

## Update on women, peace and security in Haiti June 8<sup>th</sup> 2023

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The Informal Expert Group (IEG) of the Security Council on Women and Peace and Security discussed the situation in Haiti in September 2021, a few weeks after an earthquake killed thousands and destroyed more than 130,000 homes, and two months after the assassination of President Jovenel Moïse. This update summarizes relevant developments since then.

### Developments in the Security Council

The Security Council has adopted **three resolutions** since the last meeting of the IEG in September 2021. Resolution 2600 (2021) extended the mandate of BINUH for nine months, and resolution 2645 (2022) extended it again for another year, until July 15<sup>th</sup> 2023. A few months later, resolution 2653 (2022) established a sanctions regime on Haiti, including targeted assets freeze, travel ban, and arms embargo measures. All of these resolutions included language on women, peace and security (see annex for full excerpts). The Security Council has continued to call for women's full, equal, and meaningful participation in elections and efforts to deliver durable solutions to Haiti's immediate and long-term challenges, decided that BINUH's human rights unit will include women protection advisers as dedicated capacity to address sexual and gender-based violence, and added trafficking in persons, sexual and gender-based violence (including rape and sexual slavery), and extrajudicial killings (including of women and children) as actions that would prompt sanctions. The first and only listing of this new sanctions regime – the first one adopted by the Security Council since 2017 – was Jimmy Cherizier (also known as “Barbecue”), the leader of an alliance of gangs known as the “G9 Family and Allies”, for his role in several acts of organized violence, including a deadly attack against civilians in La Saline when he was still serving as an officer in the Haitian National Police, an attack in which at least 71 people were killed and seven women were raped.

In October 2022, the Secretary-General transmitted a letter to the Security Council outlining options for enhanced security support to Haiti. Women civil society leaders were consulted to elaborate these options, and the deterrence of gang activities, including sexual violence, was identified as a key objective. In the letter, responding to requests of international support by the Haitian government, the Secretary-General proposed the deployment of a rapid action force led by one or several Member States to help the Haitian National Police regain control of Port-au-Prince. In the medium term, the letter proposes two follow-on options: a multinational police task force to advise the Haitian National Police combat gang violence, and a multinational special force to directly tackle the threat of armed gangs. In parallel, the Secretary-General recommends strengthening the police component in BINUH, including strengthening its capacity to prevent and respond to sexual violence, the provision of bilateral training and equipment to support the Haitian National Police, efforts to thwart the flow of funding and illicit arms to gangs, and technical assistance to the justice sector in Haiti (e.g. the creation of specialized judicial units to ensure accountability for the crimes committed by gangs, including those involving sexual violence).

Three of the six benchmarks identified to measure progress in BINUH's mandate reference issues relevant to women, peace and security: engagement of women's organizations in consultation, cooperation, decision-making processes and programmes that reduce community violence, in particular violence associated with gangs and sexual and gender-based crimes; the protection, promotion, and respect of women's rights and gender equality by state institutions; and the provision of access for women to employment opportunities by state institutions, local authorities, and the private sector. These benchmarks

are broken down across 36 targets, and 12 of them reference gender issues, such as adequate women's representation in political dialogues, a new electoral legal framework preserving existing provisions relating to women's representation, a new legal framework for gender-based violence, including the allocation of sufficient state budget to fund services, the launch and implementation of the Spotlight programme to end violence against women, women's rights monitoring and protection, integration of women in high-value chains in sustainable agriculture, percentage of women police officers, and maternal mortality. In the June 2022 update to the Security Council on progress on these targets and benchmarks, the Secretary-General indicated that only 14 percent of targets were on track to be reached by the timeline.

Only one Haitian woman from civil society has briefed the Security Council in this period: economist and activist Emmanuela Douyon. In September 2021, she told the Council that the increase in violence had included an uptick in violations of women's rights, and that elections and the proposed constitutional referendum should be held only when they can be fair, rather than imposed by arbitrary timelines that do not relate to the situation on the ground.

