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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Haiti

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I. Introduction

1. The initial report of Haiti was submitted to the Human Rights Council of the United Nations under the universal periodic review on 13 October 2011. Following the review, 136 recommendations were made to Haiti by the member States of the Council. The inter-agency working group that had prepared the initial report subsequently held a further meeting to prepare an addendum to the report with a view to deciding on the recommendations.

2. Aware of the importance of coordinating government action on human rights following the consideration of the report, the Government established the post of Prime Minister's Deputy Minister for Human Rights and the Fight against Extreme Poverty, in pursuance of an Order dated 8 May 2012. In addition, the Interministerial Human Rights Committee was established in pursuance of an order dated 13 May 2013. This Committee is mandated to ensure the coordination and follow-up of public policies on human rights and, above all, to promote human rights. Five subcommittees have been set up within the Committee, including one that is responsible for drawing up a plan of action to implement the 122 recommendations of the universal periodic review.

3. Before the consideration of its next report in November 2016, Haiti drew up a midterm report, which it submitted to the Human Rights Committee in 2014. The midterm report consisted of an overview of the results achieved in implementing the recommendations that Haiti accepted and the difficulties encountered in that process. A draft text of the report was submitted to civil society for its comments at a consultation workshop held in Port-au-Prince on 6 February 2014, with support from the Human Rights Section of the United Nations Stabilization Mission in Haiti (MINUSTAH), representing the Office of the United Nations High Commissioner for Human Rights in Haiti.

4. The present report, supplementing the 2014 midterm report, will be submitted to the Human Rights Council for the next periodic review. It covers the Government's activities to promote human rights between June 2014 and July 2016. It may be noted that Haiti has also made progress on recommendations that were not accepted, as described in the present report.

II. Methodology and consultation

5. The report was prepared by the Technical Secretariat of the Interministerial Human Rights Committee, which is made up of representatives of the Ministry of Foreign Affairs and Worship, the Ministry of Justice and Public Security, the Ministry of the Interior and Territorial Communities, the Ministry of Social Affairs and Labour, the Ministry of Public Health and Population, the Ministry of National Education and Occupational Training, the Ministry for the Status of Women and Women's Rights and a representative of the Office of the Prime Minister. The report was drawn up on the basis of information provided by the various public institutions concerned. A consultation workshop was then held in Port-au-Prince on 20 July 2016 with civil society organizations working in the field of human rights.

III. Progress made on the implementation of the recommendations of the universal periodic review

A. Strengthening of the National Police

6. It has always been a priority of the Haitian State to strengthen the National Police. The 1994 legislation establishing the National Police is thus undergoing review and a plan to develop the force over the period 2012-2016 has been approved by the High Council of the National Police. The plan concerns the provision of equipment and adequate staff, infrastructure and training for the police.

7. In order to increase the size of the force, a recruitment programme was launched in 2012, with the aim of bringing the numbers up to 16,000 by 2016. With the graduation of the twenty-sixth class, police numbers rose to 14,221, including 1,272 policewomen, in May 2016. The original objective was not achieved: the latest National Police report forecast that, by the end of 2016, the force would number 15,000, largely owing to budgetary constraints, which made it impossible to increase the reception capacity of the National Police School.

8. A document on a career in the National Police was signed by the Prime Minister on 20 June 2013. This document deals with recruitment through direct competition or professional competition, the initial training for police officers and a table showing the distribution of grades within the various levels. A bill on a police career has also been submitted to Parliament. Moreover, an order on the special status of National Police officers was adopted by the Council of Ministers on 7 August 2013. Action has also been taken to fulfil the 30 per cent quota of women on the force.

9. The adoption of a programme to professionalize the National Police made it possible to get the National Police Academy for senior ranks established and operational in December 2012. The first intake of 42 police commissioners, including 5 women, graduated on 23 October 2013. A second intake, also comprising 42 commissioners, has since graduated to strengthen the police force. In addition, 21 senior officers of the National Police have been trained in strategic planning and advanced leadership.

10. The curriculum of the National Police School has been reinforced with training modules on human rights. Police have also been given training courses on the accommodation that should be provided in police stations for women victims of violence, with the help of organizations working in the field of violence against women. To date, about 450 women police officers have been given such training. A module and a training guide for the National Police on child protection have also been produced, with assistance from the United Nations Children's Fund (UNICEF).

11. To enhance the development of tourism activities, a police unit known as "Politour" has been established to ensure the safety both of tourists and of tourist sites. Other structures have been set up, too, such as the Educational Community Police and the Departmental Operation and Intervention Brigade. State-of-the-art buildings have been constructed to house some units of the National Police.

12. The Government recognizes that much remains to be done to deploy officers of the National Police in the section communale and border areas, which is currently impossible for lack of financial and other resources. With the support of various international partners, however, the Government is continuing to provide the National Police with more equipment.

B. Justice reform

13. The Government has made it a priority to establish a State governed by the rule of law and believes that reforming the justice system is key to attaining that objective. Such a reform involves a number of different elements: (a) to ensure the proper functioning of the Court of Cassation; (b) to reform Haitian criminal law; (c) to take action against prolonged pretrial detention; and (d) to improve access to justice.

1. Proper functioning of the Court of Cassation

14. After the vacant post of President of the Court of Cassation was filled, six new judges were appointed in January 2012 to put the Court's functioning on a sound footing and the prosecution service attached to the Court is now fully operational. Once the Court was functioning normally, the High Council of the Judiciary, which is chaired by the President of the Court of Cassation, could be installed.

15. The High Council of the Judiciary Act establishes the Council as the administrative, monitoring, disciplinary and consultative body of the judiciary. The Council has started the process of accrediting all judges. It also monitors judges and, since the introduction of the monitoring system, 1,500 complaints against judges have been lodged. Despite the fact that the vacant posts on the Court of Cassation were filled in 2012, the judicial system faces the same problem in 2016. The appointments of six judges have not been renewed, because responsibility for appointing judges to the Court is shared between the Senate and the President of the Republic and the Senate has not yet submitted candidatures to the President of the Republic for appointment. In view of the delay in the process, the Ministry of Justice and Social Protection wrote to the Senate in April 2016 reminding it of the consequences if the Court did not function properly and inviting it to ensure that it could function normally.

