

February 16, 2025

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Via email cidhdenuncias@oas.org

RE: MC/340-10 - Situation of displaced women and girls at risk of sexual violence in Haiti

Petitioners provide this letter in response to the Inter-American Commission on Human Rights (“IACHR” or “Commission”) 10 January 2025 request for “additional information” concerning the circumstances endured by displaced women and girls in Haiti.

For more than two years, Petitioners have engaged with the Commission to highlight the ongoing need for Precautionary Measures to protect displaced women and girls first granted in the wake of the 2010 earthquake. For more than two years, the Commission has dragged its feet on taking definitive action falling squarely within its authority. Petitioners are at a loss of what “additional information” could be provided to highlight the ongoing and acute nature of the violence and the clearly determined group most at risk. Nevertheless, Petitioners write again here to reiterate points made in written correspondence in [October 2022](#) and [April 2024](#) (Attachments 1 and 2, respectively), which the Commission never responded to, and provide yet more updated documentation of the deteriorating conditions. These points echo those made by Petitioners in a [thematic hearing](#) on this same topic in March 2023 as well as in multiple [working meetings](#) with various commissioners and staff during this period. Moreover, Petitioner the Institute for Justice and Democracy in Haiti (IJDH) provided your office with a [factual update](#) via email in December 2024. There is no shortage of information. What is missing is action.

I. BENEFICIARIES: INFORMATION REGARDING DISPLACED WOMEN AND GIRLS IN HAITI

The Precautionary Measures granted by the Commission following the 2010 earthquake were specific to twenty-two formal and informal displacement camps in Port-au-Prince. As [detailed](#) extensively in [prior communications](#), some of those camps still exist, some of them have morphed in character, and new camps have emerged due to evolving conditions on the ground. As such, consistent with the Commission’s Rules of Procedure Rule 25, Petitioners have

repeatedly requested that the Measures be “extended” to cover “women and girls living in situations of displacement.”

This a readily determined population, putting the Haitian government on notice of its obligations. The International Organization for Migration (IOM) issues periodic reports identifying the [population](#) of displaced persons in the country, disaggregated by gender and age, as well as their specific location and the conditions. Other international agencies, including the UN High Commissioner for Human Rights (OHCHR), have documented the vulnerability of displaced women and girls, showing no confusion about the contours of the group demanding special protection. The Réseau National de Défense des Droits Humains (RNDDH) recently [completed a comprehensive survey](#) of displacement sites in the West and Artibonite Departments, comparing the present to the post-earthquake state of affairs, and documenting the lack of security and high rates of violence. The undersigned Nègès Mawon also recently [surveyed conditions](#) for women and girls in displacement sites in the West Department, underscoring the same. The undersigned KOFAVIV itself has many members who have been displaced. As described in the section to follow, it is precisely this population that is [in need](#) of urgent efforts to prevent and better respond to sexual violence.

II. URGENT AND IRREPARABLE HARM: ADDITIONAL INFORMATION PERTINENT TO THE ONGOING NEED FOR EXTENDED AND EXPANDED PRECAUTIONARY MEASURES UNDER RULE 25

In the face of ongoing inaction on the part of the international community, the situation facing Haitian women and girls living in situations of displacement has only degenerated into more acute, urgent, and dire circumstances.

According to UN Women, rape is weaponized against women and girls living in displacement sites “as a [deliberate tactic](#) to control women’s access to the scarce humanitarian assistance available.” The [OHCHR](#) has reiterated the well-known, calling the sexual violence committed against women and girls in displacement sites “a weapon of terror.” And BINUH has alerted that rape, including [collective rape](#), is used as a tactic to spread fear. Human Rights Watch has also [documented](#) the vulnerability of displaced women and girls to sexual violence. Assailants “[rape](#) girls or women without fearing any consequences” at all.

