

National Network for the Defense of Human Rights (RNDDH)



Impacts of the current socio-political crisis on general  
conditions of detention

November 6, 2019

## Summary

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## *Summary*

1. During the month of October 2019, the National Network for the Defense of Human Rights (RNDDH) toured 17 detention centers in the country as well as three police stations converted into prisons, to assess the impact of the current socio-political situation on the functioning of the country's prisons.

2. This tour carried out from 15 to 31 of October 2019 allowed the RNDDH to note that for more than 4 months, the Directorate of the Penitentiary Administration (DAP) already had trouble replenishing the food stocks of some prisons and that the condiment costs, sent out irregularly, were reduced for some prisons and cut for others.

3. However, since September 16, 2019, in 3 prisons - Port-au-Prince, Croix-des-Bouquets and Cabaret - the food stocks are only renewed for 2 to 3 days whereas at least 9 prisons, namely - Hinche, Grande Rivière du Nord, Cap-Haitien, Jacmel, Anse-à-Veau, Cayes, Jérémie, Port-de-Paix and Saint-Marc - did not receive any food from the DAP. Their leaders are trying to manage the situation with the help of citizens of the municipality, charities and non-governmental organizations. And, after several months without replenishment, the civil prison of Mirebalais, received food of the DAP on October 25 and November 2, 2019. Therefore, today, except at CERMICOL and Saint-Marc, the prisoners do not receive only one meal a day, in less quantity and quality.

4. With propane gas depleted, charcoal and wood fire are used for cooking food. Many prisons are not regularly supplied with water. And, because of the paralysis of public transit and the inaccessibility of certain public roads, due to the barricades erected there, the relatives and relatives of the detainees had to temporarily stop bringing them food and hygiene kits in prison.

5. Drug inventories are not renewed through DAP. Inmates who do not feel well cannot even receive an analgesic for a headache while they are no longer referred to health centers or hospitals when their cases exceed the skills of on-site medical staff.

6. Hygienic kits and cleaning products and equipment are not renewed. As a result, prisons are unhealthy and nauseating.

7. Furthermore, since the current lock-up operation, the prisons have temporarily put an end to parental visits, recreation time is reduced or completely eliminated from daily activities, training activities are blocked. As the judiciary is also affected by the general situation of the country, judicial activities are paralyzed. Only 465 inmates representing 5.42% of the population awaiting trial, have benefited from a judicial extraction order from the investigating judges in charge of their files and some prosecutors. And, in violation of the rights to legal guarantees, criminal hearings without assistance of jury generally organized at the end of the year, are not to date, planned.

8. Lastly, it should also be stressed that there is a great deal of tension in the various prisons of the country, which leads to the fear of cases of mutiny or escape by prison officials.

9. The RNDDH considers the situation of the prisons of the country very worrisome and recommends that the state and prison authorities make every effort to:

- quickly distribute food supplies to the prisons, taking into account the number of prisoners per prison;
- providing condiment costs after their upward revision taking into account the current rate of inflation;
- paying the debts contracted by prison officials;
- pay DAP officers on time and regularly;
- Supply prisons with drugs, propane gas, hygiene kits and cleaning products.

## I. INTRODUCTION

1. Since July 2018, a protest movement has been launched to demand the departure of President Jovenel MOÏSE and his team. Characterized by anti-government demonstrations and locking operations, This movement has caused and still causes the total paralysis of socioeconomic activities in the country and has united directly on the functioning of prisons.
2. The National Network for the Defense of Human Rights (RNDDH), which generally pays close attention to the general conditions of detention, conducted a tour of the country's prisons to inquire about the situation of these-in the current socio-political context.
3. Following this year's International Day of Prisoners on October 27, 2019, it intends to present its detailed report.

