



Inter-American Commission on Human Rights 186th Period of Sessions

**APPENDICES AND ANNOTATED BIBLIOGRAPHY
HEARING ON WIDESPREAD SEXUAL VIOLENCE AGAINST WOMEN AND GIRLS IN HAITI**

Hearing Held on March 8, 2023 | 8:45 AM

TABLE OF CONTENTS

APPENDIX A

Request for Thematic Hearing on Widespread Sexual Violence Against Women and Girls in Haiti 2

APPENDIX B

Letter to the Commission Regarding the Ongoing Need for Precautionary Measures Addressing Sexual Violence Against Displaced Women and Girls in Haiti..... 9

APPENDIX C

Annotated Bibliography with Linked Materials 22

- I. Civil Society Reports 22
- II. United Nations and Inter-Governmental Sources 26
- III. News Articles..... 27

APPENDIX A

Request for Thematic Hearing on Widespread Sexual Violence Against Women and Girls in Haiti

December 12, 2022

Dr. Tania Reneaum Panszi
Executive Secretary
Inter-American Commission on Human Rights
1889 F St. NW
Washington, D.C. 20006

Re: Request for Thematic Hearing on Widespread Sexual Violence Against Women and Girls in Haiti During 186th Period of Sessions of the Inter-American Commission on Human Rights

Honorable Dr. Reneaum Panszi:

Representatives of the undersigned organizations write to respectfully request a thematic hearing concerning **Widespread Sexual Violence Against Women and Girls in Haiti** during the 186th Period of Sessions, in accordance with Article 66 of the Rules of Procedure for the Inter-American Commission on Human Rights. Over the last several months gangs have deployed rape and other sexual violence as a deliberate tool for disrupting the country's social fabric and have done so without any meaningful response by Haiti's government. The human rights disaster facing Haitian women and girls is one of the most pressing in the hemisphere. While sexual violence against women and girls in Haiti has long been an issue of concern for this Honorable Commission, the last public hearing on this subject was in 2019. Human rights conditions have worsened considerably since that time.¹ The proposed hearing would shed light on the rapidly deteriorating situation for women and girls in Haiti and propose appropriate responses.

This request is made by a coalition of partners including Haiti-based *Bureau des Avocats Internationaux* (BAI), *Komisyon Fanm Viktim Pou Viktim* (KOFVIV), *Nègès Mawon*, and *Réseau National de Défense des Droits Humains* (RNDDH). These organizations provide legal and other support services to survivors of sexual violence, document these abhorrent violations at grave risk to their own safety, and fight for policy and social change to address the gender inequality underlying these harms.

I. Engagement by the Commission Would Support Haiti's Women and Girls

In 2009, the Commission issued its first comprehensive report regarding its concern over persistent discrimination as well as rape and other forms of violence directed against women and girls in Haiti.² It laid out the historical context that undergirds deeply rooted social norms and ineffective government structures for addressing gendered violence, including the

¹ Institute for Justice and Democracy in Haiti (IJDH), [Human Rights and Rule of Law in Haiti: Key Recent Developments June through November 2022](#) (Dec. 2022).

² Inter-Am. Comm'n H.R., [The Right of Women in Haiti to Be Free From Violence and Discrimination](#), OEA/Ser.L/V/II (10 Mar. 2009).

recognition of these conditions as a direct result of recurring foreign interventions. The Commission also set out the state’s duties to prevent and eradicate gender-based violence at the hands of the state as well as of private actors. In its report, the Commission recognized some of the progress made after Haiti’s transition to democracy in the late 2000s and provided a series of recommendations to improve access to justice, transform the socio-cultural patterns that perpetuate inequalities, and strengthen institutions for more durable change. Of notable salience to this request, the Commission made explicit that its recommendations were applicable both “during times of peace *and* political unrest.”³

This engagement by the Commission served as a focal point in efforts to improve policies and programs in Haiti. The Haitian women’s movement leveraged the Commission’s recommendations as part of their strategy and successfully pushed for policies that were instrumental in beginning to address root patterns of injustice and inequality. The Haitian Ministry of Women’s Affairs and other institutions and civil society groups had reforms under way, including a draft comprehensive law on violence against women. However, progress was undermined by the devastating earthquake in 2010, and then subsequently suppressed through aid policies that privileged programmatic interventions over grassroots policy and advocacy efforts.⁴

Tragically, hundreds of thousands of lives were lost in the 2010 earthquake, among them high profile women’s rights advocates and leaders in the feminist movement. As is often the case in the wake of a disaster, rates of sexual violence spiked—with displaced women and girls in the most vulnerable position. The exclusion of the voices of grassroots women’s leadership from the disaster response exacerbated the situation and thwarted efforts to prevent further occurrences of sexual violence. Several of the undersigned organizations brought these issues to the attention of the Commission through a request for [precautionary measures](#) on behalf of women and girls living in camps for internally displaced persons in Port-au-Prince, Haiti. The Commission [granted](#) the measures, requiring that the government provide appropriate medical and psychological care for victims of sexual violence, effective security measures, and adequate training for public officials, as well as create special units within the police and judiciary to investigate instances of sexual violence and incorporate grassroots women’s groups in leadership and policymaking decisions.⁵ The Commission’s measures provided a critical blueprint for the state: advocates then had some success working with the Haitian government to advance these priorities despite myriad challenges.

As further discussed in the section below, the situation of women and girls in Haiti is dire and getting worse without any effective response. The Commission recently requested that the

³ *Id.* at para. 166 (emphasis added).

⁴ *Bureau des Avocats Internationaux* (BAI), Disaster Law Project, Haitian Women’s Collective (HWC), IJDH, *Nègès Mawon*, [Joint Submission](#) to the UN Working group on discrimination against women and girls for forthcoming report on “Human Security of Women and Girls in the Context of Poverty and Inequality” (Oct. 2022); *see also* BAI, KOFIV, IJDH, Center for Gender & Refugee Studies (CGRS), CUNY School of Law - Human Rights and Gender Justice Clinic, MADRE, [RE: MC 340/10 – Situation of women and girl victims of sexual violence in Haiti](#) (Oct. 7, 2022).

⁵ Precautionary Measures re Women and Girls Residing in 22 Camps for Internally Displaced Persons in Port-au-Prince, Haiti, Inter-Am. Comm’n H.R., PM 340/10 (Dec. 22, 2010).

Petitioners who had been granted the precautionary measures described above provide information regarding the continuing need for such measures in light of the ongoing risk of sexual violence to the beneficiaries. As the Petitioners, some of who are undersigned to this request, [reported](#) to the Commission in October, while Haiti saw some signs of progress in at least some respects in the arena of women’s rights in the years immediately following the earthquake, any such progress has since been erased. Haiti failed to maintain or implement adequate measures as ordered by the Commission to prevent and address sexual violence and other forms of gender-based harms and, in the current crisis, is completely derelict in its duties to protect Haiti’s women and girls, especially those who are displaced and otherwise marginalized.⁶ Subsequent natural disasters and the structural economic and social challenges that are the legacies of colonialism and extractive foreign interventions in Haiti are also relevant factors underlying the failures that have permitted the violence to continue unabated.⁷

A thematic hearing would offer the Commission an opportunity to build on its work with respect to these measures and the recent update in order to engage more comprehensively on the subject of sexual violence affecting Haiti’s women and girls. As it did in the past, the Commission’s attention can bring much-needed focus to this important topic, offer a medium for identifying effective solution, and serve as impetus and a mobilizing anchor for supporting the work of Haiti’s feminist movement that is fighting to address and prevent sexual violence against women and girls alongside its causes.

II. The Grave Crises Facing Haiti’s Women and Girls Merit a Thematic Hearing

Conditions in Haiti have only worsened for women and girls since the earthquake and especially in the present humanitarian emergency, which has been marked by unprecedented gang violence, widespread hunger, a severe decrease in the availability of health and other critical services, a collapse of education, and dwindling access to economic opportunities. Women and girls suffer disproportionately due to the pre-existing social inequalities and systematized discrimination as identified by the Commission in previous communications.⁸ The Haitian government actively contributes to the conditions generating the humanitarian emergency, as discussed below, and has failed to take meaningful measures to reduce harm to vulnerable women and girls. Petitioners in the above-referenced case have requested that the Commission not only extend its 2010 precautionary measures, but expand them to cover—among other things—a broader cross-section of Haitian women and girls at grave risk of sexual violence.

⁶ See generally IJDH, BAI, KOFIV, [Joint Submission to the Universal Periodic Review](#) (2021).

