**Haiti – Country conditions for women / minor children**

(sorted by most recent to least recent)

**UN News Centre, *Haiti: 5 years after earthquake, UN warns progress threatened by poverty*, inequality, 9 January 2015:** [**http://www.un.org/apps/news/story.asp?NewsID=49760#.VLSgSydeGOk**](http://www.un.org/apps/news/story.asp?NewsID=49760#.VLSgSydeGOk).

Today, some three million Haitians remain unsure where their next meal will come from. To provide them the essential food they require, about $28 million will be needed in 2015.

“Persistent chronic poverty and inequality, environmental degradation and continuing political uncertaintythreaten achievements Haitians have made over the past five years,” WFP’s representative in Haiti, Wendy Bigham, warned.

**Amnesty International, *15 Minutes to Leave: Denial of the Right to Adequate Housing in Post-Quake Haiti*, 8 January 2015**

*[Note: although not specifically about women or girls,*

 *this report provides general context to the precarious living conditions in Haiti.]*

Living conditions in camps today remain extremely precarious. The provision of essential services has been progressively declining over the years owing to reduced funding and the greater priority given to closing the camps. According to the Office for the Coordination of Humanitarian Aid, most camps have no access to even the most essential services and living conditions fall far below international standards. For example, in June 2014, only 67% of camp residents had access to latrines and the average number of people per functioning latrine was 82. The majority of camps have no waste management. A substantial increase in the number of cholera cases in camps was reported in the first half of 2014. Malnutrition rates in camps are considered to be beyond emergency thresholds. By September 2014, 45,030 people (or 11,913 families) were living in 35 camps considered at risk in the event of a natural disaster (28% of existing camps, 52% of families). (page 8-9)

According to the latest available data, by the end of September 2014, about 85,432 people (22,741 households) were living in the remaining 123 IDP camps. This represents a huge reduction of 92.1% in the number of camps and 93.7% in the number of households living in IDP camps since July 2010. However, the majority of people who have left the camps have not benefitted from a durable solution to their displacement, including in terms of access to adequate housing. (page 14)

**Amnesty International, Public Statement, *Haiti: allegations of excessive use of force during demonstrations must be thoroughly investigated*, 15 December 2014.**

According to media reports, two people were injured by firearms during a demonstration in the Haitian capital Port-au-Prince on 12 December while another person was allegedly shot and killed the following day in another protest. Although the circumstances of the incidents are yet to be clarified, reports indicate that in both cases the police might have used live ammunitions against the demonstrators.

Haitian media also released a video showing a UN peacekeeper shooting several times at demonstrators after some of them had thrown rocks at the UN troops. The UN peacekeeping mission in Haiti (MINUSTAH) promptly issued a statement acknowledging the allegations of excessive use of force and informing that an investigation had been immediately opened “to establish the facts”.

“The political climate in Haiti is getting tenser and tenser. It is imperative that the Haitian National Police and the MINUSTAH are able to cope with the situation in a way that ensure protection of human rights. People must be allowed to exercise their right to freedom of expression and peaceful assembly, without fear of being shot at”, said Chiara Liguori, Caribbean researcher at Amnesty International.

…

These demonstrations occurred in the context of escalating political instability in Haiti, as the mandate of the two-thirds of Senators and of all members of the lower Chamber is due to expire on 12 January 2015. Political opposition blames the government for failing to hold the long overdue legislative and local elections.

In the evening of 12 December, the Prime Minister announced his resignation after a consultative commission appointed by the President had recommended his resignation among a number of measures to be taken to appease tensions and create a positive political environment enabling the holding of elections.

In the last two years, Amnesty International has received a growing number of reports of unnecessary or excessive use of force by police to disperse demonstrations, often resulting in a high number of people injured and occasionally fatally injured. No police officer is known to have faced criminal investigations for their involvement in any of these incidents.

The rising number of people killed by police and the lack of accountability of the police force raised the concern of the UN Human Rights Committee, which in October 2014, recommended that the Haitian authorities carry out timely and effective investigations on all killings by the police and to bring those responsible to justice. The Committee also recommended that Haiti continue training its security forces in order to ensure compliance with the UN Basic Principles on the Use of Force and Firearms.

