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# Gender-Based Violence Country Profile

## HAITI



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# INTRODUCTION

**Haiti is a Caribbean country with a population of approximately 11 million people, 50.4 % of whom are female.** Haiti's progress in economic and social development has been impeded by persistent political instability, surging violence, and record-high levels of insecurity, all of which amplify its fragility. In the Latin America and the Caribbean (LAC) region, Haiti remains the poorest country and one of the poorest in the world, with a GNI per capita of US\$1,420 in 2021, the lowest in the LAC region compared to the average of US\$15,092. The country ranked 163rd out of 191 nations on the UN's Human Development Index in 2021.<sup>1</sup>

In the midst of the ongoing political and institutional turmoil, compounded by exposure to natural hazards and gangs fighting for control of business areas, the economy has shrunk by 1.7% in 2019, 3.3% in 2020, 1.8% in 2021, and 1.7% in 2022, declining for four years in a row.<sup>2</sup> This has resulted in poverty reduction gains being erased, and the lack of progress in critical areas essential for poverty reduction has negatively affected household incomes throughout the country. For instance, as of December 2021, 65% of households experienced a decline in their income compared to

pre-pandemic levels, suggesting that the already high poverty rate has likely increased. Haiti also has one of the highest levels of inequality in the region, mainly because two-thirds of the poor live in rural areas where unfavorable agricultural conditions create a welfare gap between urban and rural regions.<sup>3</sup>

Haiti is among the world's most vulnerable countries to natural disasters, including hurricanes, floods, and earthquakes, which affect more than 96% of the population. On August 14, 2021, a magnitude 7.2 earthquake struck the southern region of Haiti, where approximately 1.6 million people reside. The epicenter was located roughly 12 km northeast of Saint-Louis-du-Sud, about 125 km west of the capital, Port-au-Prince.<sup>4</sup>

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<sup>1</sup> Overview. (n.d.-b). World Bank. <https://www.worldbank.org/en/country/haiti/overview>

<sup>2</sup> *ibid*

<sup>3</sup> *ibid*

<sup>4</sup> *ibid*

# PREVALENCE OF GENDER-BASED VIOLENCE: PRE- AND POST-COVID

## UN Women Prevalence Data on Different Forms of Violence against Women<sup>5</sup>:

- Lifetime Physical and/or Sexual Intimate Partner Violence: 26 %<sup>6</sup>
- Physical and/or Sexual Intimate Partner Violence in the last 12 months: 13.9 %<sup>7</sup>
- Lifetime Non-Partner Sexual Violence: Official National Statistics Not Available
- Child Marriage: 14.9 %<sup>8</sup>

Haiti has a GII value of 0,635, ranking it 163 out of 170 countries in 2021.

Providing a comprehensive analysis of gender-based violence (GBV) in Haiti is a particularly complex task.

Indeed, Haiti is one of the few countries that has had a female prime minister in the past<sup>9</sup>; where there are female doctors and wealthy female entrepreneurs; and where women can drive and own property. Women play an important role in Haitian society. They represent 50% of the country's population and constitute 48% of the economically active population, particularly in commerce where they represent 82% of workers, and 37% in agriculture<sup>10</sup>. On the other hand, women and girls are constantly exposed to serious discrimination and violations of their rights that prevent them from fully participating in the social life of their community and in the political life of their country. Haitian women and girls are disproportionately exposed to social inequality, discrimination, and violence due to their limited access to economic and other resources<sup>11</sup>.

<sup>5</sup> UN Women Global Database on Violence Against Women. (n.d.). Haiti. <https://evaw-global-database.unwomen.org/en/countries/americas/haiti#1>

<sup>6</sup> Proportion of ever-partnered women aged 15-49 years experiencing intimate partner physical and/or sexual violence at least once in their lifetime. Source: Institut Haïtien de l'Enfance - IHE and ICF. 2018. Enquête Mortalité, Morbidité et Utilisation des Services - EMMUS-VI 2016-2017 Pétiion-Ville, Haïti, et Rockville, Maryland, USA : IHE et ICF.