In fact, incidents of gender-based violence have continued to “[surge](#)” against women and girls in the displacement sites while Petitioners’ request for extended Measures has been pending with the Commission. In March 2024, reports of gender-based violence against displaced women and girls were nearly [four times higher](#) than during the previous two months. Since the April 2024 communication, an average of [40 rapes per day](#)—1,200 per month—have been reported in just

several neighborhoods of Port-au-Prince alone, notwithstanding the fact that such violence remains chronically and significantly [underreported](#).

IOM cautions that a staggering [94%](#) of displaced women and girls remain at high risk of violence, including sexual violence. Many women have reached a breaking point, with insecurity and violence plaguing their every move. Gang members recently forced one of KOFAVIV's members to flee her home in Kenscoff. While fleeing to save her life, the gang forced her to run through a raging fire with her baby who was badly burned. The situation is urgent, and simple actions can help alleviate the appalling conditions. For example, UNFPA highlights that the majority of displaced persons camps (75%) continue to [lack](#) adequate lighting, in direct violation of the 2010 Measures, showing that the orders are still relevant and sorely needed.

The Commission has itself acknowledged the gravity of the situation facing displaced Haitian women and girls in two recent [public statements](#). And it urges “[all authorities involved](#), both national and international, to take immediate and effective measures to prevent sexual violence,” yet fails to take the necessary and appropriate action itself. It cannot be a lack of information impeding the Commission from using other tools at its disposal, but rather a lack of will.

The undersigned respectfully direct the Commission's attention to the Appendix, which provides reports documenting sexual violence against women and girls that have been published since the time of our last formal submission in April 2024.

CONCLUSION

If the situation of displaced women and girls in Haiti does not mandate granting the requested extension and expansion of Precautionary Measures under Rule 25(7), (9), it is hard to imagine if any such request could command the Commission's attention.

To that end, the undersigned repeat the calls [first made in 2022](#), including extension of the Measures as well as modifications to increase their effectiveness and relevance to the current context, and implore the Commission to treat the situation with the urgency it deserves. Lifting the Measures would send the absolute wrong signal to the Haitian government and international community and fly in the face of the incontrovertible evidence of mounting irreparable harms. Implementation of the Measures in 2010 led to improvements when there was a cooperative government at the helm, increased lighting in the camps as just one important example that might not have occurred without the Commission's urging. Now is not the time to abandon Haiti's women and girls but to reiterate these simple actions. Lives hang in the balance.

We appreciate your consideration of this request. Please contact Blaine Bookey at bookeybl@uclawsf.edu or (415) 703-8202 with any questions.

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ATTACHMENTS

1. Petitioners’ Follow Up Letter to the Commission on MC 340/10 (April 8, 2024).
2. Petitioners’ Initial Letter to the Commission on MC 340/10 (October 7, 2022).

APPENDIX

Selected Reports and Articles Released Since Our Recent Communication of April 8, 2024, Regarding Pervasive and Escalating SGBV in Haiti

Inter-Governmental Organizations

- A. BINUH, [Quarterly Report on the Human Rights Situation in Haiti: October - December 2024](#) (4 February 2025).

There has been a significant escalation in violence reported during this period, with at least 1,732 people killed due to gang activities and other instances of violent conflict. 431 people have been kidnapped, and the police carried out 86 summary or arbitrary executions, including of children. Gang members rape and sexually exploit women and young girls and recruit young boys to strengthen their control.

- B. EDVAW, [Members of the EDVAW Platform on Violence against Women Issue an Urgent Call to Action Regarding Alarming Rates of Sexual Violence against Haitian Women and Girls](#) (30 January 2025).

Members express profound concern over the widespread sexual violence facing Haitian women and girls, citing nearly 4,000 reported cases of sexual violence between January and October 2024. Particular attention must be given to especially vulnerable groups, like displaced women and girls. “All authorities involved” must take immediate action to prevent sexual violence and ensure access to protection services, medical care, psychosocial support, and justice.

- C. IOM, [Multi-Sectoral Location Assessment in Haiti: Round 9, December 2024](#) (14 January 2025).