2. Reform of Haitian criminal law

16. With a view to reforming the law enforcement system, a working group was set up in the Ministry of Justice and Social Protection to revise the Criminal Code and the Code of Criminal Investigation. The work of the working group was submitted for revision to a presidential commission on justice reform established by an order of 4 January 2012. The draft text advocated the criminalization of torture and cruel, inhuman or degrading treatment. Preliminary drafts of the two codes were submitted to the Ministry in May 2016 for further legal processing.

3. Action against prolonged pretrial detention

17. Action against prolonged pretrial detention is one of the Government's priorities and forms part of the plan of action of the Ministry of Justice and Social Protection 2012-2016. In order to tackle this problem effectively, a study was conducted at the civilian prison of Port-au-Prince in July and August 2013. The recommendations arising out of that study were implemented by the presiding judge of the Port-au-Prince Court of First Instance, the Public Prosecution Service and the Higher Council of the Judiciary. Special judicial activities were also initiated in August and September 2013. In collaboration with the Public Prosecution Service, the presiding judge redistributed a number of pending files, in view of the fact that some of the judges responsible for those files had been promoted or transferred to other courts. This action made it possible for the judicial authorities to release 83 detainees between August and October 2013. But for a lawyers' strike in Port-au-Prince, more prisoners would have been released.

18. During the reporting period, the Government took measures to ensure that courts put on more criminal trials and more trials for ordinary offences. As a result of these measures, 744 cases were heard between January and December 2013. In these 744 cases, there were

963 accused persons, of whom 283 were acquitted. As regards the ordinary offences, 1,912 trials were held and judgments handed down.

19. Between 2014 and 2015, under an operation called “Punches” launched by the Ministry of Justice and Social Protection, the files of 427 persons held in prolonged pretrial detention in Ouest Department were identified. Of those 427, 119 received a correctional penalty and 52 were released. The operation also enabled 40 minors to stand trial, with legal support provided by legal aid bureaux. This resulted in the release of 2 minors and the placement of 38 others with foster families. The remaining 308 files were taken on by the Criminal Division of the Port-au-Prince Court of First Instance.

20. Action against prolonged pretrial detention continued with the dispatch to the government commissioners by the Ministry of Justice and Social Protection of circulars and memorandums calling for the strict observance of legal time limits in March 2015. As of May 2016, seven legal aid bureaux are operational in the country: five in Port-au-Prince, one in Les Cayes in Sud Department and another in Cap-Haïtien in Nord Department. It is planned to set up four new legal aid bureaux in Anse-à-Veau (Nippes Department), Gonaïves (Artibonite Department) and Mirebalais (Centre Department).

21. In April 2016, in view of the fact that prolonged detention was still very common, the Ministry of Justice and Social Protection requested judges to undertake regular visits to detention centres. A number of criminal hearings were thus held in the civilian prison of Port-au-Prince, in the women’s prison in Pétion-Ville and in the Re-education Centre for Minors in Conflict with the Law in Delmas 33 (Ouest Department). These hearings led to the release of 441 male detainees from Port-au-Prince prison, 54 female detainees from Pétion-Ville prison and 11 minors from the Re-education Centre. In addition, 39 detainees were released on 20 June 2016. In April and May 2016, 506 persons were released.

22. At the end of June 2016, criminal hearings held in prisons led to the release of 688 detainees, which brought the number of persons tried and released to 1,831. These releases substantially reduced the prison population and have made it possible to review the legal record of the persons concerned. The data given here relate to the Port-au-Prince courts. In other areas, criminal trials are held more frequently, with or without a jury.

23. The detention unit of the Ministry of Justice and Social Protection has been reactivated. The unit identifies cases of prolonged detention and works with the commission that is operating in prisons. In addition, an ad hoc commission to monitor and assess prolonged pretrial detention was set up on 30 October 2013.

24. In several of the country’s departments, the Public Prosecution Service has set up committees to monitor detention with a view to reducing cases of prolonged detention and prison overcrowding. There are committees of this kind operating in, among others, Croix-des-Bouquets and Petit-Goâve (Ouest Department), Les Cayes, Grande Rivière du Nord and Cap-Haïtien, Jacmel (Sud-est Department) and Mirebalais.

4. Improved access to justice

25. In 2011, the Government resumed its legal aid programme for disadvantaged detainees. The legal aid bureaux were established under that programme to help litigants who could not afford the services of a lawyer. Between December 2012 and October 2013, the bureaux helped 6,056 people, including 863 women. In addition, a bill on the establishment of a national legal aid system is under discussion in Parliament. Funding for a legal aid bureau for minors has been provided in the jurisdiction of Les Cayes, Sud Department.

26. The Legal Service Training College continues to provide training for judges. Over the 2011/12 academic year, 20 judges received initial training and are already serving. In

the 2012/13 academic year, 60 judges were trained and joined the judicial system. Each intake of judges attends a training course in France and in Haiti. Serving judges receive in-service training. Thus 18 judges have received training for trainers in November 2012 and about 95 others received training in juvenile justice in 2013. Between 2014 and 2016, 67 pupil judges, including 33 women, attended the college and will graduate in December 2016. A plan to monitor training was set up in 2014, in partnership with the High Council of the Judiciary. In addition, a training guide on child protection was prepared by the Legal Service Training College in 2015, in collaboration with UNICEF.

27. In order to guarantee access to justice, the Government built new court facilities and restored those damaged by the 2010 earthquake. Over the financial year 2012/13, 8 magistrates' courts were built and 12 others restored. In the 2014/15 and 2015/16 financial years, 12 magistrates' courts were built. The registry of the Port-au-Prince Court of First Instance has been restored. A building housing the Court of Cassation has been built and inaugurated.