<sup>7</sup> Proportion of ever-partnered women aged 15-49 years experiencing intimate partner physical and/or sexual violence in the last 12 months. Source: Institut Haïtien de l'Enfance - IHE and ICF. 2018. Enquête Mortalité, Morbidité et Utilisation des Services - EMMUS-VI 2016-2017 Pétiion-Ville, Haïti, et Rockville, Maryland, USA : IHE et ICF.

<sup>8</sup> Percentage of women aged 20 to 24 years who were first married or in union before age 18. Source: UNICEF global databases, 2021, based on DHS, MICS and other nationally representative surveys.

<sup>9</sup> <https://lenouvelliste.com/lenouvelliste/article/153029/Claudette-A-Werleigh-premiere-femme-Premier-ministre-en-Haiti>

<sup>10</sup> Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-VI 2016-2017) ; UNICEF SDG Target 5.3.1 global database 2018, base sur le Demographic and Health Surveys, Multiple Indicator Cluster Surveys; UNDP, Human Development Report 2018 ; « Violence against Children in Haiti: Findings from a National Survey » (Mortality, Morbidity and Service Utilization Survey (EMMUS-VI 2016-2017); UNICEF SDG Target 5.3.1 global database 2018, based on Demographic and Health Surveys, Multiple Indicator Cluster Surveys; UNDP, Human Development Report 2018; "Violence against Children in Haiti: Results of a National Survey." ) CDC, 2014

<sup>11</sup> Enquête Mortalité, Morbidité et Utilisation des Services (EMMUS-VI 2016-2017) ; UNICEF SDG Target 5.3.1 global database 2018, base sur le Demographic and Health Surveys, Multiple Indicator Cluster Surveys

Twenty-eight per cent of Haitian women aged 15 to 49 reported experiencing some form of physical violence, and more than one woman in ten said they been subjected to sexual violence. The percentage of women who report having experienced domestic violence was estimated at 12% according to the Enquête Mortalité, Morbidité et Utilisation des Services (Mortality, Morbidity and Service Use Survey)<sup>12</sup>.

50 of every 1,000 girls aged 15-19 gave birth in Haiti in 2020<sup>13</sup>, in comparison with the year 2010, the rate of adolescent fertility has decreased. Nevertheless, adolescent girls are particularly vulnerable to the health consequences of pregnancy and delivery; as a consequence, maternal conditions are among the top causes of disability-adjusted life years and death among girls aged 15-19<sup>14</sup>. In the case of Haiti, 480 women die per 100,000 live births due to pregnancy-related causes. The maternal mortality ratio in Haiti has worsened from 437 in 2000 to 480 in 2017. Maternal mortality in Haiti is higher than its regional average<sup>15</sup>.

Regarding the labor force participation rate, this

among females is 60.7% and among males is 68.9% for 2021. Since 1990, female labor force participation has increased. In addition, vulnerable employment for females has improved in Haiti since 1991<sup>16</sup>. Workers in vulnerable employment are the least likely to have formal work arrangements, social protection, and safety nets to guard against economic shocks; thus they are more likely to fall into poverty. Vulnerable employment among women is 81.3% and among men is 65.6% in Haiti for 2019. The rate of vulnerable employment is higher for men and women in Haiti compared to the average rate in Latin America & Caribbean<sup>17</sup>.

The situation of GBV has been documented even in the past: during the dictatorship of Duvalier father and son, rape was used as a political and terror weapon<sup>18</sup>. More recently, under the illegitimate regime of General Raoul Cédras (1991-1994), between 4,000 and 7,000 people were killed, hundreds of thousands were tortured and forced into exile, and thousands of women were systematically raped by soldiers and paramilitary forces<sup>19</sup>. A mortality study for Port-au-Prince concluded that 35,000 women were raped

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<sup>12</sup> Ibid

<sup>13</sup> United Nations, Department of Economic and Social Affairs, Population Division. Data retrieved from the World Bank Gender Data Portal

<sup>14</sup> Early childbearing and teenage pregnancy rates by country. (2021). UNICEF DATA. <https://data.unicef.org/topic/child-health/adolescent-health/>

<sup>15</sup> WHO, UNICEF, UNFPA, World Bank Group, and the United Nations Population Division. Trends in Maternal Mortality: 2000 to 2017. Geneva, World Health Organization, 2019 Data retrieved from the World Bank Gender Data Portal

<sup>16</sup> International Labour Organization, ILOSTAT database. Data retrieved on February 8, 2022.