Over one million people are internally displaced in Haiti, with 83% living in host communities and 17% in displacement sites, primarily in Port-au-Prince. There are severe challenges to accessing water, sanitation, healthcare, education, and services.

- D. UNFPA, [Haïti : Snapshot sur les incidents de violences basées sur le genre \(VBG\) de janvier à octobre 2024](#) (20 November 2024).

5,400 instances of GBV were recorded between January and October 2024, 72% of which were sexual violence. Displaced women account for 64% of documented instances of GBV. Between January and March 2024, 1,793 instances of GBV were reported; from April to June 2024, reports increased by 36.4% to 2,445 GBV incidents. Access to services within 72 hours of rape remains low; victims arriving after the three-day deadline cannot obtain medical treatment at all due to lack of finances. Many survivors do not report for fear of reprisals.

- E. IOM, [Plus de 20 000 personnes fuient la montée de la violence des gangs qui provoque des déplacements massifs en Haïti](#) (17 November 2024).

Over 20,000 people have been displaced in Port-au-Prince in just four days due to escalating gang violence, with women and children disproportionately affected. 94% of displaced women and girls are at high risk of violence. Gender-based violence, including sexual violence, is being used as a weapon of terror and has reached alarming levels.

- F. UNHCR, [Haïti: A multi-dimensional crisis leading to continued displacement](#) (3 October 2024).

Gang violence in Haiti has led to an alarming escalation of human rights violations and large-scale internal displacement. The pervasive violence includes sexual violence, kidnapping, and forced recruitments by armed gangs. Displaced women and girls, particularly those in internally displaced person sites, are disproportionately affected. GBV has surged. From January to May 2024, 3,949 incidents of GBV were reported. The increase of IDPs and worsening security conditions in IDP sites have further increased risks of GBV. In March 2024, incidents of GBV were almost four times higher than in the preceding two months.

- G. BINUH, [Quarterly Report on the Human Rights Situation in Haiti: April - June 2024](#) (30 July 2024).

Between April and June 2024, at least 1,379 individuals were killed or injured and another 428 kidnapped. There was an increase in cases of rape and other forms of GBV, with service providers in some areas of the capital attending to an average of 40 rape victims daily. Additionally, the justice system remained paralyzed and prison conditions deteriorated, leading to 78 inmate deaths primarily due to malnutrition.

- H. UN Women, [300 000 femmes et filles haïtiennes sont déplacées, sans accès à des services de sécurité et de santé élémentaires](#) (17 July 2024).

300,000 displaced women and girls in Haiti face dire conditions and lack security, basic necessities, and protection from escalating sexual violence in makeshift camps. Women and girls make up 54% of Haiti's internally displaced people. 88% of women in these camps lack any source of income.

- I. UN Secretary-General, [Report of the Secretary-General on the United Nations Integrated Office in Haiti](#) (27 June 2024).

The escalating crisis in Haiti is marked by rampant gang violence, deteriorating public security, and deepening political instability. This humanitarian emergency has led to widespread displacement, with vulnerable populations—especially women and children—facing heightened risks and limited access to essential services. Urgent, coordinated international and local efforts

are essential to restore order, protect human rights, and deliver critical humanitarian aid to those most affected.

- J. OHCHR, [Haiti: Soaring number of displaced desperately need protection and aid priority, UN experts urge](#) (20 June 2024).

Haiti's escalating gang violence and political instability have forced 578,074 people into internal displacement in 2024, including 310,000 women and girls who are at high risk of sexual violence and exploitation. Conditions in IDP camps are dire, overcrowded, and unsafe. Sexual violence against women and girls in IDP sites is surging as gangs use rape as a weapon of terror. Weak law enforcement, lack of humanitarian access, and severe food and medical shortages have exacerbated the crisis, disproportionately affecting displaced women and vulnerable groups.

- K. IOM, [Haiti: Report on the internal displacement situation in Haiti: Round 7](#) (9 June 2024).

