

**Universal Periodic Review  
(12<sup>th</sup> session, 3-14 October 2011)**

**Contribution of UNESCO**

**HAITI**

**I. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education 1960	-	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. 1989	-			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage 1972	18/01/1980			Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage 2003	17/09/2009			Right to take part in cultural life
Convention on the Protection and Promotion of the Diversity of Cultural Expressions 2005	08/02/2010			Right to take part in cultural life

## II. Promotion and protection of human rights on the ground

### 1. Right to education<sup>1</sup>

2. Constitutional framework: The Constitution of Haiti, adopted in 1987, recognizes the right to education in Article 22, which states that “The State recognizes the right of every citizen to decent housing, education, food and social security.” Article 32 also provides that “The State guarantees the right to education”. Article 32.1 adds that “Education is the responsibility of the State and its territorial divisions. They must make schooling available to all, free of charge, (...)” Article 32.3 states that “Primary schooling is compulsory under penalties to be prescribed by law. Classroom facilities and teaching materials shall be provided by the State to elementary school students free of charge.”

3. Legislative framework:

- i) The decree of 1989 entrusts the Ministry of National Education, Youth and Sports (MENJS) with the responsibility to define and implement the governmental policy of Haiti in terms of education;
- ii) Draft Law on Educational fees, 2009;
- iii) Draft Law on non-public schools functioning, January 2001;
- iv) Draft Law on Education orientation, Port-au-Prince, 1998.

### 2. Right to take part in cultural life

4. Institutional framework: *Institut de Sauvegarde du Patrimoine National* (“Institute of Safeguarding National Heritage”) established under the Ministry of Culture ; it supervises all cultural related activities.

5. Cooperation: UNESCO has established an International Coordination Committee for Haitian Cultural Heritage after the January 2010 earthquake that ensures coordinated cooperation between all the actors involved in the safeguarding and promotion of the Haitian culture. The Committee met on 7 and 8 July 2010 and issued recommendations that constitute a roadmap for cooperation in the field of culture. Various projects for World Heritage, handicraft, museums and intangible heritage are being implemented with a wide range of partners.

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<sup>1</sup> Sources:

- i) Bases de données politiques des Amériques,  
<http://pdba.georgetown.edu/Constitutions/Haiti/haiti1987.html> (accessed 21/02/2011)
- ii) La Stratégie Nationale d’Action pour l’Education pour Tous, Septembre 2007,  
[http://planipolis.iiep.unesco.org/upload/Haiti/Haiti\\_EFA.pdf](http://planipolis.iiep.unesco.org/upload/Haiti/Haiti_EFA.pdf) (accessed 21/02/2011)
- iii) International Bureau of Education, Profile of the education system of Haiti, 2006,  
<http://www.ibe.unesco.org/fr/dans-le-monde/regions-de-lunesco/amerique-latine-et-caraibes/haiti/profile-of-education.html> (accessed 21/02/2011).

6. Work with civil society: Civil society is very active and engaged in the cultural life of Haiti through a network of numerous NGOs and associations.

7. Capacity-building and technical assistance: UNESCO supports various programmes focusing on heritage safeguarding, both tangible and intangible.

### **3. Freedom of opinion and expression**

8. Achievements, best practices, challenges and constraints: The earthquake which struck the capital Port-Au-Prince on 12 January 2010 had severely devastated the communication and information capabilities of the country. This event had added to the pre-existing constraint and challenges of working in Haiti.

9. Beginning in February 2010, UNESCO has conducted exploratory missions to Haiti to identify the most urgently needed assistance for the country while avoiding overlaps with initiatives being implemented by other partners. Over the course of the year, UNESCO initiated and implemented various programmes and activities which vital to rebuild the country.

10. Capacity-building and technical assistance provided and/or recommended by UNESCO: Consistent with its mandate and with a view to ensure that the citizens of Haiti continue to have access to information as basic human rights, UNESCO has contributed to strengthening the capacities of locals in preserving documentary heritage. Part of these efforts includes the relocation of some of the most endangered documents from its damaged *Bicentenaire* Building to boxes as a protective measure by the National Archives. The transfer of these documents will enable the Archives to recommence some of its vital work relating to the management of civil status and registry documents. The assistance provided enabled the Archives to receive governmental records from some of the Ministries and other public institutions that collapsed following the earthquake in January. The preservation of this public information heritage will serve as the foundation to build a good access to information in the country.

11. In addition, the problem of isolation of internally displaced and the growing sense of abandonment of the people living in camps in Haiti has also been tackled by UNESCO which has launched a Mobile Multimedia Unit (MMU) project. This helped ameliorate the lack means of communication, which leaves them feeling disconnected from the rest of the country and the world.

12. In the area of freedom of expression, specifically of the press, UNESCO supported the Haitian women's media association REFRAKA in organizing training for women journalists from different regions of the country. This is viewed as especially important because the position of women journalists within the Haitian media has always been a key concern for UNESCO, whose efforts aim at promoting gender equality among media professionals.

13. Furthermore, UNESCO and the Organization for Haitian Journalists (known under the French acronym, AJH) have organized a training programme for 380 journalists from Port-au-Prince and nine other Haitian counties, with the support of the Haitian Department of Civil Protection. These training particularly focused on natural disaster reporting. UNESCO views the role of journalists as vital for the spread of information to reduce the impact of natural disasters on populations.

13. In addition, through the International Programme for the Development of Communication (IPDC), are the initiatives to resurrect the community media and to help build the capacities of the Haitian Journalists' Association.

14. As the Haitian population moves towards their first post-disaster election, UNESCO recognized the needs to provide assistance in the training of journalist in election news reporting. Thus, UNESCO working with its partner, the International Media Support (IMS) has provided trainings to nearly 300 journalists to build their capacities in reporting the election process and to build their awareness on election issues and the crucial roles of journalists in an election.

### **III. RECOMMENDATIONS**

#### **Right to education**

15. Haiti should be encouraged to ratify the 1960 UNESCO's Convention against Discrimination in Education and the 1989 UNESCO's Convention on Technical and Vocational Education.

#### **Right to take part in cultural life**

16. Haiti, as a State Party to the three major UNESCO Culture Conventions of 1972, 2003 and 2005, is to be encourage to undertake steps aimed at:

- i) Initiating preliminary legislative work for the creation of a Cultural Heritage Protection Law by an interdisciplinary working group composed of experts in cultural legislation of UNESCO, the Scientific Committee in World Heritage legislation of the International Council on Monuments and Sites (ICOMOS), international and national lawyers, as well as experts in the Haitian and Caribbean heritage;
- ii) Developing an appropriate legislative framework for the implementation of the Convention for the Safeguarding of the Intangible Cultural Heritage (2003).

17. There are several opportunities for developing and protecting freedom of expression in the Haiti. UNESCO recommends:

- i) To resurrect community media
- ii) To build capacities of journalists especially with gender balanced approach in mind;
- iii) To reassess the media legislation provisions in order to guarantee freedom of the press.