

REPUBLIC OF HAITI

I. Relevant Legal Events

MEMBER OF THE ORGANIZATION OF AMERICAN STATES SINCE: AUGUST 21, 1950

RATIFIED AMERICAN CONVENTION: SEPTEMBER 14, 1977

(From <http://www.cidh.org/basicos/english/Basic4.Amer.Conv.Ratif.htm>)

By way of an instrument dated September 14, 1977, the President of this State, in accordance with Article 93 of its national constitution, ratified the American Convention on Human Rights, promising that it would be strictly observed.

ACCEPTED JURISDICTION OF THE IA COMMISSION FOR “INTERSTATE COMMUNICATIONS” (ART. 45): SEPTEMBER 27, 1977

ACCEPTED JURISDICTION OF IACHR (ART. 62): MARCH 20, 1998

Recognition of Competence

Having seen the Constitution of the Republic of 1987; and

Having seen the law dated August 18, 1979, whereby the Republic of Haiti ratified the American Convention on Human Rights.

Hereby declare that we recognize as binding, *ipso facto*, and not requiring special agreement, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the Convention. This declaration has been issued for presentation to the General Secretariat of the Organization of American States, which shall transmit copies thereof to the other member states of the Organization and to the Secretary of the Court, pursuant to Article 62 of the Convention.

Attached to the present declaration is the law of August 18, 1979, whereby the Republic of Haiti ratified the American Convention on Human Rights, which was promulgated in the Official Journal of the Republic.

Done in the National Palace, in Port-au-Prince, on March 3, 1998, the 195th year of independence.

PROTOCOL OF SAN SALVADOR: SIGNED ON NOVEMBER 17, 1988; NOT RATIFIED YET.

INTER-AMERICAN CONVENTION TO PREVENT AND PUNISH TORTURE: SIGNED ON JUNE 13, 1986; NOT RATIFIED YET.

PROTOCOL TO ABOLISH THE DEATH PENALTY: NEITHER SIGNED NOR RATIFIED.

INTER-AMERICAN CONVENTION ON THE PREVENTION, PUNISHMENT AND ERADICATION OF VIOLENCE AGAINST WOMEN “CONVENTION OF BELEM DO PARA”: RATIFIED ON APRIL 7, 1997.

INTER-AMERICAN CONVENTION ON FORCED DISAPPEARANCE OF PERSONS: NEITHER SIGNED NOR RATIFIED.

INTER-AMERICAN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST PERSONS WITH DISABILITIES: RATIFIED ON MAY 29, 2009.

INTER-AMERICAN CONVENTION AGAINST ALL FORMS OF DISCRIMINATION AND INTOLERANCE: SIGNED ON JUNE 25, 2014; NOT RATIFIED YET.

INTER-AMERICAN CONVENTION AGAINST RACISM, RACIAL DISCRIMINATION, AND RELATED FORMS OF INTOLERANCE: SIGNED ON JUNE 25, 2014; NOT RATIFIED YET.

II. DECISIONS, JUDGMENTS AND ORDERS

A. CASES

i. Case of Yvon Neptune v. Haiti

Mr. Yvon Neptune was a high-level politician and former Prime Minister, who was accused of ordering and participating in a massacre. On June 27, 2004, as a result of these allegations, Mr. Neptune was wrongly incarcerated, inhumanely treated while in detention, and denied a fair trial. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Access to Legal Procedures; Arbitrary Arrest and Detention; Compensation and Remedies (Right to); Due Process Rights; Judicial Protection (Right to); Participation in Government (Right to); Politicians; Prison and Detention Conditions*

Merits, Reparations and Costs

Judgment of May 6, 2008. Series C No. 180

Monitoring Compliance with Judgment

[None]

ii. Case of Lysias Fleury et al. v. Haiti

On June 24, 2002, Mr. Lysias Fleury, a human rights defender, was accused of stealing a water pump by authorities. Mr. Fleury denied the accusation and invited the agents to search his home. Instead, the

policemen arrested Mr. Fleury without a warrant. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Access to Legal Procedures; Arbitrary Arrest and Detention; Human Rights Activists; Due Process Rights; Judicial Protection (Right to); Freedom from Torture and Other Cruel, Inhumane, and Degrading Treatment*

Merits and Reparations

Judgment of November 23, 2011. Series C No. 236

Monitoring Compliance with Judgment

[None]

B. PROVISIONAL MEASURES (ART 63.2)

- 1) Matter of A.J. et al. regarding Haiti [August 24, 2009] (Available only in Spanish)
- 2) Matter of A.J. et al. regarding Haiti [September 21, 2009]
- 3) Matter of A.J. et al. regarding Haiti [February 22, 2011]