Haiti's internally displaced population surged by nearly 60% between March and April 2024, reaching 578,074, as escalating violence in the capital forced many to flee to the provinces, where displacement numbers increased by 95%. The broader Great South now hosts nearly half of all IDPs in Haiti, straining local resources.

- L. UN HRC, [Women and girls bear the brunt of crisis ravaging Haiti, say UN experts](#) (6 May 2024).

Women and girls in Haiti continue to suffer widespread violations of their rights with impunity. Sexual violence is employed by gangs used as a tool of fear and control. Displaced women are forced to linger in unsafe camps and remain especially vulnerable. Limited access to essential services has exacerbated gender-based violence, with survivors unable to receive needed protection or support.

- M. GPC et al., [Crisis in Haiti-GBV Situation Brief: Update](#) (29 April 2024).

Insecurity and violence continue to drive displacement and compound vulnerabilities. 1,793 incidents of GBV were reported from January to March 2024. The number of cases reported in March is five times higher than the number of cases reported between January and February 2024. IDPs accounted for 78% of all reported cases of GBV. 90,254 people were newly displaced during this period as recorded across 85 sites. IDP sites are overcrowded, 76% of sites lack adequate lighting, and 31% of sites have no latrines.

- N. UN Working Group on discrimination against women and girls et al., [HTI 1/2024: Communication to the Government of Haiti](#) (18 April 2024).

Reports of ongoing, widespread, and egregious violations of the rights of women and girls in Haiti seriously undermines their fundamental human rights, including the right to life. Gangs

continue to use sexual violence as a tactic to seize power, extort money, and instill fear. Women and girls of all ages have reportedly been raped by multiple men in front of their families and sometimes killed or forced to watch their loved ones being executed while they are being raped. The reported incidents would amount to serious violations of various international human rights instruments, including the ICCPR, ICESCR, CEDAW, CRC, the Palermo Protocol, and others. The government is requested to provide additional information regarding widespread SGBV, the protection of internally displaced women and girls, access to basic services, and other points necessary to address ongoing violations of the rights of women and girls.

- O. UN Secretary-General, [Report of the Secretary-General on the United Nations Integrated Office in Haiti](#) (16 April 2024).

Political instability and insecurity continue to dilapidate. Women and girls face rampant rights violations, with gangs using sexual violence as a tool of control. Displaced women are particularly vulnerable in unsafe camps. Approximately 50,000 people have been displaced in the first quarter of 2024; by March, 362,551 persons were displaced. In some instances, gangs deliberately set fire to improvised internally displaced persons sites, where entire families burned to death. The collapse of essential services, lack of justice, and government inaction have worsened gender-based violence, leaving survivors without protection or support.

Non-Governmental Organizations

- P. AI, [“I’m a Child, Why Did This Happen to Me?,” Gangs Assault on Childhood in Haiti](#) (February 2025).

Escalating gang violence in Haiti has wrought severe and disproportionate impact on children. Children are coerced into gang activities, subjected to sexual violence, and regularly suffer injuries or death. 30-50% of gang members are estimated to be children, who have no choice but to join due to hunger, fear, or death threats to their families. Girls and young women are being collectively raped by gang members, suffer STIs, and often become pregnant in the context of extremely limited access to healthcare. Interviewees, including a 16-year-old girl who was abducted and gang raped, “scoffed” at the possibility of reporting their attacks. In only *one* documented case in the report did the survivor of sexual violence report their attack.

- Q. RNDDH, [Poverty, insecurity, poor sanitation, overcrowding, and exposure to contagious diseases: The general living conditions in the reception sites are alarming](#) (January 2025).

59 out of 117 displacement reception sites were surveyed in the West and Artibonite departments. 95% of Haiti’s displacement reception sites shelter victims of gang violence. Living conditions are plagued by insecurity and a lack of sanitation or state support. Overcrowded and unsafe, 73% of the monitored sites reported violence, including sexual and gender-based violence against women and girls.