⁷ See, e.g., [Haiti ‘Ransom’ Project](#), The New York Times (Nov. 16, 2022).

⁸ See, e.g., Institute for Justice and Democracy in Haiti (IJDH), [Human Rights and Rule of Law in Haiti: Key Recent Developments June through November 2022](#) (2022); IJDH, BAI & KOFIV, Submission to the U.N. Human Rights Council, [Gender-Based Violence in Haiti](#) (2021); *Bureau des Avocats Internationaux* (BAI), Disaster Law Project, Haitian Women’s Collective (HWC), IJDH, *Nègès Mawon*, [Joint Submission](#) to the UN Working group on discrimination against women and girls for forthcoming report on “Human Security of Women and Girls in the Context of Poverty and Inequality” (Oct. 2022); OHCHR, [Sexual violence in Port-au-Prince: A weapon used by gangs to instill fear](#) (Oct. 2022); Jess DiPierro Obert, [Surge in use of rape against women and rivals by Haiti gangs](#), The New Humanitarian (Nov. 14, 2022).

The deep governance crisis facing Haiti now constitutes a profound unconstitutional interruption of Haiti's democratic regime. Described in detail in several publications by the undersigned organizations, the present crisis emerged in the wake of the 2010 earthquake and deteriorated as Haiti's democratic institutions, including the judiciary, were progressively dismantled through the misrule of the *Pati Ayisyen Tèt Kale* (PHTK) and affiliated individuals, all with the support of the international community.⁹ After the assassination of then-president Jovenel Moïse in July 2021, Ariel Henry was installed by international actors as the de facto head of state. His regime is further entrenching PHTK corruption and is at best complicit, if not directly involved, in the widespread killings and torture of civilians by gangs.¹⁰

Although the Haitian government does not keep systematic data on sexual and gender-based violence against women and girls, all available evidence—including documentation by the undersigned organizations—indicates it is extensive, pervasive, and growing worse. Sexual violence is now being used as a deliberate tool of conflict in increasingly more barbaric forms, with assailants kidnapping, killing, and raping women; sometimes this takes the form of gang rape in front of family members. The RNDDH, for example, has reported on brutal mass rapes perpetrated by gangs against women and girls living in gang-controlled areas. KOFIV members have directly experienced sexual assaults, kidnappings, and a lack of access to adequate healthcare, food, and clean water. These documented cases present only the tip of the iceberg given recurring problems of underreporting and the inability of organizations to access all affected areas.

There are no safe shelters: women and girls have been raped at makeshift displacement camps in the capital and have faced sexual exploitation and abuse at a now-closed camp for displaced persons.¹¹ Even as the undersigned organizations offer support and resources to survivors alongside other grassroots organizations, resources are limited and grossly inadequate. The international humanitarian response has been insufficient. This lack of legal, medical, or other humanitarian resources for survivors exacerbates an already precarious situation.

Such violence against women and girls continues to be carried out with complete impunity. It reflects and is enabled by women's fundamentally unequal status in Haitian society and especially their exclusion from political participation and decision-making. Women's shelters have even been set on fire by gangs and feminist activists deliberately targeted—acts underscoring the gendered elements of Haiti's complex crises. The U.N. Human Rights Council recently completed its periodic review of Haiti's human rights compliance; its conclusions highlight the lack of adequate responses to sexual violence despite the government's awareness of its widespread occurrence. More tangible action to support Haitian feminist advocates is desperately needed; a hearing by the Commission would be a helpful measure that could catalyze others.

⁹ See, e.g., Brian Concannon, [Biden must stop propping up the old guard in Haiti](#), Responsible Statecraft (Nov. 12, 2021).

¹⁰ The National Human Rights Defense Network (RNDDH), [Massacre in Cité Soleil: Chilling Stories of Women and Girls Victims of Gang Rape](#) (Aug. 16, 2022).

¹¹ Jess DiPierro Obert, [Surge in use of rape against women and rivals by Haiti gangs](#), The New Humanitarian (Nov. 14, 2022).

III. A Thematic Hearing Would Accomplish Several Tangible Objectives

The participating organizations respectfully request a hearing before the Commission to draw attention to the above-described rapidly deteriorating human rights conditions for women and girls in Haiti and develop pointed recommendations to prevent grave harms in the immediate term and lay the foundation for long-term solutions to persistent gender-based discrimination and resulting sexual violence. A thematic hearing would accomplish several objectives: (1) provide updated information regarding the urgent, deteriorating situation for women and girls—in particular their heightened risk of sexual violence as a form of intersectional discrimination, which has grown especially grave in the current crises; (2) offer an assessment as to the drivers of sexual and gender-based violence and impediments to solutions, most notably discrimination against women and girls, especially their exclusion from leadership and public debate; and (3) inform the Commission’s assessment through the voices of Haitian advocates with deep expertise and lived experience, including of marginalization.

The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (“Convention of Belém do Pará”), accompanied by jurisprudence and other recommendations from this Commission, creates a strong regional framework for state obligations to address sexual violence and underlying gender inequality. Article 9 of the Convention of Belém do Pará recognizes the intersectional nature of women’s experience of violence: based not only on their gender but also other aspects of their identity, such as race and class. Unpacking the intersecting crises in Haiti to understand the multiple and intersecting vulnerabilities of women and girls to sexual violence is key to developing impactful strategies for enforcing human rights norms in Haiti and beyond. A public hearing would provide an opportunity to share information with the Commission regarding the current deteriorating situation for women and girls and thereby develop an effective, context-specific, and intersectional approach for better vindicating and advancing the rights and protections guaranteed to Haitian women and girls within the Inter-American human right system.

The requesting organizations also welcome the opportunity to engage with the Commission regarding state obligations to address these issues despite any difficulties of operating in an emergency context. The Committee on the Elimination of Discrimination against Women in its General recommendation no. 28 reiterates that state obligations “do not cease in periods of armed conflict or in states of emergency resulting from political events or natural disasters” and that states must “adopt strategies and take measures addressed to the particular needs of women in times of armed conflict and states of emergency.” Haiti is facing such challenges in the current political crisis, following on the heels of recurring natural disasters, yet has not taken meaningful steps to secure the fundamental human rights of women and girls.

In this vein, the Commission’s precautionary measures in 2010 furnished a blueprint for establishing state priorities in the post-disaster context that met “the particular needs of women” at the time. This guidance proved especially significant in the aftermath of the earthquake to direct limited state resources for the protected individuals. Additional, updated guidance that considers all Haitian women and girls is urgently needed not only to give meaning

to Inter-American human rights protections in Haiti, but also to delineate what measures are required of states facing a crisis of such proportions. This critical guidance will support the valiant efforts of the feminist movement on the ground in Haiti who are working to ensure the needs of women and girls are not ignored.

The voices of grassroots leadership and of those most affected by the violence have been excluded from public debate surrounding Haiti's acute governance crisis, which disproportionately impacts poor women and girls. Several of the undersigned organizations are composed of members most impacted by human rights violations and representatives would present their perspective and experiences at the hearing. A hearing before the Commission with these marginalized voices would afford an opportunity to hear their stories and, most importantly, their solutions for better protecting women in the short-term and promoting women's equality over the long-term.

IV. Request

For the foregoing reasons, and in conformance with Article 66 of the Commission's Rules of Procedure, we respectfully request that the Commission:

1. Grant a one-hour hearing in its upcoming Period of Sessions to present updated information regarding the situation for women and girls in Haiti as it pertains to sexual violence against women and girls in Haiti, including testimony by Haitian advocates;
2. Make efforts to ensure the participation of Commissioner Julissa Mantilla, Rapporteur for Women; Commissioner Stuardo Ralón, Rapporteur for Haiti; Commissioner Esmeraldo Arosemena, Rapporteur for Children and Adolescents; and Commissioner Joel Hernández, Rapporteur for Human Rights Defenders; and
3. Timely indicate the day, time, and place for holding a thematic hearing, directing any notices regarding the hearing to bookeybl@uchastings.edu.

We thank the Commission for its attention and consideration of this request.