## II. CURRENT SOCIO-POLITICAL CONTEXT AND GENERAL HUMAN RIGHTS SITUATION

4. On July 6, 2018, President of the Republic Jovenel MOÏSE decided to increase the prices of petroleum products exponentially, after his team had spent several weeks preparing public opinion around this increase. This was followed by the country's first lockdown operation. For three (3) consecutive days, all socio-economic activities were paralyzed. People, surprised by the movement while still in their workplaces, were unable to return home. Others have travelled long distances on foot. On July 7, 2018, President of the Republic Jovenel MOÏSE addressed the people and promised to reverse this decision. It was this reversal that brought about the calm and the resumption of activities.
5. At the same time, the Haitian people have launched an accountability operation on the use of Petro Caribe funds, by organizing street demonstrations to demand the Supreme Court of Accounts and Administrative Disputes(CSC/CA) to audit these funds estimated at more than US\$ 4 billion.
6. Two (2) reports issued on January 31 and May 31, 2019, by the CSC/CA reported on the direct involvement of President Jovenel MOÏSE in acts of corruption related to these funds.
7. Since then, the locking operations added to the demonstrations to demand the departure of the power of Jovenel MOÏSE and his team, the translation before the judicial authorities of the president and of all those involved in the theft of funds Petro Caribe, have multiplied.
8. Thus, this failed attempt to increase the prices of petroleum products, combined with this wave of anti-government demonstrations, has definitively changed the socio-political aspect of the country.
9. However, the longest lockout ever recorded – that is, the one still in progress at the time this report was written – has enormous consequences for community life.
10. Indeed, started since September 16, 2019, it has already paralyzed life in Haiti for eight (8) weeks and has a direct influence on the general situation of the prisons because, these depend on the outside for the water supply service and drinking water, prisoners' food, medicines, cleaning products, etc. Furthermore, health care is provided by medical staff and are performed by both DAP agents and civilian staff who must be able to visit their workplaces on a daily basis.
11. It is in this difficult context that, for several weeks now, prison officials have been trying as much as possible to make the institutions in their charge work.

### III. METHODOLOGY

12. This prison tour was carried out from 15 to 31 of October 2019. Seventeen (17) prisons and three (3) police stations converted to prison were monitored and the RNDDH met with officials of these prisons. Here on:

- Stocks of food and medicines available;
- The stock of hygienic kits and cleaning products available;
- Access to the water;
- Health care;
- The conditions of detention;
- Deaths recorded in prisons;
- Visits by relatives of inmates and access to the outdoors of inmates;
- The legal status of prisoners and judicial extractions;
- The security situation of prisons.

17 prisons and 3 police stations converted to prison were monitored in October 2019 by the RNDDH.

### IV. AVAILABILITY OF FOOD IN PRISONS

13. Even before September 2019, food supplies were distributed to some prisons, which was very difficult. The requisitions forwarded to the officials of the Directorate of the Penitentiary Administration (DAP), which take into account the prison population and the minimum food ration to preserve the health of the inmates, were rarely respected. As a result, long before this new lockout operation was launched, the number of meals per day and the amount of food available to prisoners had decreased. Similarly, food products sent to prisons are no longer diversified.

14. However, since September 2019, the situation has worsened. In some prisons such as Port-au-Prince, Croix-des-Bouquets and Cabaret, the depots are fed by the DAP only for two (2) or three (3) days, on no scientific basis;

15. In addition, the parents of some inmates who made it their duty to bring them regular food can no longer do so, public transit being extremely slow on certain days and completely non-existent on others.

3 prisons receive food supplies for 2 to 3 days, At least 9 prisons are not replenished by the DAP. The already insufficient amount of food has decreased.

16. This situation, combined with the uncertainty surrounding the distribution of food, led prison officials to drastically ration the stocks available to them. They therefore offer only one meal a day in smaller quantities.

17. The examples illustrating this catastrophic situation are numerous. Here are a few :

- For more than four (4) months, the civil prisons of Cap-Haitian and Grande Rivière du Nord do not receive food stock from the Directorate of Prison Administration (DAP). It is the Food for the Poor organization that helps prisoners in these prisons by providing them with rice and oil. And, they are religious institutions that provide them with economic means to buy condiments. The food offered to the detainees is of low quality and insufficient quantity.
- The Cabaret Civil Prison, now supported by the Mission of Hope, is now preparing only three (3) bags of rice against four (4), formerly. Since propane gas is not available, wood fire is used for cooking food;

- Twenty-one (21) bags of rice were needed to feed the prison population in the Croix-des-Bouquets Civil Prison. Today, only fourteen (14) bags are prepared per day while the prison population has increased;
- In order to feed inmates, at least five (5) prison centers are often forced to purchase food on credit from their community's food depots or use their money to supply condiments. And, having no propane gas or money at their disposal to buy coal, they use pieces of wood for cooking food;
- At the Port-de-Paix Civil Prison, it was decided to prepare only four (4) bags of rice, replacing the five (5) or six (6) bags that were once cooked. The CARITAS organization and some citizens of the area are helping the prison because the DAP has not renewed food supplies;
- The civil prison of Port-au-Prince was already struggling to provide sufficient food in quantity and quality to the prisoners. Today, she gives them only one meal a day;
- Since the ongoing lockdown operation, the civil prison of Jacmel does not receive food stock from Port-au-Prince. It is pastors, charitable missionaries as well as officials of the town hall of Jacmel who come to the aid of the detainees who affirm that even if the food is insufficient, it is of better quality than what was usually offered to them.