- R. IJDH, [Human Rights and the Rule of Law in Haiti: Key Recent Developments: June - November 2024](#) (December 2024).

Haiti's security and humanitarian crises have worsened, and the Transitional Presidential Council has failed to address violence, corruption, and impunity. Armed gangs continue to expand their control, killing more than 5,000 people since January. Over 700,000 people are internally displaced. Systemic corruption, a dysfunctional justice system, and government inaction have exacerbated human rights violations, including gender-based violence, especially in IDP sites, child recruitment, and extreme poverty. Over 5.4 million Haitians are acutely food insecure. Despite the urgent need for foreign assistance, international actors continue to support repressive Haitian officials, while failing to curb arms trafficking or provide effective security solutions, and inflicting draconian deportation regimes on those forced to flee the country altogether.

- S. Nègès Mawon, [Dénonce les conditions dans lesquelles les femmes et les filles vivent dans les camps de déplacées: November 2024](#) (December 2024).

Three IDP sites in the West department were surveyed in July 2024, focusing in particular on the plight of displaced women and girls. The security situation at the camps is precarious at best. The vast majority of surveyed women have no means, nor prospects, of generating income and are therefore dependent on others or humanitarian aid to survive. Many displaced women suffer from skin and vaginal infections, and generally do not have access to drinking water or hygienic products. Interviewees have not been visited by authorities but rather receive meager assistance primarily from civil society and NGOs.

- T. Nègès Mawon at al., [Droits des Femmes, des Filles et des minorités sexuelles en Haïti: Rapport sur les violences enregistrées de janvier à octobre 2024](#) (December 2024).

Several feminist and human rights organizations together recorded 1,795 cases of violence against women and girls from January to October 2024, 1,426 (79%) of which were cases of sexual violence. Thousands of internally displaced persons have been identified, in the West and Artibonite departments in particular, 54% of whom are women.

- U. HRW, [Haiti: Scarce Protection as Sexual Violence Escalates](#) (25 November 2024).

Gangs are increasingly subjecting women and girls to sexual violence as a weapon of terror. Survivors have little access to essential protection and care services. Between January and October, nearly 4,000 girls and women reported sexual violence, including gang rape. Cases involving children soared an astonishing 1,000% compared to the same period in 2023. These numbers are likely only a fraction of actual cases, as most go unreported.

- V. New Lines Institute, [Preventing Sexual and Gender-Based Violence in Haiti](#) (3 October 2024).

Escalating gang violence has led to a surge in SGBV, which armed gangs use to instill fear and control. Women and girls in displacement camps and gang-controlled areas face particularly heightened risks. Pervasive corruption, insecurity, and gang intimidation have exacerbated the crisis, compounding victims' suffering and leaving them without protection or access to essential services.

W. IJDH, [Human Rights and the Rule of Law in Haiti: Key Recent Developments: December 2023 - May 2024](#) (June 2024).

Insecurity and humanitarian crises continue to worsen, as the new Transitional Presidential Council took over, with armed groups escalating violence and overwhelming weak law enforcement. Corruption and systemic impunity fuel the crisis, disproportionately affecting vulnerable populations, especially women and children, who face increased gender-based violence and lack access to essential resources.

Other News

X. AP News, [Amnesty International details gruesome impact of gang violence on children in Haiti](#) (11 February 2025).

Gang violence is disproportionately affecting children in Haiti. Children are forced to carry weapons, run errands, spy on police, or burn the bodies of people murdered by the gangs. Girls and young women face rampant sexual violence, including gang rape. One teenage girl recounts that she attempted suicide by drinking bleach after she gave birth to a baby after being brutally gang raped and left naked and bloodied on a public street.

Y. Le Devoir, [En Haïti, les violences sexuelles contre les femmes déplacées «s'envolent», alerte l'ONU](#) (27 August 2024).

Sexual violence against displaced women in Haiti has increased dramatically, many living in makeshift camps. Between March and May 2024, the number of SGBV cases recorded by UNFPA increased by more than 40%, a mere fraction of the actual total due to underreporting.

