dangerous situation due to a number of threats, harassment, and acts of violence they allegedly received in retaliation to the work they perform in defense of human rights in Haiti. In its resolution, the Commission requested that the Haitian government: a) take the necessary measures to guarantee the life and personal integrity of Jean Guernal Degand, Jimmy Simplis, Marie Claude Marcelin, Réginald Henry, and Saintulma Verdieu; b) consult and agree upon the measures to be taken with the beneficiaries; and c) report on the actions taken to investigate the alleged events that gave rise to the adoption of this precautionary measure.¹

3. The Union of Consequent Citizens for the Respect of Human Rights exerts representation before the Commission.

III. INFORMATION PROVIDED DURING THE TIME THESE PRECAUTIONARY MEASURES WERE IN FORCE

4. During the time the precautionary measures were in force, the Commission followed up on the situation by requesting information from the parties, on the following dates:

	State	Communications by the representation	IACHR
2013	No communications	November 19, December 21	October 24
2014	No communications	January 13, August 8 and 25, November 18	March 19
2015	No communications	January 3 and 13, March 20	No communications
2019	No communications	No communications	November 4
2021	No communications	July 12	November 15
2022	No communications	No communications	April 26

¹ Inter-American Commission on Human Rights (IACHR), [Resolution 2/2015, Precautionary Measures No. 157-13](#), Haiti, September 23, 2013.

2023	No communications	No communications	December 20
2024	No communications	No communications	August 22
2025	No communications	No communications	January 16

5. On August 22, 2024, the IACHR requested information from both parties in order to evaluate keeping the precautionary measures in force. The IACHR has not received a response to any of the requests for information, and all the deadlines have since expired.

6. During the time these precautionary measures were in force, the State did not respond to the requests for information sent by this Commission.

A. Information provided by the representation

7. In 2013, the representation reported that on October 23, 2013, Jean Guernal Degand was followed and detained by police officers and taken to the Cité Soleil police station, where he was beaten by state agents. The beneficiary was released ten hours later without any formal proceedings. On November 18, 2013, during a protest to denounce human rights violations, police officers fired tear gas and beat UCCRDH members with clubs.

8. In 2014, the representation reported that Jean Guernal Degand and Jimmy Simplis, as well as their families, had been threatened through anonymous calls and messages. On March 8, 2014, Marie Claude Marcelin was detained and harassed by a police officer. The threats intensified in late 2014 due to the UCCRDH’s monitoring of the cases of a 22-year-old woman and a 12-year-old girl who were alleged victims of sexual assault by members of state security forces. On November 5, 2014, Jean Pierre Denis, Jimmy Simplis, Marie Claude Marcelin, and Saintulma Verdieu were detained by a police patrol, and Jean Pierre Denis and Jimmy Simplis were beaten.

9. In 2021, beneficiary Réginald Henry expressed concern about the situation in Haiti and requested political asylum in the United States in favor of himself and his family unit.

IV. ANALYSIS OF THE REQUIREMENTS OF SERIOUSNESS, URGENCY, AND IRREPARABLE HARM

10. The precautionary measures mechanism is part of the Commission’s functions of overseeing compliance with the human rights obligations established in Article 106 of the Charter of the Organization of American States. These general oversight functions are provided for in Article 41 (b) of the American Convention on Human Rights, as well as in Article 18 (b) of the Statute of the IACHR; while the mechanism of precautionary measures is set forth in Article 25 of the Commission’s Rules of Procedure. In accordance with this Article, the IACHR grants precautionary measures in urgent and serious situations in which these measures are necessary to avoid irreparable harm to persons or to the subject matter of a petition or case before the organs of the inter-American system.

11. The Inter-American Commission and the Inter-American Court of Human Rights (“the Inter-American Court” or “I/A Court H.R.”) have established repeatedly that precautionary and provisional measures have a dual nature, both protective and precautionary.² Regarding the protective nature, these measures seek to avoid irreparable harm and to protect the exercise of human rights.³ To do this, the IACHR shall assess the problem raised, the effectiveness of state actions to address the situation described, and how vulnerable the

² I/A Court H.R., [Matter of the Yare I and Yare II Capital Region Penitentiary Center](#), Provisional Measures regarding the Bolivian Republic of Venezuela, Order of March 30, 2006, considerandum 5; [Case of Carpio Nicolle et al. v. Guatemala](#), Provisional Measures, Order of July 6, 2009, considerandum 16.