18. Furthermore, for several months, the DAP had decided not to feed prisons with condiments. This decision also concerns other items important for the day-to-day operation of prisons such as drugs, hygiene kits, cleaning products, brooms, mops, etc., therefore, the prison space is now very dirty and the cells emit foul odors.

As the cleaning and cleaning products are not distributed, the Haitian prison space is even more unhealthy than before.

## V. AVAILABILITY AND ACCESS TO WATER

19. To analyze access to water in detention centers across the country, three (3) scenarios should be considered:

- The country's prisons supplied with water by the National Directorate for Drinking Water and Sanitation (DINEPA), do not face any problem of access to water. This is the case of the civil prisons of Jacmel, Mirebalais, Saint-Marc, and Les Cayes. However, in the latter, since the diet is not regular, it is often in a situation of lack;
- The civilian prisons of Cabaret, Croix-des-Bouquets, Port-au-Prince have artesian wells and purification equipment. However, they depend on the electric power supply to get the water into the tanks and distribute it in their various blocks; so they have relative access to water;
- Other penitentiaries, such as the Anse-à-Veau, are totally dependent on the outside and therefore face a shortage of water. This is a situation that paralyzes the operation of the kitchen, prison cleaning, laundry, and prisoner baths.

When water is not available in prison, the operation of the kitchens is paralyzed and inmates cannot clean the prison space, do their laundry or even take their bath.

## VI. AVAILABILITY OF HEALTH CARE FOR DETAINEES

20. Since the September 2019 lockdown, health care has been virtually non-existent in prisons. Nor are drug stocks renewed, so even frequent cases of temporary pain cannot be treated. For example:

- In the civil prison of Port-de-Paix, there are only antibiotics and some rare medicines used in specific prophylaxis;
- In the civilian prison of Mirebalais – where there are now numerous cases of tuberculosis – there is a great lack of medicines;
- The prison of the Grande Rivière du Nord has no medicines. The doctor and the nurse are overwhelmed by the situation;
- The prisons of Croix-des-Bouquets, Cabaret, Port-au-Prince are out of stock of medicines.

21. And today, in general, it is the Health Through Walls (HTW) organization that acts as an aid to prisons in the health field.

## **VII. VISITS BY PARENTS AND ACCESS TO THE OUTDOORS OF PRISONERS**

22. Since September 2019, visits have been prohibited in most prisons across the country. According to the prison authorities met during this tour, this is a prudent decision to better manage security in the prison. Such is the case, for example, of the civil prisons of Cabaret, Croix-des-Bouquets, Les Cayes, Jacmel, Jérémie, Grande Rivière du Nord, Gonaïves, Saint-Marc and Port-au-Prince.

23. To the civil prison of Cap-Haitien and to CERMICOL, if parents are still allowed to visit their relatives in prison, these last only a few minutes and particular attention is paid in the search of visitors to prevent contraband from entering the prison space.

24. Similarly, to prevent riots, the schedule of recreational activities has also changed. The inmates have only a few minutes in the open air to go to the toilet, to do their wash, perform their ablutions and stretch their legs before returning to the overcrowded cells. For example:

- In the civil prison of the Croix-des-Bouquets, access to the open air lasts only a few minutes when demonstrations are announced;
- At the Cabaret Civil Prison, only minors are allowed to recreate. Adults are allowed to leave cells only for their bath;
- In the civilian prisons of Anse-à-Veau, Grande Rivière du Nord, Jacmel, Jérémie, Port-au-Prince, Port-de-Paix, Hinche, Mirebalais, Saint-Marc, recreation is completely eliminated. Only bath time is used to do everything.

Except in rare cases, inmates have been held in cells since September 16, 2019, without even a minimum of one hour of outdoor access. They only get a few minutes for ablutions, laundry and physiological needs.

## **VIII. SITUATION OF MINORS IN CONFLICT WITH THE LAW**

As part of this tour, the situation of the miners was also analyzed by the RNDDH.