C. Action against impunity

28. With a view to combating impunity in the police force, six new Inspectors-General were appointed to the Inspectorate-General of the National Police. In addition, in order to make it possible to investigate complaints by the public, a number of measures have been taken, such as the requirement for police inspectors to wear armbands, the installation of two public telephone lines to enable the public to alert the National Police in cases of violation and the establishment of a system for the weekly monitoring of police officers. Two strategic plans — one to strengthen the capacities of the Inspectorate-General and another to strengthen the Central Directorate of the Criminal Investigation Service — are being drawn up.

29. Disciplinary measures were submitted to the Directorate-General of the National Police as part of a vetting process and this led to the dismissal of 79 officers. Under this process, which was carried out between 2006 and 2012, 5,000 police officers were vetted. The vetting process continues.

30. In the case against the former President, Mr. Jean-Claude Duvalier, hearings of the accused and eight victims were held by the Port-au-Prince Court of Appeal from February to May 2013. The Court upheld the charge of financial crime against Mr. Duvalier and took the charge of crimes against humanity into consideration in a ruling handed down on 20 February 2014. The Court also designated one of its judges to investigate the case. This judge was challenged by the claimant for criminal indemnification. Because it is not functioning normally, the Court of Cassation has not yet handed down a judgment. Meanwhile, Mr. Duvalier died on 4 October 2014. Some of the people involved have appeared before the Court of Appeal.

31. In the case relating to the murder of the well-known journalist Mr. Jean Léopold Dominique and the guard at his radio station, Mr. Jean Claude Louissaint, a report by an investigating magistrate indicting nine persons was submitted to the President of the Port-au-Prince Court of Appeal on 17 January 2014 for further legal proceedings. The lawyers of the accused appealed against the order and the Port-au-Prince Court of Appeal hearing the case opened an investigation. One of the suspects, who lives in Argentina, was arrested and extradited to Haiti to answer questions from the relevant judges about the case.

D. Conditions of detention

32. The state of disrepair of most of the country's prison buildings and the lack of resources limit the State's capacity to guarantee minimum conditions of detention. To improve conditions for prisoners, the Government has started to build new prisons that meet international standards. A new civilian prison for women built in the commune of Cabaret in Ouest Department was inaugurated in January 2016, although the prison is not yet operational.

33. The Re-education Centre for Minors in Conflict with the Law was built and inaugurated at Delmas 33 in May 2011. The centre provides psychosocial monitoring and academic education for the children. A similar institution, the Haitian Centre for the Reintegration of Minors in Conflict with the Law, is provided with infrastructure and staff in Cabaret but lacks the financial resources to operate. A similar project in Jacmel is awaiting funding.

34. In another development, the prison administration of the Fort-Liberté prison in Nord-Est Department redeveloped the building so that, since 6 May 2013, children have been kept separate from adults.

35. Plans for the construction of five additional prisons have also been drawn up. These are the civilian prisons of Gonaïves, Fort-Liberté, Coteaux (Sud Department), Carrefour (Ouest Department) and the Ouest Prison Complex. Of these, the construction of the Fort-Liberté civilian prison is under way, as is that of Hinche. The civilian prison at Croix-des-Bouquets, in Ouest Department, is operational.

36. In order to reduce the incidence of police custody, the Ministry of Justice and Social Protection has ordered the government commissioners to pay regular visits to police stations to ensure that cases are followed up. In addition, the Deputy Minister for Human Rights and the Fight against Extreme Poverty has taken action to improve prison conditions. This includes social rehabilitation in prisons through reading, writing and painting workshops and the production of shows for various public celebrations.

37. In April and May 2016, the Minister of Justice and Social Protection undertook a series of activities, such as visiting prisons to assess the prison situation, organizing a national forum on prolonged pretrial detention, establishing a national commission on prolonged pretrial detention, holding meetings with technical and financial partners in order to implement a policy of combating prolonged pretrial detention, holding mobile clinics in a number of prisons in the capital, organizing special hearings in detention centres and establishing a task force, together with the National Telecommunications Council, to draw up a bill on cybercrime.

38. Lastly, the Ministry of Public Health and Population has sent a circular to heads of departments regarding the care of sick detainees. In cases of serious illness, detainees are referred to the nearest centre and measures have been taken to set up clinics in prisons.

E. Ratification of international instruments

39. Considerable progress has been made in connection with the ratification of international human rights instruments. For example, Haiti acceded to the International Covenant on Economic, Social and Cultural Rights on 10 October 2013. This Convention came into force in Haiti on 11 January 2014.

40. In addition, Haiti deposited the instrument of ratification of the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption in December 2013. This Convention came into force in Haiti on 1 April 2014. Lastly, on 9 September

2014, Haiti ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

41. Two other international instruments have been signed: the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 16 August 2013 and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families on 5 December 2013. These two instruments have still to be ratified, however.

42. Approval for the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was given by the National Assembly at a meeting held on Friday, 30 April 2014. The instrument of ratification of this Protocol was deposited, although, because of a technical problem, it could not be recorded by the depositary. The Government will ensure that this ratification is completed in 2016.

43. Three conventions — the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness — have recently been submitted to Parliament for approval of their ratification.

F. Enforcement of anti-corruption law

44. In an attempt to combat corruption systematically, the Haitian Government submitted to the legislature a bill on the prevention and punishment of corruption. It was approved by the two houses of Parliament in May 2013. This Act, which was published on 12 March 2014, criminalizes 17 kinds of corruption, whereas the Haitian Criminal Code criminalizes only unlawful enrichment. Moreover, the adoption of the Act makes it possible to bring domestic legislation into line with the corruption-related international conventions to which Haiti is a party. The following acts, punishable by 3 to 15 years' imprisonment, are thus considered corruption: bribe-taking and extortion, unlawful enrichment, the laundering of the proceeds of crime, misappropriation of public goods, theft of public goods, bribery, unlawful commissions, over-billing, granting rewards, nepotism, the hidden financing of political parties, harassment, insider trading, the unlawful award of public works or supply contracts, unlawful conflicts of interest and embezzlement. It should be noted, however, that it is not only public officials who commit these offences but also private individuals.