³ I/ A Court H.R., [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 8; [Case of Bámaca Velásquez](#), Provisional measures regarding Guatemala, Order of January 27, 2009, considerandum 45; [Matter of Fernández Ortega et al.](#), Provisional measures regarding Mexico, Order of April 30, 2009, considerandum 5; [Matter of Milagro Sala](#), Provisional measures regarding Argentina, Order of November 23, 2017, considerandum 5. (Available only in Spanish)

persons proposed as beneficiaries would be left in case the measures are not adopted.⁴ Regarding their precautionary nature, these measures have the purpose of preserving a legal situation while under study by the organs of the inter-American system. Their precautionary nature aims at safeguarding the rights at risk until the petition pending before the inter-American system is resolved. Their object and purpose are to ensure the integrity and effectiveness of an eventual decision on the merits and, thus, avoid any further infringement of the rights at issue, a situation that may adversely affect the useful effect of the final decision. In this regard, precautionary or provisional measures allow the State concerned to comply with the final decision and, if necessary, to implement the ordered reparations. In the process of reaching a decision, according to Article 25(2) of its Rules of Procedure, the Commission considers that:

- a. “serious situation” refers to a grave impact that an action or omission can have on a protected right or on the eventual effect of a pending decision in a case or petition before the organs of the inter-American system;
- b. “urgent situation” refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action; and
- c. “irreparable harm” refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.

12. In this sense, Article 25(7) of the Commission’s Rules of Procedure establishes that decisions granting, extending, modifying or lifting precautionary measures shall be adopted through reasoned resolutions. Article 25(9) sets forth that the Commission shall evaluate periodically, at its own initiative or at the request of either party, whether to maintain, modify or lift the precautionary measures in force. In this regard, the Commission shall assess whether the serious and urgent situation and the risk of irreparable harm that caused the adoption of the precautionary measures persist. Furthermore, it shall consider whether there are new situations that may meet the requirements outlined in Article 25 of its Rules of Procedure.

13. Similarly, the Commission recalls that while the assessment of the procedural requirements when adopting precautionary measures is carried out from a *prima facie* standard of review, keeping such measures in force requires a more rigorous evaluation.⁵ In this sense, when no imminent risk is identified, the burden of proof and argument increases over time.⁶ The Inter-American Court has indicated that the passage of a reasonable period of time without any threats or intimidation, added to the lack of imminent risk, may lead to the lifting of international protection measures.⁷

14. In this matter, the Commission stresses that the precautionary measures were granted in 2013 in favor of Jean Guernal Degand, Jimmy Simplis, Marie Claude Marcelin, Réginald Henry, and Saintulma Verdieu, members of the Union of Consequent Citizens for the Respect of Human Rights, due to a series of threats, acts of harassment, and violence in retaliation for their work in defense of human rights. The Commission observes with concern that, after the precautionary measures were granted, the representation continued to report threats, detentions, beatings, and other acts of violence against the beneficiaries until 2014. However, since then, the Commission has received no further response regarding incidents involving members of the UCCRDH. In 2021, beneficiary Réginald Henry expressed concern about the situation in Haiti and requested political asylum in the United States, but did not provide any information on his specific situation. Since then, neither party has provided a report on the situation of the precautionary measures. In this sense, despite the efforts made, the Commission does not have information regarding the beneficiaries since 2014.

⁴I/A Court H.R., [Matter of Milagro Sala](#), Provisional Measures regarding Argentina, Order of November 23, 2017, considerandum 5 (Available only in Spanish); [Matter of Capital El Rodeo I and El Rodeo II Judicial Confinement Center](#), Provisional Measures regarding Venezuela, Order of February 8, 2008, considerandum 9; [Matter of the Criminal Institute of Plácido de Sá Carvalho](#), Provisional Measures regarding Brazil, Order of February 13, 2017, considerandum 6 (Available only in Spanish).

⁵I/A Court H.R., [Case of Fernandez Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17 (Available only in Spanish).

⁶I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited.

⁷I/A Court H.R., [Case of Fernandez Ortega et al.](#), previously cited.

