

particularly women, children and members of their families; encouraged the political leaders and representatives of civil society to pursue a dialogue to reach agreement on the appointment of the prime minister; called on the authorities to mobilize political will in favour of the reform and strengthening of the judicial system and improvements in the country's prisons; drew attention to the need for continuing training for the Haitian National Police; invited the international community, including the Bretton Woods institutions, to continue their involvement in the reconstruction and development of Haiti; noted with satisfaction the operationalization of the Office of Citizen Protection and invited the High Commissioner for Human Rights to contribute to the strengthening of the office so that it may develop into a national institution for the promotion of human rights; once again invited the Special Rapporteur on violence against women to consider favourably the invitation extended by the government to visit Haiti; and invited the Independent Expert to report to the 1998 session of the General Assembly and the 1999 session of the Commission.

## THEMATIC REPORTS

### Mechanisms of the Commission on Human Rights

#### Arbitrary detention, Working Group on:

(E/CN.4/1998/44, para. 19)

The report notes that two urgent appeals were sent to the government on behalf of two persons. No details of the cases were provided.

#### Disappearances, Working Group on enforced or involuntary: (E/CN.4/1998/43, paras. 194–196)

No new cases of disappearance were transmitted by the Working Group (WG) to the government. The majority of the 48 reported cases of disappearance occurred in three waves during the periods 1981–1985, 1986–1990, and 1991–1993. The majority of the cases which occurred during the first period concerned members or supporters of the Haitian Christian Democrat Party who were allegedly arrested by members of the armed forces or by the Tonton Macoutes. The cases that occurred during the second period concerned persons who were reportedly arrested by armed men in civilian clothes, members of the Anti-Gang and Investigation Service, and by the police. The last wave of cases took place in the aftermath of the coup d'état which ousted elected President Aristide. During the period under review, no new information was received from the government with respect to the outstanding cases.

#### Torture, Special Rapporteur on: (E/CN.4/1998/38, paras. 107–108; E/CN.4/1998/38/Add.1, paras. 148–151)

The Special Rapporteur (SR) referred to information indicating that: since their initial deployment in July 1995, the Police nationale d'Haïti had frequently treated

individuals with excessive force during arrest and beat them in police lock-ups; these practices reflected insufficient training and inadequate leadership; and investigations had been carried out only in a few cases and those responsible prosecuted and given appropriate sanctions, either at the administrative or the judicial level. The SR noted that the Police Nationale had not devoted sufficient resources to ensure that the Inspector General's office has the necessary personnel and equipment to conduct thorough investigations of police misconduct and to visit police stations around the country regularly, as required by law.

The four cases transmitted to the government involved: arrest, followed by beatings in a police station and detention for three days without medical attention; arrest, followed by beatings for five consecutive days at a police station, noting that a complaint filed with the local investigating judge did not result in any action against the police agents; arrest, followed by beatings and ill treatment at a local police station, noting that one of the agents fired a gun next to the victim's ear and left him tied to a tree in the sun for over an hour, and that police allegedly put guns in the mouths of two other detainees and urged them to make statements implicating the victim in drug trafficking; and, arrest of the father of the victim in the preceding case when he went to visit his son at the police station, followed by beatings, being handcuffed to a ladder and suspended, and interrogation.

#### Violence against women, Special Rapporteur on: (E/CN.4/1998/54, Section I.A)

In the section summarizing cases of violence against women in times of armed conflict, the report refers to the testimony of a woman on an incursion into a private home by soldiers, armed civilians, and a police officer who tried to rape one woman and sexually assaulted another. The Special Rapporteur stated that despite the return of the popularly elected leadership in 1994, very little has been done to break the impunity of the armed forces in Haiti.

### Mechanisms and Reports of the Sub-Commission

#### Systematic rape, sexual slavery and slavery-like practices during armed conflict, Special Rapporteur on: (E/CN.4/Sub.2/1998/13, para. 67)

Noting that the majority of the world's contemporary armed conflicts are non-international, or internal, in character, and efforts to identify and rectify any limits that do exist to the application of current norms to situations of internal violence, reference is made to numerous reports of sexual violence committed following the military coup against the government of President Aristide in Haiti. The Special Rapporteur stated that such incidents of sexual slavery and sexual violence illustrate the need for protection of civilians and combatants during non-international conflicts.