<sup>17</sup> Derived using data from International Labour Organization, ILOSTAT database. The data retrieved on January 29, 2021. Data retrieved from the World Bank Gender Data Portal

<sup>18</sup> Study "A Response To Violence Against Women In Haiti", MCFDF, available here <http://www.ijdh.org/wp-content/uploads/2010/05/Haiti-une-reponse-a-la-violence-faite-aux-femmes-en-haiti.pdf> (2007)

<sup>19</sup> "Au-delà du choc Cartographier le paysage des violences sexuelles en Haïti après le séisme: Progress, Challenges & Emerging Trends 2010-2012 ", Anne-christine d'Adesky avec PotoFanm+Fi, (2012)

between March 2004 and December 2006 in Port-au-Prince alone<sup>20</sup>. Sexual and other forms of gender-based violence were widespread in Haiti before January 12, 2010, but the earthquake subsequently shattered what few protective mechanisms existed<sup>21</sup>.

**Although there is no national database, it is sufficient here to provide some figures to show the extent of the phenomenon after the earthquake.** In November 2011, the Concertation Nationale contre les violences faites aux femmes (Concertation Nationale), a network of non-governmental organizations and state institutions as well as international cooperation agencies, published statistics on violence against women between July 2009 and June 2011, according to the records of four member organizations, reporting 3098 cases of sexual assault against women during this period. Another organization, very involved in the fight against GBV in Haiti, reported in its 2010-2011 report that 2,370 women and girls between the ages of 3 and 76 were welcomed in their 21 shelters. Another

study targeting 1,251 girls who became pregnant as a result of the violence they experienced, found that 37% of them had survival sex, mainly to take shelter. From May 2015 to March 2017, the Pran Men'm clinic of Médecins Sans Frontières provided care to nearly 1,300 survivors of GBV.

**Unfortunately, no data can be considered conclusive regarding the prevalence of GBV in Haiti either before or after the earthquake.** In fact, there is almost no official national analysis available, in addition to sporadic reports, situation analyses and surveys, due to the lack of a central data collection and analysis system. In fact, the issue of data in Haiti has always been debated since the creation of the National Consultation, which was also mandated to create a data management system for GBV. In any case, the high rate of GBV incidents, including sexual violence, sexual exploitation and abuse, domestic violence, human trafficking and early marriage and pregnancy, is an indisputable fact.

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<sup>20</sup> "Fanm ayisyen pap kase : Respecter le droit à la santé des femmes et des filles haïtiennes", Santé et droits de l'homme : An International Journal, Lisa Davis et Blaine Bookey, (2011)

<sup>21</sup> Many media outlets began referring to GBV in Haiti in early 2010 as a "rape epidemic." This phrase remained a media headline throughout 2011: "An Epidemic of Rape for Haiti's Displaced," New York Times (2011)

<sup>22</sup> Communiqué de presse, Commission interaméricaine des droits de l'homme, IACHR Expresses Concern Over Situation in Camps for Displaced Persons in Haiti (2010), <http://www.cidh.org/Comunicados/English/2010/115-10eng.htm>

<sup>23</sup> National consultation on violence against women. November 25, 2011. "Specific violence against women", available here <https://www.oregand.ca/files/concertation-nationale-violence-25nov2011.pdf>

<sup>24</sup> « Cases of violence received and accompanied in SOFA's reception centers », Report XI, <https://www.alainet.org/images/SOFA%20-Onzieme%20Rapport%20Bilan-%20%20decembre%202011-2.pdf>

<sup>25</sup> "Beyond Shock Mapping the Landscape of Sexual Violence in Post-Earthquake Haiti: Progress, Challenges & Emerging Trends 2010-2012," Anne-Christine d'Adesky with PotoFanm+Fi, (2012)

<sup>26</sup> "Contre leur gré, violences sexuelles sexistes contre les jeunes en Haïti, MSF (2017). <https://msf.lu/fr/actualites/toutes-les-actualites/contre-leur-gre-violence-sexuelle-et-basee-sur-le-genre-contre-les>

<sup>27</sup> "Haiti : Aftershocks : Women Speak Out Against Sexual Violence in Haiti's Camps", Amnesty International (2011).