**Amanda Klasing, Human Rights Watch, *Written Statement of Amanda Klasing, Women's Rights Researcher, to the Tom Lantos Human Rights Commission of the United States Congress*, December 3, 2014:** [**http://www.hrw.org/news/2014/12/03/written-statement-amanda-klasing-womens-rights-researcher-tom-lantos-human-rights-co**](http://www.hrw.org/news/2014/12/03/written-statement-amanda-klasing-womens-rights-researcher-tom-lantos-human-rights-co)**.**

In the nearly five years since the earthquake, the displacement camps have decreased in size by about 90 percent. While the conditions of these camps are still a pressing concern, Human Rights Watch has shifted its focus to look at human rights concerns facing women and girls in Haiti that transcend the boundaries of displacement camps. In particular, we have focused on (1) protections for victims of gender-based violence and (2) the rights to water and sanitation in schools.

…

Human Rights Watch has engaged with direct legal service providers who confirm that **social stigma and shame also prevent many women and girls who are survivors of sexual and gender-based violence from seeking legal recourse.** When they do, the path to justice can be difficult. Giving victims access to legal support and representation can be helpful in eliminating some barriers to justice. Organizations such as Bureau des Avocats Internationaux (BAI) have made strides in holding perpetrators of rape accountable through Haiti’s fragile justice system.

Nevertheless, **gender-based violence remains a significant concern in Haiti and the legal protections afforded to victims remain weak**. A criminal code reform process first funded by the United States Institute for Peace in 2008, with continued support by USAID, is an important opportunity to introduce criminal provisions on gender-based violence that are consistent with international standards. The criminal code reform process is currently under review by a presidential commission, which should submit a recommendation to President Michel Martelly by the end of 2014.

…

In September 2014, Human Rights Watch began looking at the impact of poor water and sanitation in schools, visiting a number of schools in the Central Plateau of Haiti to assess water and sanitation conditions of educational facilities. **These schools, including recently constructed ones, lacked adequate water and sanitation facilities. None of the schools Human Rights Watch visited in September were consistent with the government’s guidelines for the promotion of hygiene in schools. Teachers, students, and government officials all told us that the situation was dire and has a negative impact on students’ education**. These schools Human Rights Watch visited are not anomalous in Haiti.

Contrary to what is called for in the government of Haiti’s guidelines for the promotion of hygiene in schools, **safe, clean latrines and water for drinking and hand washing are extremely scarce in Haitian schools. Most students and teachers have nowhere to relieve themselves, wash their hands with soap, obtain clean water, or, for women and girls, maintain menstruation hygiene.** Where facilities do exist, they may not be sufficient in number, may not function, or may not be clean or safe. Nearly 60 percent of schools lack toilets and more than three-fourths of schools lack water access.

**Amanda Klasing, Human Rights Watch, *Dispatches: Toilets, Human Rights and Haiti*, December 2, 2014:** [**http://www.hrw.org/news/2014/12/02/dispatches-toilets-human-rights-and-haiti**](http://www.hrw.org/news/2014/12/02/dispatches-toilets-human-rights-and-haiti)**.**

In Haiti, latrines and water for drinking and hand washing are extremely scarce in schools. **Nearly 60 percent of schools lack toilets and more than three-fourths lack water.** In September, Human Rights Watch spoke to teachers in Haiti who said that **diarrheal disease frequently causes kids to miss school and lack of hygiene means that girls often must stay home when they menstruate.**

**UN Human Rights Committee, *Concluding observations on the initial report of Haiti*, CCPR/C/HTI/CO/1, 21 November 2014.**

8. Notwithstanding article 17, paragraph 1, of the Constitution, setting a quota of 30 per cent of women at all levels of national life, especially in public services, the Committee notes that the **figures are still low as regards the number of women elected or appointed to positions of responsibility,** including in the police and in the justice system. **The Committee further notes that the stereotyping of women remains rooted in Haitian society, particularly as regards household financial management and the image of women in some school textbooks** (arts. 3, 25 and 26). (page 3)

