

HAITI

Republic of Haiti

Head of state: **Michel Joseph Martelly**

Head of government: **Laurent Salvador Lamothe**
(resigned on 14 December)

More than 80,000 people made homeless by the January 2010 earthquake remained displaced. The authorities failed to establish durable measures to prevent forced evictions. Concerns remained over the overall lack of independence of the justice system. Several human rights defenders were threatened and attacked.

BACKGROUND

Long-overdue local and legislative elections for a third of seats in the Senate had not taken place by the end of 2014. This was largely due to disagreements between the government and parliament over the electoral council, as a result of which six senators refused to vote for the proposed reform of the electoral law. On 14 December, the Prime Minister resigned after a consultative commission appointed by the President had recommended his resignation among a number of measures to be taken to appease tensions. Concerns remained at the end of the year over the country's political stability, as the terms of another third of the Senate and all members of the House of Deputies were due to expire in mid-January 2015.

In October, the UN Security Council renewed the mandate of the UN Stabilization Mission in Haiti (MINUSTAH) for an 11th year and recommended a radical reduction of its military component.

Although a significant reduction in the number of cases was reported in the first half of 2014, the cholera epidemic persisted. At least 8,573 people died of cholera between October 2010 and July 2014. A lawsuit filed in October 2013 by Haitian and US human rights groups against the UN for its alleged

responsibility for introducing the disease into Haiti in 2010 was pending before a US court at the end of 2014.

Following the establishment of the Inter-Ministerial Committee on human rights, a number of international and regional human rights conventions were signed or ratified. In October, the UN Human Rights Committee examined Haiti's initial report.¹

INTERNALLY DISPLACED PEOPLE

At the end of September, more than 80,000 people made homeless by the January 2010 earthquake were still living in 123 makeshift camps. Most of the displaced people who left the camps did so either spontaneously or after being allocated one-year rental subsidies. Following his visit to Haiti in July, the UN Special Rapporteur on the human rights of internally displaced persons highlighted the fact that, although there had been a significant reduction in the number of displaced people living in camps since July 2010, the majority of people who left the camps did not benefit from durable solutions.

HOUSING RIGHTS - FORCED EVICTIONS

There were fewer forced evictions from displacement camps and other informal settlements in 2014 compared with previous years. However, the authorities failed to provide remedies to victims of forced eviction² and did not put in place sustainable measures to avoid forced evictions in the future.³

At the end of May, hundreds of families were made homeless after the government ordered the demolition of buildings in the centre of the capital, Port-au-Prince. The vast majority of affected people did not receive adequate notice of the demolition and only a tiny minority of house owners had received compensation at the time of the demolition.

VIOLENCE AGAINST WOMEN AND GIRLS

According to women's rights organizations, violence against women and girls remained widespread. The government failed to publish

consolidated statistics on gender-based violence. A bill on the prevention, prosecution and eradication of violence against women drafted in 2011 in collaboration with women's rights groups had still not been introduced in parliament by the end of 2014. Haitian human rights organizations reported that, although the number of trials and convictions in cases of sexual violence had increased, these represented a tiny fraction of the reported cases.

IMPUNITY

In February, the Port-au-Prince Court of Appeal reversed a 2012 decision by an investigative judge that former President Jean-Claude Duvalier could not be prosecuted for crimes against humanity. The Court appointed one of its sitting judges to investigate the allegations of crimes against humanity involving Jean-Claude Duvalier among others. However, the failure to provide additional resources to the judge or to disclose official documents which could be useful in the proceedings fuelled concerns about the capacity of the Haitian justice system to provide effective remedies to the victims of past human rights violations. Following the death of Jean-Claude Duvalier in October, national and international human rights organizations called on the authorities to continue the legal proceedings against his former collaborators.⁴

JUSTICE SYSTEM

Concerns remained about the overall lack of independence of the justice system. The High Council of the Judiciary, an institution considered key for the reform of the justice system, only started the process of vetting existing judges towards the end of the year. The failure to fill several judicial vacancies exacerbated the problem of prolonged pre-trial detention. At the end of June, pre-trial detainees accounted for more than 70% of the prison population.

In August, a judge investigating corruption charges against former President Jean-

Bertrand Aristide issued an arrest warrant against him after he failed to appear to answer a summons issued the previous day. In September, the same judge ordered that Jean-Bertrand Aristide be put under house arrest. The Port-au-Prince Bar Association and several Haitian human rights organizations challenged the legality of these decisions, which were widely considered to be politically motivated.