- *At CERMICOL*

25. The manager tries as much as possible to make CERMICOL work as usual, even if it is very difficult. To date, two (2) meals are still offered to incarcerated minors for whom, on average, two (2) bags of rice are cooked per day.

26. Since the DAP is very irregular in the renewal of the food stock of the center, it is thanks to the help of the organization Food for the Poor that the manager continues to take care of the minors. In addition, since June 2019, condiment fees have not been received by CERMICOL, which means that the manager often has to personally take care of buying the condiments.

27. Visits by the parents of juvenile detainees have been reduced, presumably due to the paralysis of the country's activities.

28. Depending on the external situation, inmates spend one (1) to two (2) hours per day outdoors. When there are demonstrations or in times of turmoil, they are kept in the cells because protesters often shoot rocks at the center building.

29. All other social activities at the center were interrupted: sports, classical studies, vocational training. Teachers are unable to get to their place of work.

30. CERMICOL is supplied with water in sufficient quantity. It also has a dispensary with certain medicines. However, cases of illnesses beyond the competence of prison staff are difficult to manage, with public hospitals struggling to cope during this time of crisis. For example, they have already transported a sick prisoner to the University Peace Hospital (UEP) which was closed that day and then to the HUEH who did not receive it because they did not have the means to do so.

Apart from CERMICOL and the Cabaret Civil Prison, the prisons pay no particular attention to minors incarcerated in this crisis situation.

- *At the Cabaret Civil Prison and in the prisons located in the provincial cities*

31. Minors incarcerated in the Cabaret Civil Prison are subject to the same conditions of detention as well as the restrictions adopted because of the country's exceptional situation. However, since their small number of helpers and cells are located in a block separate from the one that welcomes adults, they are not systematically kept in cells as is the case for adults.

32. No special consideration is given to them with regard to food, health care, social activities such as sport, academic training and vocational training.

33. Minors incarcerated in prisons located in provincial cities are not given special consideration.



## IX. DEATH OF DETAINEES

34. From January to October 2019, at least sixty (60) inmates died in prison, including nine (9) from September 16 to October 4, 2019. The following table presents the information concerning them:

#	Prisons	Inmates	Date of death
1	Port au prince	Wilner Deza	January 9, 2019
2	Anse à Veau	Bernais Bernard	January 31,2019
3	Port-de-Paix	Yonel Eliazard	February 2, 2019
4	Anse à Veau	Roger Felix	February 8, 2019
5	CM <sup>1</sup> Petit-Goâve	Colomb Christian Jerry	February 9,2019
6	CM Petit-Goâve	Yves André Delciné	February 11,2019
7	Croix-des-bouquets	Hilaire Elysée	February 17,2019
8	Croix-des-bourquets	Registre Dieulifaité	February 18,2019
9	Port-au-Prince	Hubert Alexandre	February 18,2019
10	Gonaïves	Patrick Ciméus	February 19,2019
11	Mirebalais	Faniel Dorvil	February 21, 2019
12	Port-au-Prince	Huguens Exantus	February 27, 2019
13	CM Petit-Goâve	Mario Regilus	March 1,2019
14	Croix-des-bourquets	Lexan Robenson	March 3,2019
15	Gonaïves	Passadiou Aime	March 10, 2019
16	Port-au-Prince	Gerald Pierre	March 12, 2019
17	Port-au-Prince	Guerlin Dorestant	March 12, 2019
18	Cayes	Bernard Notus	March 13, 2019
19	Cayes	Marcel Pierre Juste	March 14, 2019
20	Port-au-Prince	Chérilien Philipp	March 18, 2019
21	Port-au-Prince	Galant Luckne	March 25, 2019
22	Port-au-Prince	Jameson Beaucéjou	March 27, 2019
23	CM Miragoâne	Joseph Fritz Joassain	March 2019
24	CM Miragoâne	Trofort Destin	March 2019
25	CM Petit-Goâve	Edouard Osnel	April 8, 2019
26	CM Petit-Goâve	Edouard Osnel	April 9, 2019
27	Anse-à-veau	Anderson Léon	April 9, 2019
28	Port-au-Prince	Jameson Pierre	April 10, 2019
29	Jacmel	Henry Pierre Claude alias Claudy Mix	April 13, 2019
30	Port-au-Prince	Gabriel Amazan	April 23, 2019
31	Port-au-Prince	Renel Lestin	April 25, 2019
32	Gonaïves	Marco Fleurilus	April 28, 2019
33	Port-au-Prince	Olivier Demexant dit Semexant	May 7, 2019
34	Gonaïves	Revilus Altesse	May 14, 2019
35	CM Petit-Goâve	Kenold Ceant	May 21, 2019
36	Gonaïves	Dieuliphete Dieuvignol	May 24, 2019
37	Cayes	Felixon Durand	July 3, 2019
38	Port-au-Prince	Eugene Pierre Charles	July 10, 2019
39	Cayes	Charly Aneus	July 17, 2019
40	Port-au-Prince	Michel Turenne	July 19, 2019
41	Port-au-Prince	Junior Morency	July 28, 2019
42	Croix des bourquets	Francis Felix	August 5, 2019

