

Women Human Rights Defenders International Coalition

POLICY RECOMMENDATIONS TO ADDRESS CRITICAL SECURITY CONCERNS AND NEEDS OF WOMEN HUMAN RIGHTS DEFENDERS IN HAITI IN THE AFTERMATH OF THE 12 JANUARY 2010 EARTHQUAKE

Human rights are often set aside as an 'extra' in emergency response, i.e., there is no time to assess the specific issues, we go with what we know'.

-Jane Barry

The Women Human Rights Defenders International Coalition (WHRD IC) mourns the death during the catastrophic earthquake that hit Haiti on 12 January 2010 of fellow activists Myriam Merlet, Magalie Marcelin and Anne Marie Coriolan, founders of three of the country's most important women's organisations. Myriam founded Enfofam, an organisation that raises awareness on women's issues through the media; Magalie established Kay Fanm, a women's rights organisation that deals with domestic violence; and Anne Marie was founder of Solidarite Fanm Ayisyen (SOFA) a service and advocacy collective. As active leaders in the Haitian women's movement, their deaths as well as those of other defenders and countless individuals have dealt a severe blow to civil society in Haiti.

The Coalition commends the rapid and generous response of the international community to provide immediate relief to the thousands of victim-survivors of the devastating earthquake. The collective humanitarian assistance extended from across the world has been critical in saving lives and ushering in a hopeful process of recovery and reconstruction from the vast destruction caused by this catastrophe. The Coalition also salutes the courageous efforts of numerous civil society groups and networks from various sectors in different countries that have shared resources and have extended assistance and solidarity.

Plagued by a succession of violent authoritarian rule in the recent past, violence resulting from the disaster adds to the atmosphere of insecurity pervading the country. Even before the earthquake, Haiti has been unable to uphold human rights, and in particular protect women and girls from violence. Disturbing patterns of serious human rights abuses by state agents have been documented in the past. Sexual violence is pervasive, and SOFA, a Haitian women's organisation, documented 295 rapes in an 18-month period ending June 2008. Prosecution of rape, which became a criminal offence only in 2005, is pitifully low, also partly due to the lack of access to medico-legal assistance of survivors of rape. Enslavement of children (*restaveks*) and trafficking are also existing problems, and could easily emerge as serious issues over the coming weeks and months. There is also an imminent risk of accelerated HIV infection, already high in Haiti prior to the earthquake - with women representing 60% of the 120,000 known to be infected with HIV.

This current state of violence against women and public insecurity in general is expected to worsen given the compromised capacity of the Haitian government to govern and enforce the rule of law and the potential for more human rights violations that generally follow in the wake of major disasters. In this context, it is imperative to assert that human rights, which include equal protection and promotion of the rights of women and girls, remain central to the design and delivery of all humanitarian aid - during the emergency

and in the medium and long term efforts of rebuilding the country. Particular attention should be paid to ensuring that essential economic, social and cultural rights for all are sustained. As women human rights defenders themselves identified: *“For us, security has to be integrated, which means employment, social well-being, development and national sovereignty.....Security is not only for the individual, but also for the community.”*¹

Specifically, the Coalition suggests the following policy considerations to address critical concerns for integrated security in Haiti following the recent disaster:

1. ***Security and support for women human rights defenders and other activists and relief workers are paramount to uphold human rights and restore peace and security.*** The interventions of international aid agencies, international NGOs and other foreign actors have been indispensable in responding to the emergency given the lack of capacity of the Haitian government to respond to the wide scale impacts of the disaster. But since these interventions are temporary, support to allow local activists, humanitarian workers and other defenders to function must be prioritized also. Identification of emergency needs should include the priorities of women and other defenders to recover and return to work. The activism of local leaders and defenders should be integrated in the international relief operations and not taken over by international expertise and enthusiasm.

There is a strong call from the Haiti civil society that donors should not allow the calamity response to supplant other important work, but to also continue to support the activities their organisations had been implementing prior to the disaster. It is crucial not to pull out resources from existing human rights initiatives, such as programmes on violence against women, responses to sexual violence including shelters, capacity-building for women's political participation especially in peace-building, reproductive health services and treatment of HIV AIDs, and education and advocacy on various aspects of women's human rights. In the context of the public insecurity following the catastrophe, more resources are needed not just for relief needs, but to re-establish these critical support services and peace and women's rights programmes that NGOs had set up before the earthquake struck.

