

HAITI

Date of admission to UN: 24 October 1945.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Haiti has not submitted a core document for use by the treaty bodies.

Civil and Political Rights

Acceded: 6 February 1991.

Haiti's initial report was due 31 December 1996.

Racial Discrimination

Signed: 30 October 1972; ratified: 19 December 1972.

Haiti's 10th, 11th, 12th and 13th periodic reports were due 18 January 1992, 1994, 1996 and 1998 respectively.

Discrimination against Women

Signed: 17 July 1980; ratified: 20 July 1981.

Haiti's initial and second through fifth periodic reports were due 3 September 1982, 1986, 1990, 1994 and 1998 respectively.

Rights of the Child

Signed: 26 January 1990; ratified: 8 June 1995.

Haiti's initial report was due 7 July 1997.

REPORTS TO TREATY BODIES

Committee on the Elimination of Racial Discrimination

At its August 1998 session, the Committee reviewed the implementation of the Convention by Haiti based upon its previous report (CERD/C/195/Add.1, 15 June 1990) and its consideration by the Committee (see CERD/C/SR.879). The Committee noted that no report had been submitted by the government since 1989.

The Committee's concluding observations and comments (CERD/C/53/Misc.40) noted that, while the situation in Haiti has improved somewhat, the political and economic crisis continues and severe social difficulties have generated discrimination among the population.

The Committee requested that the government provide information on: the implementation of legislation prohibiting and sanctioning racial discrimination; the demographic composition of the population and measures taken to ensure that perpetrators of acts of violence related to racial discrimination are not benefiting from impunity; and the result of cooperation with UN agencies, especially in areas related to the implementation of the Convention. The government was urged to resume the dialogue with the Committee as soon as possible.

COMMISSION ON HUMAN RIGHTS

Report of the Independent Expert

At its 1995 session, the Commission on Human Rights requested the Secretary-General to appoint an independent expert to provide assistance to the Haitian government, examine the development of the situation of human rights, and monitor the government's fulfilment of its obligations in the field of human rights. In 1998, Mr. Adama Dieng was the Independent Expert.

The report of the Independent Expert (E/CN.4/1998/97) states that conditions in Haiti had not changed significantly from those described in the report to the 1997 General Assembly. The Commission was therefore requested to refer to that report (A/52/499) which includes information on: the social and political context in Haiti, the rights to health and education, participation in development, the elections, the governmental "crisis", international cooperation, prisons and the judicial system.

The Expert expressed concern over a number of issues and incidents, specifically the deterioration in economic and social conditions and the political situation, the strike at TELECO and the State University Hospital of Haiti, allegations of ill-treatment or acts of torture committed by the police, the new wave of acts of violence, overcrowding in the National Penitentiary, the rise in the cost of certain essential foodstuffs, and the weaknesses of the judicial system.

Referring to the divisions within the Lavalas movement — the open conflict between OPL and Fanmi Lavalas — and the April 1997 elections, the report states that it is important to curb the tendency to reduce democracy to its purely electoral dimension; the Independent Expert notes that barely 10 per cent of the voters went to the polls, reflecting the refusal of the majority of voters to participate in a duel within a political class which aspires to power.

On issues related to health, the report notes that: the right to health is guaranteed in the Constitution but there is little access for the population as a whole to public health services — medical personnel, facilities and drugs; the Ministry of Public Health and non-governmental organizations had established a system for the sale of generic essential drugs at cost price; and the government had drafted several laws to improve the functioning of, and access to, the health care system but the allocation of resources to the public health sector remained inadequate to support the new initiatives. The report recommended that, *inter alia*: the Ministry of Public Health receive support in managing public funds and strengthening management. The report also recommended that the Ministry: redefine the specific function of each type of health-care facility — for example, basic health-care services, the effective role of the State University Hospital of Haiti; take measures to reconcile the purpose of the facilities and their effective role; redistribute existing resources in the health system to outlying districts in