<sup>1</sup> CM: Commissariat

43	Croix des bourquets	Alisme Bagelot	August 16, 2019
44	Port-au-Prince	Dorcy Dorsainvil	August 31, 2019
45	CM Miragoâne	Alix Josma	August 2019
46	Croix des bourquets	Towunchin Joseph	September 2, 2019
47	Port-au-Prince	Canez Basil	September 3, 2019
48	Cayes	Vilson Aubourd	September 5, 2019
49	Gonaïves	Daceus Alexis	September 12, 2019
50	Jeremie	Pierre Marie Gerant	September 13, 2019
51	Port-au-Prince	Blake Paul	September 14, 2019
52	Croix des bourquets	Saint Julus Derissaint	September 16, 2019
53	Croix des bourquets	Stanley Figaro	September 21, 2019
54	CM Petit-Goâve	Ludovic Petion	September 23, 2019
55	Hinche	Raphael Caman	September 24, 2019
56	Croix des bourquets	Fritz Hilaire alias Frito	September 24, 2019
57	CM Petit-Goâve	Hidovile Petion	September 25, 2019
58	CM Petit-Goâve	Joseph Auguste alias Azou	October 3, 2019
59	Croix des bourquets	Oxant Saint-Fleur	October 4, 2019
60	Jacmel	Richard Saturin	October 4, 2019

35. A quick comparison of the number of deaths recorded in prison reveals that from January to October 2018, one hundred and eighteen (118) inmates lost their lives, including twenty-six (26) inmates in September and October 2018 compared to sixty (60) for 2019, including nine (9) in September and October 2019.

#### **X. LEGAL SITUATION OF DETAINEES AND JUDICIAL EXTRACTIONS**

36. On 5 November 2019, the Haitian prison population is estimated at eleven thousand five hundred and twenty-nine (11,529) persons<sup>2</sup> of which eight thousand five hundred and seventy-eight (8,578) or 74.41%, awaiting trial and two thousand nine hundred and fifty-one and-one (2,951) sentenced or 25.59%.

37. At the same time, in September and October 2019, among the eight thousand five hundred and seventy-eight (8,578) inmates, only four hundred and sixty-five (465), representing 5.42% of the prison population awaiting trial, have benefited from judicial extraction orders issued by the few magistrates who have tried to move forward with the cases in their charge. The following table shows the figures for these extractions:

<sup>2</sup> Source: Directorate of Prison Administration (DAP), movement of the prison population, November 5, 2019 and National Network for the Defense of Human Rights (RNDDH)

#	Prison	Detainees-es extracted
1	Anse-à-Veau	2
2	Cabaret	2
3	Cap-Haïtien	54
4	Cayes	3
5	CERMICOL	5
6	Croix-des-Bouquets	12
7	Gonaïves	9
8	Grande Riviere du Nord	0
9	Hinche	4
10	Jacmel	49
11	Jeremie	15
12	Mirebalais	1
13	CM Miragoâne	0
14	CM Petit-Goâve	177
15	Port-au-Prince	102
16	Port-de-Paix	30
17	Saint-Marc	0
	Total	<u>465</u>

38. Moreover, for several years, the courts of first instance in the country had become accustomed to organizing criminal hearings without the assistance of a jury in October, November and December. To date, no judicial activity suggests that these extraordinary hearings will be conducted, which risks further penalizing inmates awaiting trial.

## **XI. SECURITY SITUATION IN PRISONS**

39. The majority of penitentiaries are located downtown, often juxtaposed with schools and markets, not far from shopping malls or other types of private and public institutions. This juxtaposition allows inmates to be aware of events outside of prisons. And, those who have radios at their disposal, inform each other every day.