### **Women's participation in decision-making and conflict resolution**

The Haitian Constitution, amended in 2012, provides for a minimum 30 percent quota for women "at all levels of national life, notably in the public services" and requires that any law concerning political parties must be in conformity with this quota. It remains to be seen whether a revised constitution will uphold or strengthen these provisions, and this requirement has not yet been fully reflected in electoral laws (only for municipal elections). In the most recent legislature, the Haitian parliament had one of the lowest percentages of women's representation in the world, with only 4 women among 149 parliamentarians. As their terms have been expiring, there are no democratically elected officials left in the country as of January 2023. In the current government, one third of ministers are women. Women, and especially young women, are largely excluded from all political dialogue and crisis resolution mechanisms.

In December 2022, Prime Minister Ariel Henry signed the National Consensus for an Inclusive Transition and Transparent Elections, stipulating a 14-month transition period with general elections to be held in 2023 and a new elected government by February 2024. The Security Council has not received any information about women's participation in the discussions to elaborate the National Consensus document or the roadmap to implement it, and Haitian women are typically marginalized in key decision-making processes and political dialogues. The leadership of the Montana Group, a civil society coalition that had put forward a two-year transition plan under a different interim government, rejected the agreement, and the ten political parties that secured the most votes in the 2016 elections did not accede to the document. In February, Prime Minister Henry appointed the three-member High Transitional Council to represent civil society, political parties, and the private sector. One of the three appointees is Ms. Mirlande Manigat, a law professor and former first lady and presidential candidate.

Haiti does not have a National Action Plan on 1325, but developing such a plan is one of the key objectives of a PBF-funded project being implemented by UN Women. UN Women is also working with BINUH and UNDP on ensuring women's participation in upcoming elections, and more than half of registered voters are women. Women's organizations recently established an alliance for the promotion of women's leadership and the fight against electoral gender-based violence. They are advocating for gender parity or at least the full implementation of the 30 percent quota, and want to establish women-led conflict prevention mechanisms at the local level. The UN has helped establish community-based platforms in gang-controlled neighborhoods in Port-au-Prince, involving 274 community leaders, 40 percent of which are women.

In April 2023, the UN reported that the government had proceeded to appoint judges to fill vacancies, in light of the current constitutional vacuum, and that three of the eight appointments had been women. 11.7 percent of police officers are women, but the percentage of applicants and new recruits in the police

academy has been more than 20 percent in recent years. The overall number of police officers keeps dwindling amid deaths, dismissals, and resignations.

### **Sexual and gender-based violence**

In 2022, the Haitian national health system reported 16,470 incidents of gender-based violence. This included an increase in sexual violence attributed to armed gangs in the capital. Gangs continue to use sexual violence, including rape, as a strategy to instill fear in communities and extend their control, and at the moment, they are believed to control 80 percent of Port-au-Prince.

The increasing use of sexual violence by gangs has been documented in a joint report by OHCHR and BINUH published in October 2022. The report indicates that this surge in violence is facilitated by the gangs' access to high-caliber weapons and ammunitions trafficked from abroad, including military-grade sniper rifles, belt-fed machine guns, and semi-automatic pistols. Multiple-perpetrator rapes, often in public or in front of relatives of the victim, are common. Sexual violence is used against civilians for their perceived or real support to rival gangs, or simply for living in the same area as those rival gangs, as well as against women and girls simply moving across neighborhoods on foot or public transportation to go to work, school, or the market. Sexual violence has also been used against abducted victims to press their families to pay the ransom. Between 1 September 2022 and 3 March 2023, the UN verified sexual violence attributed to the armed gangs committed against 12 children, still widely considered a small fraction of real cases. The UN has reported dozens of cases of LGBTQI+ people sexually attacked by gang members between January and June 2022. In several cases, the victims of sexual violence have been mutilated and executed, and images of these atrocities have been shared on social media to instill fear.