Sincerely,

Mario Joseph
Bureau des Avocats Internationaux
Port-au-Prince, Haiti

Malya Villard-Appolon
Komisyon Fanm Viktim pou Viktim
Port-au-Prince, Haiti

Pascale Solages
Nègès Mawon
Port-au-Prince, Haiti

Rosy Auguste Ducena
Réseau National de Défense des Droits Humains
Port-au-Prince, Haiti

Carine Jocelyn
Haitian Women's Collective
New York, NY, USA

Blaine Bookey
Peter Habib
Center for Gender & Refugee Studies
San Francisco, CA, USA

Alexandra Filippova
Brian Concannon
Institute for Justice & Democracy in Haiti
Boston, MA, USA

Lisa Davis
CUNY School of Law, Human Rights and Gender Justice Clinic
New York, NY, USA

Lauren Dasse
MADRE
New York, NY, USA

APPENDIX B

Letter to the Commission Regarding the Ongoing Need for Precautionary Measures Addressing Sexual Violence Against Displaced Women and Girls in Haiti

October 7, 2022

Dr. Tania Reneaum Panszi
IACHR Executive Secretary
Inter-American Commission on Human Rights
Organization of American States
1889 F Street N.W.
Washington, D.C. 20006

Via email cidhdenuncias@oas.org

RE: MC 340/10 – Situation of women and girl victims of sexual violence in Haiti

Honorable Dr. Reneaum Panszi:

Following the devastation that befell Haiti in the wake of the January 2010 earthquake, the Inter-American Commission on Human Rights (“IACHR” or the “Commission”) granted precautionary measures (the “Precautionary Measures”) pursuant to a petition submitted on behalf of women and girls living in twenty-two camps for internally displaced persons (“IDPs”) in Port-au-Prince, Haiti (“Petitioners”). The Precautionary Measures require: (i) appropriate medical and psychological care; (ii) effective security measures; (iii) adequate training for public officials responding to instances of sexual violence; (iv) the creation of special units within the police and judiciary to investigate instances of sexual violence; and (v) the inclusion of grassroots women’s groups in leadership and policy making related to confronting and preventing sexual violence. In the years immediately after the earthquake, Petitioners provided information to the Commission regarding the continued need for implementation of the Precautionary Measures. However, the security situation in Haiti has declined precipitously, especially for women and girls. Political instability paired with multiple natural disasters have increased the number of IDPs in Port-au-Prince and elsewhere in the country who are vulnerable to sexual and gender-based violence (“SGBV”).

The Commission recently requested that Petitioners provide information regarding the ongoing need for the Precautionary Measures in light of the ongoing risk of sexual violence to the beneficiaries. As the contents of this letter and attached reports demonstrate, the need for the Precautionary Measures is as urgent now as it was in 2010. In fact, even more expansive measures are imperative to confront SGBV. Petitioners hope to shed light on the persistent and intensifying plight facing Haitian women and girls today—including those originally displaced by the earthquake in 2010—and provide insights into a number of issues regarding the lack of government response to SGBV perpetrated with impunity.

Section I of this letter describes Haiti’s current governance crisis, which must be addressed if the country is to have any hope of meeting its human rights obligations to protect women and girls. Section II documents unrelenting SGBV against women and girls and the weak or nonexistent government structures—even though they were required by the Precautionary

Measures—for protecting and supporting survivors and especially IDPs. Section III then looks specifically at the Precautionary Measures and their status of implementation (or lack thereof). In conclusion, Section IV offers recommendations, calling on the Commission to extend and expand the Measures awarded in 2010 given the immediate, irreparable harms facing displaced women and girls in Haiti.

A French translation of this letter is forthcoming.

I. HAITI’S ACUTE GOVERNANCE CRISIS HAS EXACERBATED ONGOING HUMAN RIGHTS VIOLATIONS AND DETERIORATING CONDITIONS FOR WOMEN AND GIRLS, AND MUST BE ADDRESSED IMMEDIATELY TO PREVENT AGAINST FURTHER ABUSES

The situation of the beneficiaries of the Precautionary Measures and that of similarly situated persons, as well as broader SGBV issues in Haiti, can only be understood in the context of Haiti’s current acute governance crisis. This urgent situation both drives and impedes a resolution to the resulting humanitarian and human rights emergency that is once again placing Haiti’s women and girls at risk of the types of harm and discrimination addressed by the Precautionary Measures.

Haiti is experiencing a long-standing and intensifying [humanitarian emergency](#), which includes unprecedented gang violence, widespread hunger, a severe decrease in the availability of health and other critical services, a collapse of education, and dwindling access to economic opportunities. Women and girls, because of pre-existing social inequalities and systematized discrimination described further below, suffer disproportionately. For example, escalating insecurity and gangsterization of public spaces have [increased](#) levels of SGBV experienced by Haitian women and girls. These issues also disproportionately deprive women of critical services and impede their ability to participate in public life: the increased risk of SGBV forces women to curtail economic and civic activities which—in combination with [pre-existing economic and social marginalization](#)—leaves women and women-headed households [disproportionately impacted](#) by food insecurity and the financial crisis. These factors have contributed to the [“feminization of migration,”](#) with a higher number of women and girls fleeing Haiti alone only to be met with [inhumane, racist immigration policies](#) in the United States and elsewhere.

The deep governance crisis facing Haiti at present constitutes a profound unconstitutional interruption of Haiti’s democratic regime. It emerged in the wake of the 2010 earthquake and deteriorated as Haiti’s democratic institutions, including the judiciary, were progressively [dismantled](#) through the misrule of the *Pati Ayisyen Tèt Kale* (“PHTK”) and affiliated individuals. During this period, no elections have been held on time or fairly. Gangs [have been used](#) to control electoral turnout and outcomes in popular neighborhoods, and a number of civilian massacres have been [perpetrated with impunity](#) and, at least in some instances, with [demonstrated political intent](#). Parliament became defunct in January 2020, leaving then-president Jovenel Moïse to rule by decree, through which he [undertook](#) progressively more authoritarian measures. Municipal electoral offices were allowed to lapse without elections in

July 2020 and were filled by executive decree. Moïse stayed in office past what Haitian constitutional authorities viewed as his term limit and in spite of popular protests. He was assassinated in July 2021; like the killings of many other Haitians, including political activists and [journalists](#), his murder remains unsolved. The present de facto head of state, Ariel Henry, was [installed](#) by international actors in the wake of the assassination. He is alleged to have been [involved](#) in the assassination and his regime is [impeding](#) a full investigation. The regime is also further entrenching PHTK corruption and [failing to control](#)—and arguably [exacerbating](#)—Haiti’s humanitarian emergency. [Reports indicate](#) that state authorities continue to turn a blind eye to the killing of civilians by gangs and may be directly involved as accomplices. At minimum, government authorities are allowing state equipment to be used by the direct perpetrators and failing to act to stop the killings or provide victims with assistance.

International actors have nevertheless continued to [prop up Henry](#) as protests against him intensify. Such actions are complicit in provoking and prolonging Haiti’s catastrophic situation and thus impede a Haitian-led solution: the only viable resolution to the crises wracking Haiti. It is the opinion of the undersigned organizations, as well as [many](#) Haitian activists, human rights observers, community leaders and organizers, civil society, religious groups, feminist organizations, [and others](#), that such foreign intervention, however well intentioned, must stop in order to resolve Haiti’s governance crisis. In turn, unless governance is resolved, and Haitians restore the social compact and institutions necessary for enjoying the elected, accountable, participatory government to which they are entitled under the Inter-American system, meaningful progress on SGBV, as well as hunger, health, education, and security is impossible.

The undersigned organizations and other experts have reported in detail on these issues and have repeatedly called on the United States and other countries, as well as international bodies, to support Haitian-led efforts to put aside the illegitimate, corrupt, and repressive de facto government in order to allow Haitians to implement a transition toward stability and a democratically elected government. Further details can be found in the reports annexed to this letter.

II. UPDATE ON SGBV DIRECTED AT HAITIAN WOMEN AND GIRLS, ESPECIALLY THOSE IN SITUATIONS OF DISPLACEMENT

This section provides a brief overview of the situation of Haitian women and girls with respect to SGBV, which serves as critical context for the specific updates requested by the IACHR set forth in Section III. We urge the Commission to closely review the annexed reports, which provide more information. We note further that there is little systematic data collection on SGBV in Haiti, especially in situations of displacement. A number of women’s, human rights, grassroots, and humanitarian groups, as well as a few reporters nevertheless courageously provide reports on specific events that allow us to make the below observations. The undersigned *Bureau des Avocats Internationaux* (“BAI”) has also conducted its own interviews with individuals displaced in some of the civilian massacres referenced above and gathers information as part of its [Rape Accountability and Prevention Project](#), which provides legal services to survivors of sexual violence. More information is badly needed and we strongly urge

the Commission to consider a comprehensive inquiry into the crisis of SGBV levied against women and girls in Haiti, as well as the underlying driving legacies of enslavement and colonialism.

