

Human Rights Council – 28th session (2-27 March 2015)

**Statement by Ireland during interactive dialogue with the Independent
Expert on
on the situation of human rights in Haiti**

24 March 2015

Mr. President,

Ireland welcomes the Report of the Independent Expert on the situation of human rights in Haiti and thanks him for his presentation today.

The Report before the Council reviews efforts made thus far to address the five key areas identified in the last report of the Independent Expert as warranting urgent action namely eradicating illiteracy, the holding of elections, ending prolonged pre-trial detention and impunity for past human rights violations and resettling those displaced by the 2010 earthquake. Ireland welcomes steps taken by Haiti since the last Report including the incorporation of a number of human rights instruments into domestic law, adoption of anti-corruption legislation, submission of its initial report to the Human Rights Committee and completion of a mid-term report in relation to its UPR.

Ireland further notes that since the publishing of the report, Haiti has announced that it will hold long overdue elections in the coming months. Ireland welcomes this announcement and hopes that the elections will be conducted without further delays, freely and fairly, providing much needed stability to the people of Haiti.

Despite these and other positive developments, Ireland remains concerned that little progress has been made in improvement of the justice system or with a view to ending the blatant impunity for the grave human rights violations committed during the time of former dictator Jean-Claude Duvalier. We are deeply concerned by the figure presented in the report that 70% of prisoners in Haiti have been deprived of their liberty for years, without ever appearing before a judge. This injustice is compounded by the fact that the conditions in Haitian prisons are described in the report as amounting to cruel, inhuman and degrading treatment, due to overcrowding. We are further concerned by reports of threats, intimidation and violent attacks perpetrated against human rights defenders and the judiciary's passive stance on these violent crimes. Haiti must take steps to strengthen the judiciary in order to allow them to function

effectively in a system which must prosecute crimes past and present and process the cases of those in prolonged pre-trial detention.

Mr Gallon

The Report outlines steps which need to be taken in order to address impunity and the serious human rights violations of the past in Haiti, including the establishment of a commission to oversee reparations for victims as recommended by the National, Truth and Justice Commission in 1995.

You briefly mention the role that the commission could take in re-establishing what you have termed the right to memory. Could you elaborate on how, in your view, this commission could help society acknowledge, remember and fully come to terms with the human rights violations of the past?