Women's rights organizations reported rapes, physical assault, and threats aimed at their staff. Women and girls are also at least 20 percent of kidnapped victims, which doubled in 2022, and the number of women victims of homicide increased by 75 percent in 2022. This trend keeps worsening, as criminal incidents more than doubled in the first three months of 2023, compared to the same period in 2022. On 26 January 2023, the main police station of Gonaïves, which also serves as a detention centre for women and men, was twice attacked by discontented police officers and armed individuals, during which 14 inmates died, 10 inmates escaped, and 17 women housed in the detention centre were allegedly raped. At the end of September 2022, 145 inmates escaped from the women's prison. Earlier that year, there were also allegations of sexual assault by prison officers against female prisoners in the women's prison in Cabaret, resulting in several pregnancies.

The use of sexual violence by gang to terrorize continued in 2023. During the first quarter of the year the Human Right Section of BINUH referred 18 victims of sexual violence to medical and psychological service providers. However, sexual violence remains severely under-reported. The feminist organization Solidarite Fanm Ayisyèn (SOFA), which operates a center in support of sexual violence survivors in Port-au-Prince, documented a sixfold increase in reported cases in the capital between the beginning and the end of last year (from 20 victims a month on average seeking their help in Port-au-Prince in the first months of the year to 77 in November and 123 in December, as the situation got worse). A survey conducted by UN Women and the Global Initiative Against Transnational Organized Crime, published in May 2023, indicated that 80 percent of respondents had been victims of one or more forms of gender-based violence, and 43 percent of them had been victims of sexual violence. The areas with lower levels of gang conflict registered fewer cases of gender-based violence, and the worst levels were registered in Brooklyn, which has seen intense clashes between the G-Pèp and G-9 coalitions during 2022. This report also flags that while a significant number of women and girls have experienced sexual violence in the context of the gang-related violence, the most cited perpetrator were current and former partners (44 percent).

In that survey, 40 percent of respondents said they had not been able to access medical services. When asked which health professional they would most like access to, 69 percent responded a psychologist, psychotherapist, or psychiatry, and 92 percent said they would not know where to go. There are still very few psychologists in the country with expertise on sexual violence, and most work for international NGOs. While there is access to post-rape treatment kits, most victims cannot access them in the 72-hour window required to administer post-exposure prophylaxis to prevent HIV, or the five days needed to prevent unwanted pregnancies with emergency contraception, due to the lack of these types of services in the communities where they live, huge difficulties to move across neighborhoods controlled by gangs, and the impact that the security situation has had on hospitals, clinics, and medical staff, who are themselves targeted for kidnappings. Some organizations can operate ad-hoc mobile clinics, but these can only treat minor health conditions, rather than sexual violence, let alone the specialized care needed to respond to gang-related sexual violence. There are few doctors and facilities that can conduct surgical procedures for those who have experienced the most severe injuries from sexual violence. Shelters and safe housing remain rare. Specialized police units have not been able to effectively respond to gang-related sexual violence, and the two main courthouses in the capital were attacked, raided and ransacked in June and August 2022.

In late July, BINUH organized a two-day roundtable with approximately 70 state institutions and civil society organizations to establish a road map for sector-based responses to this surge of gender-based violence. Following the documentation by BINUH of at least 52 women and girls collectively raped by armed gangs in one week of intense clashes in Cité Soleil in July 2022, the United Nations country team coordinated efforts with national institutions and civil society organizations and, together, provided medical, psychological and socioeconomic support for all survivors. But in most instances, service providers have not had the capacity to prioritize gang-related sexual violence, and have focused on domestic violence. The Spotlight Initiative, for example, has reached thousands of survivors across the country, including with dignity kits, cash assistance, and medical and psychosocial support, identified discriminatory provisions in current laws that contribute to violence against women and girls, and strengthened the capacity of at least 20 women's organizations to provide legal aid. However, the government's national action plan on gender-based violence has still not received any specific budget allocation. In November 2022, following the OHCHR/BINUH report of October 2022, the Haitian Prime Minister sent a letter to the Special Representative and head of BINUH committing to examine the recommendations of the report to address sexual violence and identify remedial measures and solutions.