40. In addition to this, in the vicinity of certain prisons such as those in Port-au-Prince and the Croix-des-Bouquets, heavy automatic weapons are frequently heard.

41. During the demonstrations, the buildings of the Jacmel Civil Prison and the CERMICOL were shot with stones and/or broken bottles. In Jacmel, for example, it happens that prisoners are victims while they are in their cells.

Many officials believe that prisons are vulnerable to external harm. This led them to take special security measures.

42. Burning barricades are often stored not far from Cabaret Civil Prison. In addition, some inmates in Port-au-Prince complain of inhaling the tear gas used frequently and profusely by the police institution to disperse the demonstrations. Being in non-aerated spaces, they are often bothered by this smell.

43. As a result of these considerations, some security measures were adopted by prison officials during protest periods. They concern, among other things, the reduction of time spent outdoors, the cancellation

of training activities, the cancellation of visits by parents and the increase of the level of safety alert with the help of outside, administrative police officers and specialized corps of the PNH.

## **XII. SITUATION OF POLICE STATIONS CONVERTED INTO PRISONS**

44. As part of this tour, the RNDDH monitored the police stations of Petit-Goâve, Miragoâne and Aquin.

45. The Petit-Goâve police station is supplied with water by DINEPA. For more than two (2) months, DAP no longer supplies the twenty-two (22) small bags of rice and the usual gallons of oil. As a result, the Office of the Commissioner was forced to reduce the number of rice bags to two (2) a day from three (3) in the past. Prisoners are now undernourished. They are getting one meal a day.

46. Before the current crisis, sick prisoners were transferred directly to the Hospital Notre Dame de Petit-Goâve and prescriptions were carried out by the said police station. Today, for the safety of detainees, officials told the RNDDH that they had decided to bring the doctors on site.

47. Inmates whose parents live in Petit-Goâve still receive visits, which is not the case for those whose relatives live in other municipalities or remote communal sections. At the police station of Petit-Goâve, men and women take their bath in the cells. Only minors are allowed to bathe outdoors.

The situation of the police stations converted to prison is no different from that of the prisons: the management of the inmates who are incarcerated there is left to the heads of these police stations.

48. On September 27, 2019, at approximately two (2) pm, the Office of the Commissioner was the subject of an attempt to invade demonstrators. The PNH agents pushed them away. Junot EXILAS, thirty(30) years old, motorcycle taxi driver was killed and Watson CHARLES was shot in the jaw.

49. At the beginning of the events of September 2019, the women and miners who were at the Bornes Soldat Sub-Commissariat had all been transferred to the Petit-Goâve police station. This decision will prove judicious especially on October 29, 2019 when a fire attempt of the sub-station of Bornes Soldiers was recorded.

50. Since the escape recorded on 12 February 2019, when seventy-seven(77) detainees escaped from the Aquin police station converted to prison, officials have decided not to detain detainees in preventive detention. As soon as a deposit order is issued against an individual, it is immediately sent to the civil prison of Les Cayes.

51. In the police station of Miragoâne converted into prison are forty-one (41) prisoners. The food they receive is insufficient. And long before the current situation, they had never been allowed to get out. And since September 16, 2019, they no longer receive visits from their loved ones.

## **XIII. WORKING CONDITIONS OF DAP STAFF**

52. Generally speaking, when the situation is so tense in the country, the DAP officers are obliged to remain in their posts, in their places of assignment and to work on the basis of an exacting schedule.

53. In some prisons, officials try as much as possible to keep the usual turnover. However, officers, as well as civilian staff, often find it difficult to return to their workplaces. For example, if in Cabaret and Croix-des-Bouquets, cooks live in the municipalities and regularly go to work, even in a crisis situation, This is not

always the case for other civilian employees and LDD officers who have to take public transit every morning.

54. In prisons such as CERMICOL, prison officials have revised the leave of DAP officers due to the current situation.

Since September 16, 2019, DAP officers have been working a rigorous schedule.

55. Finally, it should be noted that some DAP staff complain that they do not receive their wages on time or that the State owes them arrears of wages.

#### **XIV. COMMENTS AND RECOMMENDATIONS**

56. Lockdown operations and the current socio-political crisis in the country have a significant impact on prison life. The tour conducted by the RNDDH during the month of October 2019 showed that the conditions of detention already of concern, become a little more alarming every day.

