

HAITI

COVERING: Dominican Republic, Haiti

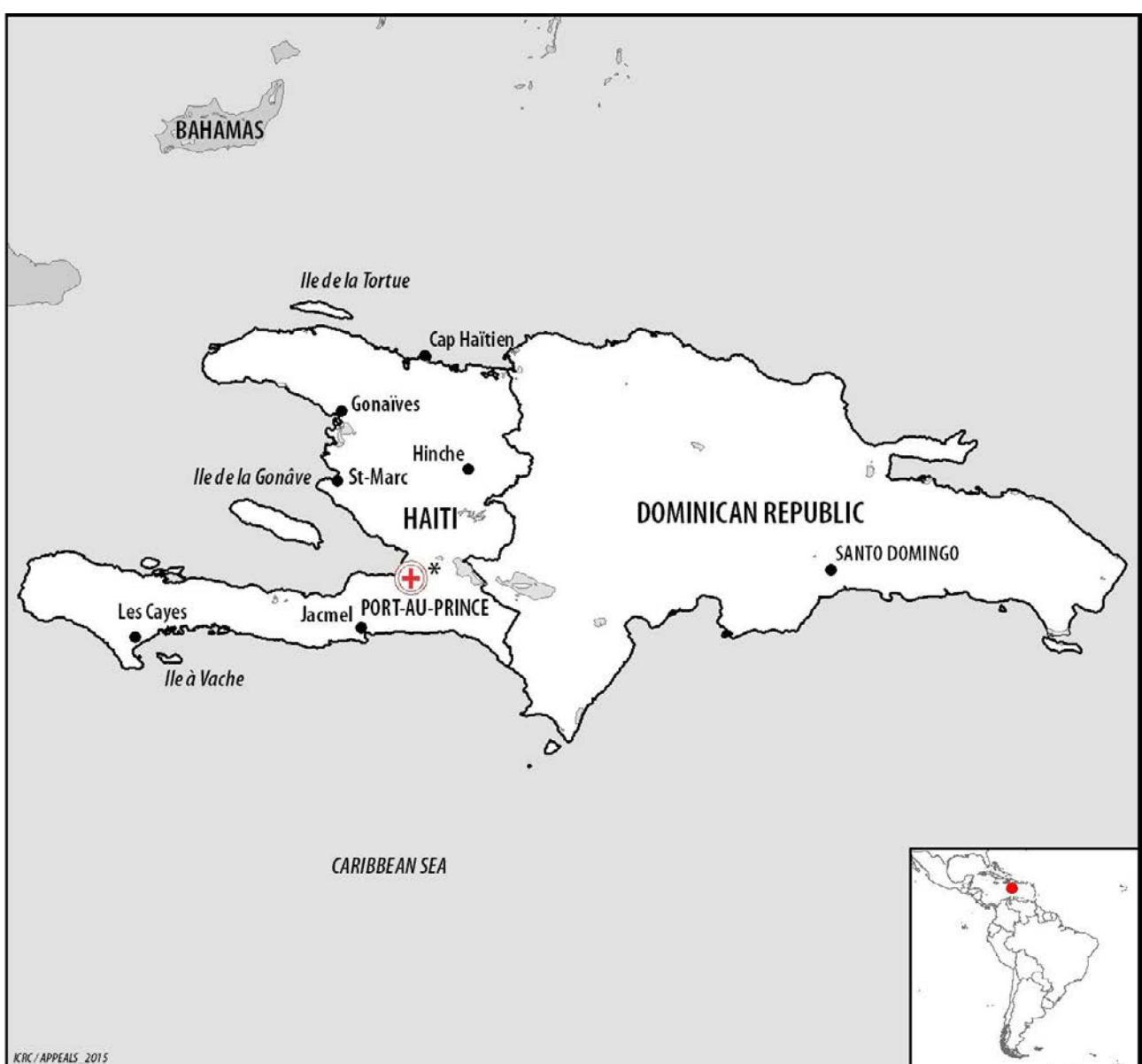
The ICRC opened a fully fledged delegation in Haiti in 2004. It responds to acute humanitarian situations in prisons and supports national authorities in improving conditions of detention and respect for judicial guarantees. It seeks contact with all weapon bearers, particularly in violence-prone neighbourhoods in Port-au-Prince. It helps the security forces organize training sessions, with a view to integrating international human rights norms into their doctrine. With other Movement partners, the ICRC helps strengthen the emergency response capacity of the Haitian National Red Cross Society and the neighbouring Dominican Red Cross.

