



LEARNING BRIEF:

ADDRESSING IMPUNITY FOR GENDER-BASED VIOLENCE AMONG DISPLACED COMMUNITIES IN HAITI

This learning brief is designed for state and non-state actors, including funders who are interested in addressing GBV in Haiti, with a particular focus on displaced populations. The brief recommends actions that address the peculiarity of the impunity of GBV among displaced communities in Haiti. It draws upon lessons from the in-depth study, ***Dynamics of Impunity for Gender-Based Violence among Displaced Communities in Haiti*** funded by USAID that focused on addressing impunity related to GBV in Haiti, specifically for internally displaced persons. The study is informed by and shares objectives with the Latin America and the Caribbean Learning and Rapid Response (LACLEARN) task order's broader regional study of GBV impunity. The study was carried out by Christian Aid, Haiti in collaboration with the Research, Evidence and Learning team of Christian Aid and Mouvement de Femmes Haïtiennes pour l'Éducation et le Développement (MOUFHED).

What's the issue?

Gender Based Violence (GBV) poses one of the biggest challenges to protecting gender rights in Haiti. Women and girls are more disproportionately affected, although men and boys may also experience violence due to their marginality or sexual identity. To further worsen the situation, GBV survivors face multiple barriers when seeking justice, which intensifies their burden and fosters impunity. This is even further compounded for internally displaced persons (IDPs) who are one of the most marginalised and vulnerable groups in Haiti. Yet, IDPs remain an under-researched group whose needs are often not met. Aid and development workers tend to address what they perceive as their needs rather than what the communities have identified as their actual needs (United Nations Haiti, 2021).

IDPs are a critical group in the efforts to address impunity for GBV, both because of their growing numbers in the country and the precarity of their situation, which comes from the compounded nature of the multiple oppressions that they face.



USAID
FROM THE AMERICAN PEOPLE

OUR OVERALL RECOMMENDATION

Support system-wide responses to curb GBV impunity, especially targeting legal and policy domains, and provide resource support to civil society organisations for interventions against GBV



A 2017 study on GBV amongst IDPs in Leogane, noted that violence was reproduced at the intersection of gender, poverty, displacement and age (Logie et al 2017). This, and other studies also noted that IDPs experience multiple and intertwined dimensions of violence at the structural, communal, and interpersonal levels (Jagganath 2011, Arend 2012, Horton 2012).

Disaster events increase vulnerability to violence, as noted by McCreery (2018), who reported a significant increase in sexual crimes following the 2010 earthquake and Hurricane Matthew in 2016. A 2011 Amnesty International report also indicated that people settled in host communities are more vulnerable to violence. Feminist scholarship has highlighted how Haitian women are vulnerable to violence due to caretaking responsibilities after disasters (Horton, 2012).

In addition, displaced communities are also highly heterogeneous, and include members from vulnerable categories such as Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI+) persons, people living with disability, and low- or precarious-income communities. Therefore, understanding the situation that they face provides a lens into impunity overall in Haiti.

Research objectives

The ***Dynamics of Impunity for Gender-Based Violence among Displaced Communities in Haiti*** study aimed to:

- Provide community-informed recommendations about the actions and mechanisms that need to be designed and/or strengthened to reduce GBV impunity and overcome the barriers faced by GBV survivors when seeking justice and accountability.
- Build an evidence-based approach to addressing GBV impunity that can be used by USAID and Christian Aid

Our Approach

The research employed in-depth interviews and focus group discussions as its qualitative methodological approach. Throughout the process, it adhered to the principles of co-creative research design, guided by a hybrid ethics panel consisting of both academics and GBV practitioners. This approach innovatively engaged with an ethics review board, ensuring that the research was ethical, contextually appropriate, and aligned with Christian Aid's value of shifting power over whose knowledge and ethics are prioritized in research.

HYBRID ETHICS PANEL



1 GBV SURVIVOR
FROM THE
COMMUNITY



1 PERSON LIVING
WITH DISABILITY
FROM THE COMMUNITY



POLICY ADVISOR
ON GBV AT
THE MCFDF²



1 CIVIL SOCIETY
REPRESENTATIVE



1 ACADEMIC



1 GBV SPECIALIST

Our Findings

The research uncovered eight critical and intersecting barriers to accountability and justice faced by GBV survivors belonging to displaced communities.