9. While noting the willingness of the State party to eliminate discrimination against lesbians, gays, bisexuals and transgender (LGBT) persons, **the Committee notes with concern a significant number of displays of hostility towards LGBT persons and other actions including acts of violence and attacks on the institutions that defend their rights**, all of which are closely bound up with the persistence of stereotypes with respect to these groups (arts. 2 and 26). (page 3)

10. **The Committee remains concerned by the fact that cases of firearm deaths caused by agents of the security forces continue to be reported and that this number has increased in 2014.** Despite the information provided by the State party to the effect that the perpetrators are punished, the Committee finds it regrettable that they are mainly subject to disciplinary sanctions and that **statistics on homicides, and on investigations and prosecutions for homicide, are not routinely maintained or made publicly available**. The Committee notes the lack of information on action taken on the recommendations of the General Inspectorate of the National Police of Haiti (art. 6). (page 3)….

13. **The Committee is concerned about the low level of protection from violence against women, in particular rape**. While noting the progress made in enabling victims of rape to obtain a medical certificate free of charge, **it notes with regret that a medical certificate is required to initiate criminal proceedings for rape**. **It further notes that the law criminalizing such acts and other acts of violence against women has not yet been adopted**. **The Committee notes that shelters have been established, although they appear to be few in number and difficult to reach, especially in rural areas** (arts. 2, 3 and 7). (page 4)……

19. **The Committee is concerned about allegations of threats, harassment and intimidation by the police, security forces and political authorities against human rights defenders, journalists and members of the opposition** and the lack of protection provided by the State party in this connection (arts. 19, 21 and 22). (page 6)

**Human Rights Watch, *Haiti: Students Need Safe Water, Toilets*, October 8, 2014:** [**http://www.hrw.org/news/2014/10/08/haiti-students-need-safe-water-toilets**](http://www.hrw.org/news/2014/10/08/haiti-students-need-safe-water-toilets)**.**

In September, Human Rights Watch visited schools in the Central Plateau of Haiti to assess water and sanitation conditions at educational facilities, including some recently constructed with money from international donors that lacked adequate water and sanitation faciliti**es. None of the schools visited complied with the government guidelines for hygiene in schools.** Teachers, students, and government officials reported that the situation was dire and had a negative impact on education. **Some said students stay home for more than a week to recover from preventable diarrhea.**

**ANAPFEH et al submitted to UN Human Rights Committee, *Fighting for Our Lives - Violence and Discrimination Against Women and LGBT Persons in Haiti*, submitted October 2014. http://www.madre.org/uploads/misc/1417531722\_Haiti%20ICCPR%20Report%20ENG%202014%20final.pdf**

*This article has lots of information; here are some key points:*

The ongoing effects of the earthquake in Haiti in 2010 are devastating. **Pervasive sexual and gender-based violence against women and girls has plagued communities living in displacement camps and in resource-poor neighborhoods**. Lesbian, gay, bisexual and transgender (“LGBT”) people also experienced a drastic increase in stigmatization, discrimination and violence, which have included increasingly violent anti-LGBT protests inculpating LGBT individuals as the cause of the earthquake. (page 1)

**Haitian women and girls, especially those living in resource-poor neighborhoods or displacement camps, are particularly vulnerable to threats and violence that place their lives directly at risk.** Recognizing the alarming increase in sexual violence following the earthquake in 2010, the Inter-American Commission on Human Rights (IACHR) granted a request for precautionary measures to address acts of sexual violence committed against women and girls in displacement camps in Haiti. The Commission called on the Government of Haiti to take immediate measures to prevent sexual violence committed against women and girls by private actors. (page 11)