A. SGBV is pervasive and rising, with evidence of increasingly brutal forms

As explained above, the government keeps little systematic data on SGBV directed against women and girls in Haiti. But all [available evidence indicates](#) it is extensive and pervasive, with many Haitian women and girls experiencing some form of SGBV in their lifetimes, largely without recourse. Girls and young women are some of the most affected, although stigma and other factors like threats and social pressure against reporting may mask the rates of violence directed at adult women, especially within marriage, as Haiti's laws still do not recognize spousal rape or domestic violence. More broadly, stigmatization of survivors; normalization of SGBV, especially as a legacy of brutal enslavement; social pressure or threats; and the general lack of resources and effective recourse for survivors described below drive up incidence and suppress reporting rates, such that the prevalence of SGBV in Haiti is almost certainly higher than most reports suggest.

There are indications that SGBV rose further still in recent years due to the COVID pandemic, deteriorating economic conditions, natural disasters (especially the August 2021 earthquakes and tropical storm), and the increasingly catastrophic security situation—all of which have also increased displacement. Human rights organizations, women's groups, and journalists have been reporting that, especially in Port-au-Prince, rates of SGBV have increased dramatically. They report that sexual violence is now being used as a deliberate tool of conflict in increasingly more barbaric forms, with assailants kidnapping, killing, and raping women, sometimes in front of family members. The pervasive insecurity and risk of violence are forcing women and girls to flee in large numbers, which in turn exposes them to further vulnerabilities associated with displacement.

An assessment by the U.N. Office for the Coordination of Humanitarian Affairs (OCHA) found a [377 percent](#) increase of SGBV incidents in 2020. A [recent report](#) by top Haitian human rights observer the *Réseau National de Défense des Droits Humains* ("RNDDH") on a multi-day gang battle in July 2022 found that the number of SGBV victims increased "exponentially." The report verified numerous instances of gang rape and other abuses, including where women and girls tried to flee to public spaces for safety. In multiple interviews conducted by the BAI, persons displaced by last year's [civilian massacres](#) in the Port-au-Prince neighborhood of Martissant described seeing women and girls raped, beaten, burned, and killed, or experienced such violence themselves. Interviewed IDPs further noted the risk of violence faced by women and girls when engaging in necessary activities like searching for food and water, seeking medical care, or trying to work.

Members of undersigned *Komisyon Fanm Viktim pou Viktim* ("KOFVIV," the Commission of Women Victims for Victims) have suffered from displacements (including from the Martissant, Grand Ravine, Fontamara, and Cite Soleil neighborhoods of Port-au-Prince), murder, brutal

sexual assault, kidnapping, assault (with several members shot—one of whom still has a bullet in her back), lack of access to healthcare, and a consistent inability to obtain food and clean water. Accounts shared by others with the undersigned organizations reflect equivalent patterns throughout Haiti and especially in Port-au-Prince.

High rates of SGBV, including pervasive sexual harassment at school, work, and other public spaces, as well as economic and psychological violence, reflect and are driven by women's unequal status in Haitian society and corresponding institutionalized discrimination, which jointly further reflect the legacies of brutal enslavement practices. Women face greater challenges in accessing economic inputs like credit, make less money for equal work, receive less education, and are severely underrepresented in positions of power and authority, as well as in decision-making roles across institutions. They also face social discrimination in the form of harmful stereotypes, disproportionate burdens of unpaid domestic and caretaking labor, and normalization of such discrimination and resulting violence. When women attempt to participate in political and economic spaces, they face not only discrimination and fewer resources, but also active threats, harassment, and violence. Oftentimes the ability of women and girls to access opportunities or critical needs is contingent on trading away their bodies, a dynamic that has been shamefully [perpetuated](#) in IDP camps and by [international humanitarian actors](#), as discussed below.

Collectively, these trends make it more difficult for women to achieve economic independence and build resilience to violence or broader societal stressors especially when they [cause displacement](#), and leave them vulnerable to harmful acts without hope of recourse. It is for this reason that gender-sensitive responses are necessary in confronting displacement and other humanitarian emergencies. Failure to center the special needs and vulnerabilities of women and girls not only risks leaving them out of the benefits of the recovery process, but also further entrenches the very inequalities that make women and girls more vulnerable and less resilient to harms. Nevertheless, Haitian women have [continued to fight to advance their rights](#) and require the Commission to enforce and extend its Precautionary Measures to support their efforts.

B. There is a lack of adequate support and resources for survivors of SGBV

The government of Haiti has failed to take adequate measures to prevent and address SGBV and is completely derelict in its duties in the current crisis as the harms and the displacement of women and girls increase. In the wake of the 2010 earthquake, there was a significant focus on and some improvement in providing judicial recourse to survivors, including specialized police units, corresponding training for judicial actors, and support for organizations working to provide care and resources to survivors (see Section III). On the whole, human rights observers and advocates reported that Haitian women and girls were consequently better able to seek judicial recourse if they experienced rape, alongside a material increase in the prosecution of such crimes. However, [especially since 2019](#), prosecutions have become increasingly rare and there has been significant backsliding in terms of specialized care and support for survivors.

Further, whatever advancements existed, they largely did not touch SGBV beyond rape and left significant protection gaps for survivors, especially in rural areas.

Beyond such limited and dissipating judicial gains, the government has provided effectively no resources for SGBV survivors. Although some services—like shelters, medical and psychological support, and legal assistance—have been offered by women’s and other human rights or humanitarian organizations, such resources have [dwindled](#) dramatically. Insecurity has impeded even the function of Doctors Without Borders (*Medecins Sans Frontieres*), which elsewhere successfully operates in active war zones. Women’s organizations and dedicated services have suffered, both because they have been deliberately targeted and because women—and their critical work—are disproportionately vulnerable to violence and economic harms. For example, women’s shelters have been [set on fire](#) by gangs. Women’s rights activists experience targeted threats and harassment, and the government fails to offer protection. Survivors are also increasingly unable or unwilling to seek assistance as the availability of resources becomes less certain and the risks of leaving safe spaces increase. When survivors—especially individuals experiencing displacement—do seek help, it is not available or results in further abuse. As RNDDH [reported](#), in the wake of the July 2022 atrocities, survivors were unable to obtain support or protection from the government and could not access hospitals to receive prophylactic treatment against potential transmission of sexual infections or pregnancy.

Further, there has been a failure to advance the broader gender justice movement in Haiti, which is necessary to prevent and build resilience to SGBV. Interventions have focused on responding to SGBV, sometimes [at the expense of](#) long-term advocacy work. One of the few advancements, a constitutional amendment mandating that women hold at least 30 percent of public offices, has not been implemented in a meaningful way and women remain severely [underrepresented](#) in positions of public authority. In spite of the Commission’s corresponding Precautionary Measure 5, the post-earthquake recovery and subsequent humanitarian response have failed to adequately mainstream gender considerations or to put women—particularly women from grassroots organizations and marginalized backgrounds—in policy- and decision-making roles. As a consequence of excluding women from post-earthquake recovery, failing to mainstream gender considerations, and neglecting to invest in long-term advocacy, pre-existing discrimination and inequality have become [further entrenched](#).

C. Humanitarian assistance has been deeply inadequate even as needs increase

As described in more detail in Section III, the harms, risks, and shortfalls acknowledged by the Precautionary Measures have not been effectively addressed since their issuance in 2010. For example, the displacement camps created in the wake of the August 2021 earthquakes and tropical storm in Haiti’s south exhibited many of the very failings that the Precautionary Measures were intended to address, and numerous instances of rape, sexual harassment, and resulting pregnancies were [reported](#). The displacement camp in the Carrefour sports center of Port-au-Prince—where according to the U.S. Department of State, 60 percent of displaced persons were women or girls—lacked sufficient security measures and adequate resources and hygiene. The undersigned organizations are further aware of serious allegations of systematic

sexual exploitation and abuse by individuals charged with running the camp or distributing resources, as well as resulting pregnancies. Individuals interviewed by the BAI further described inhumane and degrading conditions at the Carrefour sports center displacement site, including grossly inadequate security measures; lack of sanitation and hygiene; difficulties accessing food, medical care, and electricity; and inability to attend school. Conditions have deteriorated as humanitarian organizations had to stop working; many interviewees faulted the government both for the underlying crisis and for its failure to provide any assistance.

