



NATIONAL NETWORK FOR THE DEFENSE OF HUMAN RIGHTS (RNDDH)

Membre de la
fidh

RNDDH report on the evolution of the human rights situation in Haiti in the context of Covid-19

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SUMMARY

	PAGES
I. INTRODUCTION	2
II. SOCIO-POLITICAL CONTEXT OF THE EMERGENCE OF COVID-19 IN HAITI	2
III. DECISIONS TAKEN BY STATE AUTHORITIES TO COMBAT AGAINST THE SPREAD OF COVID-19	6
1. Phase I State Management of Covid-19	6
2. Phase II State Management of Covid-19	6
a) Adoption of an order	6
b) Other decisions deemed complementary	7
IV. APPLICABILITY OF THE MEASURES ADOPTED AND GENERAL MANAGEMENT OF COVID-19	8
1. Status of Hospitals	8
2. Market situation	11
3. Transit Status	12
4. Situation of persons deprived of liberty	13
5. Inmate Releases in the Context of Covid-19 and Cases that attracted attention	15
a) Jurisdiction of the Croix-des-Bouquets	15
(b) Jurisdiction of Port-au-Prince	18
c) Jurisdiction of Les Cayes	18
d) Jurisdiction of Hinche	18
6. Situation in CRLDI	19
7. Security situation in the country	20
1. Beatings, verbal and physical assaults	21
a) Case of journalist Dodeley ORELUS	21
b) Case of Jackson MOMPLAISIR	22
22c) Case of journalist Georges Emmanuel ALLEN	22
d) Circulation of a video of beating	23
V. COMMENTS AND RECOMMENDATIONS	23
RNDDH report on the evolution of the human rights situation in Haiti in the context of Covid-19	2
RNDDH – Rapport/A2020/No4	

I. INTRODUCTION

1. On March 19, 2020, state authorities announced that they had discovered two (2) cases of people with Covid-19 and claimed that this discovery moves the country to Phase II management of the disease. On the same day, a presidential decree was adopted. Composed of two (2) articles, establish a state of health emergency throughout the territory for a period of one (1) month; and advocates a set of measures to prevent the spread of Covid-19 in Haiti.
2. Following the adoption of this order and based on its prescriptions, the Haitian judiciary as well as the local authorities decided to intervene, the first, to decongest the centers second, to protect their respective communities. Since then, the country has The European Union has taken a number of steps to Human rights violations are recorded everywhere.
3. Concerned by both the general human rights situation in the country and the increase Covid-19 cases – estimated to be one hundred (100)¹ upon publication this report – the National Network for the Defense of Human Rights (RNDDH) and its regionalized structures share with the public the results of their monitoring activities during the months of March and April 2020.
4. The following report, composed of seven (7) main points, reviews the socio-political context of the country just before the appearance of Covid-19 in Haiti, analyses the decisions that were made by the state authorities and their applicability, highlighting the situation of hospitals and common, markets, detention centers and document receipt and delivery centers of Identity (IDRC). In addition, the report examines orders for the release of detainees who have been executed during the period from March 20 to April 30, 2020 and looks at the security situation of the country.

II. SOCIO-POLITICAL CONTEXT OF THE EMERGENCE OF COVID-19 IN HAITI

5. The year 2019 took place in a difficult context where civil, economic and political rights and social of the Haitian people have been systematically trampled.
6. Insecurity was a concern. From January to December 2019, at least three (3) massacres were perpetrated by armed gangs close to the government to the detriment of the population Haitian living in deprived neighborhoods. These massacres resulted in the death of at least fifty-five (55) people. Here are some details:
 - From 14 to 19 of April 2019, a massacre was perpetrated in Delmas 2 where twenty (20) people were ²;
 - From 5 to 13 of July 2019, a new one was perpetrated in La Saline. Twenty (20) people lost their life, two (2) missing and six (6) others injured by gun shot³;
 - From 4 to 7 of November 2019, in Bel-Air⁴, a massacre was orchestrated by armed gangs close to the power. Fifteen (15) people were murdered.

7. For their part, armed gangs have not ceased to proliferate, as have their food weapons and ammunition have been continuously insured. However, it will be remembered that the armed gang led by Jimmy CHERIZIER alias Barbecue is involved in the aforementioned massacres and that, despite the numerous reports from the Central Directorate of Judicial Police (DCPJ) proving these facts, the latter and its peers continued – and continue today – to benefit from the institution’s protection police.

8. Many acts have been committed against the lives and property of the population, in parallel with these massacres, resulting in the assassination of four hundred and seventy-eight (478) people of whom forty-four (44) police officers and two (2) journalists.

9. By the end of 2019, kidnapping cases followed by kidnapping for ransom have exponentially increased. These cases have also resulted in unspeakable violence where women and girls have been victims of collective rape and where members of the population were murdered in the presence of their children, for refusing to give in to their abusers who were trying to abduct them. Many families were beheaded, and others went into debt to pay the large amounts claimed by the kidnappers. The police institution, powerless in the face of this scourge, could not provide accurate information on the number of cases registered. This situation continued at the beginning of 2020.

10. Anti-government demonstrations were held, and lockdowns were recorded. One hundred and forty-three (143) people lost their lives during these demonstrations. In addition, in February, June and in September 2019, economic, social and political activities were paralyzed respectively for ten (10) days, seven (7) days and three (3) months.

11. In September 2019, school activities were unable to resume in time. This is only in December 2019 some schools opened their doors and shortened the Christmas holidays in view of allow students to catch up a little on lost lessons. This situation has been the basis of open conflicts between parents and certain school principals who required payment of tuition even for the time the children had spent at home. The state, which never took steps to control the exorbitant costs of schooling, has once again missed the opportunity to pronounce.

12. Informal trade has slowed down.

13. Freedom of the press has not been respected. In fact, during the course of 2019, especially at the time of the lockdown, several attacks against press workers were recorded. Two (2) journalists were murdered and at least thirty (30) other media workers were physically and/or verbally assaulted. This is one of the reasons why the country dropped from 62nd place in 2018 at 83rd place in 2019 out of one hundred and eighty (180) countries analyzed, on the respect of freedom of the Presse⁵.

14. Despite the many promises made by the State to improve the general conditions of detention, they worsened. During 2019, the food ration of prisoners drastically lowered. Some prison officials had to go into debt to feed the inmates-es, the Directorate of the Prison Administration

(DAP) not having been able to regularly renew the stocks of prison food. The cell-based prison regime has been implemented in most prisons of the country. The Haitian judiciary was forced to work in slow motion, the detainee's preventive detention, could not benefit from the rare judicial extractions ordered.

15. At least one escape and two (2) cases of mutiny were recorded in prison in 2019. One escape was recorded on February 12, 2019 at the police station of Aquin converted into a prison by which Seventy-eight (78) inmates fled.

16. The mutiny was carried out in the civilian prisons of Gonaives and Hinche. The most regrettable of these is the mutiny recorded at the Civil Prison of Gonaives in favor of which, on the night of November 7-8, 2019, ten (10) of the twelve (12) incarcerated women were raped by the detainees. This barbaric act was carried out with the complicity of those in charge of this prison which allowed them to spend the night in the common area of detention where the women. At the Hinche Civil Prison, two (2) officers of the Directorate of Penitentiary Administration (DAP) were taken hostage by detainees who demanded food and their release.