45. The Anti-Corruption Unit has set up an anti-corruption hotline (5656) that can be used by members of the public to report cases of corruption. Seventeen reports have been registered since the establishment of this anonymous reporting system.

46. Furthermore, on 10 December 2015, the director-general of a public institution was given a sentence of 4 1/2 years for corruption. The Senate's Ethics and Anti-Corruption Commission, for its part, is currently investigating the use of public funds by the competent authorities in connection with the management of the PetroCaribe Fund for the period 2008-2015.

47. In February 2012, the Anti-Corruption Unit reminded ministers of their obligation, under a law of 12 February 2008, to declare their assets before taking up their duties. In addition, in accordance with the United Nations Convention against Corruption, a bill on penalizing money-laundering and the financing of terrorism was submitted to Parliament. This law was approved by the Chamber of Deputies and subsequently, in November 2013, also by the Senate.

48. From 29 March to 29 April 2016, again with a view to combating the laundering of assets, the Central Financial Intelligence Unit set up computer software that enabled the analysis of case files. Notaries and lawyers are involved in combating money-laundering. In all, 33,993 declarations of source of funds were checked and 23 suspect declarations were looked into more thoroughly.

G. National human rights institution

49. The country has a national human rights institution, the Ombudsman's Office.

50. The Ombudsman's Office is a national institution created by the 1987 Haitian Constitution to defend the interests of individuals against all forms of abuse by the authorities. It is regulated by the Act of May 2012 adopted in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). On 4 December 2013, after consideration during its session held from 18 to 22 November 2013, the Subcommittee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights officially awarded the Office "A" status, attesting to its formal compliance with the Paris Principles.

51. The Office was recently strengthened by the appointment of a director-general, as provided for in the Act that established it. In addition, a deputy ombudsman took office on 7 July 2016.

52. For the 2012/13 and 2013/14 financial years, the Office had an operating budget of 31,947,687 gourdes (G), equivalent to 1.63 per cent of the national budget. For the 2015/16 financial year, the budget increased to G 44 million.

H. National human rights plan

53. A draft national human rights plan was drawn up in May 2014. The aim of this action plan is, inter alia, to ensure that the institutions defending human rights and democracy are effective. It also aims to educate and inform members of the public at large about their rights and duties towards the State and society. The draft involves plans to organize training sessions for police officers, public officials and journalists. It will be implemented once it is approved by civil society.

I. Public policy

54. The Interministerial Human Rights Committee was set up to ensure the coordination and harmonization of public policies on human rights. The Strategic Development Plan for Haiti, covering the years up to 2030, was also developed. This Plan seeks to provide the population with drinking water and sanitation services, and it involves the construction and refurbishment of drinking water and sanitation networks, the improved management of solid waste and other services.

55. Work on the Three-Year Investment Plan for the period 2017-2019 began in June 2016. The aim of this Plan, which is needed for the implementation of the Strategic Development Plan, is to reduce poverty and inequality and to promote lasting, sustainable and equitable growth.

56. With regard to education, the Strategic Development Plan envisages the provision of early childhood education to eradicate illiteracy and action to promote gender equality in education and to improve higher education and vocational and technical training.

57. With regard to access to housing, the Strategic Development Plan gives priority to rehousing displaced persons, increasing the amount of urbanized land and developing a housing finance system. The Plan also seeks to improve access to health services throughout the country.

58. The Government has a national contingency plan to deal with natural disasters and to prepare for emergency response. In addition, a technical unit for protection has been established to provide assistance to the most vulnerable people in affected areas.

59. Furthermore, the Civil Defence Department assures access to information on risk prevention and protection systems and on the services available to affected populations, taking into account the specific needs of vulnerable persons. Training courses on protection, designed for shelter operators, have been held for that purpose. Courses on psychological first aid have also been developed.

60. As part of its efforts to combat extreme poverty, the Government has developed a comprehensive strategy on social assistance known as Ede Pèp, which targets the most vulnerable segments of the population. In October 2013, approximately 2.1 million people received assistance from this programme, at a cost to the Haitian State of US\$ 44.6 million.

61. The Government launched the National Housing Policy in October 2013 with a view to increasing the supply of housing through programmes of developing housing estates with access to public services in the metropolitan area of Port-au-Prince. Village Lumane Casimir, north of Port-au-Prince, and Village Caracol in Nord-Est Department were built as part of these programmes.

62. In April 2016, the Ministry of Planning and External Cooperation launched the Humanitarian Response Plan 2016. The main objective of the Plan is to improve the living conditions of the rural and urban population by taking action to combat famine, ensure the success of the spring 2016 planting season, improve the diet of members of vulnerable groups and so on.

J. Right to food

63. In 2012, within the framework of international cooperation, a four-year food-security programme was launched to improve nutrition and ensure greater access to locally produced food for the most vulnerable households in Haiti. The specific aim was essentially to reduce food insecurity by strengthening the agricultural sector.

64. In the same vein, the Government has taken various measures to support the agricultural sector, including action to develop crop production, animal husbandry and the cattle and dairy industries, that have led to economic growth. These measures include the introduction of support programmes for cocoa, coffee and mango growers, as well as two programmes of subsidies for the winter and spring planting seasons. A policy for the recapture of the domestic market for poultry products has been introduced. By late 2016, production is expected to reach 1.3 million laying hens and 15 million broilers per year. In addition, a programme to build domestic capacity for processing milk has been put in place. As a result of this programme, 4 milk-processing units are already operational, 3 new units are being set up and 12 more have been bolstered by the purchase of new equipment. In addition, veterinary surgeons and dairy farmers have been trained. The creation of some 10 breeding stations for genetic improvement and 30 fodder plots should also be mentioned.

65. Between March and May 2016, the Government took a series of measures to revitalize the agricultural sector. To modernize and stimulate agriculture and animal husbandry, 3 subprogrammes and 30 projects, involving lines of credit totalling more than G 9 billion, are being implemented. Three buildings have been refurbished as part of the

project to ensure the safety of the dam surroundings. In addition, agricultural supplies have been made available to farmers.