For all its flaws, the undersigned organizations are also concerned that the Carrefour center, which appears to have been the only sizable IDP camp in the Port-au-Prince area, has apparently been closed with no replacement. As the humanitarian disaster in the Port-au-Prince area has deepened in recent months, increasing flows of displaced persons are left with no safe place to go. The undersigned organizations are aware of instances where groups of women and children displaced by acute violence have been unable to receive assistance or information about where and how they might receive aid. The situation of displaced persons is made further precarious in the absence of systematic humanitarian assistance by [stigma](#) attached to individuals fleeing neighborhoods associated with particular gangs, such as Martissant and Fontamara.

In its [September 2022 update](#), OCHA describes the deteriorating humanitarian landscape as well as the tremendous challenges faced by humanitarian actors in delivering assistance given the current crisis. It identifies 6,830 households living in “makeshift” sites in the Port-au-Prince area with increasingly impeded access to basic needs like water, food, sanitation, and health care. An observer on the ground reports horrifying conditions at one of the sites listed by OCHA as a makeshift IDP site: Plaza Hugo Chavez. More generally, there are reports that there are no humanitarian relief points, and that women and children displaced by violence are often unable to receive any support and are fleeing to the countryside or other unsafe, under-resourced places around Port-au-Prince. OCHA’s reporting does not offer a clear exposition of the humanitarian infrastructure deployed to meet what is overwhelming need and significant displacement due to violence, other than to note that the 2022 Humanitarian Response Plan for Haiti is less than a third funded.

Notably the Caribbean hurricane season is just beginning. Worse still, health authorities in Haiti have confirmed [rising](#) cases of cholera starting on October 1, with [at least seven](#) known deaths. The finding is especially grave as accessibility to clean water is becoming [dire](#). One of the main providers of potable water is [reported](#) to be shutting down, filtration systems are not running, and the supply of portable filters or chlorine tabs is severely limited and may be especially difficult for women and girls to access, particularly given the present [fuel](#) shortage.

III. THE HAITIAN GOVERNMENT HAS FAILED TO COMPLY WITH THE COMMISSION’S ORDERS, WHICH ARE STILL NECESSARY TO PREVENT AND RESPOND TO SEXUAL VIOLENCE AGAINST DISPLACED WOMEN AND GIRLS

By any metric, the Haitian government has failed to implement the Precautionary Measures required by the Commission. While the immediate years following the 2010 earthquake saw minimal signs of progress in some respects, any such advances have been stymied by the misrule described above and a more general failure to prioritize women’s needs or put women in decision-making roles with genuine authority and budget. Subsequent natural disasters and the structural economic and social challenges that are [the legacy of colonialism](#) and [extractive foreign interventions](#) are also relevant factors. The [conclusions](#) of the U.N. Human Rights Council following its recent Universal Periodic Review of Haiti’s human rights compliance highlight the lack of adequate responses to sexual violence despite the government’s awareness of its widespread occurrence.

We describe the status of each of the Precautionary Measures to the best of our knowledge. As mentioned above, a deeper analysis is hampered by the lack of available data and the difficulty obtaining information from individuals operating on the ground in light of the daily emergencies occasioned by present political violence and its attendant effects.

Measure 1	Assurer que des soins médicaux et psychologiques soient fournis dans des endroits accessibles aux victimes de violence sexuelles des 22 camps de déplacés internes objet de cette mesure conservatoires. En particulier, assurer: a. la privacité pendant les examens; b. a disponibilité de membres de personnel médical féminin, possédant une sensibilité culturelle ainsi que de l'expérience avec des victimes de violence sexuelle; c. l'expédition de certificats médicaux; d. la prophylaxie HIV; et e. la contraception d'urgence.
-----------	---

Organizations that have traditionally supported displaced persons and survivors of sexual violence have limited resources and do not receive support from the Haitian government, which does not fill the gap. The recent [report by RNDDH](#) found that women and girls who were systematically raped, beaten, and humiliated during a multi-day gang war in Cité Soleil were unable to obtain appropriate medical care. Most women were unable to get to the hospital within the recommended time frame (three days) for effective HIV prophylaxis. Furthermore, the act of seeking necessary medical care itself brings with it the threat of SGBV, compounding a cycle of violence and medical neglect. Individuals interviewed by the BAI, for example, emphasized the risk of violence faced by women and girls when attempting to seek medical care or engage in other essential activities. The interviewees consistently expressed an inability to access needed healthcare. The situation has been made worse by recent closures of hospitals due to the gas shortage.

Women’s access to healthcare is threatened by limitations on movement and also in attacks against medical facilities themselves. While access to reliable data remains elusive, [OCHA’s September 2022 report](#) notes that epidemiological surveillance efforts continue as a result of Haiti’s ongoing high risk of epidemics. Specifically, the report describes the threat to lifesaving HIV treatment due to the current crisis and insecurity. The effects would fall disproportionately on women, as 63% of the 72,507 people living with HIV and on treatment in the Ouest, Sud and

Grand'Anse departments are women. “In the West department alone, treatment for 51,303 people could be interrupted due to the current situation, with serious consequences for mother-to-child transmission, increased HIV infections, drug resistance, morbidity and mortality.” The government thus continues to fail to ensure that virtually any necessary medical care is available to survivors of SGBV.

Further, as noted above, the Haitian Ministry of Health [confirmed](#) a new outbreak of cholera on October 1, a result of the [lack of improvement](#) in Haiti’s water, sanitation, and hygiene (“WASH”) systems since the introduction of cholera to Haiti by U.N. peacekeepers in 2010. Despite [promising](#) to improve Haiti’s WASH infrastructure and provide reparations to victims of the epidemic, the U.N. has failed to do so, leaving victims without compensation and the island vulnerable to another epidemic. Women and girls are [disproportionately impacted](#) by cholera, due in part to their responsibility for the bulk of domestic work involved in preventing and responding to cholera.

Measure 2	Implémenter des mesures de sécurité effectives dans les 22 camps, en particulier, assurer l’éclairage public, un patrouillage adéquat autour et à l’intérieur des camps, et un plus grand nombre de forces de sécurité féminines dans les patrouilles et dans les commissariats de police à proximité des camps.
-----------	--

Despite widespread knowledge of increased levels of sexual violence following disasters (in Haiti and around the world), neither the Haitian government nor the U.N. have put in place clear policies and procedures or allocated adequate resources to ensure security for IDPs. [OCHA’s recent report](#) regarding the humanitarian crisis in Haiti lays bare the repeated failure to protect displaced women and girls in Haiti: “In this context [of displacement due to violence in the capital], women and girls are particularly vulnerable. In the Hugo Chavez and Monfort sites, partners have highlighted the lack of lighting and risk mitigation measures against [SGBV].” A local observer described the Hugo Chavez site as individuals simply lying on the ground under tarps, reminiscent of dead bodies.

The BAI’s interviews with IDPs reveal inhumane, insecure, and unsafe conditions at the Carrefour sports center displacement site. Interviewees consistently noted that conditions have only deteriorated since humanitarian organizations were forced to stop working, and that they fear for their lives. Many described being afraid to leave the confines of the center due to patrolling gangs outside. Interviewees also described a total lack of privacy and a reliance on the center’s civil protection agents who themselves are known to commit acts of SGBV and assault against IDPs. It is not clear when Plaza Hugo Chavez became a “site” based on OCHA’s assessment, but we note that it was the location where multiple women were gang-raped in July.

The security paucity is not only a problem in Port-au-Prince, but also in other situations of displacement in the country. For example, many people were displaced in the Sud department in and around Les Cayes after a devastating earthquake in August 2021. A humanitarian worker

we spoke with has documented several cases of sexual violence in IDP camps in and around in Les Cayes and laments the absence of a security presence even after more than a year has passed since the disaster. Furthermore, OCHA [reports](#) that “repatriated migrants are unable to reach their intended destination and have virtually no means to meet their basic needs for shelter, food, or clothing,” which further exacerbates the vulnerability of women and girls to SGBV.

Measure 3	Assurer que les agents publics chargés de répondre aux incidents de violence sexuelle reçoivent des formations leur permettant de répondre adéquatement aux plaintes de violence sexuelle ainsi que d’adopter des mesures de sécurité.
Measure 4	Promouvoir la création d’unités spéciales au sein de la police judiciaire et du Ministère Public chargées de l’enquête des cas de viol et d’autres formes de violence à l’égard des femmes et des jeunes filles.