17. The Haitian judiciary has been unable to work regularly. Due to insecurity and operations to lock down socio-economic activities, the rare judicial extractions ordered could not be executed and numerous criminal assizes without jury assistance as well as correctional hearings generally held throughout the year, could not be. The legal status of prisoners, weakly influenced by criminal hearings with and without jury assistance organized during the summer of 2019 in seventeen (17) of the eighteen (18) jurisdictions of first instance in the country, has rapidly evolved. Thus, at the end of 2019, 72% of the population Haitian prison was in prolonged pre-trial detention, either illegal and arbitrary. This rate is 74.11% as of April 15, 2020.

18. Political news has kept the country breathless. On March 21, 2019, Head of Government Jean Henry CEANT was forced to leave power. From March 2019 to March 2020, the President of the Republic led the country together with a resigning government headed by Jean Michel LAPIN.

19. The constitutional order is broken. The year 2019 was the last bulwark for the organization of the by-elections in order to avoid breaking the constitutional order. However, these elections were never organized by the Executive. Consequently, on January 13, 2020, the constitutional order was effectively broken. The unproductive Haitian parliament left without drum nor trumpet. Members of the Fiftieth Legislature were denied access to the premises of the Parliament, following a message sent on Twitter by the President of the Republic Jovenel MOÏSE in which he announced that he had observed the lapse of the Parliament. Today, the country has only eleven (11) elected personalities. term. And, because of this situation of rupture of the constitutional order, a ministerial cabinet was simply installed by the President of the Republic Jovenel MOÏSE.

20. A new National Identification Card ⁶ is issued. In 2019, the government chose to set aside the national identification card, which also serves as an electoral card, to issue a new one. The President of the Republic Jovenel MOÏSE claimed to have himself chosen the German firm RNDDH report on the evolution of the human rights situation in Haiti in the context of Covid-19

DERMALOG for the issuance of these new cards. Pressure has also been put on the Haitian population since, to demand it, despite the many issues raised by it.

21. The socio-economic rights situation worsened in 2019. The population has become even more impoverished, according to the various economists who have said that inflation has fluctuated between 17% and 20% this year. Moreover, nothing has been done to improve the living conditions of the population. The rights to health, housing, education and work have been disregarded.

22. Corruption is rampant in state institutions. Under pressure from the Haitian people, the Superior Court of Auditors and Administrative Litigation (CSC/CA) published two (2) separate reports on January 31, and May 31, 2019 on the use of Petrocaribe funds. These damning reports corroborated rumors that these funds should have been used to provide a minimum of well-being to the Haitian people, have been squandered.

23. Poor social assistance was unable to help the population. For several years, the various social programs have constituted major corruption operations with zombie beneficiaries and over-billing of products. 2019 was no different and social assistance did not reach the neediest.

24. The country's hospitals are not equipped with adequate health facilities and, during 2019, doctors, nurses and other medical personnel, observed several work stoppages to demand better working conditions and a pay increase.

25. It is in this worrying context of denial of human rights that on March 19, 2020, the Covid-19, which was already raging in other countries of the world, was introduced in Haiti with the discovery of the first two (2) infected people.

III. DECISIONS TAKEN BY STATE AUTHORITIES TO COMBAT PROPAGATION OF COVID-19

1. Phase I of state management of Covid-19

26. Before the appearance of Covid-19 in Haiti and considering its spread in other countries where the daily death toll amounts to thousands of victims, the Haitian authorities said they had set up a cell responsible for detecting people from abroad. Employees of the National Airport Authority (AAN) were responsible for taking the temperature of passengers coming from abroad.

27. According to the state authorities, it was this screening technique that made it possible to discover the first two (2) cases, which took the country to Phase II of disease management.

28. Awareness-raising sessions were held through some media to alert the public to the serious consequences of the disease and to share information on its modes of transmission.

29. Flights to and from Haiti were cancelled, except those from the United States. And in anticipation of Phase II disease management, the authorities announced:

- Have at their disposal two hundred (200) hospital beds to care for people with Covid-19;
- Have equipped a space for putting in fourteen people from areas at risk. However, for security reasons, information relating to this space was not disclosed. It was by chance that citizens discovered that it was actually the Hotel Monte Cristo, located in Tabarre 60.

2. Phase II of Covid-19 Management by State Authorities

30. Started on 19 March 2020, this phase promoted:

(a) Adoption of an order

31. On 19 March 2020, a decree decreeing a state of health emergency throughout the national territory was adopted by the Council of Ministers. It reads as follows:

'Considering the arrival of Coronavirus (COVID-19) on the national territory;

Considering that it is urgent to take all necessary measures to protect the life and health of the population;

Article 1. - The state of emergency is declared throughout the national territory for a period of one (1) month from the publication of this decree.

To this end, the following measures shall be adopted:

- 1) Schools, industrial parks, Vodou peristyles or temples, churches, mosques and all other places of international airports, land and sea borders remain closed until further notice;
- 2) The Government will take appropriate measures to provide hospitals with masks, gloves, and medicines, solutes and any other necessary medical supplies;
- 3) Private hospitals and clinics make their isolation services available to the State;
- 4) Citizens are asked to stay at home or to limit their travel to what is strictly necessary;
- 5) Individuals from risk areas will be automatically quarantined for a period of time of (14) fourteen days;
- 6) Owners of private property and structures, possibly requisitioned by the State, to rescue the people, will be properly compensated.

The public forces are mobilized to enforce these measures.

Articles 2.- This order will be printed, published and executed by the Prime Minister and all Ministers, each in his own right”.

Given at the National Palace in Port-au-Prince, March 19, 2020, An 217th of Independence.”

b) Other decisions deemed complementary

32. In addition to the measures adopted in the management of Phase I of the disease and those enacted in the March 19, 2020 arrest, the state authorities also decided to:

- Cancel all international flights to and from Haiti;
- Make available to the population, a direct telephone line. If at the beginning this call was paid, for several days, the call is free;
- Carry out the tests at the National Laboratory of Public Health and the Haitian Sarcoma Study Group Kaposi and Opportunistic Infections (GHESKIO);
- Establish a weekly rotation of 50% of the State’s staff, in public services essential;
- Prohibit gatherings of more than ten (10) people;
- Establish a curfew throughout the territory, from twenty (20) hours to five (5) hours.

33. The government also ordered the purchase of medical and hospital equipment for eighteen million six hundred and sixty-nine thousand five hundred (18,669,500) US dollars. It will be noted, however, that in addition to the orders placed, several Haitian embassies are also asking for assistance from their partners for the same materials.

34. At the same time, certain town halls such as those of Pétion-ville, Cap-Haitian, Mirebalais, Hinche, de Port-de-Paix, de Carice, etc. also adopted measures relating to the operation of markets, public transportation, etc.

IV. APPLICABILITY OF THE MEASURES ADOPTED AND GENERAL MANAGEMENT OF COVID-19

1. Situation of the Hospitals

35. Long before the appearance of Covid-19 in Haiti, hospitals and health centers were totally consequently, unable to care for people with Covid-19. However, next lack of equipment in hospitals and health centers, RNDDH and its structures in some places, staff do not have adequate information to refer people with Covid-19 symptoms to treatment centers. In addition, the management protocol is not clearly established for all hospitals and health.