<sup>28</sup> Haiti Press Network (HPN). 10 May 2011. "Haiti: Rape is not a disease, much less endemic"

<sup>29</sup> "Driven by Desperation Transactional Sex as a Survival Strategy in Port-au-Prince IDP Camps", UNHCR (2011) disponible ici: <http://www.ijdh.org/wp-content/uploads/2011/12/SGBV-HAITI-STUDY-MAY2011.pdf>

### Impact of COVID-19:

Over half 12% of community health workers in Haiti, perceived increases in domestic violence in households in their community during COVID-19. A majority

reported violence directed at both wives/partners and children. Additional reasons included partners spending more time together than usual, conflict over childcare/housework responsibilities, and increased alcohol/substance abuse<sup>30</sup>.

## POLICY AND LEGAL FRAMEWORK

**Gender equality in the legal framework:** With regards to overall gender equality in the legal framework, according to the World Bank's 2021 "Women, Business and the Law" study, Haiti scores 63.8 out of 100 (over 8 indicators). When it comes to laws affecting women's pay, Haiti gets a perfect score. However, Haiti could consider reforms to improve legal equality for women as issues as constraints on freedom of movement, laws affecting women's decisions to work, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman's pension are alarming in the country.<sup>31</sup>

### The following data points illustrate various other gender aspects in Haiti's legal framework<sup>32</sup>:

a) The presidential decree of 8 October 1982 establishes equality between men and women in marriage (Art. 1

& 2). Before this decree, married women were placed under the tutelage of their husbands. Legal age of marriage in Haiti, according to the Civil Code, is 15 years for women and 18 for men. Article 171 of the same code also establishes a large number of exceptions to this rule. The United Nations Population Fund (UNFPA) reported a relatively high prevalence of child marriage, occurring frequently among girls who are less educated, poorer and living in rural areas (Girls not Brides, 2017).; b) the Civil Code establishes that either spouse can initiate divorce; c) a decree from 2005 has modified Haiti's Penal Code in order to eliminate discrimination against women, especially articles 278-284. Rape had been previously considered a smaller contravention, "indecent assault", and it is now considered a serious crime (MCFDF, 2004). Rape is directly mentioned among the crimes of sexual aggression, but it is not defined, nor is consent mentioned in the law (Art. 268) but sexual harassment is not mentioned in the 1835 Penal Code. A draft Penal Code is currently under

<sup>30</sup> Gottert A, Abuya T, Hossain S, Casseus A, Warren C, Sripath P. Extent and causes of increased domestic violence during the COVID-19 pandemic: community health worker perspectives from Kenya, Bangladesh, and Haiti. *Journal of Global Health Reports*. 2021;5:e2021063. doi:10.29392/001c.24944

<sup>31</sup> World Bank (2021). *Women, Business and the Law 2021: Haiti*. <https://wbl.worldbank.org/content/dam/documents/wbl/2021/snapshots/Haiti.pdf>

<sup>32</sup> OECD *Social Institutions and Gender Index*. (2019).

evaluation by Haiti's legislative bodies and justice system. d) Abortion is criminalized in the 1835 Penal Code (Art. 262). The woman and any other person having contributed to the abortion, with or without her consent, are penalized with imprisonment. Medical staff condemned for abortions are penalized with forced labor without precise time limit; e) In 2014 Haiti ratified the International Treaty on Human Trafficking, and also approved a law on Human Trafficking the same year. The law does mention the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in its preamble, but it does not include a clear gender component, choosing to single out children particularly. The latest CEDAW committee report (2016) mentions the lack of an action plan to ensure its implementation, particularly in face of reports about women and girls compelled into "transactional sex" with UN peacekeeping mission personnel.