In the wake of the 2010 earthquake, some efforts were made to build the capacity of Haitian police and other actors in the justice system to combat and respond to SGBV, including through targeted training and specialized units. But any progress was minimal and has since been altogether erased. For instance, a Norwegian-led specialized police team (“SPT”) was deployed to build the capacity of the Haitian National Police (“HNP”) to combat and investigate SGBV. A primary method of doing so was via training programs. The first iteration of the [SGBV project](#) trained over one thousand HNP officers between 2010-2014 on issues of SGBV and integrated a one-week training course on SGBV for new cadets at the HNP School. The second iteration of the project (2015-2019) aimed to further develop methods of investigating SGBV cases and training. In total, it is reported that the SPT training program reached 1,744 participants in the two SGBV programs, 583 participants through international workshops, and 6,976 cadets at the policy school between 2010-2019. However, the unit and the training programs it implemented have been terminated, which has effectively nullified any progress it made. Further, and critically, there was a large outflow of officers from the police due to instability.

These programs no longer exist and, in fact, may have even negatively affected the long-term development of an effective SGBV response in the HNP. These special programs did not have a sustained impact on HNP capacity and attention to SGBV issues over the long-term because the SGBV initiatives were [dependent](#) on foreign support. As foreign support waned, those programs ended, and the SGBV programs were not integrated into mainstream HNP priorities. The Norwegian program has been referred to as “the future of UN policing,” but it does not appear to have led to effectiveness in the HNP’s current response to SGBV. In fact, we are not aware of any SGBV workshops or similar trainings conducted since 2019 due to [lack of funding](#) and ongoing political instability. While there has been renewed attention to recruitment in response to the escalating insecurity, it is not clear what, if any, training or special attention is given to victims of sexual violence.

Measure 5	Assurer que les groupes de femmes de base aient pleine participation et leadership dans la planification et l'exécution des politiques et pratiques destinées au combat et à la prévention de la violence sexuelle et d'autres formes de violence dans les camps.
-----------	---

Following the Commission's issuance of the Precautionary Measures, leaders with prominent women's rights organizations (many of whom joined the Petition requesting these Precautionary Measures) were invited to attend the U.N.-led working groups leading earthquake recovery efforts. However, these meetings were still frequently held in English or French and without adequate Haitian Creole interpretation to ensure meaningful participation by those who, like most Haitians, speak only Creole.

As Petitioners reported to the Commission in 2013, after KOFAVIV opened its rape crisis hotline, the government also began referring victims to KOFAVIV and engaging in some cooperation to provide support to victims. But we are not aware of the government engaging in cooperation efforts presently.

The undersigned organizations are not aware of any attempts at present to include the voices of grassroots organizations in decision-making structures. Further, as noted above, there was a systematic programming bias in favor of the important work of responding to SGBV that took place. Insufficient attention and resources have been directed to supporting the advocacy and policy work of countering discrimination against women and promoting gender justice, which are critical to preventing SGBV and building resilience for women and girls.

IV. RECOMMENDATIONS TO THE COMMISSION

The submitting organizations express their gratitude for the Commission's continued interest in the plight of Haitian women and girls. And we would welcome the opportunity to support the Commission's work to hold the Haitian government and other states in the hemisphere accountable for their obligations to prevent, punish, and redress persistent SGBV as outlined in this letter.

There are many longer-term measures that Haiti must take to fully realize women's human rights in the country, including law reforms that have been stalled, and support for the gender justice and equality movement in Haiti. But such actions will take time and a stabilized government to achieve. In the meantime, there are immediate steps to prevent irreparable harm to women and girls facing heightened risk of sexual violence. To that end, Petitioners request the Commission take the following actions:

- **Extend its original Precautionary Measures** in this case. Moreover, given the dynamic situations of displacement in light of ongoing political upheaval and natural disasters, Petitioners further request that **the measures be expanded to cover all women and girls living in situations of displacement** in Port-au-Prince or Haiti more broadly—

whether or not in a formal settlement as identified in the original request. As described in this letter, these measures are still desperately needed and the Haitian government has yet to comply.

- **Extend and expand Measure 5** to ensure that (i) women who represent impacted communities are included in all stages of response efforts, and (ii) the needs of women and girls are central to all programs and policy planning, especially with respect to those impacting security, livelihoods, political participation, and health. Given the continued failure to implement this measure, additional guidance on the part of the Commission would be useful, such as in providing detail on the level of consultation and inclusion required to ensure responses reflect local realities.
- **Issue a new measure directing the de facto government of Haiti to urgently return Haiti to a status of constitutional, democratic order** through elections that are inclusive, fair, and to the greatest extent possible consistent with Haiti's Constitution, as well as consistent with the rights of the Haitian people under the Charter of the Organization of American States ("OAS"), the American Convention on Human Rights, and the Inter-American Democratic Charter. The measure should further direct all State Members of the OAS to (i) desist from interfering with the right of the Haitian people to self-determination by supporting the illegitimate, corrupt, and lawless de facto government at the expense of locally-driven solutions, (ii) instead to fully fund necessary humanitarian programs consistent with the obligations and values of the Inter-American human rights system, and (iii) act consistently with their obligations under Section IV of the Inter-American Democratic Charter.
- **Issue a new measure directing the Haitian government to collect and publicly disseminate data** regarding instances of SGBV, state responses from all relevant agencies, resources available to survivors from the government, and resources and responses deployed by actors outside of the government. Further, all government-collected data should be disaggregated by gender and publicly reported.
- **Issue a new measure requesting an assessment and regular reporting from the Haitian government** regarding the status of implementation of these measures to better understand the scope of the violations and guide the Haitian government and cooperating states in addressing this crisis of sexual violence against displaced women and girls that has recurred many times over since 2010.

Petitioners remain hopeful and anticipate positive continued work alongside the Commission and the government of Haiti to implement Precautionary Measures 340/10 and any additional appropriate measures the Commission adopts. Should you have any questions regarding this letter, please contact Blaine Bookey (bookeybl@uchastings.edu; 415-703-8202) or Alexandra Filippova (sasha@ijdh.org; 925-997-0171).

Sincerely,

Mario Joseph
Bureau des Avocats Internationaux (“BAI”)

Malya Villard-Appolon
Komisyon Fanm Viktim pou Viktim (“KOFAVIV”)

Alexandra Filippova
Kristina Fried
Brian Concannon
Institute for Justice & Democracy in Haiti (“IJDH”)

Blaine Bookey
Peter Habib
Center for Gender & Refugee Studies (“CGRS”)

Lisa Davis
CUNY School of Law, Human Rights and Gender Justice Clinic

J.M. Kirby
MADRE

APPENDICES

Selected Recent Reports Regarding SGBV in Haiti:

- A. CMI, [Women’s status in Haiti ten years after the earthquake](#) (2020).
- B. IJDH, BAI, KOFAVIV, [Submission to the Universal Periodic Review](#) (2022).
- C. Nègès Mawon, IJDH, GJC, [Input for the Special Rapporteur on Violence against Women](#) (2022).
- D. OCHA, [Haiti: Impact of social unrest on the humanitarian situation - Flesh Update #1](#) (2022).
- E. RNDDH, [Massacre in Cité Soleil: Chilling Stories of Women and Girls Victims of Gang Rape](#) (2022).
- F. SOFA, CHRGI, IJDH, [Submission on violence against women and girls in the context of the climate crisis](#) (2022).

APPENDIX C

Annotated Bibliography with Linked Materials

- I. Civil Society Reports**
- II. United Nations and Inter-Governmental Sources**
- III. News Articles**

I. CIVIL SOCIETY REPORTS

- A. Tirana Hassan, *World Report 2023: Haiti, Events of 2022*, Human Rights Watch (2023), <https://www.hrw.org/world-report/2023/country-chapters/haiti>.

The long-standing political, security, and humanitarian crisis in Haiti continued in 2022. Notable issues include the constitutional crisis, forcible repatriation of Haitian refugees from the United States to Haiti, the fuel crisis, protests, food insecurity, escalating gang violence, and gender-based violence.

- B. Carleton University, *Haiti Fragility Brief 2023* (Jan. 16, 2023).

Patriarchal-colonialist institutions are being held up through violence. Haiti's fragility is multidimensional, impacted by gangsterization and a weak state capacity.

- C. Bureau des Avocats Internationaux & Institute for Justice and Democracy in Haiti, *Human Rights and Rule of Law in Haiti: Key Recent Developments, June through November 2022* (Dec. 2022).