36. The RNDDH and its regionalized structures also toured thirteen (13) centers
The tour revealed the following:

- The Psychiatric Center of Port-au-Prince received from the Ministry of Public Health and Population (MSPP) three (3) five (5) gallon buckets for hand washing. These buckets bear the UN Agency for Children UNICEF. The center also received two (2) gallons of 3 liters 78 of chlorine as well as a case of soap, some muffins and some gloves. In addition, two (2) clean-up sessions were organized by members of an Adventist the capital. They took the opportunity to bring food to the sick. A barrel is located on the courtyard of the center to facilitate hand washing. Similarly, Food for the Poor, a usual partner of the psychiatric center, brought food and some medicines, to the sick.

However, it should be noted that a training session was conducted by the MSPP around the Covid-19. However, this one affected the security officers of the psychiatric center which yet have no direct contact with the sick.

- The building of the Hospital of the State University of Haiti (HUEH) is in poor condition and the part in construction for more than five (5) years, is far from complete as the work on the site is suspended for some time. However, despite these constraints, a room has been set up in the emergency area to accommodate persons suspected of having Covid-19. The organization Médecin sans Frontières (MSF) helped set up this emergency room, by granting the HUEH certain necessary equipment, gloves and masks. The MSPP has, for its part, supplied with electronic thermometers.

Other measures have also been adopted to protect the various people who attend HUEH. These include:

- o the installation of several handwashing stations;
- o Awareness of staff, patients and relatives of patients;
- o Limiting visits and reducing the number of visitors per patient;
- o Cleaning the building;
- o the distribution of masks to medical staff and certain patients.

In early April 2020, two (2) training sessions were conducted by the lead epidemiological services of the Department of the West, for the benefit of medical staff of the HUEH.

The hospital has the Office de Surveillance Epidemiology (OSE) which has been activated. In this sense, the National Laboratory of Public Health has delegated to this service a team of nurses from Project for the Strengthening of Epidemical Surveillance (PRESEPI). This team is responsible for take the samples and send them to the National Laboratory of Public Health for follow-up necessary. The OSE provides surveillance in cases of home quarantine in addition to hospital or institutional quarantine.

According to information collected by the RNDDH, to date, there are no suspected cases of Covid-19 to HUEH. However, it is planned to move another room, in case the number of cases suspects would have increased.

- At the Wesleyenne Hospital of Anse-à-Galets, in the department of West, only doctors and nurses wear masks and have gloves for their work. Some patients for their part, do not believe that Covid-19 really exists and therefore, they do not carry in the hospital, no more than they respect social distancing. Others protect themselves as they can, using handkerchiefs, not having the means to get some masks.
- At the University Hospital of Mirebalais, in the department of the Center, training sessions and were organized from March 11 to 22, 2020 for various groups in the staff: Doctors, Nurses, Auxiliaries, Nursing Assistants, Housewives, Security Officers, etc.

People with Covid-19 were welcomed in the brand-new building built formerly with the aim of caring for people suffering from Cholera. From March 19 to April 15, 2020, the hospital received thirteen (13) cases of Covid-19. Nine (9) of them returned home, one (1) was death and three (3) others were still receiving care when RNDDH was present.

An awareness campaign is carried out with commercials and broadcasts radio. In addition, ten (10) multi-purpose health workers were trained and one of the company country's telephone supplied the hospital with fans.

In addition, the RNDDH and its structure of the Department of the Centre have learned that the staff who working at the University Hospital of Mirebalais does not have protective equipment. This only after discovering the case of a patient with Covid-19 who was previously admitted in several departments of the hospital that as of April 23, 2020, officials have given each staff member a kit containing four (4) muffins and one (1) mini jar of gel cleaning for a period of one (1) month. They also had to take samples for emergency and surgical personnel.

- The Holy Happy Hospital of Hinche, in the department of the Center, has committed itself to an awareness campaign. The institution Les Petits Frères et Soeurs de l'Incarnation the disposal of the departmental directorate of public health in Hinche. Advertising spots as well as radio broadcasts to raise awareness in Hinche. In some remote areas, megaphones are used for the same purpose.
- In Carizal, a locality located in Belladère, in the department of Center, the health authorities have installed a special center for the care of people with Covid-19 from the Dominican Republic. Six (6) nurses and auxiliary staff are assigned.
- At the Fonds-des-Nègres Hospital, in the Nippes department, health workers use gloves and masks. Some patients are wearing handkerchiefs as masks because they sell at a price they

consider to be exorbitant. A car wash hands are ready at the entrance to the hospital to encourage users and patients to wash the hands.

- In Fort-Liberté, in the North-East department, two (2) quarantine centers have been established. It is the Hotel Le Relai and a space formerly used as a Cholera Treatment Center.

However, it should be pointed out that, because of a lack of information, the population is reacting very badly to the disease. For example, on April 11, 2020, two (2) people with Covid-19 were taken care of. The samples were taken and forwarded to the authorities. However, pending the results, one of the patients fled April 16 and the next day, April 18, 2020.

- At the Justinian University Hospital of Cap-Haitien, in the department of North, the staff use gloves and masks. If some patients are able to obtain these materials, others cannot, as these are sold at a high cost in pharmacies. A mandatory hand washing station is set up at the entrance of hospitals, clinics and some pharmacies in the commune of Cap-Haitien and patients and passers-by are invited to wash their hands.

To date, no cases of Covid-19 infection have been reported, so hospitals are operating as usual.

- At the Hospital Saint Antoine de Jérémie, in the department of Grand Anse, doctors complain lack of equipment and beds for patients. They claim to have masks and gloves in very small quantities, which often causes them to use it for two (2) to three (3) days. One order of materials placed since a few days still delays being delivered.

In addition, social distancing is not respected because the majority of patients do not believe not to the existence of the Coronavirus. Therefore, those who wear masks are few and others are often reluctant even to wash their hands in the places prepared for this purpose, at the entrance of the hospital.

- In the North West department, the Beraca Hospital, located in La Pointe and the Immaculate Hospital Conception, located at Rue Amiral Killick, doctors and nurses do not have enough masks and gloves. For their part, patients are struggling to obtain them, neighboring pharmacies being out of stock.
- The Community Reference Hospital, located in Aquin, is operating in slow motion. The responsible interviewed stated that they did not have adequate equipment and others informed the RNDDH of the existence of a conflict between the administration and the medical director. This creates a situation of tension and paralyzes since, the operation of the hospital.

2. Market situation

37. The general conditions of certain markets in the country, in the context of the spread of Covid-19, have attracted the attention of the RNDDH and its regionalized structures. Here are some examples:

The Salomon Market in Port-au-Prince, in the West Department, operates every day. The Port-au-Prince City Hall installed a portable tank at one (1) of the eight (8) entrances to the building. In addition, the RNDDH was able to identify three (3) handwashing stations installed by the Director of the market.

The merchants interviewed claim that no provision has been made by the authorities to protect them, educate them or even help them cope with the disease. They learned that the President of the Republic was to offer them money. However, they have not received anything yet.

However, the Solomon Market Security Officer stated that awareness raising among merchants who were also encouraged to wash regularly hands and respect the distance between them and customers-tes. He finally added that five (5) handwashing stations have been installed and the Town Hall together with the civil protection, just disinfected the market.