### **Humanitarian issues and women's socioeconomic situation**

As Haiti suffers the impact of this surge of gang violence, the prolonged political crisis, multiple natural disasters and pandemics, including 20,000 new cases of cholera since October 2022, and three consecutive years of economic recession, the UN's humanitarian appeal for Haiti has more than doubled since last year and is the highest since the 2010 earthquake. Hunger is at record levels, with five million Haitians (almost half the population) experiencing acute food insecurity, more than many other major hunger crises in the world. Armed group activity has been spreading outside the capital, including in Artibonite -the breadbasket of the country- where farmers have been kidnapped for ransom. These crises have also led to an increasing number of Haitians being forced to flee their homes. Thousands of Haitians have been displaced internally, while a significant number of persons continue to leave Haiti by boat, land, or air. Risks of gender-based violence, trafficking, exploitation, psychological trauma, family separation, and dropping out of school increase in situations of displacement.

Haiti already had the highest maternal mortality rate in Latin America and the Caribbean. The latest violence, civil unrest and the cholera outbreak have put the lives of thousands of pregnant and lactating women at risk, in particular women living at internally displaced persons sites. If severely dehydrated, pregnant women are nine times more likely to lose their baby. A provisional protocol for the management

of cholera cases, in particular during pregnancy, has been approved and is being distributed to those involved in maternal care and case management.

The UN provides reproductive health services to hundreds of thousands of Haitian women, including family planning, prenatal and postnatal care, assisted deliveries, post-abortion care, and management of patients living with HIV and other sexually transmitted infections. However, since the fuel crisis and the mass protests in August 2022, many hospitals and clinics across the country saw serious disruptions in their ability to provide obstetric services. In Haiti, women cannot legally access voluntary abortions and doctors cannot perform them unless the woman's life is in danger. Haiti's justice system treats pregnancies caused by rape in the same way as pregnancies resulting from consensual relationships: abortion can mean life in prison. Feminist organizations have advocated for decriminalization for years, and then-president Jovenel Moïse introduced an updated penal code in 2020 legalizing abortion for up to 12 weeks in cases of rape, incest, or endangerment of the woman's mental or physical health, but these proposals have not materialized.

The resurgence of cholera, coupled with the security situation, has exacerbated the risk of sexual exploitation and abuse during the humanitarian response, especially for internally displaced women and children. While many survivors face challenges to leave their neighborhoods due to close surveillance by the gangs and fear of reprisals if they were to return, some have relocated to other areas of the capital or outside it, often being deprived of part of their resources and livelihoods in the process, which further exposes them to risks and exploitation, including forced prostitution. The United Nations country team has scaled up its vetting of staff and partners, its risk-mitigation programming, including the preparation of child-friendly awareness-raising materials, and its reporting and referral pathways for victims of sexual exploitation and abuse. The Senior Victims' Rights Officer engages with Member States to expedite the resolution of paternity and child support claims and to facilitate legal assistance for mothers and children in fathers' countries of jurisdiction.

Haitian authorities continued to register high levels of Haitians repatriated from abroad, even as the UN called for a halt to forced returns. Between January and March 2023, more than 36 thousand Haitians were repatriated, including hundreds of pregnant and nursing women and thousands of unaccompanied children. In addition, an estimated three million Haitians within the country and abroad have not been registered at birth or obtained any birth certificate. The large-scale movement of Haitians and growing populations of stateless persons represents a major humanitarian problem within the regions. Without legal identification, women and girls have weaker legal protections or access to rights and services.

According to the 2023 Humanitarian Response Plan for Haiti, many situation reports and multisectoral assessments in 2022 lacked sex-disaggregated data and did not specify the differentiated needs of women, men, boys, and girls or include gender analysis. Whenever some gender analysis was conducted, it was not properly shared with humanitarian actors in a way that could inform their planning or programming in a timely manner. A survey conducted in April 2022 revealed that only 34 percent of humanitarian cluster leads and co-leads had enough knowledge and capacity to integrate a gender perspective in their work, and that only 15 percent of humanitarian clusters conducted regular gender analysis. This survey also revealed that civil society organizations remain the primary actors responding to needs at the community and departmental levels, but only 11 percent are fully functional because of the security crisis. Among 57 feminist organizations interviewed, 46 percent had been subjected to kidnappings of staff or gender-based violence. The Women's Peace and Humanitarian Fund has so far supported 30 projects implemented by 40 women-led and women's rights civil society organizations in Haiti, including in the aftermath of the 2021 earthquake and the response to the COVID-19 pandemic.