**Despite efforts made by the Haitian Government to address the issue, women and girls in Haiti continue to face violence and threats in significant numbers.** For example, a January 2011 household survey conducted on sexual violence in Port-au-Prince found that, of respondents who indicated the gender and age of the victim, approximately 86% were women and girls. The results of a survey of random Haitian households conducted from August 2011 to February 2012 indicate a dramatic escalation in violence, particularly in densely populated urban centers.**The survey also found that residents of low-income urban areas were twenty-seven times more likely to be sexually assaulted than residents of wealthier, less densely populated areas.** (page 11)

**From January 2013 to October 2013, KOFAVIV documented a total of 214 cases of rape, with just under half of those perpetrated against children under the age of 18.** **Similarly, in**

**2012, with the assistance of Digital Democracy, KOFAVIV documented a total of 365 cases of rape, with a little more than half of those perpetrated against children under the age of 18**. In the vast majority of cases that KOFAVIV has documented, police officials have conducted little to no investigation of reported rape cases. **Victims report verbal harassment by police when they report the crimes. KOFAVIV has further reported cases where women identified their rapists, police officials detained the perpetrator, and then the police accepted a bribe to release them.** The Haitian government has thus failed to fulfill its legal responsibility under the due diligence standard to prevent, punish, investigate, and redress ongoing gender-based and sexual violence against Haitian women and girls, and is therefore in violation of Articles 3 and 6. (page 12 to 13)

**Amnesty International, *Haiti- Submissions to the UN Human Rights Committee*, October 2014. http://www.amnesty.org/en/library/info/AMR36/012/2014/en**

**LGBTI people suffer high levels of discrimination in Haiti, often translating into acts of violence, harassment and intimidation.** According to activists Amnesty International spoke with, the situation has worsened since the January 2010 earthquake, following public statements made by anti-LGBTI groups at the time, including some foreign religious aid groups, that accused LGBTI communities of being a cause of the earthquake. In 2010, a human rights group working on behalf of LGBTI communities reported several cases of hate crimes involving sexual violence against LGBTI people in displacement camps. (page 6)

Amnesty International remains seriously concerned at the **high incidence of violence against women and girls, including domestic and sexual violence**. The organisation analysed the problem in a report published in 2008 and documented a worsening trend in the aftermath of the earthquake. Amnesty International highlighted how displacement and camp conditions had increased the risks of gender-based violence for women and girls, while the destruction of police stations and court houses had even further weakened the state’s ability to provide an adequate response to the problem. (page 8 to 9)

**It remains difficult to measure trends of gender-based violence and impact of policies, as effective mechanisms to collect and collate this information are not yet in place.** Statistics are collected by a wide range of governmental institutions, civil society organisations and UN agencies but there continues to be a lack of coordination and systematisation. (page 9)….

**Victims of gender-based violence also face difficulties when they need to escape their own homes for safety reasons, as there is no State-run shelters for victims and survivors of sexual and domestic violence.** Although some Haitian women’s rights organisations have established some safe homes, the capacity to provide adequate protection and support to victims of gender-based violence remains dependant on funding and it is generally limited. (page 11)

**Beyond Borders et al submitted to UN Human Rights Committee, *The Plight of Restavèk (Child Domestic Servants)*, Submitted 12 September, 2014.**

11. Haiti’s more recent history of massive debt to international financial institutions, failed international intervention, and thirty years of dictatorship (1957–1986) has contributed to widespread poverty. **Haitian people suffer from the worst living standards in the Western Hemisphere and are systematically deprived of basic needs in the spheres of nutrition, shelter, medical care, employment, education and access to justice**. Sixty-one percent of the population lives below the international poverty line of $1.25 per day, and 77 percent lives below $2.00 a day. These statistics rank Haiti among the poorest countries in the world by several indexes. **The unemployment rate is 60 percent. Countrywide, hunger and malnutrition are considered among the most pressing problems; 44 percent of the population suffers from malnutrition.** Conditions of life are generally more difficult for rural residents in Haiti, who make up 7 of the 10 million inhabitants, where even fewer services are available. …..

