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Haiti: Amnesty International urges the government to ensure that alleged crimes committed under the rule of Jean-Claude Duvalier are investigated and those responsible brought to justice in accordance with international standards of fairness

Human Rights Council adopts Universal Periodic Review outcome on Haiti

Amnesty International recognizes the challenge Haiti faces in protecting and promoting human rights following the January 2010 earthquake, and welcomes Haiti's engagement with the UPR, and its efforts in producing a national report. Amnesty International further welcomes the National Assembly's adoption of legislation towards the ratification of the International Covenant on Economic, Social and Cultural Rights,¹ and calls on Haiti to strengthen its efforts, with the support of other state parties and the international community, to make the rights enshrined in this covenant, and other international and regional human rights instruments ratified by the Haitian state, a reality for the Haitian people.

A number of States made recommendations to Haiti to strengthen the justice system and the rule of law.² Amnesty International is concerned at a recent judicial decision to drop criminal charges against Jean-Claude Duvalier for grave human rights violations committed under his government, some of which could amount to crimes against humanity. This decision adds to prevailing impunity and is a clear setback in terms of strengthening the rule of law in Haiti. Amnesty International urges the government to ensure that alleged crimes committed under the rule of Jean-Claude Duvalier are investigated and those responsible brought to justice in accordance with international standards of fairness.

The earthquake of January 2010 left thousands of families homeless. Although the number of people living in makeshift camps is now below half a million, the issue of housing rights remains largely unaddressed by the reconstruction process.³ Thousands of people have been forcibly evicted or relocated, without adequate safeguards and consultation, from the private or public spaces they have been occupying since the earthquake. Evictions should be a measure of last resort, and must be carried out in accordance with international human rights standards and respect for human dignity.

Violence against women and girls remains a serious problem, and impunity for such crimes prevails.⁴ Amnesty International urges the government to complete the drafting, adoption and implementation of new legislation to combat violence against women and girls, and protect their rights.

¹ A/HRC/19/19, recommendations 88.1 (Algeria), 88.2 (South Africa), 88.3 (Ghana), 88.4 (France), 88.5 (Poland) and 88.6 (Spain).

² Ibid., recommendations 88.98 (Spain), 88.99 (United Kingdom), 88.100 (United States), 88.101 (Norway), 88.102 (Slovakia), 88.103 (Barbados), 88.104 (Turkey), 88.105 (Belgium), 88.106 (United States), 88.108 (Mexico), 88.110 (Switzerland), 88.111 (Canada) and 88.112 (France).

³ Ibid., recommendations 88.49 (United Kingdom), 88.123 (Mexico) and 88.124 (Thailand).

⁴ Ibid., recommendation 88.35 (Australia), 88.74 (Sri Lanka), 88.75 (Luxembourg), 88.76 (Argentina), 88.77 (Maldives), 88.78 (Canada), 88.79 (Colombia), 88.80 (Norway), 88.81 (United Kingdom) and 88.82 (Djibouti).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Haiti on 16 March during its 19th session. Prior to the adoption of the report of the review Amnesty International delivered the oral statement above. Amnesty International also contributed to the information basis of the review through its submission on Haiti:

<http://www.amnesty.org/en/library/info/AMR36/011/2011/en>

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