None of the merchants wear masks. However, some buyers are reprimanded, when they get too close to them.

RNDDH also noted that tables installed inside the market are empty not to assist in compliance with the requirements for the protection of persons against Covid-19 but, because merchants try to sell their goods more easily.

- At the Canapé-vert Market, located in Port-au-Prince, in the department of West, four (4) stations Mandatory hand washing is installed. However, no distance is respected. Few Some merchants wear mufflers. Some use handkerchiefs.

At the motorcycle station adjoining the Canapé-vert Market, the rules enacted by the authorities are not respected.

- At the Lala Market located in Anse-à-Galets, on the island of La Gonâve, scattered awareness sessions were carried out by agents for a period of time. However, during the visit to the RNDDH, merchants, buyers-they went about their business without worrying about wearing masks or protective gloves and especially without respecting the required distance.
- At the Marché de Fonds-des-nègres, in the department of Nippes, the merchants-des do not believe in the existence of the Coronavirus. They go about their daily business without masks and sit as usual, close to each other.
- The Town Hall of Fonds-des-Nègres has set up containers and soap to encourage the latter to wash their hands but the merchants use them to perform their ablutions.
- At the market of Jérémie, in the department of Grand ‘Anse, the majority of the merchants do not believe in the existence of the Coronavirus. They do not wear masks.

- No hand-washing station was found in this market. The curfew was not respected. Often, agents of the PNH are obliged to intervene to get away from the merchants.
- At Market 9 located at Carrefour Péligré and Marché Pascanote, located at Rue Louverture, in the department of the Centre, merchants and users have not changed their behavior. If the interior, the tables and benches are installed so as to keep the merchants away from the outside, the situation is chaotic.
- The Aquin market, located in the South Department, operates from seven (7) hours to fourteen (14) hours.
- According to what was decided by the Town Hall of Cap-Haitien, the markets must work on Mondays, Thursdays and Saturdays and only food, cosmetics and hygiene products can be sold. Since this notice did not consider the other goods, protest was recorded in the vicinity of said Town Hall.
- In addition, at the Marché Cité du Peuple, located not far from the city of Cap-Haitien the police officers are often made use of their sticks to prevent merchants from spreading their trade in days other than those authorized by the Town Hall.
- In the city of Port-de-Paix, markets operate on Mondays, Wednesdays and Saturdays. However, the schedule is not respected, and many merchants complain about the risk of decay their products. Mandatory hand washing stations were also installed.
- At the Fort Liberté Market in the North-East Department, awareness-raising sessions were held vehicles. In addition, waste and garbage have been removed. These are the only measures adopted.

3. State of Public Transit

38 Despite the fact that some town halls are trying to regulate public transit by decreasing in particular the number of passengers, the situation on the buses is very worrying, given the seating arrangements and number of passengers per convoy.

39. In addition, some drivers deplore the fact that state authorities have ordered the number of passengers without adopting accompanying measures for drivers.

40. For some municipalities, these measures are respected. For example, the municipality of Cap-Haitien where a regulatory statement from the Town Hall requires that motorcycles do not carry two (2) persons, including the driver and the pick-up trucks must carry ten (10) persons, including the driver.

41. For other municipalities, these measures are not applied. Some examples include:

- At the Mirebalais – Port-au-Prince station, the City of Mirebalais has installed washing stations mandatory hands. In addition, it requires the reduction of the number of passengers to three (3) per bench, instead of four (4). However, this decision led drivers to increase the amount of the race to two hundred (200) gourdes, adding twenty-five (25) gourdes.
- From Mirebalais to Lascahobas and from Mirebalais to Pont Sondé, no change is noted either the price of the transport, nor in the conditions of travel of the passengers. Except the provisions for hand washing is noticed.
- In the department of Nippes, the flow of cars and trucks from the capital has
However, motorcycles carry up to three (3) passengers.
- The Town Hall of Port-de-Paix requires that public transport users be equipped with masks and motorcycles carry only two (2) persons, including the driver. However, the taxi-motorcycle carries more than two (2) people, stuck to each other, without any protection.
- On the island of La Gonâve, motorcycle drivers continue to transport two (2) passengers, without masks or protective helmet.

4. Situation of persons deprived of their liberty

42. Among those vulnerable to Covid-19 are those deprived of their liberty. Guarded in the police stations and in the prisons of the country, they depend, the first of them families, the second, of the Directorate of Prison Administration (DAP) and their families.

43. Incarcerated people live in inhuman and degrading conditions, in spaces cramped, unventilated, dirty and repulsive. The promiscuity in which these people live makes them vulnerable more in front of Covid-19. The following table presents the information in terms of space and reception of people:

Prisons		Capacity	Effectif actual
1	Arcahaie	80	95
2	Croix-des-Bouquets	768	1354
3	Cabaret	300	235
4	CERMICOL	150	49
5	Port-au-Prince	1000	3552
6	Carrefour	100	81
7	Cap Haitien	250	824
8	Grande Rivière	50	77
9	Anse-à-Veau	100	168

10	Cayes	70	673
11	Jacmel	125	485
12	Jérémie	50	319
13	Fort Liberté 1	70	415
14	Fort Liberté 2	150	219
15	Hinche	50	528
16	Mirebalais	100	419
17	Port-de-Paix	200	257
18	Saint Marc	150	599
	Total	3613	10870

44. On April 15, 2020, the Petit-Goâve and Miragoâne police stations welcomed respectively one hundred and fifty-nine (159) and fifty-nine (59) detainees. The first can receive a maximum of twenty-four (24) people and the second, twenty (20) people.

45. In the context of Covid-19, a contingency plan was adopted by the Management of the Penitentiary Administration (DAP) as well as many other measures. Here are some examples:

- Visits by relatives are prohibited in all prisons in the country. Only meals brought by them are accepted.
- Members of organizations who visit penitentiary spaces are invited to wear masks, otherwise access is strictly prohibited.
- Some prisons like those of Fort-Liberté I and Fort-Liberté II have been cleaned and disinfected in background. Today, the heads of these penitentiary centers are studying the advisability of make masks within the confines of these prisons.
- In several prisons in the country, a compulsory hand washing station is installed.
- However, despite the adoption of a contingency plan and the implementation of certain barrier measures to prevent Covid-19 from entering prison, officers do not have means to protect themselves while performing their tasks. For example, the agents affected in the Civil Prisons of Jérémie, Carrefour, Grande Rivière du Nord, Cap-Haïtien, Fort-Freedom, etc. have not received any operating equipment. They also don't have buckets with integrated taps, no chlorine, no cleaning gel.