In 2022, the governance crisis has led to a significant increase in gang violence and the rise of rape and other SGBV as a tool of terror. Material conditions, like the deprivation of fuel, breakdown in economic activity, and re-emergence of cholera, also impacted Haitians.

Additional IJDH human rights reports covering May 2019 through June 2022 can be found at <http://www.ijdh.org/news-and-resources/publications/>.

- D. International Crisis Group: Latin America and Caribbean Briefing No. 48, *Haiti's Last Resort: Gangs and the Prospect of Foreign Intervention* (Dec. 14, 2022).

Gangs have used sexual violence against women and other groups to assert power in their neighborhoods. Collective rape is used to intimidate and inflict punishment on women and children as young as ten.

- E. Bureau des Avocats Internationaux, Disaster Law Project, Haitian Women's Collective, Institute for Justice and Democracy in Haiti, & Nègès Mawon, *Women's and girls' human security in the context of poverty and inequality*, Joint Submission to WDAWG (Oct. 2022).

Gender is one of the main risks for poverty in Haiti. Poverty and inequality disproportionately impact the rights of women and girls in Haiti. Poor women and girls face intersectional challenges that make them especially vulnerable to abuse.

- F. Yvon Janvier, *The CEDAW, towards the realization of Women's human rights*, Academia (Oct. 2022).

Under CEDAW, states may be “responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence and provide compensation.” States must go beyond ratifying and enacting CEDAW to eliminate violence and discrimination: they must strengthen enforcement mechanisms.

G. Haiti Response Coalition, [US Hands Off Haiti’s Democracy](#) (most recent Coalition Annual Report released Sept. 2, 2022).

International actors prop up Ariel Henry even as protests against him intensify. Diverse advocates and stakeholders call on the US government to stop its support so a Haitian solution to the crisis can emerge.

H. Réseau National de Défense des Droits Humains, [Massacre in Cité Soleil: Chilling Stories of Women and Girls Victims of Gang Rape](#) (Aug. 16, 2022).

Gang violence between rival coalitions erupted in Cité Soleil in July 2022, causing a massacre with numerous reported instances of mass and repeated rape against women and girls. During these attacks, the bodies of women and girls are used as a weapon to harm rivals. More than three hundred people were murdered and more than two hundred homes were destroyed.

I. Plan International, [Pregnant women and girls among those most impacted in Haiti’s hunger crisis says Plan International](#) (July 20, 2022).

Political, economic, and social instability following Moïse’s assassination and the earthquake led to a hunger crisis in Haiti. Both impact those who are most economically vulnerable, specifically women and girls.

J. Nègès Mawon, The Institute for Justice & Democracy in Haiti & The Global Justice Clinic, [Input for SR VAW’s Report on Violence Against Women in the Context of the Climate Crisis: Observations on Challenges and Opportunities in Haiti](#) (Apr. 2022).

Societal stressors, specifically the climate crisis, leave women vulnerable to harmful acts without hope of recourse. The violence experienced by women and girls, which is exacerbated by the climate crisis, impacts their ability to seek education, adequate livelihoods, and stable homes.

K. Solidarite Fanm Ayisyèn, The Global Justice Clinic, Bureau des Avocats Internationaux, & The Institute for Justice & Democracy in Haiti, [Submission on violence against women and girls in the context of the climate crisis](#) (Apr. 2022).

Land grabbing is a source of violence against women and other human rights violations. It has further impoverished women in Haiti, exposed them to multiple forms of violence, and aggravated climate vulnerability.

- L. Yvon Janvier, *Gender-Based Violence in the Haitian Context*, Academia (Apr. 2022), https://www.academia.edu/79611249/Inequality_Gender_Based_Violence_in_Haiti_the_root_causes.

Criminality, natural disasters, and gang violence have worsened the already precarious situation for women in Haiti and prevents them from fully participating in the development of Haitian society. Psychological, social, and institutional structures contribute to and perpetuate SGBV.

- M. Jake Johnston, *“They Fooled Us,”* Center for Economic and Policy Research (Feb. 7, 2022).

Ariel Henry is alleged to have been involved in Moïse’s assassination, yet involvement from various US actors indicate Henry’s regime continues to receive support from the US government.

- N. Bureau des Avocats Internationaux, Institute for Justice and Democracy in Haiti, Alternative Chance, & Réseau National de Défense des Droits Humains, *Submission to the United Nations Human Rights Council: Justice Sector Challenges in Haiti* (2021).

Chronic impunity and the lack of an independent justice sector have resulted in the systematic violation of the rights to prompt and effective remedies, fair adjudication within the time frame allotted in the law, and to equal protection under the law. These rights are guaranteed by the ICCPR, UDHR, and the ACHR. Since the last UPR, Haiti has regressed with respect to these obligations.

- O. Brian Concannon, *Biden must stop propping up the old guard in Haiti*, Responsible Statecraft (Nov. 12, 2021).

The Biden administration’s loyalty to the corrupt PHTK regime perpetuates the governance crisis. Haitians must lead in finding a remedy to this crisis.

- P. Bureau des Avocats Internationaux & Institute for Justice and Democracy in Haiti, *Human Rights and Rule of Law in Haiti: Key Recent Developments, November 2020 through May 2021* (June 2021).

After Parliament became defunct in January 2020, then-president Moïse ruled by decree, through which he undertook progressively more authoritarian measures. Municipal electoral offices were allowed to lapse without elections in July 2020 and were filled by executive decree. Despite popular protests, Moïse stayed in office past what Haitian constitutional authorities viewed as his term limit.

- Q. Bureau des Avocats Internationaux, Institute for Justice and Democracy in Haiti, & Komisyon Fanm Viktim pou Viktim, [Submission to the United Nations Human Rights Council: Gender-Based Violence in Haiti](#) (2021).**

Haiti continues to face challenges in complying with its human rights obligations relating to the protection of women and girls against SGBV. Evidence of SGBV against women and girls in Haiti is extensive and pervasive, with most Haitian women and girls experiencing some form during their lifetimes. Most occurs without recourse.

- R. Marianne Tøraasen, [The future of UN policing? The Norway-led Specialized Police Team to combat Sexual and Gender-Based Violence in Haiti 2010-2019](#), CMI Report (2021).**

There has been major backsliding in the Haitian National Police's previous advancements in preventing, investigating, and prosecuting SGBV. The current governance crisis threatens funding and follow-up for the program.

- S. Bureau des Avocats Internationaux & Institute for Justice and Democracy in Haiti, [Written Submission by the Institute for Justice and Democracy in Haiti and the Bureau des Avocats Internationaux for the December 10, 2020 Thematic Hearing Before the Inter-American Commission for Human Rights on the Subject of Impunity for Serious Human Rights Violations and the Lack of Judicial Independence in Haiti](#) (Dec. 2020).**

Impunity and judicial dysfunction are among the drivers for rising violence against women and girls in Haiti. Gangs have also been used to control electoral outcomes in popular neighborhoods. In some instances, civilian massacres have been perpetrated with demonstrated political intent.

- T. Marianne Tøraasen, [Women's status in Haiti ten years after the earthquake](#), CMI Brief (June 2020).**

SGBV increased dramatically after the earthquake in 2010. Interventions have focused on responding to SGBV, sometimes at the expense of proactive long-term advocacy work. Women continue to be underrepresented in positions of public authority and widespread impunity persists.

- U. Komisyon Fanm Viktim pou Viktim, MADRE, International Women's Human Rights Clinic, Center for Gender and Refugee Studies, & Center for Human Rights and Global Justice, [Struggling to Survive: Sexual Exploitation of Displaced Women and Girls in Port-au-Prince, Haiti](#) (2012).**

The ability of women and girls to access opportunities or critical needs is often contingent on using their bodies. This is perpetuated in IDP camps.

II. UNITED NATIONS AND INTER-GOVERNMENTAL SOURCES

- V. United Nations Office of the High Commissioner, [*The Population of Cité Soleil in the Grip of Gang Violence: Investigative report on human rights abuses committed by gangs in the zone of Brooklyn from July to December 2022*](#) (Feb. 10, 2023).

Gang violence and SGBV has run rampant throughout the commune of Cité Soleil. Dozens of women and girls were collectively raped and hundreds were displaced after their homes were destroyed and looted. The alleged perpetrators have not been brought to justice.

- W. United Nations Office of the High Commissioner, [*UN High Commissioner for Human Rights Volker Türk concludes his official visit to Haiti*](#) (Feb. 10, 2023).

SGBV has increased dramatically with the rise of gang violence. State authorities have not provided an adequate response in adjudicating perpetrators of sexual violence.