**International treaties on GBV:** Haiti has ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém do Pará Convention or BDPC)

**National response to GBV:** According to the Haitian constitution, international instruments, once ratified, are considered part of the national legislation and revoke previous legislation (Art. 276). However, no law addressing violence against women specifically has since been drafted. The 2009 report of the Inter-American Commission on Human Rights notes the appointment of a female director for the National Haitian Police, and plans for the establishment of an

office for advising the police on questions of violence against women. In 2003, a national committee against violence against women (Concertation nationale contre les violences faites aux femmes") was established in order to answer the needs of girls and women who have suffered violence and to pressure state authorities to approve legislation on the issue (the Haitian Ministry of Women's Affairs, 2005). The concertation is directed by a tripartite committee made up of representatives of civil society, the Ministry for the Status of Women and Women's Rights and a technical commission. The latter is particularly in charge of the production of data and statistics as well as multidisciplinary support of women and girls victims/survivors of violence (Hurwitz, 2013). Another bill currently being drafted on the prevention, punishment and elimination of violence against women provides in its article 5.6 the right to free legal assistance (Hurwitz, 2013).

**No laws or bills directly address domestic violence.**

Article 296 of Haiti's 1835 Penal Code criminalises rape and sexual violence in marriage. The draft bill on the new Penal Code, currently under revision from the Ministry of Justice (MJSP, 2015), in its articles 247-248, 272-273, 274-278 provides for stricter sanctions in the case of crimes where a partner or spouse is implicated. Article 278 also increases penalties in case of acts of violence committed against a woman by someone who is part of her family or with whom she shares intimate relations, even without cohabitation. According to the report *Enquête Mortalité, Morbidité et Utilisation des Services 2004-2005* from the Institut Haitien de l'enfance, physical violence against women is common, in particular committed by partners or husbands. The CEDAW report (2008) states that this kind of violence goes frequently unreported due to a culture of "keeping



quiet” about the issue. Patriarchal attitudes in relation to marriage tend to normalise gender-based violence. All this amounts to unreliable statistics reports (Goel and Goodmark, 2015). Women tend to denounce intimate partner violence only in cases where the relationship ends or in case of unwanted pregnancy (Goel et al, 2015).

**NGOs and women’s movements have been essential to lead new initiatives and call for transparency. The Table de Concertation Nationale has benefited from major inputs from the civil society.**

These organisations are also leading efforts in organising a multi-sectorial response to women victims/survivors of violence. The Inter-American Commission Report from 2009 provides details of services made available by national women’s organisations, with the support of the Concertation, including shelters, legal assistance, medical treatment, counselling and training on women’s rights (IACHR, 2009).

**The Concertation Nationale has also produced a National Plan for Combatting Violence against Women. The Plan has served as platform for validating a protocol for the medical assistance of women survivors of violence; a manual for training healthcare personnel and a list of services available around the country for support and assistance of women who have suffered violence.** The plan also specifically mentions the need for better medical and legal assistance for rape victims (MCFDF, 2004). One

of the products of the plan is a national awareness-raising campaign for the prevention of violence against women and for spreading information on the existing services. The country report to the CEDAW (2014) also mentions the initiative of a “School for judges”. On the initiative of the Ministry for the Status of Women and Women’s Rights, the obligation to implement the CEDAW was discussed with members of the country’s judiciary, including lawyers, officials and district judges who tend to minimise women’s complaints. Reporting of rape appears to be a challenge for female survivors. According to the UNDP, medical certificates are required to establish a police report and judges tend to settle rape cases amicably, even though both of these practices have been revoked in article 91 of a decree approved in 1995. The study also points to the challenge that both the courts and the families and survivors tend to prefer amical solutions (Hurwitz, 2013).

Despite the signing and ratification of international conventions - such as the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém Do Para) - which systematically repeal all laws that do not comply with the requirements of these conventions, Haiti’s legal framework still requires profound changes in order to better prevent and protect women and girls from various types of violence<sup>33</sup>.

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<sup>33</sup> This situation is due to the obsolescence of several legal provisions contained in the Penal Code, which dates back to 1835 and does not include discriminatory or sexual offenses, including domestic violence, incestuous and marital sexual violence, and sexual harassment. The 2005 decree amended the Penal Code to include some sexual offenses, but does not circumscribe these offenses. Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW) (2016)

Moreover, even if the normative context has improved in recent years<sup>34</sup>, the implementation of laws, the weakness of democratic institutions, structural poverty, and widespread insecurity, makes Haiti a country where violence is present at different levels of society, with particularly harmful consequences on women and girls. The Committee for the Elimination of

Discrimination against Women (CEDAW) expressed its concern that, despite the measures taken by the State, no law on gender equality and non-discrimination against women has yet been adopted and expressed its concern about the persistence of discriminatory provisions in many laws, which have an impact on the exercise of women's rights<sup>35</sup>.

