

112TH CONGRESS
2D SESSION

H. RES. 521

Expressing the sense of the House of Representatives that the United States should work with the Government of Haiti to address gender-based violence against women and children.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2012

Ms. WILSON of Florida (for herself, Ms. BASS of California, Mr. BERMAN, Mr. BISHOP of Georgia, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mrs. CHRISTENSEN, Ms. CHU, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Ms. EDWARDS, Mr. ELLISON, Mr. FATTAH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE of California, Mr. LEWIS of Georgia, Mr. McGOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PAYNE, Mr. RANGEL, Ms. RICHARDSON, Mr. RICHMOND, Mr. RUSH, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SCOTT of Virginia, Ms. SEWELL, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, and Mr. WATT) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives that the United States should work with the Government of Haiti to address gender-based violence against women and children.

Whereas since 1993, research has shown tens of thousands of women and girls have been victims of sexual or gender-

based violence in Haiti, particularly in times of conflict or natural disaster;

Whereas approximately 50 percent of the victims are adolescent girls under the age of 18, with many of the cases involving the use of weapons, gang rape, and death threats for reporting the crime;

Whereas members of many medical professions are insufficiently trained to attend to the special needs of victims of gender-based violence, whether they be children or adults;

Whereas some medical providers report as many as 20 percent of adolescent victims they have treated for sexual violence become pregnant from their rape;

Whereas some women's rights groups in Haiti have witnessed dramatic increases in rates of sexual violence in many of the displacement camps formed after the earthquake;

Whereas the January 12, 2010, earthquake in Haiti increased the economic and social vulnerabilities of many women who are now unable to protect their young children from sexual predators, thereby increasing their risk for sexual violence;

Whereas according to data from public interest law firms litigating cases of sexual violence, significant gender-based barriers to justice continue to exist at all levels of the Haitian justice system;

Whereas an effective, transparent, and impartial judicial system is key to the administration of justice, and the failure to ensure proper investigations and prosecutions hampers the ability to hold perpetrators accountable for their crimes and discourages victims from formally seeking justice;

Whereas inadequate financial, human, and technical resources, as well as a lack of forensic and technical expertise, have impeded the arrest and prosecution of suspects;

Whereas members of the police, prosecutors, and judges are insufficiently trained to attend to either the special needs of women and girl victims of gender-based violence, or the special needs of boys and girls who are victims of other abuses such as forced labor, beatings, or violence;

Whereas the lack of protection measures discourages women and girls in Haiti from pursuing prosecution of perpetrators of sexual violence, for fear of reprisal or stigmatization;

Whereas rape and other forms of gender-based violence in Haiti threaten the physical and psychological health of both the victims and their families;

Whereas many countries in Latin America and the Caribbean face significant challenges in combating violence against women and girls, and violence against children, and international cooperation is essential in addressing this serious issue;

Whereas the Government of Haiti has undertaken efforts to prevent violence against women, as evidenced by its ratification of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women, and other international human rights treaties, and the enactment of laws and the creation of state institutions to promote and protect the rights of women;

Whereas the Government of Haiti has been a signatory of the United Nations Convention on the Rights of the Child since December 29, 1994;

Whereas the Haitian National Police and the United Nations Mission for Stabilization of Haiti have created special police units to address sexual and other forms of gender-based violence in Haiti;

Whereas the special police unit to address gender-based violence within the Haitian National Police remains significantly under-resourced, rendering it practically ineffective to carry out its mandate;

Whereas in March 2009, the Inter-American Commission on Human Rights issued a report recognizing Haiti's history of gender discrimination that fuels gender-based violence and gives rise to a climate of impunity;

Whereas in December 2010, the Inter-American Commission detailed steps the Government of Haiti must take to protect women and girls from increased risk of gender-based violence in post-earthquake Haiti;

Whereas in 2012, the Ministry for the Status of Women and Women's Rights in Haiti plans to unveil a comprehensive draft law that calls for the prevention, punishment, and elimination of violence against women;

Whereas the United Nations and donor countries, such as the United States, continue to have a prominent economic and leadership role in the stabilization and reconstruction of Haiti;

Whereas few mechanisms exist in Haiti to protect the rights of young children not living at home, such as restaveks, who are engaged in forced labor, or victims to other forms of violence against them; and

Whereas lack of protection for women and girls and continuing impunity for crimes against women is a threat to the rule of law, democracy, and stability in Haiti: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) sympathizes with the families of women and
3 children victimized by sexual and other forms of gen-
4 der-based violence in Haiti;

5 (2) urges the treatment of the issue of violence
6 against women and children as a priority for the
7 United States Government's humanitarian and re-
8 construction efforts in Haiti;