BUDGET IN KCHF

Protection	968
Assistance	2,397
Prevention	449
Cooperation with National Societies	1,051
General	32
Total	4,898
<i>Of which: Overheads</i>	<i>299</i>

PERSONNEL

Mobile staff	6
Resident staff (daily workers not included)	58



ICRC delegation

* Dominican Republic is covered by the ICRC delegation in Haiti

MAIN TARGETS FOR 2015

- to ensure that detainees are not held in lengthy pre-trial detention, affected inmates have their cases identified and expedited by legal assistants, with ICRC support
- with ICRC support, detainees undergo medical screening upon admission, enabling authorities to identify those with communicable diseases or other conditions to ensure their appropriate treatment
- following enhanced coordination among key parties concerned, notably the Health and Justice Ministries and the penitentiary administration, the authorities develop a prison health policy to respond to detainees' medical needs
- with the encouragement of the international community, including the ICRC, the Haitian authorities reconvene the coordination platform and working tables tackling penitentiary reform
- in line with a binational agreement, the Dominican and Haitian Red Crosses cooperate on issues of common interest, particularly through enhanced family-links capacities for helping families separated by migration

CONTEXT

Amid a cabinet reshuffle and the appointment of new ministers in key areas, Haiti's government remains relatively stable. However, political disputes and an incomplete Senate continue to hamper legislative activity. The creation of the Provisional Electoral Council and the revision of the electoral law aim to hasten the organization of long-overdue elections.

The Haitian National Police (HNP) is stepping up efforts to tackle major crimes and civil disorder, leading to more arrests. Gang violence, particularly in disadvantaged neighbourhoods in Port-au-Prince, persists. The UN Stabilization Mission in Haiti (MINUSTAH) continues to support the HNP in its law enforcement operations, but – in line with the planned reduction of troops – is shifting its focus to support the authorities' development efforts.

General conditions of detention continue to deteriorate owing to slow judicial processes; increased incidence of petty crime following from the rising cost of living, and more vigorous policing, cause more people to be jailed, which worsens prison conditions even further.

In the Dominican Republic, the military undertakes law enforcement activities along the border with Haiti, in connection with irregular migration.

Both countries are members of the Central American Integration System (SICA).

HUMANITARIAN RESPONSE

In Haiti in 2015, the ICRC will focus its attention on the situation of people in the country's overcrowded prisons. It will maintain its multidisciplinary approach to addressing detainees' needs and supporting structural reform.

The ICRC will concentrate on major places of detention, but will also be ready to respond to emergencies at other facilities. Delegates will continue to visit detainees according to ICRC standard procedures, sharing findings and recommendations with the authorities. They will monitor detainees' health, supply dispensaries with essential drugs, especially during emergencies, promote better hygiene practices and disease prevention, and rehabilitate water and sanitation systems.

The ICRC will also support the penitentiary authorities, and work with other organizations active in the country to help the prison administration build its capacities to: identify

the resources required to bring treatment and conditions in line with internationally recognized standards; design and implement projects on its own; and address overcrowding. For example, the ICRC will provide support for legal assistants to review cases of people held for lengthy periods in pre-trial detention; it will also encourage the recruitment of more legal assistants.

To help the authorities develop sustainable measures to meet detainees' needs, the ICRC, along with the international community, and with the authorities' agreement, will encourage the resumption of the coordination platform and working tables tackling penitentiary reform.

The ICRC will help the authorities improve detainees' access to health care by encouraging the development of a prison health policy. It will also advocate the extension to other prisons of a health project initiated by the authorities, MINUSTAH and a group of NGOs in Port-au-Prince's central prison and already replicated elsewhere in the prison system.

The ICRC will train personnel from the Haitian National Red Cross Society and the Dominican Red Cross in the Safer Access Framework, to enable those National Societies to implement their activities safely. It will help the Haitian Red Cross to maintain its activities in areas affected by gang-related violence. For example, in Cité Soleil, the ICRC will work with the Haitian Red Cross to encourage the water authorities to reassert their ownership of the distribution network there, and improve residents' access to safe water.

To promote respect for IHL, international human rights law, internationally recognized standards relating to law enforcement, and humanitarian principles in general, the ICRC will organize briefings and training sessions for HNP recruits and Dominican military officials on these subjects. The ICRC will, in all the dialogue it undertakes, impress upon the parties concerned the importance of facilitating the Movement's activities. Contact will be maintained with the media, local networks and university students to raise awareness of humanitarian concerns among a wider audience.