2. ***Humanitarian aid delivery systems must uphold the principle of non-discrimination and meet the specific needs of vulnerable groups, including pregnant women and women-headed households.***

The human rights principle of non-discrimination must be the cornerstone of all humanitarian relief efforts. All disaster survivors have an equal right to receive assistance, but failure to identify the specific needs and access to basic services of vulnerable groups such as unaccompanied minors, persons with disabilities, pregnant women and women-headed households in the rush to disburse aid translates into a denial of this right. Moreover, survivors must not be made more vulnerable by making their access to basic needs contingent on their legal status or the possession of official

¹ Colombian women activists from Organización Femenina Popular (OFP) in Barry, Jane with Nainar, Vahida. 2008. Women Human Rights Defenders' Security Strategies: Urgent Action Fund, Kvinna Till Kvinna, Front Line for the Protection of Human Rights Defenders, p. 87.

documents. Outreach to particularly deprived areas beyond the centre of Port-Au-Prince, should be made to ensure that emergency aid reaches all those in need.

International organisations and women's movements have long recognised that women experience deep-seated inequality and marginalisation – especially in the poorest countries, such as Haiti – and their needs are invisibilised and almost never met. This situation worsens during emergencies and disasters. We have learnt from our Haitian sisters that in the current, dramatic conditions, there is very limited response to women's specific needs. The United Nations Population Fund (UNFPA) estimates that there are 37,000 pregnant women among the survivors of the earthquake, in a country which in the best of times has the highest maternal mortality rate in the Western Hemisphere. For every 100,000 live births, 670 Haitian women die from pregnancy-related causes each year and only 26% of women in Haiti deliver with the assistance of a skilled birth attendant. The basic provisions offered by aid agencies therefore must *necessarily* include provisions for reproductive health and safety for women and girls, including HIV AIDs patients and pregnant or breastfeeding women who had lost their babies. Medical treatment during births and obstetric/gynecologic emergencies – such as miscarriages brought on by trauma and vaginal infections – must be addressed urgently especially for women in remote locations.

3. ***Humanitarian responses must include urgent attention to the psychological impact of the disaster, the need to grieve and recover.*** Women and their families must receive immediate, adequate and culturally appropriate psychological support in the wake of this massive trauma, towards establishing the conditions that will allow them to recover and mourn. There will be many groups in Haiti and the region who will know the best ways to help, and their efforts should be supported as they can work with Haitians to establish the most appropriate responses.

Towards aiding grieving and recovery, there is also an urgent need to support carefully documented body recovery, forensics analysis and the establishment of a DNA databank for body identification and future re-burial. An example of how this has been helpful can be seen with the Grandmothers of the Plaza de Mayo in Argentina, who organised a DNA database to reconnect the children of the disappeared to their relatives, and similar methods have been used for body identification following massacres.

4. ***A safe space must be secured for women and LGBTI people to meet and organise as a key security consideration given the prevalence of gender-based violence in situations of crisis².*** It is urgent for authorities to take measures to prevent all forms of gender-based violence, the incidence of which has been seen to increase in similar disaster situations, particularly in temporary camps. Therefore, protection from sexual violence must be among the urgent security considerations following the catastrophe. Measures should be put in place to ensure safe access to basic provisions, including safety in temporary shelters and relocation sites for women, girls, LGBTI people and other groups prone to sexual exploitation and prevention and treatment of HIV AIDs. Setting of women-only tents or community centres, which are autonomous spaces

² See also Inter- Agency Standing Committee (IASC) Guidelines on Gender-Based Violence Interventions in Humanitarian Settings.

where women and LGBTI people can get together to organise and act collectively, are essential.

Responding to this need to establish a safe space for women, the **Myriam Merlet Feminist International Solidarity Camp** has been set up in Jimani, at the border of the Dominican Republic and Haiti. A project organised by women's groups in Haiti, the Dominican Republic and elsewhere in Latin America, the Caribbean and beyond, cross-border travel should be facilitated to allow women and women human rights defenders from Haiti to go to the Dominican Republic and gain access to this solidarity camp.