Haiti has also undergone three consecutive years of economic recession, with an inflation rate higher than 48 percent and the Haitian currency losing almost 65 percent of its value. Almost 90 percent of Haitians

live below the poverty threshold. Kidnappings and gang-related violence particularly impact women, including women who own small businesses and women single head of households. More than 50 percent of Haitian households are headed by single mothers, and they are estimated to have between 5 to 8 percent more food insecurity than men-headed households. In the above-mentioned survey by UN Women, 70 percent of the respondents reported no job, income, or economic activity, and a source of income was correlated with lower incidence of gender-based violence. 38 percent of women report discrimination when looking for employment. 9,000 jobs are expected to be cut in the garment industry, with women representing most of its workforce, by June 2023. In response, the ILO has supported the creation of mutual benefit societies in the garment sector to help 1150 individuals, half of them women, and the UN supports efforts to improve the employability of women and youth in cocoa and breadfruit production, as well as in labor-intensive public utility works. In the latter, they generated almost 2,000 jobs and reached 36.2 percent of women, higher than the initial target of 30 percent. In February 2022, the Central Bank launched a guarantee fund for women entrepreneurs to improve access to financing for women wishing to develop businesses, including in sustainable agriculture.

### **Recommendations:<sup>1</sup>**

In the negotiations on the mandate renewal for BINUH, the Security Council should retain all existing references to women, peace and security in the preamble and operational paragraphs of its resolutions on Haiti since 2019, and consider adding the following:

*Demand the full participation of women, including young women, in all political dialogues and transitional arrangements, and request that the UN report periodically on their level of representation in key decision-making and conflict resolution processes, including any initiatives to reform the constitution or conduct elections, and all efforts to fight corruption, to curb the illicit flow of weapons into Haiti, and to reduce violence in the community.*

*Request the UN to ensure that the panel of experts of the sanctions committee can consult systematically with women's organizations, have regular access to gender expertise, and integrates a gender perspective in all aspects of its reporting.*

*Ensure that gender equality issues and attention to sexual and gender-based violence are prioritized in any additional deployments or international support to help the Haitian government tackle the armed gangs.*

*Call on the United Nations and other international partners to support the Government of Haiti in the development, financing, and implementation of a national action plan on women, peace and security, and urge that women's civil society organizations have a lead role in its elaboration.*

*Recall that all humanitarian efforts must be based on systematic gender analysis, collect age-, sex-, and disability-disaggregated data, ensure that local women's organizations are meaningfully involved at all stages, and strengthen the capacities of state institutions in this regard.*

*Urge that women's organizations are included in humanitarian and disaster risk coordination mechanisms at national, departmental, and local level, and support investments in the capacity and resources of women's organizations in preventing and responding to disasters.*

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<sup>1</sup> These recommendations are prepared by UN Women as the secretariat of the Informal Expert Group, in consultation with other UN entities.

*Provide direct financial support to women-led local peacebuilding initiatives, including through long-term and flexible funding for civil society organizations, and support coalition-building among women's networks and the mobilization of women as peace mediators at the community level.*

*Encourage international partners to scale up their support to reproductive health and gender-based violence services, including to address gang-related violence, and urge humanitarian and development actors to provide holistic and victim-centered services that encompass medical and psychological support, and legal, socioeconomic, and reintegration assistance.*

*Urge the government and its international partners to strengthen capacity and coordination efforts in the relevant units within the Haitian National Police and the justice system working on sexual violence.*

## **ANNEX**

### **Relevant language in resolution 2600 (2021) extending the mandate of BINUH until 15 July 2022:**

*Stressing the primary responsibility of the Government of Haiti to address longstanding drivers of instability and inequality, and to engage with other stakeholders, including civil society, women, youth, and the private sector, to deliver durable solutions to Haiti's immediate and long-term challenges,*