21. Laws are only as powerful as a government’s ability to enforce them. **While Haitian law outlaws the practice of restavèk, enforcement is almost non-existent.** Haiti’s weak justice system stems in part from a lack of political will to oversee law enforcement procedures. **Poor women and children are particularly marginalized by the limited access to the justice system due to deep-rooted gender discrimination and the added economic disenfranchisement they face. The result is that the administrators of justice at all levels of the judiciary do not consider incidents of violence against women and children as a priority, and do not take these claims seriously.** The Committee on the Rights of the Child recommended that the Haitian government investigate cases of ill-treatment of children by law enforcement officers and ensure that alleged offenders are punished.

**United States Department of State, Office to Monitor and Combat Trafficking in Persons, *Trafficking in Persons Report: Haiti Country Narrative*, June 2014, page 195:** [**http://www.state.gov/documents/organization/226846**](http://www.state.gov/documents/organization/226846)**.**

Haiti is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. **Most of Haiti’s trafficking cases consist of children in domestic servitude. In addition to experiencing forced labor, these children are vulnerable to beatings, sexual assaults, and other abuses by family members in the homes in which they are residing.**

Dismissed and runaway children from domestic servitude make up a significant proportion of the large population of children who end up in prostitution or are forced into begging or street crime. Children working in construction, agriculture, fisheries, and street vending are vulnerable to forced labor. Women and children living in Internally Displaced Persons (IDP) camps set up as a result of the 2010 earthquake were at an increased risk of sex trafficking and forced labor. Children in some unscrupulous private and NGO-sponsored residential care centers are at a high risk of being placed in a situation of forced labor. **Haitians without documentation and those from the lowest income backgrounds, especially women and children, are particularly vulnerable.** There have also been documented cases of Dominican women in forced prostitution in Haiti. **Haitian children are found in prostitution, domestic servitude, and forced begging primarily in the Dominican Republic.** Haitians are also exploited in forced labor primarily in the Dominican Republic, elsewhere in the Caribbean, in South America, and in the United States.

**United Nations Security Council, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti,* S/2014/162, 7 March 2014.** *Reporting period: 20 August 2013 to 10 March 2014*

*[Note: this report is written from the perspective of MINUSTAH, so it generally has an optimistic tone, i.e. emphasis on what MINUSTAH is doing to stabilize Haiti.]*

16. … According to the International Organization for Migration, as at 31 December 2013 an **estimated 146,000 individuals (about 39,000 households) remain displaced in 271 sites and face protection issues and a lack of adequate access to basic services.** **Forced evictions driven by private landowners continued to occur from both camps for internally displaced persons and informal settlements, and were often characterized by acts of violence.** The United Nations and partners continue to work with the Government to ensure that legal procedures are followed and durable solutions are provided. In 2013, less than 50 per cent of the humanitarian requirements were funded, limiting the availability of human and financial capacities needed to ensure basic services in key sectors. (page 4)

17. **Haiti still has the highest number of cholera cases in the world**. According to the Ministry of Public Health and Population, the cholera epidemic has caused the death of 8,562 people. A total of 698,304 people were infected from October 2010 to 31 January 2014. The Pan-American Health Organization forecast as many as 45,000 infections in 2014 if current infection levels maintained. While the number of suspected cases has been reduced significantly each year, from 352,033 cases in 2011 to 58,608 cases in 2013, which is also reflected in the reduction of cholera-related deaths, the institutional fatality rates (the number of suspected cholera victims who die in cholera treatment facilities) increased in 2013 to a yearly average of 1.07 per cent, up from 0.83 per cent in 2012. That reflects weaknesses in the capacity of health centres to provide timely and adequate health services to patients affected by cholera and the longer travel time required for treatment as a result of the closure of many cholera treatment centres. (page 4)

18. While recognizing improvements in the food security situation, mainly resulting from the absence of hurricanes during the reporting period, the **prevalence of global acute malnutrition among children under the age of 5 increased from 5.1 per cent in 2012 to 6.5 per cent in 2013, affecting approximately 100,000 children, of which 20,000 are affected by severe acute malnutrition.** … (page 4)