Patriarchal gender norms are a pervasive cause of GBV and GBV impunity

Violence against women and girls is deeply rooted in cultural traditions and is normalised at the community level. Gender norms and cultural traditions shame and blame GBV survivors, influencing the care-seeking and justice-seeking behavior of survivors. As a result, GBV survivors prefer to remain silent about the assault to avoid stigmatization from members of their community.



Threats and power differentials drive GBV impunity

Reporting an incident becomes more challenging when the perpetrator or their family has political connections and high social status. GBV survivors and their families fear a backlash or threat from armed gangs, leading them to prefer remaining silent.



The gateway to justice is a little-known essential fact

GBV survivors, especially displaced persons, find the justice-seeking system 'confusing' and 'difficult' due to a lack of awareness regarding the law and the necessary steps needed to seek justice.



The need for a medical certificate

Although not technically required by law, medical certificates are crucial evidence for GBV survivors. However, they face challenges obtaining them from hospitals and health centers due to institutional shortcomings, inadequate accessibility, and lack of awareness about their significance. Furthermore, there are concerns about the nature of evidence captured in the medical certificate.



The socio-economic precariousness of GBV survivors and their families

Accessing justice is expensive and often beyond the means of GBV survivors and their families, particularly those belonging to displaced communities. This is further compounded for GBV survivors from repatriated and displaced communities who are in a process of building their livelihood in a new community.



Police services for GBV survivors are not gender responsive and survivor centered

A lack of GBV units and trained personnel in gender and human rights in police stations results in poor quality reception of GBV survivors. Inefficient administrative processes within the police system add another barrier for displaced GBV survivors, as complaints filed in one jurisdiction cannot be moved to another.



Significant gaps and issues in the functioning of the judicial system

A lack of accountability of various actors in the justice system, including police officers, judges, bailiffs, and sometimes, health professionals, results in a slow and negligent judicial system. GBV survivors feel discouraged by the slow and negligent response of actors in the judicial system.



Critical gaps in the legal and policy domain

Loopholes in existing Haitian legislation foster GBV-related impunity, and political instability compounds the challenge of addressing these gaps as laws are enacted slowly. Gang leaders, for example, can control access to the police and the judiciary, thus making the survivor powerless. The Ministry of Women's Conditions and Women's Rights (MCFDF) struggles to implement existing key responses, such as the [National Action Plan](#), due to being under-resourced.

Table 1: GBV Impunity Experiences unique to displaced communities and GBV impunity experiences within the broader Haitian context

Impunity factor	GBV impunity experiences unique to displaced communities	GBV impunity experiences within the broader Haitian context
Cultural and Gender Norms		Cultural and gender norms shame and blame GBV survivors, influencing the care-seeking and justice-seeking behaviour of GBV survivors.
Threat and power nexus		Threats from perpetrators.
The gateway to justice: a little known essential fact	Low awareness about whom to contact for support in the justice seeking process.	Ignorance of provisions of the law.
		GBV survivors are supported by local organizations in the justice-seeking process.
Institutional shortcomings in hospitals and health centres	GBV survivors who are repatriated from the Dominican Republic find interfacing with the health centres challenging due to language issues.	Absenteeism of doctors in hospitals results in delays in getting an appointment to be examined and subsequently delays in obtaining a medical certificate.
		Protestant doctors may refuse to provide services to survivors from LGBTQI+ groups.
		Health services are not provided to GBV survivors in a gender-sensitive manner.
Inadequate accessibility to hospitals and health centres		GBV survivors who live in remote areas find it difficult to make trips to the hospital or health centre due to the time and financial cost involved in making the trip.
Lack of awareness about the significance of medical certificates.		Low level of awareness amongst the GBV survivors regarding the time sensitivity of filing the request for medical certificate.
Socio-economic precariousness of GBV survivors and their families	Economic precarity along with the difficulty of living in a host community which is not familiar to displaced GBV survivors influences their decision not to complain.	The economic precariousness of survivors and their families affects the justice-seeking behavior of the survivors.