## LESSONS LEARNED AND GOOD PRACTICES

In Haiti, the fight against GBV has a long history of national programs and policies as well as interventions carried out by international organizations. In addition, after the earthquake and the most recent cases of sexual exploitation and abuse committed by international organizations<sup>36</sup>, there has been a renewed interest in reducing the risks of GBV. The following aspects have often been mentioned in different reports as key elements for the success of GBV interventions and are included in the country's strategic documents

### — Promoting inter-agency and inter-institutional

**coordination:** Working in direct partnership with the Ministry of Women's Affairs and Women's Rights, other relevant ministries and Haitian authorities has proven to be an indispensable strategy to pave the way for fruitful collaborations in terms of capacity building and joint initiatives for the holistic management of survivors. The establishment of the national consultation and coordination forum and its activities, as well as the continuation of the GBV working group's activities after the earthquake, are very important signs of this collaboration<sup>37</sup>. Moreover, inter-agency

<sup>34</sup> With the Electoral Decree of February 2015, which establishes a quota of at least 30 percent female candidates on lists presented for municipal and local elections and provides for the payment of financial incentives to political parties to encourage the application of the said quota; the Paternity, Maternity, and Parentage Law (2014), which guarantees equal treatment for children born out of wedlock; the Trafficking Law (2014)

<sup>35</sup> Concluding observations on the combined eighth and ninth periodic reports of Haiti, CEDAW (2012), [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/HTI/CO/8-9&Lang=Fr](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/HTI/CO/8-9&Lang=Fr)

<sup>37</sup> <https://www.thetimes.co.uk/article/oxfam-in-haiti-it-was-like-a-caligula-orgy-with-prostitutes-in-oxfam-t-shirts-p32wlk0rp>; <https://dfidnews.blog.gov.uk/2019/06/12/dfid-response-to-reports-on-oxfam/>; [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/840063/Cross-sector-Safeguarding-Progress-Report-Oct\\_19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/840063/Cross-sector-Safeguarding-Progress-Report-Oct_19.pdf)

coordination is recognized at the global level as one of the 16 minimum requirements for the prevention and response to GBV in emergency situations<sup>38</sup>.

— **Supporting the provision of quality GBV services:**

Providing direct care and services to survivors of GBV in Haiti is particularly difficult and very costly. Even the MCFDF recognizes the country's challenges in providing quality care: the Strategic Plan to fight violence against women (2017-2027) plans to set up actions to improve services (axis 2) with the involvement of public health, education and justice services<sup>39</sup>. Providing necessary care to survivors of GBV in Haiti, where public services are extremely limited, is still a necessary intervention<sup>40</sup>.

— **Capacity building of national actors:**

In an important framework of national capacity building, a large number of men and women have been trained on GBV, standard operating procedures have been established, and some training programs have been developed. These results were indeed achieved through a long-term commitment by donors and international

agencies to support a comprehensive capacity building process over several years and through the engagement of key and motivated individuals within Haitian institutions as demonstrated in the recommendations of the country's main feminist organizations<sup>41</sup>.

— **Community-based interventions:**

The SASA (Start, Awareness, Support, Action) methodology conducted at the community level was evaluated as an appropriate methodology for transforming harmful gender norms by guiding community members to promote progressive and sustainable changes for gender equality<sup>42</sup>. This methodology was adapted to the Haitian context in 2014 and was included as a key methodology in the Spotlight initiative<sup>43</sup>.