5. Inmate Releases in the Context of Covid-19 and Cases Attracting Attention

#	Prison	Jurisdictions concerned	# Releases
1	Cabaret	Court of First Instance of Port-au-Prince- Gonaives	13
2	Cayes	Court of First Instance of Les Cayes	93

3	Carrefour		3
4	Saint Marc	Court of First Instance of Saint-Marc	31
5	Jacmel	Court of First Instance of Jacmel	22
6	Jérémie	Court of First Instance of Jérémie	37
7	Cap-Haïtien	Court of First Instance of Cap-Haïtien	42
8	Grande Rivière du Nord	Court of First Instance of Grande Rivière du Nord	21
9	Port-au-Prince	Court of First Instance of Port-au-Prince	84
10	Croix-des-Bouquets	Court of First Instance of Croix-des-Bouquets	56
11	Hinche	Court of First Instance of Hinche	24
12	CERMICOL	Court of First Instance of Port-au-Prince	13
13	Commissariat de la Gonâve	Peace Court of Anse-à-Galets	5
14	Commissariat de Petit-Goâve	Court of First Instance of Petit-Goâve	8
15	Commissariat de Miragoâne	Court of First Instance of Miragoâne	7
Total			459

48. Even if this information does not appear in all figures, it is no less true that some people released outside of the scheduled correctional hearings, had already served their sentence. This is the case for the three (3) detainees released on 28 of April 2020 at the Carrefour Civil Prison.

a) Jurisdiction of the Croix-des-Bouquets

49. In the jurisdiction of the Croix-des-Bouquets, fifty-six (56) detainees were released. Four (4) detainees who spent several years in pre-trial detention were released on humanitarian grounds. These include:

- Rosner AURIUS, arrested on September 7, 2012 for fraud
 - James PIERRE, arrested on April 7, 2013 for rape
 - Jn Will MYRTHIL arrested on April 22, 2013 for theft of dishes
 - Salendy DERELUS, arrested on March 10, 2015 for rape
- Twenty-eight (28) people released on special correctional hearings carried out inside the Croix-des-Bouquets civil prison. The next board presents their incarceration time in terms of the situation of illegal pre-trial detention and arbitrary:

Year of incarceration	Inmates
2013	6
2014	7
2015	8
2016	1
2017	1
2018	4
2019	1
Total	28

50. Nine (9) inmates were incarcerated for theft, theft of goats, theft of cow and assault. Here some examples:

- Luckner BEAUVANE and Félix FLEURISSAINT were imprisoned respectively on November 9, 2015 and on July 16, 2014 for goat theft.
- Roubens CARENAND was arrested on 12 December 2014 for theft.
- Bob Geevenchy LUMAS was incarcerated for assault on September 1, 2017.

51. Twelve (12) detainees were released following habeas corpus applications filed with the Dean of the Court of First Instance of this jurisdiction. They spent years in prison without Instructional Magistrates have made their decisions about them. Here are a few examples:

- Dodly Ricardo FLEURISSAINT was imprisoned on August 8, 2011 for assault. On March 25, 2020, he been released only through a habeas corpus request
- Wanitho BAPTISTE was imprisoned on June 6, 2017 for theft of a motorcycle. He was only released on March 25, 2020 following a request for habeas corpus.
- Former deputy Jean Fenel THANIS⁷ arrested on March 6, 2019 with 491.5 kilograms in his possession also benefited from a habeas corpus hearing. In his file, it is appropriate to recall that on April 1, 2019, the examining magistrate who was seized of the file issued his order for reference by the criminal court. On May 10, 2019, Jean Fenel THANIS was sentenced by the magistrate Pierre Apsorde PIERRE-LOUIS to pay one hundred thousand (100,000) gourdes to the Haitian state. On May 13, 2019, an appeal was brought by the chief commissioner at the Croix-des-Bouquets parquet, Maxime AUGUSTIN. On April 16, 2020, he was released following a procedure in habeas corpus.

Following this release, on April 21, 2020, the Ministry of Justice and Public Safety decided to lay off without pay, the alternate government commissioner to the Court of First Instance of the Croix-des-Bouquets Wilner ELIASSAINT and the Prosecutor’s Office of the Croix-des-Bouquets, Sary ROMAIN. Moreover, on April 27, 2020, the Superior Council of the Judicial Power (CSPJ) has laid off the dean of the said jurisdiction Lyonel Ralph DIMANCHE as well as two (2) other Judges, Pierre Apsorde PIERRE-LOUIS and Sully L. GESMA.

52. In the same jurisdiction, eleven (11) other detainees, previously sentenced, were also released on humanitarian grounds. These include:

Name	Given names	Offences	Date of release	Date of Judgement	Sentence	Date of release
Amilcar	Yves André	Assassination, fire	June 1, 2010	May 2, 2013	10 years	June 2020
Baltazar	Jackson	Criminal Association	October 19, 2007	September 15, 2008	15 years	September 2022

Belizaire	Japonais	Theft of oxen	November 25, 2010	October 30, 2012	12 years	November 2022
Domond	Harison Richard	Murder	October 22, 2011	October 16, 2012	10 years	December 2021
Francine	Pierre-Richard	Theft of motorcycle	September 24, 2013	February 24, 2017	8 years	September 2021
Francois	Ezechieel	Night theft	December 11, 2014	March 6, 2017	7 years	January 2021
Jean Robert	René	Criminal Association	June 17, 2010	June 17, 2010	10 years	June 17, 2020
Joseph	Fritznel	Assault and injury	July 21, 2011			No date given
Julien	Obed	thieves by escalation	February 9, 2012	July 9, 2012	12 years	July 2022
Jura	Jocely	Theft of oxen	October 2, 2010	October 30, 2012	12 years	October 2022
Paul	Bazelais	Night theft	September 3, 2014	December 20, 2018	9 years	September 2023

53. Finally, three (3) detainees who were incarcerated at the Croix-des-Bouquets Civil Prison were also released when they did not meet the pre-established criteria any more than they were the object of a judgment to the correctional. It is:

- Maxony GERMINAL⁸, arrested on March 6, 2020 at approximately two (2) o'clock in the morning, in Latremblay, a locality of the Croix-des-Bouquets, for murder, attempted murder, abduction and forcible confinement against ransom, illegal possession of firearms, rape, armed robbery and criminal association, committed to the prejudice of Rita CELESTIN, François LEANDRE and Samuel SAINT-JUSTE. He was released on March 27, 2020 by the magistrate instructor Ivelt PETIT-BLANC.
- John REMY alias Yvener or Mafia arrested on February 18, 2020 for attempted murder, illegal port and illegal possession of firearms, vehicle theft and criminal association. He was released on March 20, 2020 by Magistrate Instructor Litherson JEROME. Don NARCISSE, arrested on March 3, 2020 for attempted murder, illegal port and illegal detention of firearms, vehicle theft and criminal association. He was released on March 20, 2020 by the magistrate instructor Litherson JEROME.

The magistrates Ivelt PETIT-BLANC and Litherson JEROME however affirmed to the RNDDH that the release of the aforementioned detainees was not questionable. In their view, these were records having completed their normal course of instruction.

b) Jurisdiction of Port-au-Prince

54. In the jurisdiction of Port-au-Prince, one hundred and thirteen (113) detainees have been released. This is eighty-four (84) detainees who were incarcerated at the Civil Prison of Port-au-Prince, thirteen (13) who were at the Cabaret Civil Prison and thirteen (13) minors who were at CERMICOL. For some of these cases, the RNDDH identified serious human rights violations. For example:

- Alix PIERRE benefited from a dismissal order on 5 October 2017 from the magistrate instructor Joseph Jeudilien FANFAN. He was still kept in prison;
- Tom ARCHANGE was imprisoned. On December 19, 2019, the magistrate instructor Renord REGIS issued in his favor an order for dismissal. He was still kept in prison;
- On March 20, 2019, the magistrate instructor Brédy FABIEN issued in favor of Yvener CARILUS an order to dismiss. He was kept in prison;
- Yves Jean NASSER benefited from an order in hand lifted from the mandate of Nut, dated January 29, 2020 issued by magistrate Merlan BELABRE. However, he was still kept in prison.
- At the Cabaret Civil Prison on 15 April 2020, two hundred and thirty-five (235) women and girls are incarcerated. 85.5% are awaiting trial and only 14.5% are sentenced. Of the A young woman who had been arrested as a minor, was tried after spent about ten years in prison, awaiting trial. She was sentenced to life.
- Of the sentenced inmates, nine (9) representing 14% have already served 90% of their sentence. Two (2) of them have a serious illness, eight (8) or 23.52% have diseases making them very vulnerable compared to Covid-19. However, only thirteen (13) women were released. It should be noted that at the Cabaret Civil Prison, the detainees are kept at orders of the magistrates of the court of first instance of Port-au-Prince that to the orders of the magistrates of the Croix-des-Bouquets.

c) Jurisdiction of Les Cayes

55. In the jurisdiction of Les Cayes, the released detainees were involved in the commission of thefts and assault. Three (3) of them received an application for habeas corpus, seven (7) had already served their sentence but were still in prison. Seventy (70) benefited from the decision of the Prosecution and thirteen (13) benefited from a request for release of the warrant.

d) Jurisdiction of Hinche

56. In Hinche's jurisdiction, of the twenty-four (24) released detainees, some were in the process of serving their sentence while others had already served their sentence and were waiting for their release.

#	Offenses
4	Goat theft

4	Assault
2	Telephone thefts
2	Thefts of money
1	Mule theft
1	Theft
1	Attempted theft
1	Theft of refrigerator
1	Domestic theft
1	Rooster theft
1	Witchcraft
1	Association of criminals
1	Spoliation
1	Illegal possession of a firearm
1	Deposit

6. Situation in the CRLDI

57. Various Reception and Delivery Centers for Identity Documents (IDRC) continued to issue national identification cards unique to members of the population. Measures to number of people to be received per day have been announced and, requirement is made to provide to people who present themselves in the CRLDI, a protective mask. According to the information collected:

- At the mobile located at the Kiosque Occide Jeanty in Champs de Mars, fifty (50) people are allowed to register per day.
- At the office of Delmas 31, one hundred (100) citizens are received per day of which fifty (50) for registration and fifty (50), for delivery.
- The CRLDI de Pétion-ville serves thirty (30) people per day.
- The CRLDI of Cap-Haïtien operates as usual, from eight (8) hours to sixteen (16) hours. The people using the space do not wear masks or gloves. Distance is also not respected.
- On the island of La Gonâve, the CRLDI center had initially closed their doors. They since returned to work however, even the agent who invites people not to stay too close to each other, is not protected.
- At the CRLDI in Port-de-Paix, social distancing is more or less respected and a mandatory hand washing is installed at the entrance. However, dense crowds are often found around the center while inside the offices, there is a disorder unimaginable.

58. At this stage, however, it should be stressed that if the state authorities seem to be in a hurry to issue the new cards, the employees of the ONI have repeatedly demonstrated their dissatisfaction with the fact that some have not received their salary for six (6) months and others, for nine (9) months. Each time, they took the opportunity to claim better working conditions as well changes in their contractual status to that of employees within the institution.

59. Because of their participation in these protest movements, several employees of the the ONI were revoked from the institution.

7. Security situation of the country

60. While the focus is on Covid-19 and its evolution in the country, the security situation remains and remains very worrisome.

61. Acts of life and property are perpetrated every day from January to April. 2020, at least sixty-five (65) people were killed by gunshot or stabbing. For example:

On February 29, 2020, four (4) individuals held in custody prior to the Police Station Boucan-Carré, in the Central Department were burned alive by members of the population. They were accused of having participated in kidnappings followed by kidnapping for ransom. Here are the concerned in regard to:

- o Sayowè POLICEMAN aged 38;
- o Odrigue POLICEMAN 28 years,
- o Willy LOUIS 30 years;
- o Paul JOSEPH.

- Brénord DORISMOND was murdered on April 4, 2020 by individuals in Gran Bouchi. He was the coordinator of the Board of Directors of the third communal section of Tiburon.

62. Among those killed are seven (7) police officers.

- On January 11, 2020, Junior ALEXIS, Officer III from the 13th class was killed while returning at his home in Delmas;
- On January 12, 2020, Rubens JULIEN was shot and killed on J. J. Dessalines Boulevard by an officer security. He was assigned to the Motorized Intervention Brigade (BIM);
- On January 22, 2020, Richie DIEGO, officer from the 24th promotion assigned to the Port-au-Prince was shot dead while behind the sub-police station of the bicentennial;
- On 27 January 2020, in Torcell, Elissaint MONTAS was hit by several bullets fired by individuals travelling on motorcycles. He died in route while emergency transport to St Luc's Hospital in Tabarre;

- On March 14, 2020, Agent James VERTUS, thirty-two (32) years old, from the 30th promotion, was killed. His remains were burned on Courbe Street in downtown Port-au-Prince by individuals unidentified armed persons;
- On March 16, 2020, Constable Mackenson Junior MUSEAU, from the 26th promotion, was killed in Camp Perrin;
- On April 17, 2020, Agent II Watson FORTUNE, of the 24th promotion, was killed in Drouillard on National Highway #1 by unidentified individuals travelling on a motorcycle.

63. Gunshot injuries were also recorded. For example, on April 9, 2020, the host of the Programme «Maten deba» Luckner DESIR dit Louko DESIR was physically attacked by armed individuals at Carrefour Peigne, in the Artibonite department.

64. Armed gang conflicts have been recorded. In recent clashes on Avenue Bolosse, from April 12, 2020 to the present day, at least ten (10) people have been murdered.

65. On the morning of Sunday, April 12, 2020, during an attack perpetrated at Portail Léogâne, by armed individuals from Village of God, seven (7) people were killed, including five (5) faix carriers, one passerby and one (1) merchant. Eight (8) drivers were shot. They provide the Gérald route Battle/ Downtown Port-au-Prince and Clercine/ Downtown Port-au-Prince. Five (5) other workers have was shot and wounded.

66. On April 28, 2020, a merchant known as Merlande was shot and killed. that she was at the Portal of Léogâne.

67. On April 30, 2020, in the morning, at least three (3) people were killed at Portal Léogâne. This is one (1) bystander, one (1) belt dealer and one (1) juice dealer.

68. Kidnapping cases followed by kidnapping for ransom were identified. For example, on the 27th March 2020 against the doctor Jerry BITAR, one of the leaders of the Hospital Bernard Mevs. He was abducted in Pèlerin. He was released on the evening of March 28, 2020.

1. Beatings, verbal and physical assaults

69. Several cases of beatings perpetrated by PNH officers have been reported.

a. Case of journalist Dodeley ORELUS

70. On April 22, 2020, at approximately 10 p.m., Radio Kiskeya journalist Dodeley ORELUS and presenter of the nine (9) hour program entitled “Randevou 9è” was on his way home when he was stopped by a police patrol, at the level of Delmas 33, near the National Television of Haiti (TNH). Due to the failure to comply with the curfew, he was fined five thousand (5,000) gourds.