66. In Artibonite Department, the Government has distributed 4,196 vouchers. Six sectors deemed strategic have received specific support. For the rice sector, a total of 109.09 tons of commercial seed of the rice variety Taichung Sen No. 10 (TCS-10) have been produced and 25 hectares planted. Moreover, 28.56 tons of seed of the variety Crête-à-Pierrot were produced and distributed to 10 community centres. Support has also been provided for the bean and maize sectors, where Taiwan Province of China, through its development assistance, continues to help growers, managers and other professionals improve growing practices; one project involves sowing 325 hectares of maize, 83 of which are grown for seed. The initiatives taken to support the coffee sector involve the treatment of approximately 1,000 hectares of plantations for coffee rust; 375 hectares have been reclaimed and replanted. Forty people have received training on how to treat rust.

67. To strengthen the mango sector, the Plant Protection Directorate has bought 2,200 crates of selected mangoes as part of the assistance provided to growers with post-harvest management, thereby helping to reduce losses to 25 per cent. With regard to the cocoa sector, 60,000 seedlings were produced within the framework of a project to reopen export channels. Furthermore, 60 pumps and 15 motorized cultivators are available to enable the monthly ploughing of about 12 hectares.

68. Between 2013 and late 2014, the Government strengthened its programme of subsidies for agricultural supplies. In this context, subsidies were provided for 977 metric tons of seed (bean, cowpea, pigeon pea, lima bean, maize, sorghum and peanut). Ploughing tools were also distributed. Small farmers across the country were provided with 117 new tractors equipped with accessories, 40 new motorized cultivators, 130 complete yokes, 2,000 kits for weeding rice and 10,000 farm implements. Agricultural loans for a total of G 445 million were granted.

69. To stimulate commercial farming, the Government established the Unit for the Promotion of Private Investment in the Agricultural Sector and 25 plans for investments totalling US\$ 600 million for the next 10 years have been approved. In 2013, US\$ 30 million were invested by private sector investors.

70. These measures and many others have helped strengthen the agricultural sector and, at the same time, reduce the number of people facing food insecurity. In October 2015, the number of people facing food insecurity in the 37 communes most severely affected by drought varied between 300,000 and 560,000.

K. Right to education

71. Haiti has implemented programmes to ensure that disadvantaged children, particularly in rural areas, enrol in school and receive a free education, mainly at the primary and middle-school level. For example, the Universal, Free and Compulsory Education Programme, introduced by the Government in 2011 for primary education, promotes access to education for an increasing number of school-age children. The National School Cafeteria Programme has been strengthened, and each child enrolled in the Programme is entitled to one hot meal a day, with a view to reducing dropout rates. A free school transport system has been put in place to make it easier for children to get to school. Similarly, a bill on the National Education Fund was submitted to the legislature and passed by the Chamber of Deputies in August 2012.

72. According to figures from the Ministry of National Education and Vocational Training, 1,081,412 children in the country's 10 departments benefited from the Programme in the 2011/12 school year. The number rose to 1,465,974 (586,499 in the

capital and 879,475 in rural areas) in the 2013/14 school year. In addition, school supplies were distributed to 295,000 students and 7,853 teachers in more than 1,389 schools.

73. The “Kore etidyan” programme was set up in December 2012 to provide assistance to students at the University of Haiti. It consists of a grant, in the form of a scholarship, of G 18,000 for the academic year. As of January 2014, 22,000 students had benefited from this programme. The number of students who have benefited to date has risen to 31,408.

74. In the 2013/14 school census, the Ministry registered a net preschool enrolment rate of 62 per cent, with 78.6 per cent of boys enrolled and 85.1 per cent of girls. Of 755,388 children aged 3 to 5 years, 468,088 are enrolled in preschool. The number of preschools in the country has risen to 10,835.

75. The same census showed that there were 17,036 establishments offering the first, second and third cycles of basic education: 16,036 offer the first two, while 4,214, or 24.7 per cent, offer a complete, nine-year basic education. Of the children attending the first and second cycles of basic education, 51 per cent are boys and 49 per cent are girls. The rate of attendance in the third cycle of basic education is increasing, with 75.6 per cent of boys enrolled and 75.4 per cent of girls.

76. Secondary education is provided in 4,845 schools attended by 663,061 students, of whom 46 per cent are girls and 54 per cent boys. Of these schools, 5 per cent, attended by 29 per cent of students, are public.

77. The Ministry’s Educational Adaptation and Social Support Commission, which is responsible for the inclusion of children and young people with disabilities in the school environment, is being strengthened through a partnership with the Office of the Secretary of State for the Integration of Persons with Disabilities and the French Higher National Training and Research Institute for the Education of Young Persons with Disabilities and Special Educational Needs (INS HEA).

78. In August and September 2015, under a project to strengthen the legal framework for persons with disabilities in Haiti conducted in partnership with the Organization of American States (OAS), the Office of the Secretary of State, together with the Educational Adaptation and Social Support Commission, held training seminars for education personnel from Ouest Department to enable them to understand different impairments and provide proper support to students with disabilities. These seminars, held over several weeks, successfully raised awareness of disability and inclusive education among 180 education personnel, in accordance with the right to education of persons with disabilities.

79. These training and awareness-raising seminars on inclusive approaches and special education form part of a comprehensive teacher-training programme set up by the Ministry and the Office of the Secretary of State with the technical support of INS HEA.

L. Right to adequate housing and basic social services

80. In November 2011, with a view to implementing the National Housing Policy, the Government created a department for the construction of housing and public buildings. Between 2013 and 2016, 1,682 housing units were built in several of the country’s departments. These units are managed by the Public Company for the Promotion of Low-cost Housing.

81. A programme of support for the housing sector has also been set up. In this context, plans have been made to build 1,000 housing units in Nord-Est Department. Approximately 500 of these units, in the communes of Ouanaminthe and Terrier-Rouge, have already been built.