*OP 5. Urges all Haitian stakeholders to commit to an inclusive inter-Haitian national dialogue to address longstanding drivers of instability by creating a sustainable and commonly accepted framework to permit the organization of inclusive, peaceful, free, fair, and transparent legislative and presidential elections as soon as technically feasible, and with the full, equal and meaningful participation of women.*

### **Relevant language in resolution 2645 (2022) extending the mandate of BINUH until 15 July 2023:**

*Emphasizing the importance of empowering BINUH to carry out its good offices role, to engage all sectors of Haitian society, in particular political actors, civil society, women and religious leaders (...),*

*Expressing grave concern about the extremely high levels of gang violence and other criminal activities, including kidnappings and homicides, and sexual and gender-based violence, as well as ongoing impunity for perpetrators, and the implications of Haiti's situation on the region,*

*Urging the Haitian authorities to address such violence and its root causes in a comprehensive and urgent manner, (...) including specific programs focused on sexual and gender based violence (...),*

*Stressing the primary responsibility of the Government of Haiti to address longstanding drivers of instability and inequality, and to engage with other stakeholders, including (...) the full, equal, and meaningful participation of women, to deliver durable solutions to Haiti's immediate and long-term challenges,*

*Further decides that (...) BINUH's human rights unit will include dedicated capacity to address sexual and gender-based violence, including the identification of women's protection advisers, as applicable;*

*Reiterates the need for all Haitian stakeholders, including with BINUH's support, to reach an urgent agreement on a sustainable, time-bound and commonly accepted framework for a political process led by Haitians to permit the organization of inclusive, peaceful, free, fair, and transparent legislative and presidential elections as soon as security conditions and logistical preparations permit, and with the full, equal and meaningful participation of women (...).*

### **Relevant language in resolution (2022) establishing a sanctions regime on Haiti:**

*Reiterating the need to reach an urgent agreement on a sustainable, time-bound and commonly accepted framework for a political process led by Haitians to permit the organization of inclusive, free and fair legislative and presidential elections (...) with the full, equal and meaningful participation of women (...),*

*Expressing grave concern about the extremely high levels of gang violence and other criminal activities, including kidnappings, trafficking in persons and the smuggling of migrants, and homicides, and sexual and gender-based violence including rape and sexual slavery, as well as ongoing impunity for perpetrators, corruption and recruitment of children by gangs and the implications of Haiti's situation for the region,*

*OP 1. Demands an immediate cessation of violence, criminal activities, and human rights abuses which undermine the peace, stability and security of Haiti and the region, including kidnappings, sexual and gender-based violence, trafficking in persons and the smuggling of migrants, and homicides, extrajudicial killings and recruitment of children by armed groups and criminal networks;*

*OP 16. Decides that such actions as described in paragraph 15 above include, but are not limited to: engaging in, directly or indirectly, or supporting criminal activities and violence involving armed groups and criminal networks that promote violence, including (...) trafficking in persons (...) and sexual and gender-based violence; planning, directing, or committing acts that violate international human rights law or acts that constitute human rights abuses, including those involving extrajudicial killing, including of women and children; planning, directing or committing acts involving sexual and gender-based violence, including rape and sexual slavery, in Haiti.*

*OP 24. Notes that the selection process of the experts composing the Panel should prioritize appointing individuals with the strongest qualifications to fulfil the duties described above while paying due regard to the importance of regional and gender representation in the recruitment process;*

*OP 25. Affirms that it shall keep the situation in Haiti under continuous review and that it shall be prepared to review the appropriateness of the measures contained in this resolution, including the strengthening, modification, suspension or lifting of the measures, as may be needed at any time in light of progress achieved on the following key benchmarks: (...); b. Progressive reduction in the amount of violence committed by armed groups and criminal networks, including the number of intentional homicides, kidnappings and incidents of sexual and gender-based violence, as measured on an annual basis, beginning over the initial period of twelve months from adoption of this resolution;*