Z. AyiboPost, [Les violences sexuelles inquiètent dans l'Artibonite](#) (1 August 2024).

Sexual violence in Haiti's Artibonite department is on the rise, including cases of incest and sexual abuse against displaced people. Between April and June 2024, the Platform of Women Organized for the Development of Artibonite recorded 43 cases of sexual assault in Gros-Morne, L'Estère, Ennery, and Gonaïves. Gangs, including Gran Grif de la Petite-Rivière de l'Artibonite, are responsible for many of the attacks, and local organizations say they are overwhelmed by the sheer scale of the situation.

Attachment A

April 8, 2024

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Via email fdosanjos@aos.org

RE: MC 340/10 - Situation of displaced women and girls at risk of sexual violence in Haiti

This letter follows on our October 7, 2022 [request](#), and subsequent working meetings, calling on the Inter-American Commission on Human Rights (“IACHR” or “Commission”) to extend and expand the above-referenced Precautionary Measures to prevent irreparable harm to displaced women and girls at grave risk of sexual violence in Haiti.

In the wake of the devastating 2010 earthquake, the Commission granted the Measures and set forth a blueprint to prevent and respond to sexual violence perpetrated against women and girls living in several formal and informal displacement camps in Port-au-Prince. As described in detail in our [prior submission](#), the Measures ordered the Haitian government to provide adequate security and psychological and other medical support to survivors. Moreover, the Measures also included a requirement that grassroots women’s voices be included in the recovery, which was critical for ensuring their perspectives were heard in program design. As this Commission has recognized, women’s leadership and participation in recovery efforts is not only a fundamental right but also a practical imperative to achieve effective outcomes. Although, as our submission further lays out, some attempts to comply with the Measures were made by some actors in the immediate aftermath of the disaster, the Haitian government (such as it is) has failed to adequately implement the Measures. As a result, women and girls living in situations of displacement—now also due to rampant violence and instability racking the country—continue to face a heightened risk of sexual violence. They urgently need the protections and resources required by the Measures. Failure to include their voices in international efforts to install a transitional government, which the Measures demand, ultimately undermines the possibility of restoring democracy and peace.

The Commission did not formally respond to our October 2022 submission regarding these Measures. But on March 8, 2023 it held a [thematic hearing](#) on the issue of sexual violence in Haiti in which several Beneficiaries and their representatives participated. Subsequently, on February 26, 2024, representatives from the parties held a working meeting with IACHR President Roberta Clarke, providing her with an [extensive report](#) on the ongoing crisis of sexual violence in Haiti. On March 20, 2024, Beneficiaries and representatives from the undersigned organizations held a working meeting with your office, during which you reported that the Commission did not have sufficient information to make a decision on our request to extend and expand the Measures in the following respects: the scope of the Beneficiary class; urgency of the

issue; and irreparable harm Beneficiaries may experience. This letter aims to fill those supposed gaps.

I. BENEFICIARIES

Pursuant to the IACHR's Rules of Procedure (ROP) Rule 25(3), beneficiaries of precautionary measures must pertain to a group that is "determinable through their geographic location or membership in an association with a group, people, community or organization." Groups that have been [recognized by the Commission](#) include "indigenous and peasant communities, members of civil society organizations, the media or trade unions, as well as persons deprived of their liberty both in prisons and in immigration detention centers."

The 2010 Measures cover women and girls living in 22 displacement camps in Port-au-Prince. Given shifts in the context on the ground, our October 7, 2022 request asks for the Measures to be extended to cover "women and girls living in situations of displacement." This group of Beneficiaries adequately meets the Commission's requirements for extension of the Measures in this case for at least two reasons.

First, the Commission itself has issued guidance on "internally displaced persons" (IDPs) that clearly delineate the contours. For example, the [Guiding Principles on Internal Displacement](#), U.N. Doc. E/CN.4/1998/53/Add.2, art. 2 (Feb. 11, 1998) offers the following definition:

internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border.