71. He went to the Central Directorate of the Road Police (DCPR) to retrieve his permit. The police officers who received it required, in order to give him his license, an authorization to emanate from the Ministry of the Interior and Territorial Communities and to contain its name as well as that of the media for which he works.

b. Case of Jackson MOMPLAISIR

72. On 24 April 2020, Jackson MOMPLAISIR went to the Delmas 48 Pharmacy to buy medicines for his wife who had severe pain. Arrived at the corner of Delmas 32 and Delmas 33, at the at approximately twenty-one (21) hours, he was stopped by police officers wearing different uniforms.

73. He was fined ten thousand (10,000) gourdes for non-compliance with curfew established by the authorities, despite the fact that he explained the reasons for which he outside. And, for protesting against the ticket and the fact that the officers had not taken the While he was listening, one of the policemen threatened to kill him.

c. Case of journalist Georges Emmanuel ALLEN

74. On 28 April 2020, at approximately twenty thirty minutes (20:30), Georges Emmanuel ALLEN, journalist presenter of the program «Guest du midi» and of the newspaper 19/20 in Caraïbes FM, went home when police officers stationed in the vicinity of the Peace Hospital stopped his vehicle.

75 After claiming his driver's license, they informed him that he had violated the curfew. He so presented the pass of the Ministry of Culture and Communication. The police did not Deigned to take a look but preferably prepared the ticket slip.

76. Georges Emmanuel ALLEN refused to accept the said ticket and, believing that these police officers were overstepping their rights, he started taking pictures of the patrol. The latter, angry, had seized his phone and then started hitting him because he had tried to get it back. They continued to despite the arrival on the scene of one of the leaders of S.O.S. Liberté, Guyler Cius DELVA.

77. Guyler Cius DELVA with whom the RNDDH met in connection with this matter, stated that he was in Petion-Ville when he received the call from journalist Georges Emmanuel ALLEN to whom he arrived fifteen (15) minutes later.

78. He believes that the situation became worse when Georges Emmanuel ALLEN, in difficulty, insisted on filming the scene. This made the police furious. They grabbed the phone of the victim, molested her before making her arrest and taking her to the police station Delmas 33.

79. Journalist Georges Emmanuel ALLEN was released some time later. Taken to the Hospital Hope located in Delmas 75, he was checked, mainly because of the fact that he had injuries open to the mouth.

d) Circulation of a beating video

80. There is a video on social media showing a woman being beaten with a rigoise by agents of the PNH because it had probably violated the curfew.

81 There are also many citizens who complain about being assaulted by police officers. often verbally. Some have even claimed that they resist the urge to kill them only because there were witnesses.

V. COMMENTS AND RECOMMENDATIONS

82. The RNDDH and its regionalized structures believe that the general human rights situation in the Haiti is still very worrying today.

a) The Haitian health system cannot, as it stands, cope with Covid-19

83. In the twelve (12) hospital centers that were analyzed by the RNDDH and its structures only five (5) of them have, in insufficient quantities, regionalized medical personnel protective equipment such as gloves and muffers. State authorities withdraw and gradually leave the freedom of individuals and members of the political class who are eager to make donations hospitals and other institutions in the country.

84. Patients and those in hospital do not protect themselves most, due to their skepticism about the existence of the disease. And, if sessions of awareness-raising were conducted in at least four (4) hospitals, medical staff and Other centers have not been made aware of Covid-19 and feel badly in need of it.

85. However, for a better analysis of the implications of these alarming findings, the RNDDH with Dr. Junot FELIX. This interview allowed the organization to note the following:

Two hundred (200) beds and scarce intensive care services are not enough

86. Under normal circumstances, two hundred (200) beds are largely insufficient for a health care system assumed to care for a population of more than eleven million (11,000,000) inhabitants. They are also clearly insufficient to enable the Haitian health system to cope with a possible the spread of Covid-19, considering human losses in other countries.

87. And precisely because of the excessively small number of beds available, the authorities The European Commission, the severity of the symptoms they present. Thus, patients with mild forms of Covid-19 manifested by non-serious flu signs, should be invited to stay at home while only those with severe forms of the disease would be kept in a hospital setting.

88. On this point, it should be stressed that in hospital settings, state authorities should have intensive care units. However, in June 2019, a study conducted in Haiti revealed that only one RNDDH report on the evolution of the human rights situation in Haiti in the context of Covid-19

hundred and twenty-four (124) critical care beds in the country. These data were subsequently identified due to the fact that emergency care beds were also counted, the Haitian health system cannot sustain a significant number of patients. Yet this is the problem raised in countries where even with many intensive care units available, deaths are calculated by thousands every day.

People with Covid-19 cannot really be isolated

89. To prevent the spread of Covid-19, infected persons should be isolated. And, if the University Hospital of Mirebalais can afford to have a whole block to accommodate exclusively people with Covid-19, this is not the case for other hospitals in the country. However, the two hundred (200) beds available according to the state authorities, are scattered in different centers hospital.

The fact that only the National Laboratory of Public Health and the Gheskio Centers are allowed to be sampling for the test, meets a need. However, in the of the country's geographical departments, teams must be able to levies.

90. Haiti received a donation from the World Health Organization (WHO) a total of one thousand hundred (1,100) tests. The State should have already obtained other tests, which is not the case according to the information available to the RNDDH. However, several doctors recommend testing all people with symptoms to reduce the risk of the spread of Covid-19. Impossible to apply today, such a strategy would have been justified by the fact that other viruses that cause the same flu symptoms as Covid-19, are circulating in Haiti.

91. In addition, only the Directorate of Epidemics and Research (DER) is authorized to make the sampling on individuals suspected of having Covid-19. This is a measure that easily finds its justification in the delicacy of the test for the realization of which, the swab should be used with dexterity and the fact that the test results can lead to false negatives.

92. If not all health centers and hospitals may be permitted to take samples, in due to lack of trained staff, however it becomes clear that the test should be performed in more of hospital spaces, installed for example in each department's capital. Such a measure would reduce the time between sampling and the results of the review. And, the decentralized services of the DER, located in the geographical departments of the country could be used in the implementation of such a strategy.

Lack of equipment in health centers and hospitals is a serious violation of human rights the life and safety of the personnel assigned to it.

93. To cope with Covid-19 or any other contagious diseases, health centers and hospitals must have adequate equipment for the service they are required to provide, and medical personnel, in addition to being trained, must have the necessary equipment to perform their work. Among these materials are special coats, gloves, masks, protective glasses, etc.

94. In addition, patients and all persons attending hospitals must wearing masks to protect medical personnel and all other patients who are already struggling because their health may be vulnerable to Covid-19.

95 This is one of the reasons why, in the case of the University Hospital of Mirebalais – where a reception center for people with Covid-19 has been set up – in particular the attention of the RNDDH and its regionalized structures. It is indeed serious that it is only on April 23, 2020 that the staff assigned to it, have received some mufflers and some mini jars of gels cleaners.

96. Thus, it is clear that, in hospital spaces, the sick and their potential for the spread of Covid-19 both for medical staff. They must be protected, and it is the duty of the State authorities to make available to them protection in sufficient quantity and quality.

b) In public transit markets and vehicles, the risk of Covid-19 are very high

97. The situation as presented in the eleven (11) markets analyzed in this report is chaotic. So is public transit.

98. Measures announced by some local authorities to regulate their operation are disparate and cannot be, up to date, met to the letter due in particular to the fact that the markets and public transport have for too long been left to their own devices.