M. Trafficking in persons

82. Efforts to combat trafficking in persons included the adoption of the Trafficking in Persons Act of 30 April 2014, which was published in Official Gazette No. 103 of 2 June 2014. The Act provides for punishments of up to 15 years' imprisonment and a fine for perpetrators and their accomplices. To facilitate the implementation of this Act, the Committee against Trafficking in Persons was established by an order dated 22 July 2015 and published in Official Gazette No. 152 of 12 August 2015. The Committee comprises 12 members, including 9 representatives of State institutions, 2 representatives of the human rights sector and a member of the Ombudsman's Office. However, despite the provisions of the Act, the Committee lacks the budgetary means to ensure its regular work.

83. In 2015, a two-year action plan (2015-2017) to combat trafficking in persons was drawn up. The plan takes into account the various functions of the Committee pursuant to article 4 of the Act and is based on four action areas, namely prevention through awareness-raising and training, the prosecution of alleged offenders, the social and legal protection of victims and the creation of partnerships with national and international institutions.

84. A training course on trafficking in persons was organized on 16 and 17 November 2015 for police officers, magistrates and members of human rights organizations. Moreover, a training session was held from 24 to 26 February 2016 for judges and prosecutors in the Port-au-Prince and Croix-des-Bouquets jurisdictions in partnership with the Legal Service Training College, the International Organization for Migration (IOM) and UNICEF with the aim of making the Trafficking in Persons Act more widely known.

85. As part of further efforts to combat trafficking in persons, police officers and officials from the Social Welfare and Research Institute are deployed all along the border between Haiti and the Dominican Republic, and at Toussaint Louverture International Airport in Port-au-Prince.

86. Following the adoption of the Trafficking in Persons Act, legal proceedings were brought against three alleged offenders in three different jurisdictions, namely Fort-Liberté (Nord-Est Department), Jérémie (Grand'Anse Department) and Hinche (Centre Department). The proceedings resulted in one acquittal and two convictions, one of which was handed down in a judgment of 3 May 2016 by the presiding judge of the Fort-Liberté Court of First Instance.

87. To combat child trafficking, the new Adoption Reform Act of 29 August 2013 (Official Gazette No. 213 of 15 November 2013) provides that persons wishing to adopt must use accredited adoption agencies. Pursuant to the Act, these are specialized foreign or national adoption agencies that have been accredited in the country in which they are based and authorized to operate in Haiti. Accredited agencies help combat child trafficking, as they are involved both in the process of adoption with the prospective adoptive parents and in the monitoring of a child's development and integration into his or her adoptive family and environment over a period of eight years.

88. On 25 July 2012, a memorandum of understanding was signed by the Social Welfare and Research Institute, which is responsible for child protection, and the Directorate of Immigration and Emigration, acting on behalf of the Ministry of the Interior and Regional and Local Governments, to better monitor the movement of minors to foreign countries. Pursuant to the memorandum, prior authorization from the Institute is required for children to exit the country. The Directorate will assist the Institute in monitoring all the documents permitting the entry, exit or transit of all children and their escorts by checking their validity and ensuring that any minors not accompanied by one or both of their biological parents hold a departure authorization issued by the Institute. All border areas are already monitored by officials from the Institute or inspectors from the Directorate.

89. The Brigade for the Protection of Minors has been strengthened and has thus helped to enhance border controls in order to prevent illegal movements and the risk of child trafficking. These operations are carried out in cooperation with the Institute.

N. Women's rights

1. Combating violence against women

90. In its efforts to combat violence against women and girls, the Government has adopted a number of measures and put in place various mechanisms. These measures include the preparation of a bill on the prevention and elimination of violence against women and girls and the punishment of perpetrators, and the creation, in April 2013, of a Directorate-General of Legal Affairs within the Ministry for the Status of Women and Women's Rights. A second National Plan to Combat Violence against Women and Girls was launched for the period from 2012 to 2016, the Paternity, Maternity and Filiation Act was approved and published in the Official Gazette of 4 June 2014 and the Office to Combat Violence against Women and Girls was opened on 25 November 2013. The Office is a joint entity of the Ministry for the Status of Women and Women's Rights and the National Police in Ouest Department.

2. Prevention of violence against women in camps for displaced persons

91. In partnership with UN-Women, MINUSTAH and the United Nations Population Fund, the Government has taken a series of measures to reduce violence against women and girls in three camps for displaced persons, which are located at Caradeux, Pétion-Ville golf club and Delmas 2.

3. Support for the police in combating violence against women

92. In order to improve the care afforded to victims, various training courses on the accommodation that should be provided in police stations for women victims of violence have been organized for male and female police officers. Moreover, a department of women's affairs has been set up within the National Police. Pilot units have been created to accommodate abused women and girls in seven police stations and two networks for the implementation of the National Plan to Combat Violence against Women have been established in Sud-Est and Nord-Est Departments. Training programmes have been launched for health professionals and, in 2014, 450 female police officers were trained in order to increase women's representation in the National Police, with a further 186 women graduating in May 2016. Training has also been provided to officers who serve as gender focal points in the National Police.

4. Women's participation in decision-making

93. A multisectoral committee has been set up to enforce the 30 per cent quota for women in the public administration. Moreover, on 2 December 2013, a parliamentary gender equity bureau was established. Its tasks include monitoring the implementation of the quota. As of March 2016, the proportion of women in government stood at an average of 30 per cent.

94. The Ministry for the Status of Women and Women's Rights is updating statistics on women in the civil service. The aim of its Gender Equality Action Plan 2014-2020 is to boost the number of women in key institutions. During the 2015 municipal elections, there was a requirement to include at least one woman in each three-person cartel, or mayoral group. In addition, legal assistance was provided to six cartels composed solely of women.

95. In the judiciary, only 100 out of 660 judges are women. The High Council of the Judiciary has two women members. At the Legal Service Training College, the class of 2014-2016 comprises 67 trainee judges, of whom 33 are women.

5. Combating gender-based discrimination

96. In 2013, the Forum of Directors-General of Ministries approved the Government's 20-year gender equality policy.

97. In order to reduce gender-based discrimination, the Ministry of Public Health and Population has launched various programmes to take into account specific needs, in particular by improving the provision of routine vaccinations for pregnant women and women of childbearing age, and offering free antenatal consultations in public health facilities.