Several other regional and international instruments confirm this definition, demonstrating it is widely understood and accepted. *See, e.g.*, African Union [Convention for the Protection and Assistance of Internally Displaced Persons in Africa](#), art. 1 (k), (Oct. 23, 2009) (adopting the Guiding Principles definition); International Conference on the Great Lakes Region, [Protocol on the Property Rights of Returning Persons](#), art. 1 (3-4), (Nov. 30, 2006) (same); U.N. Secretary-General, Decision No. 2011/20 - [Durable Solutions: Follow up to the Secretary-General's 2009 report on peacebuilding](#), ¶5, (Oct. 4, 2011) (referring to IDPs as "persons displaced within their own country by armed conflict, generalized violence and human rights violations").

Additionally, the Commission has repeatedly [recognized gender](#) as a defining characteristic of a readily identifiable group. And it has granted precautionary measures, for example, to "[pregnant and nursing women](#)" in an Indigenous community in Colombia and "[girls deprived of liberty in adult detention centres](#)" in Jamaica under the current ROP. The Inter-American Human Rights system has indeed been a leader in establishing standards for addressing discrimination and violence against women and girls as a definable group in need of heightened protection and attention. *See, e.g.*, OAS, Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (June 19, 1994). The group presented here—combining gender with displacement status—should similarly be recognized on its face.

Second, with regards to the scope of the group in Haiti specifically, the International Organization for Migration (IOM) maintains [up-to-date statistics](#) on the dynamics of internal displacement in Haiti, further demonstrating clear identification of this group. IOM releases at least [monthly reports](#) regarding displaced people throughout the country including population estimates, geographic locations, and types of sites. It also includes a breakdown of the population by gender and age. The monitoring activities are a joint effort between IOM and the Haitian government, the Directorate of Civil Protection in particular.

Although circumstances have shifted since 2010 in many respects, the situation is still strikingly similar. According to the latest IOM estimates from March 22, 2024, there are 86 displaced persons camps in the Ouest department alone, which were created due to the activities of armed gangs. The camps hold more than 88,000 people including more than 55,000 women and girls. These camps are in fact schools, churches, public places, gymnasiums, etc. Not having been built to accommodate displaced people, victims of insecurity live in subhuman conditions; and women and girls, forced to share showers, latrines, and common dormitories, are exposed to all kinds of sexual abuse.

In sum, the Beneficiaries constitute a clearly discernible group both with respect to its definition and in practice in Haiti.

II. URGENCY

ROP Rule 25(2)(b) provides that an “urgent situation” is one that “refers to risk or threat that is imminent and can materialize, thus requiring immediate preventive or protective action.” It is hard to envisage a situation that commands more urgency than the crisis unfolding in Haiti. Our submissions to the Commission over the last two years should leave no doubt regarding this point and will not be repeated here.

But we will highlight that in recent months, the undersigned organizations have continued to document numerous instances of sexual violence. Petitioner KOFAVIV, a collective of women survivors of rape during the Duvalier dictatorship, includes women and girls in Port-au-Prince and around the country. Their members receive ongoing reports of rape, with displaced women and girls facing unique threats living in insecure situations without community support. KOFAVIV has received 115 reports of rape from January to March from members displaced in several departments in Haiti including: Ouest (Croix des Bouquets, Léogâne, Village Rapatrié,), Nippes (Baradères, Plaisance-du-Sud, Titwou), Sud (Les Cayes), and Grand’Anse (Jérémie).

Moreover, NÈGÈS MAWON received 77 women survivors of sexual violence from November 2023 to March 2024—31 of whom were displaced from Carrefour Feuilles and Cite Soleil. And from January to March 2024 alone, the Réseau National de Défense de Droits Humains (“RNDDH”) received 284 complainants, among them 209 women. Among these women, 132 are internally displaced victims of insecurity, who claimed to have been victims of sexual violence both at the time of the events leading to their displacement and after having been displaced in their place of reception.