9 (3) asserts its support for the passage of Hai-
10 ti's first comprehensive law on the prevention, pun-
11 ishment, and elimination of all forms of gender-
12 based violence;

13 (4) calls on the Government of Haiti to estab-
14 lish urgent plans that address the needs of vul-
15 ner-
16 able and unprotected children who are in situations
17 of sexual exploitation, forced labor, or face sexual
18 and or domestic violence, and to take steps to imme-
19 diately implement those plans, in consultation with
20 grassroots organizations working specifically on the
21 protection and promotion of the rights of children;

22 (5) calls on the Government of Haiti to take
23 steps to implement the recommendations of the

1 Inter-American Commission on Human Rights
2 issued in response to increased levels of sexual violence
3 in camps for internally displaced persons on
4 December 22, 2010, including—

5 (A) ensuring participation and leadership
6 of grassroots women's groups in planning and
7 implementing policies and practices to combat
8 and prevent sexual violence and other forms of
9 violence in the camps;

10 (B) ensuring provision of comprehensive,
11 affordable, adequate, and appropriate medical
12 and psychological care in locations accessible to
13 victims of sexual violence in camps for those inter-
14 nally displaced;

15 (C) implementing effective security meas-
16 ures in displacement camps, such as providing
17 street lighting, adequate patrolling in and
18 around the camps, and a greater number of fe-
19 male security forces in police patrols in the
20 camps and in police stations in proximity to the
21 camps;

22 (D) ensuring that public officials, such as
23 police officers, prosecutors, and judges, respon-
24 sible for responding to incidents of sexual vio-
25 lence receive specialized training from experi-

1 encaged Haitian and international women's orga-
2 nizations with a proven track record in gender-
3 sensitive protection enabling them to respond
4 adequately to complaints of sexual violence with
5 appropriate sensitivity and in a nondiscrim-
6 inatory manner; and

7 (E) maintaining effective special units
8 within the police and the prosecutor's office in-
9 vestigating cases of rape and other forms of vio-
10 lence against women and girls;

11 (6) asserts its commitment to support the Hai-
12 tian Ministry of Women's Affairs in its efforts to—

13 (A) build ministry capacity, facilitate gen-
14 der-based violence sub-cluster meetings and ini-
15 tiatives as it transitions over to the Government
16 of Haiti;

17 (B) perform decentralized meetings, con-
18 sultations, and outreach to women's movements
19 and community groups;

20 (C) address issues of gender-based violence
21 country-wide, including violence in internally
22 displaced person camps, rural peasant commu-
23 nities, and among children; and

24 (D) strengthen gender assessments, gender
25 budgets, and gender planning in collaboration

1 with other Haitian Ministries, the Haitian Par-
2 liament, the Haitian Administration, the United
3 Nations, the Inter-American Commission on
4 Human Rights, donors, and international non-
5 governmental organizations within the recon-
6 struction process; and

7 (7) asserts its support for the Government of
8 Haiti, especially the Ministry of Women's Affairs, in
9 its efforts to assess, amend, and renew its 5-year
10 gender protection plan, which expired in October
11 2011, which includes support for the Haitian gov-
12 ernment in its efforts to accomplish the following—

13 (A) thoroughly assess the impact of the
14 previous 5-year protection plan, including both
15 pre and post-earthquake analyses and perform
16 diversified assessments in consultation with
17 local, regional, and national women's groups
18 throughout the country, that will help gather
19 decentralized data in both urban and rural
20 zones;

21 (B) perform specialized surveys and inter-
22 views in a significant sampling of internally dis-
23 placed person camps and impoverished neigh-
24 borhoods with high rates of gender-based vio-
25 lence with victims of rape and violence, the

1 community groups that support them, and local
2 officials in order to fully understand the needs
3 and recommendations of these different popu-
4 lations and integrate these findings into a re-
5 vised protection plan;

6 (C) revise the existing Haitian protection
7 plan based on the results of diversified and de-
8 centralized assessments and in direct consulta-
9 tion with national, regional, and local govern-
10 ment officials, and grassroots organizations in-
11 cluding women's groups and international insti-
12 tutions that focus on solutions to gender-based
13 violence; and

14 (D) work with the Parliament and the Ad-
15 ministration to amend, reintroduce, and pass
16 into law a revised Haiti gender protection plan
17 that reflects current post-earthquake realities,
18 the needs and recommendations of victims of
19 gender-based violence and the community
20 groups that support them, integrate provisions
21 for judicial and medical services for gender-
22 based violence victims and reflect key findings
23 of decentralized assessments in both urban and
24 rural zones.

