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Human rights violations have decreased since military rule ended in 1994. People enjoy certain individual political rights, but extreme poverty and the long political crisis are impacting negatively on human rights, especially among the most vulnerable groups, including women and children. Despite international aid and the efforts of the government, a significant amount still has to be achieved in terms of impunity, abuses of power, detention conditions and reform of the judicial system in general.

BACKGROUND

The military coup d'État (1991-1994) was marked by massive human rights violations. Since the return of the democratic regime, the human rights situation has improved considerably: legislative, municipal and presidential elections have taken place, the Haitian army has been dissolved and a National Civilian Police (PNH) has been formed. Systematic repression has ended and fundamental freedoms have been largely restored. However, many problems remain.

The judicial system suffers from chronic problems. Corruption, administrative incompetence and a large number of unprocessed cases are the rule. People do not have confidence in the courts and there is frequent recourse to summary justice and lynchings. There has been a definite improvement in the confidence inspired by the PNH among Haitians, though relations remain fragile. In July 1998, the Haitian authorities presented the international community with a detailed proposal for judicial reform and an action plan. The legislation on judicial reform was enacted in August 1998. Despite these positive steps, progress in the field of justice has been minimal and judicial reform is at a virtual standstill.

Detention conditions are very bad. Overcrowding, poor services and mistreatment by guards persist in detention centres. Eighty percent (80%) of prisoners are awaiting trial. Considerable efforts have been made, however, especially in terms of registries of detainees and training of prison staff, and have brought about marked improvement.

The newly formed PNH has continued to be reinforced, with the support of the UN Civilian Police Mission (MIPONUH) and bilateral cooperation programs. Progress is precarious, however, and a great deal remains to be done in such areas as logistics and training. Abuses of power and corruption problems (often associated with drugs) have been reported. The Inspector General of the police force has taken disciplinary measures and dismissed several delinquent members of the PNH.

The 1996 report of the National Truth and Justice Commission, responsible for reporting violations committed during the three years of the coup d'État, recommended that those responsible be brought to justice and that their victims receive financial compensation. The government has been slow in responding to these recommendations. The long delays in the trial of those responsible for the Raboteau massacre at Gonaïves in 1994 highlight the problems of impunity that are rampant in Haiti.

11

12