The ICRC will encourage the Dominican and Haitian National Societies to cooperate – in line with a binational agreement signed by them – on issues of common concern, particularly migration. It will also work with Movement partners to help the Haitian Red Cross strengthen its organizational structure and emergency-response/family-links capacities. The Dominican Red Cross will also receive some support.

The ICRC will promote coherence of Movement activities, while continuing to coordinate its activities with UN agencies and other humanitarian actors in areas of common interest, in order to maximize impact, identify unmet needs and avoid duplication of effort.

HUMANITARIAN ISSUES AND ICRC OBJECTIVES

PEOPLE DEPRIVED OF THEIR FREEDOM

The number of arrests continues to rise, as the HNP intensifies its fight against criminality (see *Context*). The slow judicial follow-up exacerbates prison overcrowding, continually worsening conditions of detention, which remain below domestic and internationally recognized standards in terms of health, nutrition, sanitation and water supply. Access to legal and social assistance, and to family visits, is also limited. While the expansion of a health project has improved inmates' access to health care, detecting and treating cholera, TB and HIV/AIDS remains a challenge. Inadequate health care and unsanitary hygiene practices, including poor waste management, pose a risk not only to detainees but also to public health.

The Ministry of Justice and Public Security is in the midst of a four-year development plan for addressing detention-related issues; working groups tackling health and prolonged pre-trial detention are in place. However, the coordination platform has been largely inactive since 2013, despite constant pressure from the international community to take up its duties again.

The penitentiary administration has to cope with various deficiencies in terms of personnel, job-specific training and coordination among different agencies. Reforms to speed up the processing of cases are advancing slowly.

A number of international actors are actively engaged in providing support for reforming the penitentiary system.

Objective

Detainees are afforded treatment and living conditions that meet internationally recognized standards.

Plan of action and indicators

Protection

- visit detainees according to standard ICRC procedures, to monitor their treatment and living conditions; share findings and recommendations with the authorities, paying particular attention to respect for judicial guarantees and inmates' access to fresh air and health care
- as one means of alleviating overcrowding, alongside steps to ensure that people are not detained indefinitely, provide support for prison legal staff to identify people held in lengthy pre-trial detention in selected prisons and submit their cases to the authorities for review
- with local and international partners, and the consent of the Haitian authorities, support, train and provide technical expertise for the penitentiary administration to enhance its capacities to:
 - develop mid to long-term plans for addressing detainees' needs, particularly with regard to food, health and infrastructure, including through the resumption of the coordination platform and working groups tackling the issues

- determine the human resources, funds and other means required to bring treatment and conditions in line with internationally recognized standards, including by recruiting legal assistants and a hygiene team, and other means
- implement measures to reduce overcrowding, particularly through judicial reforms

Assistance

- in the event of an emergency, such as a riot, an outbreak of disease or a natural disaster, support the authorities in meeting detainees' health and medical needs, through ad hoc assistance – cleaning materials, for instance – and by other means

Health

- help the authorities improve detainees' health by:
 - covering the costs of medical screening for detainees, and facilitating access to consultations/health-care services, physical rehabilitation and psychiatric care, including at external facilities
 - supporting the diagnosis and care of those suffering from malnutrition and other measures to address malnutrition and/or micronutrient deficiencies, including the provision of food supplements
 - reinforcing dialogue with the authorities, and, in particular, advocating enhanced coordination between the Health/Justice Ministries and NGOs on health issues related to detention, especially the extension to other prisons in the country of the health project providing detainees with, *inter alia*, medical consultations and X-ray services
 - providing prison health facilities with essential medicines and equipment; facilitating hospital transfers for sick detainees in need of advanced care; and helping improve local health staff's working procedures
- mobilize international organizations and the authorities to help the penitentiary administration's medical sub-directorate respond to detainees' health needs, by developing a prison health policy that enables health facilities to meet domestic and internationally recognized standards, and through other means

Water and habitat

- with local and international partners, provide the authorities training and technical/financial support to help them improve detainees' living conditions; in particular:
 - train/coach penitentiary staff to maintain/rehabilitate/construct prison infrastructure, particularly in order to improve cooking facilities and detainees' access to sufficient supplies of water
 - rehabilitate infrastructure at 5 prisons, based on joint assessments with the authorities; encourage the authorities' involvement in project management
 - conduct hygiene-awareness training for detaining authorities/staff and detainees, and provide hygiene kits to help prevent outbreaks of disease and enable proper disposal of waste

ACTORS OF INFLUENCE

Penitentiary and judicial reform remains a challenge in Haiti as other priorities often occupy the government.