98. The Ministry for the Status of Women and Women's Rights conducts campaigns during public gatherings such as the Carnival to raise awareness of the dangers of objectifying women and to prevent violence, under the slogan "My body, my dignity". The Ministry also organized an awareness-raising campaign, in partnership with the Ministry of National Education and Vocational Training and a number of publishing houses, on the subject of stereotypes in school textbooks.

O. Children's rights

1. Health coverage

99. Progress has been made by the Ministry of Public Health and Population thanks to the Extended Vaccination Programme, the objective of which is to achieve universal child immunization. Other programmes have also helped improve health coverage for Haitian children. In 2013, immunization rates stood at 72.7 per cent for tuberculosis (BCG vaccination), 75.8 per cent for measles and rubella, 87.5 per cent for polio-3, 85.3 per cent for diphtheria-tetanus-pertussis (DTP)1 and 80.6 per cent for DTP3. In addition, 43 Cuban units have been set up in eight district hospitals and 18 health centres to improve health coverage. Efforts have been enhanced through the reconstruction and restoration of 38 institutions affected by the 2010 earthquake, of which 28 suffered cracks, 8 partially collapsed and 2 were completely destroyed.

100. Between 2011 and 2015, health facilities were built or restored. About 6 hospitals, 39 health centres, 9 basic emergency obstetric and neonatal care centres, 2 blood transfusion centres, 43 acute diarrhoea treatment centres and 12 specialized health-care institutions were built.

101. A total of 56 health facilities are under construction, including 6 hospitals, 36 health centres, 3 basic emergency obstetric and neonatal care centres and 11 specialized institutions. Moreover, 97 other health facilities have been restored, including 16 hospitals, 56 health centres and clinics, 7 blood transfusion centres and 14 specialized institutions. The National Ambulance Centre has also been established. The Centre has 62 road ambulances, 2 water ambulances and 1 helicopter ambulance. Under its health programmes, the Government has trained 3,938 multi-skilled community health workers.

2. Situation of street children

102. There are large numbers of street children in Haiti. To reduce these numbers, a transit centre with capacity for 400 children in vulnerable situations was inaugurated on 12 November 2013 in Ouest Department. The centre, which houses a primary school, a

vocational school and sports and medical facilities, will provide children with education and psychosocial support.

103. An increase in the number of teachers has helped enhance care arrangements for street children under the Universal, Free and Compulsory Education Programme. A total of 597 street children from the four centres covered by the social integration programme have been cared for in three of the country's departments.

3. Efforts to combat child domestic labour and the widespread economic exploitation of children

104. Under the aegis of the Social Welfare and Research Institute, child protection working groups have been formed to foster cooperation between the State and non-governmental organizations (NGOs).

105. A free emergency call centre has been set up for the public to report cases of child abuse, neglect and trafficking. A foster family programme and a transit centre have also been established to tackle, in particular, child domestic labour, abuse and exploitation. All children's homes have been listed in a directory and categorized as red, yellow or green, depending on the standard of the services provided. The homes are systematically inspected. There is a moratorium on the establishment of new children's homes.

106. The Adoption Act was published in the Official Gazette on 15 November 2013. The Act is in line with the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The decree on the ratification of the Convention was adopted on 27 July 2012 and the instrument of ratification was deposited at The Hague in December 2013.

107. In accordance with International Labour Organization (ILO) Conventions Nos. 138 and 182, a tripartite committee has been set up to monitor their implementation. A list of jobs considered hazardous in Haiti has already been submitted to the Ministry of Social Affairs and Labour.

108. A study conducted by the Ministry and by the Social Welfare and Research Institute in 2014 identified 400,000 children aged 5 to 18 years, of whom 207,000 were employed in domestic service in unacceptable conditions.

4. Submission of periodic reports to the Committee on the Rights of the Child

109. The initial report on the implementation of the Convention on the Rights of the Child was submitted pursuant to article 44 of the Convention. Once approved, the text was transmitted to the Committee on the Rights of the Child in Geneva by the Ministry of Foreign Affairs and Worship in November 2013. The consideration of the combined second and third periodic reports of Haiti took place on 8 January 2016.

P. Rights of persons with disabilities

110. The Office of the Secretary of State for the Integration of Persons with Disabilities, established in 2007, works for the implementation of policies and programmes for the integration of persons with disabilities. Between March 2012 and 31 January 2014, the Office worked with partners from the State and civil society to enhance its institutional capacity and that of associations active in the disability field, to facilitate access to education and vocational training for more persons with disabilities, to improve access to social protection, employment and entrepreneurship for persons with disabilities, to promote and strengthen the construction of physical infrastructure accessible to persons

with disabilities to strengthen the legal framework for persons with disabilities and to extend access to health care and rehabilitation services for persons with disabilities.

111. The Integration of Persons with Disabilities Act of 13 March 2012 requires the Government to take measures to facilitate the inclusion of persons with disabilities in national life.

112. The Act has been translated into Creole and Braille with the help of OAS and with the financial support of the United States Agency for International Development (USAID). An audio version has also been produced. Three thousand copies in Creole and French have been distributed across the country. In 2015, a further 10,000 copies were printed.

113. To meet the requirements of the Act, a bill to set up a national solidarity fund for the integration of persons with disabilities was passed in the Chamber of Deputies. The bill is currently awaiting the approval of the Senate.

114. A presidential decree appointing the eight members of the National Council for the Rehabilitation of Persons with Disabilities and renewing the Council's mandate for a period of two years was issued in October 2013. The mandate has not yet been extended since it expired in 2015.