15. The Commission notes that, since the precautionary measures were granted, the State of Haiti has not provided information in response to the requests. In regard to the lack of response from the State, according to the Inter-American Court, failure to comply with state duties to report on all the measures adopted in the implementation of its decisions is particularly serious, given the legal nature of these measures that seek to prevent irreparable harm to persons in serious and urgent situations.⁸ The duty to report constitutes a dual obligation that requires, for its effective fulfilment, the formal presentation of a document in due time and the specific, true, current and detailed material reference to the matters related to such obligation.⁹

16. The Commission also emphasizes that the beneficiaries' representation that wish the measures to continue must provide proof of the reasons for doing so.¹⁰ In this regard, the Commission observes that the representation has not provided a substantive response regarding risk factors to the Commission since 2014, and no communication has been received since 2021. The Commission is therefore unable to take note of the representation's observations or to obtain information on this matter. The Commission notes that it has repeatedly demanded information from the representation. In particular, it identifies that, since 2024, upon being requested information to evaluate keeping the precautionary measures in force, the representation did not provide an answer.

17. In light of the previous considerations, the nature of the precautionary measures mechanism, the lack of information, and the analysis conducted, the Commission understands that it currently does not have elements to support compliance with the requirements of Article 25 of its Rules of Procedure. In view of the above, and weighting the exceptional and temporary nature of precautionary measures,¹¹ the Commission deems it appropriate to proceed with the lifting of these measures.

18. Lastly, and in line with what has been set forth by the Inter-American Court in various matters,¹² a decision to lift the precautionary measures does not imply considering, in any way, that the State has effectively complied with the precautionary measures ordered, nor can it imply that the State is relieved from its general protection obligations, in the framework of which the State is especially obliged to guarantee the rights of persons at risk and must promote the necessary investigations to clarify the facts, followed by the consequences that may be established. In the same way, also based on the assessment of the Inter-American Court, the lifting of the precautionary measures, or the declaration of non-compliance with them, does not imply an eventual decision on the merits of the controversy if the case were to be brought before the inter-American system through a petition, nor does it prejudice state responsibility for the events denounced.¹³

V. DECISION

19. The Commission decides to lift the precautionary measures granted in favor of Jean Guernal Degand, Jimmy Simplis, Marie Claude Marcelin, Réginald Henry, and Saintulma Verdieu, members of the Union of Consequent Citizens for the Respect of Human Rights in Haiti.

20. The Commission emphasizes that regardless of the lifting of these measures, in accordance with Article 1(1) of the American Convention, it is the obligation of the State of Haiti to respect and guarantee the rights recognized therein, including the life and personal integrity of the beneficiaries.

⁸ I/A Court H.R., Matter of Communities of Jiguamiandó and Curvaradó regarding Colombia, Provisional Measures, Order of February 7, 2006, considerandum 16; Case of Luisiana Ríos et al. (Radio Caracas Televisión – RCTV), Provisional Measures, Order of September 12, 2005, considerandum 17.

⁹ I/A Court H.R., Matter of Communities of Jiguamiandó and Curvaradó regarding Colombia, previously cited.

¹⁰ I/A Court H.R., [Case of Fernández Ortega et al.](#), Provisional Measures regarding Mexico, Order of February 7, 2017, considerandums 16 and 17 (Available only in Spanish).

¹¹ I/A Court H.R., Matter of Adrián Meléndez Quijano et al., Provisional Measures regarding El Salvador, Order of August 21, 2013, para. 22; Matter of Galdámez Álvarez et al., Provisional Measures regarding Honduras, Order of November 23, 2016, para. 24.

¹² I/A Court H.R. Matter of Velásquez Rodríguez. Provisional Measures regarding Honduras. Order of January 15, 1988, considerandum 3; Matter of Giraldo Cardona et al., Provisional Measures regarding Colombia, Order of January 28, 2015, considerandum 40.

¹³ I/A Court H.R., Matter of Guerrero Larez, Provisional Measures regarding Venezuela, Order of August 19, 2013, considerandum 16; Matter of Natera Balboa, Provisional Measures regarding Venezuela, Order of August 19, 2013, considerandum 16.

21. The Commission recalls that the lifting of these measures does not prevent the representation from filing a new request should they consider that there is a situation that meets the requirements established in Article 25 of its Rules of Procedure.

22. The Commission instructs its Executive Secretariat to notify the State of Haiti and its representatives of this Resolution.

23. Approved on June 13, 2025, by José Luis Caballero Ochoa, President; Andrea Pochak, First Vice-President; Arif Bulkan, Second Vice-President; Roberta Clarke; Carlos Bernal Pulido; and Gloria Monique de Mees, members of the IACHR.

Tania Reneaum Panszi
Executive Secretary