— **Technological innovation:**

Haitian and international organizations have successfully launched several mobile and online initiatives to assist survivors and/or raise awareness on gender equality issues. Indeed, mobile services act as useful adjuncts or complements to fixed care centers and have

<sup>38</sup> [https://www.unfpa.org/sites/default/files/resource-pdf/Minimum\\_Standard\\_Poster-FINAL.21Oct.pdf](https://www.unfpa.org/sites/default/files/resource-pdf/Minimum_Standard_Poster-FINAL.21Oct.pdf)

<sup>39</sup> *Plan stratégique de lutte contre les violences envers les femmes (2017-2027)*, <https://lenouvelliste.com/article/177751/mcdf-lancement-et-presenta-tion-du-3e-plan-national-2017-2027> et <https://evaw-global-database.unwomen.org/en/countries/americas/haiti/2008/ligne-telephonique-gratuite>

<sup>40</sup> *Rapport de l'expert indépendant sur la situation des droits humains en Haïti*, disponible ici [http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.44\\_fr.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.44_fr.pdf)

<sup>41</sup> "Rapport sur la situation des Droits de la femme Haïtienne" coalition des organisations Haïtiennes et Américaines des droits de l'homme, des femmes, avocats et activistes, basées en Port-au-Prince (Haïti), Saut d'Eau (Plateau Central, Haïti) et Washington, D.C. (USA), disponible ici <http://www.ijdh.org/wp-content/uploads/2013/05/EPU-2016-Droits-des-femmes.pdf>

<sup>42</sup> « A Community-Based Intervention to Prevent Violence against Women and Girls in Haiti », Inter-America Development Bank, (2018) disponible ici <https://publications.iadb.org/en/community-based-intervention-prevent-violence-against-women-and-girls-haiti-lessons-learned>  
<https://evaw-global-database.unwomen.org/fr/countries/americas/haiti>

<sup>43</sup> *L'Initiative Spotlight est un partenariat globale pluriannuel entre l'Union Européenne et les Nations Unies pour éliminer toutes les formes de violence à l'égard des femmes et des filles* <https://spotlightinitiative.org/haiti>; <http://repansepouvwa.org/metod-sasa/materiyel/>

demonstrated their usefulness especially in times of humanitarian crises such as COVID19<sup>44</sup>. We can mention the KOFAVIV SOS hotlines<sup>45</sup> or the

U-Report Platform which engages more than 20,000 young people through the social network<sup>46</sup>.

## FACTORS THAT LIMIT A QUALITY RESPONSE

Gender-based violence is an umbrella term describing harmful acts committed against someone's will based on socially established differences between men and women (gender)<sup>47</sup>. The origin of GBV lies in gender-based discrimination and the unequal distribution of power between the sexes. Moreover, other factors have exacerbated gender-based violence in Haiti and limit the implementation of a systematic response to GBV:

— **Weak data collection on GBV:** The national statistical system is not comprehensive in terms of data collection and analysis. Although prevalence is not a prerequisite for the implementation of programs, the lack of data limits the ability of

decision-makers and development partners to better refine interventions in order to produce conclusive results<sup>48</sup>.

— **Limited access to services by survivors:** In addition to the weak protection of women through legislation, there are many barriers that women and girls face when trying to access services: the need and constraints of obtaining a medical certificate, economic factors, dysfunctional judicial authorities, lack of knowledge of rights and reluctance to file a complaint for fear of stigma and social prejudice, reluctance of parents or guardians, and financial dependence of the victim<sup>49</sup>.

<sup>44</sup> <https://gbvguidelines.org/en/unicef-podcast-series-on-gbv-and-covid-19/>

<sup>45</sup> Digital Democracy launched the first emergency response hotline for sexual violence in Haiti with KOFAVIV in 2011. Thanks to support from UNHCR, the 572 Emergency Response Hotline Call Center extended its service to 24-hour care in May 2012. The hotline was used to provide a mapping of the incidents as well as updating the national GBV repository. At the moment the service is not available due to limited funds.

<sup>46</sup> <https://haiti.ureport.in/>

<sup>47</sup> <https://gbvguidelines.org/fr/>

<sup>48</sup> "Rapport alternatif sur Haïti : Ensuring Haitian Women's Participation and Leadership in All Stages of National Relief and Reconstruction" available: [www.genderaction.org/publications/2010/gsr.pdf](http://www.genderaction.org/publications/2010/gsr.pdf)

<sup>49</sup> Concluding observations on the combined eighth and ninth periodic reports of Haiti, CEDAW (2012), [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/HTI/CO/8-9&Lang=Fr](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/HTI/CO/8-9&Lang=Fr)