115. The Interministerial Disability Monitoring Committee was created pursuant to the Order of 9 January 2014. The Committee's mandate is to ensure the coordination and harmonization of public disability policies in order to facilitate access by persons with disabilities to physical infrastructure and public services. The Committee has already carried out an investigation within the public administration to determine the number of persons with disabilities working for State institutions. It has also facilitated the recruitment of persons with disabilities since the publication of Government Circular No. 15, reminding the various ministries of the requirement to enforce the rights enshrined in the Integration of Persons with Disabilities Act. Following the issuance of the Circular, a number of persons with disabilities have been recruited in the public administration, including two in the Office of the Prime Minister.

116. A tripartite commission comprising representatives of employers, employees and the Government has been set up to update the Labour Code. In its review, the commission will take into account recommendations from the Office of the Secretary of State for the Integration of Persons with Disabilities in order to bring the Code into line with the Integration of Persons with Disabilities Act.

117. In 2014, thanks to cooperation with Brazil and Cuba, the Ministry of Public Health and Population established the Haiti Rehabilitation Institute. The Institute offers rehabilitation services to the public and will help train rehabilitation professionals.

118. Between 2012 and 2015, with the support of OAS and USAID, more than 500 public officials and judges received training in the implementation of the Integration of Persons with Disabilities Act, the system for the promotion and protection of disability rights under the United Nations and OAS conventions, and the implementation of public disability policies.

119. A partnership has been established between the State and a number of private institutions with a view to including in the training curriculum for construction engineers a module on universal accessibility. A pilot experiment conducted with Haiti Tec (a training centre for engineering professionals) has enabled engineers to receive training in various areas of construction.

120. On 17 September 2013, the Office of the Secretary of State for the Integration of Persons with Disabilities organized a job fair for professionals with disabilities. The event, which was held jointly with civil society organizations, enabled around 20 persons with

disabilities to find a job. In the 2015/16 financial year, 14 persons with disabilities were offered placements in private companies through the Office.

121. Under a programme entitled “*Kore Moun Andikape*”, put in place to facilitate the socioeconomic inclusion of persons with disabilities, the State has granted subsidies to around 2,000 people. Moreover, between 2013 and 2014, 50 persons with disabilities, some of whom were living in camps for displaced persons, were provided with new adapted accommodation.

122. In order to enhance accessibility for persons with disabilities in public areas, the Government has already undertaken numerous initiatives, including the adaptation of bus stops for wheelchair users in November 2015 and of some buses operated by the public transport company Dignité. Ramps have been installed in buildings open to the public, such as schools, hospitals, town halls, ministries and so on. With a view to extending the scope of these measures, a bill has been drafted on universal accessibility standards relating to the built environment, as provided for in part IV of the Integration of Persons with Disabilities Act.

Q. Displaced persons

123. Whereas, the day after the 2010 earthquake, there were 1,536,447 displaced persons spread over some 1,500 sites, by 30 June 2016 the number of persons to be rehoused stood at 61,302, which equated to 16,497 households, spread over 33 sites. This significant reduction was achieved thanks to the social housing scheme and the implementation of return and resettlement programmes, including a project known as the “16/6 project”, which was carried out with the support of the United Nations Development Programme, the United Nations Office for Project Services, IOM and ILO.

124. Under the 16/6 project, which involved the closure of 6 camps and the reconstruction of 16 neighbourhoods, the State adopted three main courses of action: it awarded grants equal to one year’s rent to displaced persons; it provided support for the removal of debris and the reconstruction of houses classified as unsalvageable (“red” houses) after the earthquake; and it restored houses classified as being repairable (“yellow” houses). Whichever solution was chosen, a resettlement grant of G 20,000 was given to all families who decided to leave the camps. The State offered a basic grant amounting to the equivalent of US\$ 6,000 for the reconstruction of “red” houses.

125. The Government does not carry out forced evictions. Nevertheless, some forced evictions from camps located on private property have been carried out by individuals. Public prosecutor’s offices attached to courts of first instance have been instructed to postpone the execution of eviction orders against displaced persons.

R. Civil registration and national identification

126. The process of modernizing the civil registry in Haiti was launched on 14 November 2012. To that end, the National Registry Office has already taken steps to improve the process of issuing national identity cards and set itself the aim of ensuring that citizens are registered at birth. It has also launched a programme, in partnership with the Ministry of National Education and Vocational Training and the Ministry of Social Affairs and Labour, to ensure that schoolchildren are provided with identity cards. Other measures have been adopted, including the appointment of clerks in the sections communales and the issuance of guidance documents to registrars. Moreover, in May 2013, the National Archives set up a mechanism to make it easier for members of the Haitian diaspora to obtain civil status records.

127. Since 2010, a documentation project aimed at persons living in camps has been carried out with the support of the Office of the United Nations High Commissioner for Refugees to overcome the problem of birth registration. As a result, more than 11,000 people have been able to obtain their birth records.

128. An order was issued on 8 January 2014 to enable citizens without a birth certificate to obtain one by 2019. In addition, the Haitian Immigrant Identification and Documentation Programme was implemented in the Dominican Republic between July 2014 and June 2015. Under the Programme, 29,402 identity cards and more than 3,000 passports were issued.

Conclusion

129. As noted in relation to the various specific topics discussed, the Government undertook several initiatives between 2011 and 2016 to improve the human rights situation in Haiti. Despite the progress achieved and the efforts made, the implementation of some recommendations will require consistency in the development and introduction of public policies.

130. Notwithstanding budgetary constraints, the challenges posed by the need to rebuild after the earthquake and the post-electoral crisis that has been ongoing since 2015, the political will is there and the Government of Haiti will strive to improve the human rights situation in the country. As an example, the progress made with regard to the right to education, in particular through the implementation of the Universal, Free and Compulsory Education Programme, requires a sustained financial effort. Other areas in which additional work is needed include the improvement of conditions of detention, the reduction of judicial delays and the fight against prolonged pretrial detention, which require the construction of prisons and an increase in the number of police officers, in the face of a lack of financial resources.

131. As for cooperation with international mechanisms, the Republic of Haiti has always enjoyed excellent relations with relevant international institutions. It has always welcomed international experts and cooperates fully with them. It will also welcome any aid provided through international cooperation as part of the progressive implementation of the recommendations made with a view to ensuring the effective realization of citizens' rights.