99. In addition, many merchants deplore the limited number of working days and the fact that for some communes, several products considered as non-essential, can no longer being sold in markets. They also complain about the risk of their goods rotting.

100. In addition, considering the small size and seating arrangement of the common, Covid-19 can easily be spread as the few steps to reduce the number of This is not enough.

101. In this regard, the RNDDH and its regionalized structures welcome the government's decision to make the wearing of the mask mandatory from May 11, 2020 and believe that this measure should be strictly applied in the markets and in public transport buses, this, especially since it has been revealed that the few hand washing stations installed in some markets and transport stations, are not regularly supplied with soap and water.

c) The number of prisoners released cannot allow for the freeing of prisons

102. It is a proven fact that the entry into prison of Covid-19 – or any other contagious disease – risk of fatal consequences. The authorities are aware of this risk The Court of First Instance examined the criteria for the release of certain detainees, especially those who are vulnerable.

103. And, indeed, from March 23 to April 15, 2020, the Haitian prison population moved because the release of five hundred and thirteen (513) detainees who were incarcerated in twelve
RNDDH report on the evolution of the human rights situation in Haiti in the context of Covid-19
RNDDH – Rapport/A2020/No4

(12) prisons and three (3) police stations across the country. They represent only 4.61% of the prison population on March 23, 2020.

104. In addition, the RNDDH and its regionalized structures noted that among those released are find:

- Inmates who had finished serving their sentences but were still in prison, because the judgment devices were not served on the prison authorities;
- Detainees incarcerated for more than seven (7) years for crimes such as theft, theft of goats, tracks facts, etc. that were still awaiting trial;
- Detainees for whom orders for the dismissal, lifting of the order of execution have were issued when they were kept in prison;
- Detainees who do not meet any of the criteria set by the judicial authorities that have been released.

105. The RNDDH and its regionalized structures also noted that the attention paid to files of men is not similar to the cases of incarcerated women. Indeed, among the five hundred and thirteen (513) released detainees, only thirteen (13), representing 2.6% of them are women. At the Cabaret Civil Prison there are women who meet the criteria required by the authorities who could have been released. Among them are convicts, 29.4% of whom are suffering from incurable diseases or diseases that make them vulnerable to Covid-19.

d) The majority of CRLDI operate within the established rules

106. the Centers for the Reception and Delivery of Identity Documents (CRLDI) operate in breach of the rules laid down by government authorities stipulating that any gathering exceeding more than ten (10) persons is prohibited and requires a distance of at least one meter fifty (1.50) between persons. Every day, an innumerable crowd of citizens is gathered inside and in front of the offices of the CRLDI in order to register and/or recover the new unique national identification card. However, the majority of employees did not receive any protective equipment with respect to the Covid-19.

e) The security situation of the country is of concern

107. From January to April 2020, the RNDDH and its regionalized structures recorded sixty-five (65) people killed by bullets or stabbing, including seven (7) police officers.

108. At least thirty-seven (37) of them were killed in March and April 2020. And, many people wounded by bullets were also recorded, especially during clashes between armed gangs.

This alarming information proves, if necessary, that despite the entry into Haiti of Covid-19, the security situation has not improved, and life continues to be trivialized by state authorities who do not seem to be motivated by the will to control the flow of weapons and ammunition on the national territory.

f) Beatings, verbal and physical assaults were perpetrated by officers of the PNH under pretext of enforcing curfew established by state authorities

109. At least three (3) cases of beatings have been identified by the RNDDH. All were perpetrated by officers of the PNH who, claiming to enforce the curfew established by the authorities, assaulted verbally of the people met in their passage before molesting them and emitting against them exorbitant parking tickets.

110. The pass issued by the Ministry of Culture and Communication is not recognized by the police because, according to them, the fact that journalists have it at their disposal does not justify their presence on the streets outside of authorized hours. Yet, these same police officers require authorization of the Ministry of the Interior and local authorities, thus showing that their street interventions and this new method of work are required by the Ministry.

111. On this point, the RNDDH and its regionalized structures wish to draw attention to the fact that the state of emergency is generally decreed in case of imminent danger created by any situation in a country. It is characterized by the restriction of certain fundamental freedoms such as to reduce the effects of peril.

112. In the case before us today, the restrictions on these freedoms must exclusively aim to reduce the spread of the virus, no more or no less. Consequently, the violation of these restrictions give rise to a call for compliance, for the time allotted. It cannot be perceived as an offence.

113 Furthermore, according to the universal principle of criminal sanction, no offence can be established by law. However, there is no need to recall that there is no legal provision that condemns the road traffic after twenty (20) hours.

114. Finally, it should be stressed that the state of emergency cannot be confused with the state of siege. If the first allows to face a catastrophic situation by giving the possibility to the authority's state to restrict certain rights and freedoms, the second allows to control a political situation and promotes the non-existence of rights.

115. This is why the RNDDH and its regionalized structures believe that if the agents of the PNH currently being pursued by the Ministry of the Interior and local and regional authorities are not immediately called to order and if the government authorities do not put a stop to these many drifts, the country risks to switch to the State of siege.

116. After analyzing the situation, the RNDDH and its regionalized structures recommend that State authorities of:

- Increase the number of beds to accommodate patients with Covid-19;
- Increase the capacity of the country in intensive care units in order to maintain life and at the same time, several sick people;
- To provide spaces of fourteen in the country's hospitals, for the isolation of people infected with Covid-19;
- Conduct training of persons qualified to test and/or sample people suspected of being infected with Covid-19, in the prefecture's geography of the country;
- Supply health centers and hospitals with necessary equipment including special coats, gloves, protective masks, protective glasses, cleaning gels, alcohol, etc.;
- Ensure inmate release orders meet criteria set by authorities judicial;
- Review inmate files where special attention is required;
- Investigate cases of beatings, recorded physical and verbal assault and take sanctions against the police officers at fault.

Title of Source:

1 Information shared by state authorities as of May 4, 2020.

2 Report: Chaotic situation of human rights in Haiti and state banditry: RNDDH denounces the inertia of the authorities and Protection of armed gangs, 12 pages, 3 May 2019

3 Press release: RNDDH denounces the trivialization of the rights to life, security of the person and integrity physical and mental health of the citizens of La Saline, 18 July 2019

4 Press Release: RNDDH condemns the armed attacks at Bel-Air and demands the intervention of the authority's police officers, 8 November 2019

5 <https://lenouvelliste.com/article/215157/haiti-recule-de-21-places-au-classement-mondial-sur-la-liberte-de-presse>

6 For more details on the process for implementing CINU, see: The National Identification Map Unique: Entre méfiance populaire, opération de corruption et violations de droits humains; Conseil National des Non-state Actors (CONHANE); National Network for the Defense of Human Rights (RNDDH), Commission National Episcopal Justice and Peace (CE-JILAP); Center for Human Rights Analysis and Research (CARDH)

7 For more details concerning the file of former deputy Jean Fenel Thanis, see: Operation of the device Haitian judiciary during the year 2018-2019; RNDDH - Report / 2019 / No4

8 For more details regarding the release of Maxony GERMINAL, John REMY and Don NARCISSE, see: Covid-19 and Release of detainees: RNDDH warns the judicial authorities of Croix-des-Bouquets RNDDH - Com.P / A20 / No1