The HNP needs further reform and training, including in detention issues, to ensure that its operations are in line with internationally recognized standards.

The Haitian authorities have committed themselves to ratifying a number of IHL-related treaties, but a national IHL committee to support the process is not in place. Steps are being taken to establish a civil defence force.

Haitians obtain information primarily through radio. University students are influential in shaping Haitian politics and civil society.

In the Dominican Republic, the armed forces' Graduate School for Human Rights Law and IHL can influence the drafting of legislation on the use of force.

Objective

The authorities and weapon bearers know and respect IHL and other fundamental rules protecting people in armed conflict and other situations of violence and incorporate them into their decision-making processes. The international community, the media and academia help foster awareness of humanitarian issues among all those concerned with these situations and the wider public, thus achieving greater respect for human dignity. Regional, national and local stakeholders understand the ICRC's mandate and support the work of the Movement.

Plan of action and indicators

Prevention

- ▶ maintain dialogue with the authorities and international stakeholders in Haiti to gather support for developing and implementing action plans for prison and judicial reform (see *People deprived of their freedom*)
- ▶ help weapon bearers learn more about IHL and internationally recognized standards on the use of force, and raise support for the Movement's activities by:
 - organizing dissemination sessions and training programmes for the HNP and the Dominican armed forces
 - encouraging SICA to develop an instrument regulating the use of force
 - sharing training materials with other delegations, to use in predeployment briefings for MINUSTAH forces
- ▶ promote the ratification/adoption of IHL treaties, particularly Additional Protocol III, the Rome Statute, the Convention on Cluster Munitions and the Arms Trade Treaty, and legislation protecting the Movement's emblems
- ▶ to help advance the incorporation of IHL in domestic law:
 - strengthen the capacity of the Dominican Republic's national IHL committee to promote adherence to IHL treaties; continue to promote the creation of a national IHL committee in Haiti
 - be ready to provide technical support for establishing a civil defence force in Haiti
 - provide technical support for the Dominican armed forces' Graduate School for Human Rights Law and IHL to develop a legal framework on the use of force

- promote the adoption of a new criminal code in the Dominican Republic; upon its adoption, train judges in applying provisions regarding war crimes

With the relevant National Society:

- ▶ to establish broad-based support for IHL and Movement action:
- sustain contact with local and international media to promote accurate reporting of Movement activities, particularly those related to detention and emergency response
- conduct information sessions with community leaders, particularly in violence-prone areas, to promote respect for the Movement's emblems and activities
- give presentations on IHL at universities, law faculties and diplomatic academies in the Dominican Republic and Haiti, to stimulate interest and support for its inclusion in their curricula

RED CROSS AND RED CRESCENT MOVEMENT

The Haitian Red Cross relies on a network of volunteers working at regional and local branches to respond to needs arising from emergencies. Management of the Haitian and Dominican National Societies needs to be strengthened. The National Societies have signed a binational cooperation agreement to tackle issues of common interest.

Objective

The Haitian and Dominican National Societies have strong legal bases for independent action. They are able to carry out their core activities effectively. The activities of all components of the Movement are coordinated.

Plan of action and indicators

Cooperation

- ▶ support the Haitian Red Cross in persuading the water authorities to reassert their ownership of the water distribution network in Cité Soleil, and improve residents' access to safe water
- ▶ in coordination with Movement partners, provide expertise, training and financial/material/logistical support to help the Haitian Red Cross, and where applicable, the Dominican Red Cross in:
 - strengthening its governance, volunteer management, branch development and communication capacities by participating in Movement meetings, promoting coherence of activities with others, and through other means
 - enhancing its volunteers' capacities in project management, ensuring the continuity of activities in areas affected by gang-related violence, conducting emergency response in line with the Safer Access Framework and developing contingency plans
- ▶ reinforce the National Societies' family-links capacities to meet needs arising from migration and other circumstances, through training and by promoting such services
- ▶ engage with the National Societies before the International Conference in 2015 to ensure common positioning on key issues, notably Movement coordination
- ▶ enable the National Societies to cooperate on issues of common concern, in line with the binational agreement