32. The MINUSTAH military and police components maintained their presence in

**camps for internally displaced persons and in fragile, crime-prone urban communities where women and children are vulnerable to sexual and gender-based violence.** Of the remaining 271 sites for internally displaced persons, 24 high-risk camps were patrolled on a daily basis. The remaining sites were subject to random patrols. During the reporting period, the military and police components conducted 9,135 patrols in camps for internally displaced persons in the Port-au-Prince metropolitan area. Consistency in approach between the Mission and the United Nations country team was assured through coordination within the protection cluster. (page 7)

33. MINUSTAH continued to conduct stabilization initiatives in fragile urban

neighbourhoods that addressed **high youth unemployment, poor infrastructure, weak security institutions and limited access to justice.** … (page 7)

41. The Mission released a study in August 2013 on the response of the police and the judiciary to cases of rape. The study identified weaknesses in the courts, prosecution offices and police stations in their handling of cases, and showed that **the vast majority of reported rapes are never properly adjudicated.** … (page 9)

43. During the reporting period, MINUSTAH received reports of 206 incidents against minors, including cases related to sexual violence (127 cases of rape and other sexual violence and 14 cases of child prostitution); 17 cases of homicide; 9 cases of physical assault and injury; 5 cases of the use of children by armed gangs; 1 case of abduction; 5 cases of child trafficking; and 28 cases of mistreatment. … (page 10)

**Human Rights Committee, *Report of the independent expert on the situation of human***

***rights in Haiti, Gustavo Gallón*, A/HRC/25/71, 7 February 2014.**

11. **The vast majority of the Haitian population lives in poverty**. Seventy-six per cent of people earn the equivalent of less than US$ 2 per day, and 60 per cent of them receive less than US$ 1 per day.1 Although only the latter are officially considered as being in extreme poverty, the living conditions of poor people in general in Haiti are not much better. It would not be an exaggeration to say that all people living in extreme poverty as well as people living in ordinary poverty live in abject poverty in Haiti; namely, a total of 7.5 million out of 10 million people. (page 4) ….

16. The situation regarding the right to health is also very serious. According to the United Nations Children’s Fund (UNICEF), **60 per cent of the population, mainly in rural areas, does not have access to basic health care.** According to the World Health Organization, life expectancy at birth in Haiti was 63 years in 2011. The infant mortality rate in 2011 was 70 per 1,000 births and the maternal mortality rate was 350 per 100,000 live births. Government expenditure on health per capita almost doubled between 2008 and 2010, but is no more than 10 per cent of the State budget. Given the precarious financial situation of most of the population, it is not surprising that “traditional medicine plays an important role because it is the first resort for nearly 80 per cent of the population due to its low cost and proximity”. This situation has worsened with the cholera epidemic, which is referred to below. (page 5)

17. The right to education is not guaranteed for **almost half of the country’s children – boys and girls who do not go to school.** In fact, approximately 80 per cent of schools are private; the absence of economic resources and very limited number of public schools are the main reasons for non-attendance. A significant portion of the adult population is illiterate. From 2007 to 2011, a quarter of young men aged between 15 and 24 and a third of the female population in this age group could neither read nor write. In 2003, “the degree of literacy [was] far better in urban than in rural areas (80.5 per cent versus 47.1 per cent).” **According to UNICEF, less than 2 per cent of children of school age complete high school.** The average number of years of education is 4.9. The Government informed the independent expert that the free and compulsory universal education programme allowed 1,399,173 children access to free basic education (first and second stages). (page 5)……

56. Another manifestation and consequence of the weakness of the rule of law is the **continuing problem of child exploitation, where children (especially girls), called restavèk are given by their poor parents to other families to “stay with” them and help them with household chores in exchange for accommodation, food and, in principle, an education.** In fact, **children are systematically deprived of family affection and their right to education, subjected to forced labour, unpaid, and exposed to physical and/or verbal abuse**. According to UNICEF, **in January 2012, there were about 225,000 restavèk children in Haiti.** The Special Rapporteur on contemporary forms of slavery, who visited the country in 2009, estimated the number of restavèk children at that time to be between 150,000 and 500,000; she described the phenomenon of contemporary forms of slavery and made specific recommendations, including for the creation of a national commission to monitor and ensure the protection of children’s rights (A/HRC/12/21/Add.1). The former independent expert drew the attention of the Council of Human Rights to the gravity of this phenomenon (A/HRC/22/65, paras. 68–70). It is important to emphasize the need to take urgent and effective measures to end this contemporary form of slavery. (page 12)