HUMAN RIGHTS DEFENDERS

Several human rights defenders were attacked, threatened and harassed because of their legitimate human rights work.⁵ In the vast majority of cases, the authorities failed to carry out thorough and prompt investigations or to provide effective protection measures.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

A number of verbal and physical attacks against LGBTI people were reported during the year, most of which were not thoroughly investigated. According to LGBTI rights organizations, police officers were often reluctant to intervene in these cases and their responses to victims revealed deeply discriminatory attitudes towards LGBTI people.

Nobody was brought to justice for attacks against LGBTI people during and after country-wide marches against LGBTI rights in mid-2013.

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1. Haiti: Submission to the UN Human Rights Committee: 112th Session of the UN Human Rights Committee , 7-31 October 2014 (AMR 36/012/2014)
www.amnesty.org/en/library/info/AMR36/012/2014/en
 2. Haiti: Families at imminent risk of forced eviction (AMR 36/007/2014)
www.amnesty.org/en/library/info/AMR36/007/2014/en
 3. Haiti must take immediate action to prevent forced evictions and relocate internally displaced persons: Amnesty International oral statement to the 25th Session of the UN Human Rights Council (AMR 36/008/2014)
www.amnesty.org/en/library/info/AMR36/008/2014/en

4. Haiti: The truth must not die with Jean-Claude Duvalier (Press release)
www.amnesty.org/en/for-media/press-releases/haiti-truth-must-not-die-jean-claude-duvalier-2014-10-07
5. Haiti: Activists fighting for justice threatened (AMR 36/011/2014)
www.amnesty.org/en/library/info/AMR36/011/2014/en Haiti: Women's human rights defenders threatened (AMR 36/010/2014)
www.amnesty.org/en/library/info/AMR36/010/2014/en Haiti: Fear for safety of human rights defender: Pierre Espérance (AMR 36/009/2014)
www.amnesty.org/en/library/info/AMR36/009/2014/en

HONDURAS

Republic of Honduras

Head of state and government: **Juan Orlando Hernández Alvarado (Replaced Porfirio Lobo Sosa in January)**

Human rights violations and abuses against human rights defenders, journalists, women and girls, LGBTI people, Indigenous, Afro-descendant and campesino (peasant farmer) communities continued to be a serious concern. These violations took place in a context where impunity for human rights violations and abuses was endemic and where levels of organized and common crime were high.

BACKGROUND

President Juan Orlando Hernández was sworn in on 27 January with a four-year mandate. His commitment to the implementation of the Public Policy and National Plan of Action on Human Rights, adopted in 2013, had yet to be reflected in specific policies, measures and actions at the end of the year.

According to UN figures, Honduras had the world's highest homicide rate. Poverty and extreme poverty continued to undermine the realization of human rights for large sectors of society; more than 60% of the population

were living in poverty and more than 40% in extreme poverty.

POLICE AND SECURITY FORCES

In response to the high levels of crime and to the weakness, lack of credibility and widespread corruption of the National Police Force, some policing functions continued to be undertaken by the military and special groups including the Inter-institutional Security Force (Fuerza de Seguridad Interinstitucional - Fusina) created in 2014, and the TIGRES Unit (Investigation Troop and Security Special Response Group) and Public Order Military Police (Policía Militar de Orden Público), both created in 2013. Concerns were raised that these groups were not adequately trained in the respect and protection of human rights, following a number of cases of human rights violations committed during the exercise of policing functions in previous years.

Honduras also experienced a proliferation of firearms and of private security companies. It was legally permitted to possess and carry up to five firearms, and given the high levels of insecurity, many people carried firearms to protect themselves. Following a visit in 2013, the UN Working Group on the use of mercenaries stated that private security companies were committing abuses with the permission or participation of the police and the military, and with impunity.

JUSTICE SYSTEM

The Attorney General's Office continued to be overwhelmed by the high levels of violence and crime in the country. In April 2013, the then Attorney General stated that the Public Prosecution Service only had the capacity to investigate 20% of the country's homicides. The Attorney General and his deputy were subsequently suspended and then removed from their posts. New officials were elected to these posts; however, human rights organizations described the election as unconstitutional, biased and lacking in transparency.