The camp is a **resource centre** for international solidarity efforts to send resources directly to the women of Haiti; a **communication centre** to include radio transmissions via Internet by FIRE (Feminist International Radio Endeavor) as well as electronic networks organised by women's communication networks throughout the region; and a **health centre** to help deal with the grief, injuries, and trauma following the earthquake. It will also serve as a **centre for human rights defenders** from Haiti to monitor, denounce and demand redress for violations of women's rights and other human rights abuses arising from the disaster and its aftermath. The human rights defenders will also articulate advocacy efforts at different levels, lead by Haitian women, to ensure that aid provided is gender-sensitive and that women and women's organisations are recognised as key players in reconstruction efforts in the short and long-term. The Camp will also be focusing on the recuperation of the history of the feminist and women's movements in Haiti.

5. **Donors should allocate funds not only for emergency relief, but also to determine the distribution of aid with the aim of securing human rights and long-term development in the country.** During a major disaster, relatively large amounts of money may pour into the country. Once the disaster is out of the news, after roughly a six to eight month period, funding dissipates even as the actual level of need does not decrease but generally increases post-disaster. With scarce resources all around, women's rights and other civil society groups are often left with fewer resources for both their relief response and for their core work.

Funding for emergency situations should not myopically centre on covering immediate relief only. Particularly in a situation of political instability such as in Haiti, security issues before and after the disaster are intricately connected and this requires a holistic approach. Therefore, at the same time as emergency funding is coming in, allocations should be maintained or set aside to deal with critical concerns related to peace and security such as prevention of violence and restoration of human rights. While emergency humanitarian needs are pressing, this does not justify a drastic funding shift that could result in 'overfunding' of humanitarian initiatives, and underfunding efforts to rebuild the Haitian civil society and social movements.

Donor countries should support France's call for a speeding up of the cancellation of Haiti's foreign debt. Recently, the International Monetary Fund (IMF) also released a US\$114 million loan as an extension of IMF's existing loan of \$165 million to Haiti under the Extended Credit Facility [ECF]. The international community should hold the IMF accountable to its pledge that "the US\$100 million loan does not carry any

conditionality. It is an emergency loan aimed at getting the Haitian economy back to function again". IMF's managing director Dominique Strauss-Kahnoan has said that it is an "interest-free loan" that will most probably "turn out finally to be a grant", if the international community agrees to cancel Haiti's debt. Unless the conditionalities are dropped and the loans are converted to grants, neo-liberal conditions attached to these loans would only exacerbate already crippling poverty in the country.

6. ***The highly militarised response to delivering humanitarian aid in Haiti should eventually give way to increasing participation of civil society and defenders of women and human rights in the rehabilitation and reconstruction of the country.*** The sending of a powerful military force to Haiti from the US, the UN and other countries has been legitimized partly because of the lack of a functioning government in the country to undertake the humanitarian operations. *But already militarised due to previous conflicts, the heightened involvement of foreign military force in Haiti beyond the very short-term can pose serious risks and actually increase violence in the long run.* In essence, protection and security cannot be guaranteed unless resources and efforts are invested in rebuilding the government and civil society. Women human rights defenders and other human rights activists should be fully supported in the critical role they play in this process.

Endorsed by the following members of the Women Human Rights Defenders International Coalition:

Asia Pacific Forum on Women, Law and Development (APWLD)
Asian Forum for Human Rights and Development (Forum Asia)
Association for Women's Rights in Development (AWID)
Baobab for Women's Human Rights
Center for Reproductive Rights (CRR)
Center for Women's Global Leadership (CWGL)
Coalition of African Lesbians (CAL)
Front Line International Foundation for the Protection of Human Rights Defenders (Front Line)
Human Rights First
Information Monitor (Inform)
International Federation of Human Rights (FIDH)
International Service for Human Rights (ISHR)
International Women's Rights Action Watch Asia Pacific (IWRAP-AP)
ISIS-Women's International Cross-Cultural Exchange (ISIS-WICCE)
The Latin American and Caribbean Committee for the Defense of Women's Rights (CLADEM)
MADRE (International Women's Rights Organization)
Urgent Action Fund for Women's Human Rights (UAF)
Women's Initiative for Gender Justice (WIGJ)
Women Living Under Muslim Laws (WLUML)
World Organization against Torture (OMCT)

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