

Haiti

Human rights and the Bicentennial – a 10-point action plan

On the eve of the 200th anniversary of Haitian independence on 1 January 2004, Amnesty International urges that the actions outlined in this 10-point programme, aimed at government authorities, political leaders, civil society groups and members of the international community, be taken immediately and throughout 2004 to ensure protection for the basic human rights of Haitian citizens.

KILLINGS AND TORTURE

The right to life, liberty and security of person, and to freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 3 and 5, Universal Declaration of Human Rights (UDHR))

1. Police and justice authorities must publicly guarantee that no unlawful killings, torture or other grave human rights violations will be tolerated during the Bicentennial celebrations. Human rights and other groups should be encouraged to monitor whether this promise is met. If violations occur, as they have around other public events, they must be immediately investigated and those responsible brought to justice without delay; any official's failure to do this must be punished with suspension from office pending investigation.

DISCRIMINATION

The right to equality before the law and to equal protection by the law (art. 7, UDHR)

2. The President and leaders of all institutions must promise to prevent and punish any abuses by political activists, regardless of their affiliation, with the same level of diligence. They must put their commitment into action by treating abuses by government supporters in the same way as those attributed to anti-government groups, making equal efforts to bring those involved to justice.

IMPUNITY

The right to effective remedy for acts violating fundamental rights (art. 8, UDHR)

3. As ruled by the Haitian Court of Appeal, the trial documents in the case of journalist Jean Dominique, killed in April 2000, must address not just the identity of the actual gunmen and their accomplices but that of the intellectual authors of the crime. The Haitian authorities must immediately allocate all necessary financial and security resources, and take all other steps required, to ensure full justice.

VIOLENCE AGAINST WOMEN

The rights of women and the family's entitlement to protection by society and the State (art. 16, UDHR)

4. All social and state actors must take steps, each within his or her own area of influence, to ensure that the climate of growing political violence in Haiti does not lead to increased violence against women, whether through repression of women's public activism or by spilling over into private life as domestic violence.

FREEDOM OF CONSCIENCE

The right to freedom of thought and conscience (art. 18, UDHR)

5. Political leaders on all sides should issue public statements condemning any act of intolerance, intimidation or abuse carried out by their supporters against those with different beliefs or party loyalties. Political parties must cooperate with the authorities to stamp out abuses and bring those responsible to justice.

HUMAN RIGHTS DEFENDERS

The right to freedom of opinion and expression (art. 19, UDHR)

6. The authorities must develop a plan for implementing the principles contained in the United Nations Declaration on Human Rights Defenders.¹ Recommendations by local and international human rights groups and by human rights experts within the Organization of American States and the Inter-American and UN human rights systems should be considered.

¹ Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by the UN General Assembly on 9 December 1998.

PEACEFUL DEMONSTRATION

The right to freedom of peaceful assembly and association (art. 20, UDHR)

7. The right to peaceful assembly and association must be respected and protected by the police. For their part, activists must follow Haitian law with regard to organising demonstrations, and must respect others' right to demonstrate; all stifling of protests by those with opposing views must stop immediately.

SAFE ELECTIONS

The right to take part in government, directly or through freely chosen representatives, and for the will of the people to be expressed in periodic and genuine elections (art. 21, UDHR)

8. All officials, political parties and civil society groups must commit to doing their part so that Haitians can exercise the right to political participation without fear of violence or reprisals.

LABOUR AND TRADE UNION RIGHTS

The right to work, to just and favourable work conditions and to form and join unions (art. 23, UDHR)

9. Companies in the new Free Trade Zone on the border of Ouanaminthe, Haiti with the Dominican Republic must publicly commit to respecting international standards for the conditions of their workers, including the right to unionise. Haitian and Dominican authorities must publicly promise to protect their citizens employed in the Zone by seeing that the standards are enforced.

POVERTY

The right to realisation of the economic, social and cultural rights indispensable to dignity, and to a standard of living adequate for health and well-being (art. 22 and 25, UDHR)

10. The international community must meet the United Nations Development Programme's request for US\$ 84 million for an Integrated Response Programme to respond to deteriorating socioeconomic conditions in Haiti. It must also comply with the provisions of the Organisation of American States' Resolution 822 of September 2002, normalising donor and lending relations with Haiti. The Haitian government must sign the International Covenant on Economic, Social and Cultural Rights, which calls for states to work to the

maximum of their available resources for the progressive realisation of these rights.

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On the eve of the Bicentennial, Amnesty International believes that the Haitian people, with their exemplary history of courage and dedication to freedom in the face of great odds, deserve concrete measures to improve their lives. The organisation hopes that this action plan, focusing on key areas of concern, will help Haiti move along the path towards respect for all human rights.

For more in-depth information on the concerns raised above, see

- *"HAITI: Abuse of human rights: political violence as the 200th anniversary of independence approaches," (AI Index: AMR 36/007/2003), October 2003*
- *"HAITI: Update of the Jean Dominique investigation and the situation of journalists," (AI Index: AMR 36/013/2002), November 2002*
- *"HAITI: 'I have no weapon but my journalist's trade': human rights and the Jean Dominique investigation (AI Index AMR 36/001/2002), April 2002*
- *"HAITI: Steps forward, steps back: human rights 10 years after the coup," (AI Index: AMR 36/010/2001), September 2001*
- *"HAITI: Human rights challenges facing the new government," (AI Index: AMR 36/002/2001), April 2001*