**UNDP, *Human Development Report 2014: Sustaining Human Progress: Reducing Vulnerabilities and Building Resilience*, 2014.**

Haiti places 168 / 187 countries in the Human Development Index with a score of 0.471 (Canada is 8th with a score of 0.902)

When adjusted for inequality in society, Haiti’s score lowers to 0.285 (Canada’s lowers to 0.833)

Haiti scores 123/187 countries on the Gender Inequality Index with a score of 0.599 (Canada is 23rd with a score of 0.136). The Gender Inequality Index reflects gender-based inequalities in three dimensions – reproductive health, empowerment, and economic activity. Reproductive health is measured by maternal mortality and adolescent fertility rates; empowerment is measured by the share of parliamentary seats held by each gender and attainment at secondary and higher education by each gender; and economic activity is measured by the labour market participation rate for each gender.

**Shannon D. Lankenau, “Toward Effective Access to Justice in Haiti: Eliminating the Medical Certificate Requirement in Rape Prosecutions” (2013) 64(1) *Hastings Law Journal* 1759.**

This article provides historical context to gender-based violence in Haiti. It also includes details about the requirement for rape victims to obtain a medical certificate within 72 hours in order for the police to investigate and potentially lay charges. (The numbers are footnotes, which can be found in the original document.)

An appreciation of the historical context in which the current rape crisis arose is crucial to understanding why the government has failed to address the numerous impediments to prosecuting rape and the cyclical effects of impunity. Gender discrimination in Haiti is rooted in a profoundly patriarchal culture that continues to saturate the threads of society.6 Women bear the brunt of the poverty that has long been characteristic of Haiti,7 and this poverty “strongly influences how women experience violence and limits their ability to respond to it.”8

As evidence of this deeply rooted gender discrimination, Haitian women have suffered and continue to suffer from widespread sexual violence.9 During recent periods of political instability, the rates of violence against women in Haiti increased dramatically.10 For example, beginning with the 1991 military coup that overthrew Haiti’s first democratically elected president, Jean-Bertrand Aristide, women were systematically victimized “because of their political support for democracy, their intimate association with other activists, their class, and their gender.”11 One study found that in the two-year period following the second ouster of President Aristide in February 2004, as many as 35,000 women were raped in Port-au-Prince alone.12 These periods of instability were marked with “[i]ncreasing poverty, deep-rooted class divisions, the proliferation of arms, rise in violent crime, and the absence of adequate crime prevention and judicial mechanisms to respond to the violence.”13 Ultimately, rape has been and continues to be a mechanism through which the economic, political, and social inequalities in Haiti survive.14

Although rape and other forms of sexual violence were prevalent in Haiti before the 2010 earthquake,15 post-disaster displacement has created “conditions under which women and girls are at a heightened risk of sexual violence.”16 The international community characterizes post-earthquake internally displaced person (“IDP”) camps as abysmal—lacking even the most basic necessities such as access to clean water, food, sanitation, and shelter.17 In particular, women are more vulnerable to sexual violence in a post-disaster context due to the “collapse of social infrastructure, inequitable access to social services, absence of law and order, . . . loss of autonomy[,] . . . . and limited access to resources and participation in decision making.”18 Haitian women’s rights groups report that the prevalence of sexual violence has increased significantly following the earthquake.19 In a recent study conducted by the Instituto Igarapé, researchers Athena Kolbe and Robert Muggah found that the relative risk of sexual assault was twenty times greater for camp residents than for residents in other areas of Port-au-Prince.20 In addition to increasing the vulnerability of women to sexual violence, the earthquake has impacted public institutions, thereby compounding “chronic long-term weaknesses in government efforts to protect and promote human rights.”21 Thus, in Port-au-Prince and the surrounding areas, post-disaster displacement and political instability have underscored the dire need to address the medical certificate issue as a significant barrier to prosecuting rapes. (pages 1762 to 1763)

