



RESEAU NATIONAL DE DÉFENSE DES DROITS HUMAINS (RNDDH)
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NEWS RELEASE

PRESS RELEASE

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RNDDH sounds the alarm on the situation of minors in conflict with the Law.

June 13th, 2010 brings the fiftieth anniversary of the National Day of the Child. On this occasion, the **National Network for the Defense of Human Rights** (RNDDH) is sounding the alarm about the situation of children in conflict with the law in Haiti, in the aftermath of the earthquake of January 12th, 2010.

Until January 12th, 2010, the **Delmas Civil Prison**, once reserved for juveniles in conflict with the law, held *two hundred and fourteen* (214) boys. Like other prisons in the country, the detention center was severely damaged during the earthquake and has consequently lost its population. Since then minors were arrested and under the order of Justice, placed in the **Port-au-Prince Civil Prison**. On June 2nd, 2010, *Forty-three* (43) boys, aged *thirteen* (13) to *seventeen* (17) years, were being held in a specific cell area, in the Civil Prison of Port au Prince. The majority of these boys are incarcerated for various offenses such as theft, robbery, assault, armed robbery, drug trafficking, murder, rape, conspiracy, prison escapes, etc..

The cell where minors are being held is dirty, wet and foul smelling because of waste scattered in the cell and across the courtyard area. In addition, juveniles incarcerated at the National Penitentiary have no right to recreation and are confined to their cells day and night. They have only a few minutes outside to meet all their physiological requirements and bathe in inhumane conditions.

For their part, the girls in conflict with the law are incarcerated at the **Petionville Civil Prison**. On June 1st, 2010, RNDDH identified fifteen (15) girls crammed into a small cell in the Civil Prison of **Petion-Ville** whose maximum capacity is *four* (4) people. Aged *eleven* (11) to *seventeen* (17) years, they live in overcrowded conditions and are exposed to all sorts of diseases. Placed in jail pending investigation, these mostly underage girls spend several years in prolonged pretrial detention and some of them reach the age of majority in prison. Such is the case of *eleven* (11) girls listed by RNDDH, as of June 1st 2010.

Academic programs and vocational training implemented in the civil prisons of **Petion-Ville** and **Delmas** with the support of the Directorate of Penitentiary Administration (DPA) have been suspended since January 12th, 2010. While classes have resumed for the girls, it is not the same for boys now incarcerated at the National Penitentiary, who have not attended any training.

The prisoners housed in civil prisons in **Port-au-Prince** and **Petion-Ville** are facing serious health problems. For several weeks, the emptying and cleaning of latrines have not been completed. Consequently, inmates use objects of plastic or cardboard to meet their needs. Meanwhile for more than two (2) months, the standard menu of DPA is not respected in the **Port-au-Prince** and **Petion-Ville prisons** and inmates in general and minors in particular are forced to consume rice only. These prisons are facing food stock shortages and the situation could worsen if nothing is done quickly.

The Office of Instruction takes months or years to complete their investigation and several months before the prosecutor of **Port-au-Prince** serves the judges' decisions to inmates. In fact, several orders of release that had been made in the second half of 2009 still have not been served on the concerned as of June 1st, 2010. This shows the indifference and lax attitude of the judicial authorities' vis-à-vis the future of persons deprived of liberty.

RNDDH cautions that under Haitian law construction of rehabilitation centers for the benefit of minors is required. They should in no way be incarcerated. However, minors do not receive any special consideration and face the recurring problems of the Penitentiary Administration, such as prolonged pretrial detention, overcrowded cells, poor sanitation, and lack of rehabilitation plan and so on.

RNDDH notes the efforts made by the Ministry of Justice and Public Security in order to urge magistrates to decide the fate of prisoners incarcerated for minor offenses, at the **Petion-Ville** prison, and hopes that these efforts extend to other detention centers in the country. Moreover, the situation of persons

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imprisoned for more serious crimes must also attract the attention of the Ministry, for best results with respect to the struggle to combat excessively prolonged pretrial detention.

On the occasion of the fiftieth anniversary of the National Children's Day and at a time when national and international communities are looking at rebuilding the state, RNDDH condemns the imprisonment of minors in conflict with the law, and denounces the inhuman and degrading conditions in which they are maintained. RNDDH prompts state authorities to enforce the law relative to juvenile delinquency, to prevent in the future, the unfortunate repetition of the past.

Port-au-Prince, June 11th, 2010