Impunity factor	GBV impunity experiences unique to displaced communities	GBV impunity experiences within the broader Haitian context
Institutional shortcomings in police stations	Displaced persons have to register the complaint in the jurisdiction where the violence took place. Dossier cannot be moved to the jurisdiction where they currently reside.	Police services for GBV survivors are not gender responsive or survivor-centered. Police stations lack GBV units and this results in poor quality reception and service provision for GBV survivors in police stations.
	GBV survivors who are repatriated from the Dominican Republic find interfacing with the police challenging due to language issues. Police stations do not have staff who can provide translation services to GBV survivors who are not fluent in Creole.	The physical structure of the police station is not friendly towards GBV survivors living with disabilities.
Attitudes of the police towards GBV survivors		Police show a poor response to register complaints in cases where violence is perpetrated by an intimate partner.
		Police show insensitivity towards GBV survivors.
Lack of accountability for actors in the justice system		Corruption in the judicial system.
'Slow' and 'negligent' response of the judiciary		Justice-seeking process is time consuming and expensive.
Gaps in the legal and policy domain	Lack of structures to receive or support GBV survivors in host communities.	The national plan to address violence against women and girls is not adequately resourced.



Survivor-Centred Pathways of GBV Accountability

We reached out to GBV survivors and asked them what actions and mechanisms they think could help promote accountability and justice for them and other survivors. We grouped them into nine areas:

1. Effective implementation, monitoring and evaluation of the national plan to combat violence against women and girls.
2. Improve GBV survivor's access to the medical certificate with clear guidelines for hospitals and health centres.
3. Strengthen police work through GBV training of officers and adequate resources for police stations.
4. Make tribunals more efficient in dealing with GBV cases.
5. Strengthen institutional mechanisms for responding to GBV.
6. Decentralize legal assistance.
7. Strengthen the role of feminist organizations and civil society.
8. Strengthen the capacity of religious leaders and local authorities to respond to impunity linked to GBV.
9. Strengthen the synergy between organizations addressing GBV.

Recommendations

The research team and MOUFHED collaboratively developed these recommendations through a series of dialogues. The recommendations are categorized into two groups: recommendations for displaced communities and recommendations for strengthening GBV accountability more widely. This is because the study acknowledges that GBV survivors from displaced communities and those from host communities have both shared and unique experiences.

Recommendations specifically focused on displaced communities and other vulnerable groups

1. Encourage, support and resource advocacy efforts aimed at urging the Haitian government to initiate programmes/structures for welcoming women from displaced communities.
2. Support and resource research and learning activities on GBV and GBV impunity.
3. Support the development of IEC (Information, Education and Communication) materials in a language accessible to displaced communities.
4. Encourage and resource organizations to focus their services on GBV survivors from displaced communities.
5. Support civil society initiatives aimed at raising awareness of the situation of GBV survivors from displaced communities in their search for justice.
6. Support local organisations in implementing a GBV project that will raise awareness of GBV impunity, provide training to key actors, and work with civil society organizations and religious groups to welcome and support members from displaced communities.
7. Explore investing in economic recovery assistance, as well as technical and vocational training programmes for displaced women, LGBTQI+ members, and women living with disabilities.

Recommendations to strengthen GBV accountability mechanisms more widely

1. Explore opportunities for collaboration with MCFDF to effectively implement National plan to combat violence against women and girls.
2. Explore supporting and resourcing civil society to:
 - lead advocacy efforts for the effective implementation of the national plan and on legal reforms needed to address GBV impunity,
 - provide trainings to health service personnel, police personnel, community leaders and religious leaders,
 - raise awareness in communities about GBV impunity and the justice-seeking process.
 - provide legal assistance to GBV survivors during the justice-seeking process.
3. Fund community groups, schools, churches, and other local youth services to engage young people on issues relating to gender equality.
4. Explore provision of support to hospitals and health centres to ensure they have quality equipment examining GBV survivors.
5. Explore supporting initiatives that are likely to facilitate political stability in Haiti, as policy and legal reforms are difficult in the current situation.
6. Explore supporting multistakeholder consultations on GBV units, focusing on the resources and capacities needed to establish survivor-centered GBV units.
7. Explore supporting initiatives aimed at developing a national database on GBV.
8. Explore resourcing survivor designed shelters for GBV survivors. GBV survivors need safe houses and centres that provide psycho-social support.
9. Collaborate with the Ministry of Women's Conditions and Women's Rights to relaunch an awareness-raising campaign to encourage women and girls to seek medical help within 72 hours request a medical certificate; and break the silence by reporting the abuse to the police.



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Endnotes

1. Due to natural disasters, repatriation from the Dominican Republic and recent conflict

2. Ministry of Women's Conditions and Women's Rights

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