



**Economic and Social
Council**

Distr.
LIMITED

E/CN.4/1996/L.80
18 April 1996

ENGLISH
Original: SPANISH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Agenda item 17

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Canada, Chile, Colombia, El Salvador, Haiti*,
Mexico and Venezuela: draft resolution

1996/... Situation of human rights in Haiti

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations,
the Universal Declaration of Human Rights and the International Covenants on
Human Rights,

Reaffirming that all Member States have the obligation to promote human
rights and to fulfil the obligations they have undertaken under the various
instruments in this field,

Recalling its resolutions 1994/80 of 9 March 1994 and 1995/70 of
8 March 1995, and the relevant resolutions adopted by the General Assembly at
its fiftieth session,

* In accordance with rule 69, paragraph 3, of the rules of procedure of
the functional commissions of the Economic and Social Council.

Having in mind the report (E/CN.4/1996/94) of the independent expert, Mr. Adama Dieng, appointed to consider the development of the human rights situation in Haiti and to verify compliance by that country with its obligations in that field, and the recommendations contained therein,

Condemning again the cruel and systematic violations of human rights experienced by the Haitian people under the de facto regime endured until 1994, from whose negative effects the country is still suffering,

Recognizing the efforts made by the international community, through the Secretary-General of the United Nations, the Secretary-General of the Organization of American States and the Special Representative of the Secretary-General of the United Nations for Haiti, to re-establish the democratic institutions in Haiti,

Aware that, although the human rights situation in Haiti has improved considerably since the resumption of office, in October 1994, by its legitimate President, Jean Bertrand Aristide, it is incumbent on the international community to observe closely developments in Haiti and, in particular, the situation of human rights and fundamental freedoms,

Welcoming warmly the holding in Haiti, during 1995, of free and democratic legislative, municipal and presidential elections,

Acknowledging the work done by the International Civilian Mission to Haiti, and by the Commission for Truth and Justice, in the field of the diffusion of democracy and respect for human rights,

Concerned, nevertheless, at the continued occurrence of specific abuses of human rights and at the persistence of flagrant shortcomings in the areas of the administration of justice and policing,

Considering that the support of the international community, especially through adequate technical and financial assistance, is essential for the more effective development of the efforts of the Haitian Government and people to promote the realization of freedom and human rights,

Welcoming warmly the Haitian Government's request for technical assistance and advisory services in the field of human rights by the Centre for Human Rights,

Receiving favourably the invitation to visit Haiti addressed by the Haitian Government to the Commission's Special Rapporteur on violence against women,

1. Expresses its thanks to the Secretary-General and his Special Representative for the work done with a view to consolidating the democratic institutions in Haiti and respect for human rights in that country;
2. Welcomes the extension, by the General Assembly in resolution 50/86 B of 4 April 1996, of the mandate of the International Civilian Mission to Haiti;
3. Takes note with gratitude of the report (E/CN.4/1996/94) of Mr. Adama Dieng, independent expert of the Commission on Human Rights, on the situation of human rights in Haiti, and of the conclusions and recommendations contained therein;
4. Welcomes the efforts initiated by the Haitian authorities to promote democratization, among which must be included the successful conduct of democratic elections to Congress, the municipal councils and the office of President of the Republic;
5. Acknowledges the favourable approach taken by the Government of Haiti towards the establishment and development of institutions aimed at the promotion and protection of human rights and fundamental freedoms, in accordance with the international instruments on this question;
6. Expresses its concern at recent acts of violence, in particular assassinations of possibly political origin and cases of personal reprisals, and expresses its hope that such acts will be properly investigated;
7. Urges the Government of Haiti to continue and intensify the ongoing process of judicial reform, especially through the modernization of civil legislation, the training of judges and government commissioners, and the teaching of international humanitarian law and human rights;
8. Welcomes the establishment of the programme of technical cooperation prepared by the Centre for Human Rights, aimed at strengthening institutional capacity in the field of human rights, particularly in the areas of legislative reform, training of justice administration personnel and human rights education;
9. Requests, to this end, the Secretary-General, through the High Commissioner for Human Rights and the Centre for Human Rights, to take appropriate steps to ensure financial and human resources for the implementation of that programme;

10. Requests the independent expert to report to the Commission at its fifty-third session on the development of the human rights situation in Haiti, and on the initiation of the technical cooperation programme in the area of human rights;

11. Urges the Haitian Government to create favourable conditions for the execution of programmes aimed at the reconstruction and development of Haiti, and calls on the international community to extend its fullest collaboration to that end, through the implementation of international programmes of assistance;

12. Expresses its support for the work done by the National Commission for Truth and Justice, with the cooperation of the International Civilian Mission to Haiti, with regard to the investigation of past human rights abuses, and urges the Government of Haiti to implement its recommendations;

13. Invites the Commission's Special Rapporteur on violence against women to give favourable consideration to the Haitian Government's invitation to visit the country, with the support of the United Nations Population Fund;

14. Decides to continue consideration of this question at its fifty-third session, under the item entitled "Advisory services in the field of human rights".