On March 25, 2024, the UN High Commissioner for Human Rights issued his [latest analysis](#) on the deterioration of human rights in the country. The report documents ongoing accounts of rape and other sexual violence perpetrated by gangs against Haitian women and girls, including in particular those who have been displaced by violence and are therefore exposed to “increased risks of sexual assaults by gangs.” It refers to escalating violence and insecurity as a “dire” and “cataclysmic situation.”

Human Rights Watch released a [report](#) on March 28, 2024, echoing the High Commissioner’s assessment that the situation in Haiti has reached a “critical moment.” Moreover, it highlights how actions taken in “the coming days” could have consequences for years to come. Each day that goes by without decisive action not only leads to immediate harms but has deleterious impacts over the long-term.

The threat that the Beneficiaries fear is not just “imminent,” it has already materialized and escalates with every moment.

III. IRREPARABLE HARM

The Commission will only grant precautionary measures concerning a situation that presents a risk of “irreparable harm,” which, under ROP Rule 25(2)(c), “refers to injury to rights which, due to their nature, would not be susceptible to reparation, restoration or adequate compensation.” The harms from which the Beneficiaries seek protection fits squarely within this definition. Rape and other forms of sexual violence inflict physical and psychological damage not only on the victims but entire communities. Rape can result in pregnancy and transmission of disease, as well as permanent physical injuries, which are not susceptible to restoration. The emotional harms inflicted by sexual violence can be diminished but can never be fully repaired. Persistent failure to hold perpetrators to account creates a culture of impunity that allows the cycle to continue: thus compounding and aggravating harms, and unfortunately leading to a trivialization of sexual violence in a context where armed gangs make the bodies of women and girls their war field.

If sexual violence does not fall within the scope of harms precautionary measures are intended to prevent, it is difficult to imagine what would.

* * *

The underlying circumstances thus fall squarely within the Commission’s rules and precedents for undertaking protective measures. And we implore the Commission to take all actions at its disposal to address the acute crisis in Haiti. Reinvigorating these Measures would come at a crucial moment and help ensure that security for women and girls is prioritized in the context of a deteriorating situation, with a special focus on those displaced by violence who are even more vulnerable. It would underscore that their perspectives must be considered in decisions impacting their lives, which hang in the balance. Recent events highlight not only the importance of having women at the table, but specifically grassroots women’s leadership, and of ensuring a participatory environment. The Transitional Presidential Council (CPT) currently has no women voting representatives. The only woman of this structure is one of the two observers. This is

actually the most recent proof that the inclusion of Haitian women in decision-making spheres does not constitute a priority for many Haitian political structures, even though the participatory constitutional quota requires a representation of 30% of women in all decision-making structures. We believe that this quota should (and could) have been respected in the creation of the CPT, despite the fact that constitutional order is slow to be reestablished in Haiti. Furthermore, as is widely recognized in international principles like the Women, Peace, and Security Agenda, women's leadership would promote a more stable and successful peacebuilding process. More specifically, women's participation would ensure more effective responses to sexual and gender-based violence faced by Haitian women and girls.

The CPT also has no representatives with a clear agenda to advance the rights of women. In these conditions which reflect an obvious lack of interest in gender issues such as sexual and gender-based violence—to say nothing of women's equal participation in society—we remain convinced that the precautionary measures requested will play an especially powerful role in preventing irreparable harm to displaced women and girls. They would also center women's rights more broadly in Haiti's transition—thereby turning a crisis into an opportunity for advancing the rights of Haiti's women and girls.

Thank you for your consideration of this request. Please contact Blaine Bookey at bookeybl@uclawsf.edu or (415) 703-8202 should you have any questions or require further information.

Sincerely,

On behalf of Petitioners

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Attachment B

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.
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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 was 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* ("KOFAVIV," 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.
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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.
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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.
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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,

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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, CHRGJ, IJDH, [Submission on violence against women and girls in the context of the climate crisis](#) (2022).