- **Weakness of organizations and institutions for the protection and defense of the human person:** National institutions created by the state or civil society organizations struggle to carry out their missions due to the persistence of numerous shortcomings in their strategic and operational deployment: weak technical skills in organizational management; political instability and heavy administration; and budgetary limitations<sup>50</sup>.
- **Impunity of perpetrators:** Lack of respect for human rights and the rule of law is one of the factors that contribute to an environment in which survivors do not access services<sup>51</sup>. For example, in its report on the police and judicial system's response to rape complaints in the Port-au-Prince metropolitan area, the Human Rights Section of MINUSTAH/Office of the United Nations High Commissioner for Human Rights analyzed all rape cases reported in five police stations between June and August 2010 with the objective of studying how rape complaints were managed through the criminal justice system. It was found that as of the end of March 2012, only one case out of a total of 62 registered cases had been referred, and no case had been tried in a competent court<sup>52</sup>.
- **Social norms and harmful beliefs:** The role of religious discourse in maintaining certain conservatisms, particularly gender relations unfavorable to women, is consistently attested to in several reports on this subject. In addition, violence is also justified within the family for economic reasons, the phenomena of "madan papa" which refers to young girls who have intimate relationships with older men to earn money that they then use to support their families economically, or the phenomenon of restavek which refers to the placement of adolescents and children with other families in the urban environment by their parents with high risks of exploitation and violence are rather widespread<sup>53</sup>. These norms somehow justify violence by normalizing it so that women and girls do not recognize it as such.

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<sup>50</sup> Report of the independent expert on the human rights situation in Haiti, available here [http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.44\\_fr.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/docs/14session/A.HRC.14.44_fr.pdf)

<sup>51</sup> "Impunity for violence against women and girls in Haiti"; Submission to the Inter-American Commission on Human Rights (2019) available here [https://www.asfcanada.ca/site/assets/files/7636/asfc\\_memoire\\_violences\\_faites\\_aux\\_femmes\\_en\\_haiti.pdf](https://www.asfcanada.ca/site/assets/files/7636/asfc_memoire_violences_faites_aux_femmes_en_haiti.pdf)

<sup>52</sup> "Un profil de la réponse policière et judiciaire au viol à Port-au-Prince". Rapport au Secrétaire général, Section des droits de l'homme, Bureau du Haut-Commissaire aux droits de l'homme-Haïti. MINUSTAH. 12 juin 2012. <http://minustah.org/?p=36059>, et <https://ayibopost.com/viol-quand-le-silence-devient-loi/>

<sup>53</sup> <https://lenouvelliste.com/article/167734/men-madan-papa>, [https://www.unicef.org/french/protection/haiti\\_61518.html](https://www.unicef.org/french/protection/haiti_61518.html)

# APPENDIX 1 – UN WOMEN: MEASURES AGAINST VIOLENCE AGAINST WOMEN (HAITI)<sup>54</sup>



<https://evaw-global-database.unwomen.org/en/countries/americas/haiti>

<sup>54</sup> UN Women Global Database on Violence Against Women. (n.d.). Haiti. <https://evaw-global-database.unwomen.org/en/countries/americas/haiti>

# GLOSSARY

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<b>Gender</b>	Roles that are determined socially, behaviours, activities, and attributes that a society considers appropriate for men and women. These roles are contextual and influenced by a society's culture and traditions, as well as by prevailing religious beliefs.
<b>Gender-Based Violence (GBV)</b>	Any act of violence that results in, or the nature of which causes, physical, sexual, or psychological harm or suffering to someone because of his or her sex. This including threats through similar acts, coercion, or arbitrary deprivation of liberty, whether in public or private life (UN, 1993).
<b>Sex</b>	Refers to the biological and physiological characteristics which differentiate men and women.
<b>Sexual Exploitation</b>	Any real or attempted abuse of a position of vulnerability, power differential, or relationship of confidence for a sexual purpose, including, but not limited to, taking financial, social, or political advantage of another through sexual means.
<b>Sexual Abuse</b>	Real or threatened physical intrusion of a sexual nature, whether it be by force or under unequal or coercive conditions.
<b>Sexual Harassment</b>	Unwelcomed sexual advances, demand for sexual favors, or any other verbal or physical behavior of a sexual nature. In the workplace, submission to these advances or behaviors may made either implicitly or explicitly a condition of continued employment, promotion, or other decisions affecting a person's employment.

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