

113TH CONGRESS  
1ST SESSION

# H. RES. 61

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2013

Ms. WILSON of Florida (for herself, Ms. BROWN of Florida, Mrs. CHRISTENSEN, Mr. CONYERS, Mr. HASTINGS of Florida, Ms. NORTON, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS, Mrs. CAROLYN B. MALONEY of New York, Mr. MCGOVERN, Ms. MOORE, Mr. MORAN, Ms. ROYBAL-ALLARD, Ms. SEWELL of Alabama, and Mr. THOMPSON of Mississippi) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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

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 medical providers have reported as many as 20 percent of adolescent victims of sexual violence becoming pregnant as a result of rape;

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

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

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 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 and especially vulnerable to sexual violence;

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

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 Ministry for the Status of Women and Women's Rights in Haiti has been working on a comprehensive law that calls for the prevention, punishment, and elimination of violence against 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 po-

lice units to address sexual and other forms of gender-based violence in Haiti;

Whereas the United Nations and donor countries, including the United States, continue to play a significant role in post-earthquake stabilization and reconstruction of Haiti;

Whereas the United States Agency for International Development (USAID) has prioritized the prevention of, and response to, gender-based violence as a priority in its work across all sectors and as an explicit goal of the new USAID Gender Equality and Female Empowerment Policy;

Whereas USAID and the United States Department of State have been directed by Executive order of the President to implement a new interagency United States Strategy To Prevent and Respond to Gender-Based Violence Globally;

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; and

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: 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

1 United States Government's humanitarian and re-  
2 construction efforts in Haiti;

3 (3) recognizes that the problem of gender-based  
4 violence is a surmountable one;

5 (4) affirms that prioritizing economic opportu-  
6 nities for Haitian women that enable them to lift  
7 themselves and their families out of poverty is a  
8 cost-effective way to help reduce gender-based vio-  
9 lence;

10 (5) recognizes the urgent opportunity to imple-  
11 ment the new United States Agency for Inter-  
12 national Development (USAID) Gender Equality  
13 and Female Empowerment Policy and United States  
14 Strategy To Prevent and Respond to Gender-Based  
15 Violence Globally and on the ground in Haiti;

16 (6) asserts its support for the passage of Hai-  
17 ti's first comprehensive law on the prevention, pun-  
18 ishment, and elimination of all forms of gender-  
19 based violence;

20 (7) calls on the Government of Haiti to estab-  
21 lish urgent plans that address the needs of vulner-  
22 able and unprotected children who are in situations  
23 of sexual exploitation, forced labor, or face sexual  
24 and domestic violence, and to take steps to imme-  
25 diately implement those plans, in consultation with

1 grassroots organizations working specifically on the  
2 protection and promotion of the rights of children;

3 (8) calls on the Government of Haiti to take  
4 steps to implement the recommendations of the  
5 Inter-American Commission on Human Rights  
6 issued in response to increased levels of sexual vio-  
7 lence in camps for internally displaced persons on  
8 December 22, 2010, including—

9 (A) ensuring participation and leadership  
10 of grassroots women’s groups in planning and  
11 implementing policies and practices to combat  
12 and prevent sexual violence and other forms of  
13 violence in the camps;

14 (B) ensuring provision of comprehensive,  
15 affordable, adequate, and appropriate medical  
16 and psychological care in locations accessible to  
17 victims of sexual violence in camps for those in-  
18 ternally displaced;

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

1 (D) ensuring that public officials, such as  
2 police officers, prosecutors, and judges, respon-  
3 sible for responding to incidents of sexual vio-  
4 lence receive specialized training from experi-  
5 enced Haitian and international women’s orga-  
6 nizations with a proven track record in gender-  
7 sensitive protection enabling them to respond  
8 adequately to complaints of sexual violence with  
9 appropriate sensitivity and in a nondiscrim-  
10 inatory manner; and

11 (E) maintaining effective special units  
12 within the police and the prosecutor’s office in-  
13 vestigating cases of rape and other forms of vio-  
14 lence against women and girls;

15 (9) asserts its commitment to support the Hai-  
16 tian Ministry of Women’s Affairs in its efforts to—

17 (A) build ministry capacity and facilitate  
18 gender-based violence subcluster meetings and  
19 initiatives as it transitions over to the Govern-  
20 ment of Haiti;

21 (B) perform decentralized meetings, con-  
22 sultations, and outreach to women’s movements  
23 and community groups;

24 (C) address issues of gender-based violence  
25 country-wide, including violence in internally

1 displaced person camps, rural communities, and  
2 among children; and

3 (D) strengthen gender assessments, gender  
4 budgets, and gender planning in collaboration  
5 with other Haitian Ministries, the Haitian Par-  
6 liament, the Haitian Administration, the United  
7 Nations, the Inter-American Commission on  
8 Human Rights, donors, and international non-  
9 governmental organizations within the recon-  
10 struction process; and

11 (10) asserts its support for the Government of  
12 Haiti, especially the Ministry of Women’s Affairs, in  
13 its efforts to assess, amend, and renew its 5-year  
14 gender protection plan, which expired in October  
15 2011, which includes support for the Haitian Gov-  
16 ernment in its efforts to accomplish the following—

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



1           (B) perform specialized surveys and inter-  
2 views in a significant sampling of internally dis-  
3 placed person camps and impoverished neigh-  
4 borhoods with high rates of gender-based vio-  
5 lence with victims of rape and violence, the  
6 community groups that support them, and local  
7 officials in order to fully understand the needs  
8 and recommendations of these different popu-  
9 lations and integrate these findings into a re-  
10 vised protection plan;

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

19           (D) work with the Haitian Parliament and  
20 the Haitian Administration to amend, reintro-  
21 duce, and pass into law a revised Haiti gender  
22 protection plan that reflects current post-earth-  
23 quake realities, including the needs and rec-  
24 ommendations of victims of gender-based vio-  
25 lence and the community groups that support

1           them, integrates provisions for judicial and  
2           medical services for gender-based violence vic-  
3           tims, and reflects key findings of decentralized  
4           assessments in both urban and rural zones.

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