**Written Statement Submitted to the Commission on the Status of Women by The International Gay and Lesbian Human Rights Commission (Iglhrc) and Madre, Nongovernmental Organizations in Consultative Status with the Economic and Social Council, *Concerning Patterns of Violence and Discrimination Against Women and Girls and LGTB People in Haiti in the Context Of HIV/AIDS*, March 2013.**

**Poor and displaced women and girls are made more vulnerable to contracting HIV as a result of sexual violence.** Service providers report that numerous survivors of sexual violence living in the IDP camps and poor neighborhoods of Port-au-Prince have become infected with HIV. However, **women are often reluctant to seek medical services due to fear of reprisal, stigmatization, or lack of resources, increasing the chance of going without treatment or transmitting HIV.** (page 4)

**Interviewees report that stigmatization and discrimination related to gender-based violence (GBV) undermines their ability to access justice when police, medical professionals, judges, or even family members discriminate against them.** For instance, KOFAVIV reported that an older man raped a 9-year-old girl on her way to get water in Port-au-Prince. She obtained and submitted to the local court a completed medical certificate, documenting that she was raped. However, days later, the court notified the victim that the medical certificate was now missing two pages, and the case would be dismissed. It is believed that the accused, in order to elude prosecution, purchased the complicity of an official to remove the two pages. (page 5)

**Mcloughlin, C. (2013), *Violence against women and girls in Haiti* (GSDRC Helpdesk Research Report), Birmingham, UK: Governance and Social Development Resource Centre, University of Birmingham.**

*This whole report is useful, but here are some key points*:

The **post-earthquake period has also been linked with a rise in the number of women and girls engaging in sex work**. In May 2011, UNHCR conducted several focus groups with women and adolescent girls in a selection of IDP camps. Based on the testimonies of participants, the study found that the **practice of women and adolescent girls engaging in ‘transactional sex’ in Port-au-Prince was ‘widespread’** (UNHCR, 2011). In some camps, it has been reported that women were sexually exploited by members of camp committees and others who controlled the distribution of goods and services. **Women were reportedly forced to negotiate sexual favours with these committees to obtain access to basic supplies** (Horton, 2012; CHRGJ, 2012). The women’s rights NGO MADRE reports that **since post-earthquake aid distribution was reduced, men have begun using weapons, as opposed to access to essential resources, to force women to have sex.** (page 4)

The review by PotoFanm+Fi found that **adolescents and younger girls constitute the ‘hidden majority’ of victims of sexual violence, making up a significant portion of all reported rape cases** (up to 60 per cent) (d’Adesky, 2012). It argued that whereas women suffer physical aggression from intimate partners, adolescents are more likely to suffer sexual aggression. (page 5)

NGO and news media reports **since the earthquake have also suggested a significant portion of victims of sexual violence are children and minors, some as young as three years of age**. The latest available report from MINUTASH notes that during the reporting period – 29 February 2012 to 31 August 2012 – there were 128 reported cases of child rape in Haiti (UN 2012, 11). (page 5)

**Researchers stress that the experiences of women in the post-disaster phase should be understood in the context of longer-term, structural gender inequality** (Horton, 2012; Nolan, 2011). A report submitted by Haiti to the Human Rights Council in July 2011 noted that **‘gender stereotypes continue to trigger discriminatory behaviour that sometimes ends in violence against women’** (HRS, 2012). In addition, it noted that the weak representation of women in all layers of government reinforced the gender stereotyping present in Haitian society (ibid). PotoFanm+Fi similarly argues that **cultural norms, spiritual traditions and social attitudes shape views towards sexual violence, which in turn are reflected in Haiti’s laws** (d’Adesky, 2012).