57. Today, three (3) prison centers receive food supplies for only two (2) to three (3) days. These are the civilian prisons of Cabaret, Croix-des-Bouquets and Port-au-Prince. Only the Center for the Reintegration of Minors in Conflict with the Law (CERMICOL) receives stocks for a period of one (1) month. Nine (9) detention centers have not been replenished by DAP since the beginning of the crisis. These are the civil prisons of Cap-Haitian, the Grande Rivière du Nord, Port-de-Paix, Hinche, Jacmel, Anse-à-Veau, Les Cayes, Jérémie and Saint-Marc. At least seven (7) of them are supported by concerned citizens, charities and non-governmental organizations. These are the prisons of Hinche, Cap-Haitien, Port-de-Paix, Jacmel, Anse-à-Veau, Les Cayes and Saint-Marc. And, after several months without resupply, the civil prison of Mirebalais received on October 25 and November 2, 2019, food stocks for a few days.

58. In at least five (5) prisons, inmates are supported by officials who often use credit purchases in the communities or draw on their own funds to support them.

59. Apart from the CERMICOL and the Saint Mark Civil Prison, all the prisons visited as part of this tour were forced to drastically reduce the food ration of the prisoners, which was already insufficient before the crisis. The parents and relatives who helped the prison administration a little bit by bringing regular food and hygiene kits to their relatives in prison are stuck at home. And while prisons generally have access to water, for some, water is a near-insurmountable challenge

60. The tour also revealed that, in the Croix-des-Bouquets Civil Prison and at CERMICOL, an environmental assessment is carried out every day to allow inmates to take in the air for at least one (1) to two (2) hours of time per day. At the Cabaret Civil Prison, only minors have access to the outdoors. Apart from the prisoners in these prisons, all those incarcerated in the prisons visited and monitored are, during the current crisis, kept in cells. And, generally speaking, they do not receive visits from their parents.

61. Thus, in violation of Articles 27 and 28 of the Internal Regulations of the Penitentiaries (RIEP), which specify respectively that every prisoner is entitled to a balanced meal at least two (2) once a day and that the food must be prepared in good hygienic conditions so that it cannot harm the health of the prisoners, Today, inmates in general do not receive sufficient food in quantity and quality. Many of them also have limited access to water, contrary to the provisions of Article 26 of the RIEP according to which access to drinking water as much as necessary must be guaranteed to all inmates.

62. In addition, in violation of Sections 50 and following of the RIEP, health care is not available, drug inventories are not renewed. Similarly, Article 42 of the RIEP - which provides that, on a regular basis,

inmates must be allowed six (6) hours of time outside of cells and that in exceptional circumstances, they must spend at least one (1) hours of outdoor time per day – not respected.

63. In the light of the cascading violations of prisoners' rights, the RNDDH believes that if security reasons have been advanced by the supervised prison officials to explain this temporary hardening of the prison regime, these decisions cannot last because they penalize prisoners already under normal conditions, under difficult conditions of detention.

64. The RNDDH also considers deplorable the fact that the state authorities concerned do not make sufficient effort to feed prisons with food, medicines, cleaning and cleaning products. He recalls that it is mainly detention centers located in provincial cities that suffer from this situation that go beyond prison officials, abandoned to themselves in the quest for palliative care.

65. The RNDDH welcomes the assistance provided by some citizens, charitable organizations and local authorities to manage the situation in prisons, The aid would have been of assistance without which the situation described above could have already worsened.

66. And, while the spotlight is set on protest movements and the paralysis of life in Haiti, the RNDDH draws everyone's attention to the humanitarian crisis looming on the horizon, to the detriment of the eleven thousand five hundred twenty-nine (11,529) people in detention today, if nothing is done to raise the bar.

67. There is no doubt that the situation described above is very stressful especially for prison officials who manage it from day to day. However, despite these difficult conditions, they still won the bet to reduce the number of deaths of prisoners since twenty-six (26) died in the months of September and October 2018 against nine (9), in 2019.

68. On the basis of all the above and to avoid a worsening of the situation, the RNDDH recommends that the state authorities and those responsible for the DAP:

- Quickly distribute food supplies to prisons, taking into account the number of inmates per prison;
- Provide condiment costs after their upward revision, taking into account the current inflation rate;
- Pay debts incurred by prison officials;
- Pay DAP agents on time and regularly;
- Supply prisons with medicines, propane gas, hygienic kits and cleaning products.