- X. United Nations Integrated Office in Haiti, [*Report of the Secretary-General, United Nations Security Council*](#) (Jan. 17, 2023).

Since Moïse's assassination, the need to restore democratic processes has never been more urgent. Haiti must enhance its police capacity and criminal justice system, in large part to end the SGBV that women and girls endure. Other nations are urged to stop deportations of Haitians until the human rights crises can be addressed.

- Y. OCHA Services, [*Haiti: Gender Based Violence, Humanitarian Response*](#) (2022).

An assessment by the UN Office for the Coordination of Humanitarian Affairs (OCHA) found a dramatic increase in SGBV incidents in 2020.

- Z. UN Office for the Coordination of Humanitarian Affairs, [*Haiti: Impact of social unrest on the humanitarian situation - Flash Update #1*](#) (Sept. 23, 2022).

Gang control, roadblocks, and spontaneous demonstrations across Haiti have caused considerable unrest. The social unrest has impacted mobility, access to food and water, the fuel supply, and electricity and telecommunications. The situation has forced many humanitarian activities to come to a halt.

- AA. UN Women: Americas and the Caribbean, [*One year after the earthquake, women in Haiti continue to face severe hardships*](#) (Aug. 12, 2022).

The increased risk of SGBV forces women to curtail economic and civic activities. This results in women and women-headed households being disproportionately impacted by food insecurity and the financial crisis.

BB. Human Rights Council: Working Group on the Universal Periodic Review Fortieth Session 24 January – 4 February 2022, [National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 Haiti](#), United Nations General Assembly (Jan. 4, 2022).

Services like shelters, medical and psychological support, and legal assistance for SGBV survivors have decreased dramatically.

CC. OCHA, [Haiti: Displacements due to gang violence in Port-au-Prince: Situation Report No. 4](#) (July 1, 2021).

Persons displaced by civilian massacres in the Port-au-Prince neighborhood of Martissant described seeing women and girls raped, beaten, burned, and killed. Many experienced such violence themselves.

DD. UNICEF Haiti Child Protection Section/GBV Program, [Briefing Note: Strategy for Integrating a Gendered Response in Haiti's Cholera Epidemic](#) (Dec. 2, 2010).

Women and girls are disproportionately impacted by cholera because gender roles influence where and how people spend their time. This can result in different patterns of exposure, disease incidence and outcome, and domestic responsibilities for preventing and responding to cholera.

EE. Inter-American Commission on Human Rights, [The Right of Women in Haiti to Be Free From Violence and Discrimination](#), OEA/Ser.L/V/II Doc. 64, (Mar. 10, 2009).

The violence and discrimination against women in Haiti is a fundamental human rights issue.

III. NEWS ARTICLES

FF. Brian Concannon, [Enough!](#), The Security Times (Feb. 2023).

The international community is effectively supporting the unconstitutional PHTK government and must allow Haitians to forge their own path toward democracy.

GG. Megan Janetsky & Fernanda Pesce, [War for control of Haiti's capital targets women's bodies](#), AP News (Feb. 13, 2023).

Multiple women in Haiti describe their brutal gang rapes and speak on the pervasive fear that is preventing normal civilian life in Haiti. This fear extends beyond SGBV into various parts of life such as education, work, and traveling within their communities.

HH. Sharma Aurélien, [*Haiti's gang-fueled chaos targets women for sexual violence, domestic abuse*](#), Miami Herald (Jan. 27, 2023).

In the absence of a functioning government in Haiti, women have increasingly become the targets of domestic abuse and sexual violence.

II. Doroty Derat, [*Forgotten Victims: The Plight of Women in Cité Soleil*](#), Ayibo Post (Jan. 26, 2023).

A cruel campaign of gang violence left women traumatized and struggling to survive. Survivors of rape have not received support from the Haitian government.

JJ. Jillian Kestler-D'Amours, [*Haiti's sexual violence survivors demand justice*](#), Al Jazeera (Jan. 25, 2023).

Sexual violence and reported rape cases have surged amid widespread gang killings and kidnappings. The governance crisis exacerbates the situation by weakening state agencies, causing insecurity, and failing to provide paths for accountability.

KK. Jess DiPierro Obert, [*Surge in use of rape against women and rivals by Haiti gangs*](#), The New Humanitarian (Nov. 14, 2022).

Gangs are weaponizing SGBV to gain and maintain control. The situation for women and girls is becoming more dire and humanitarian groups have difficulty providing services because of the violence.

LL. Luke Taylor, [*Crisis-hit Haiti braces for new cholera outbreak as gangs hamper relief efforts*](#), The Guardian (Oct. 6, 2022).

Health authorities in Haiti have confirmed rising cases of cholera beginning October 1, 2022. The governance crisis and gang violence have made relief efforts challenging.

MM. Luke Taylor, [*'They have no fear and no mercy': gang rule engulfs Haitian capital*](#), The Guardian (Sept. 18, 2022).

The Haitian Prime Minister's regime is further entrenching PHTK corruption and is failing to control Haiti's humanitarian emergency.

NN. Rafael Bernal, [*More than 100 groups call on Biden to drop support for Haitian prime minister*](#), The Hill (Sept. 16, 2022).

A broad coalition of faith and advocacy groups is calling on the Biden administration to cut out support for de facto Haitian Prime Minister Henry. The coalition says Henry's party is at the center of Haiti's deepening political and humanitarian crisis.

OO. Monique Clesca, [Haitians Have a Solution to Haiti's Crisis](#), World Politics Review (Sept. 8, 2022).

The Haitian Prime Minister's regime is further entrenching PHTK corruption and is arguably exacerbating Haiti's humanitarian emergency.

PP. Catherine Porter, Constant Méheut, Matt Apuzzo, & Selam Gebrekidan, [The Root of Haiti's Misery: Reparations to Enslavers](#), The New York Times (May 20, 2022).

Social challenges that are a legacy of French colonialism are relevant factors in the Haitian government's failure to prioritize women's needs.

QQ. Selam Gebrekidan, Matt Apuzzo, Catherine Porter, & Constant Méheut, [Invade Haiti, Wall Street Urged, The U.S. Obligated](#), The New York Times (May 20, 2022).

Social challenges that are a legacy of extractive foreign interventions by US actors are relevant factors in the Haitian government's failure to prioritize women's needs.

RR. Arelis R. Hernández & Samantha Schmidt, [Search for survivors ongoing after migrant boat sinks near Puerto Rico](#), The Washington Post (May 12, 2022).

There is a "feminization of migration" because the social, political, and economic situation in Haiti has disproportionately impacted women. Many displaced women do not qualify for visas, are sexually assaulted by their smugglers, and have experienced violence at home or in their communities.

SS. Sophie Cousins, ['We are fighting the system': Haiti lawyers taking rape to the courts](#), The Guardian (Apr. 18, 2022).

Three female lawyers fighting for justice on behalf of survivors of SGBV struggle to safely attend corrupt courts. The courts are rife with corruption, stigma, and victim blaming.

TT. Matt Rivers, Etant Dupain, & Natalie Gallón, [Haitian Prime Minister involved in planning the President's assassination, says judge who oversaw case](#), CNN (Feb, 8, 2022).

The Haitian Prime Minister's regime is impeding a full investigation of Moïse's assassination.

UU. [The Ransom: Haiti's Reparations to France](#), The New York Times (May 23, 2022).

Haitian material deprivation is impacted by the historical exploitation conducted by colonial powers.

VV. Jimmy LaRose, [Des propriétaires refusent de louer leur maison aux gens qui fuient l'insécurité de Martissant](#), Ayibo Post (Oct. 20, 2021).

In the absence of systematic humanitarian assistance, the situation of displaced persons is made even more precarious.

WW. Brian Concannon, [Supporting Moïse, Washington lost Haitian trust](#), Responsible Statecraft (July 19, 2021).

The de facto head of state, Ariel Henry, was installed by international actors in the wake of Moïse's assassination.

XX. [Diego Charles](#), Committee to Protect Journalists (June 29, 2021).

Haitian journalist Diego Charles was shot and killed by unidentified men riding a motorcycle. Like many political activists and journalists, his murder remains unsolved.

YY. Catherine Porter, [Haiti Suspends Oxfam Great Britain After Sex Scandal](#), The New York Times (Feb. 22, 2018).

After a sex scandal by workers from international humanitarian actor Oxfam Great Britain, Haiti suspended the group and launched an investigation into the allegations.