

HAITI ADVOCACY WORKING GROUP (HAWG)

HAWG is a working group of international development, faith-based, human rights and social justice organizations advocating on issues related to U.S.-Haiti policy.

WHAT IS THE HAWG? The Haiti Advocacy Working Group formed shortly after the devastating January 12, 2010 earthquake to coordinate advocacy efforts for effective and just disaster relief, reconstruction and long-term U.S. development policy toward Haiti. Composed of more than 30 diverse groups representing a wide cross-section of the NGO community, the HAWG has focused on the following priority areas:

- Promoting Haitian civil society inclusion and leadership in relief and reconstruction
- Prioritizing rural and agricultural development needs
- Encouraging local procurement and decentralization of aid
- Supporting fair immigration policy for Haitians
- Raising awareness on gender and women's issues
- Ensuring support through U.S. and multilateral aid commitments and full debt relief
- Promoting safe, sanitary and adequate shelter

WHO IS THE HAWG?

ActionAid USA
American Jewish World Service
Bread for the World
Center for Economic and Policy Research
Center for Human Rights and Global Justice
at New York University School of Law
Church World Service
Environmental Justice Initiative for Haiti
Foreign Policy in Focus
Gender Action
Grassroots International
Groundswell International
Habitat for Humanity
Haiti Reborn/Quixote Center
Hebrew Immigrant Aid Society
Institute for Justice and Democracy in Haiti
Jesuit Refugee Service/USA
Jubilee USA Network

Lambi Fund of Haiti
Latin America Working Group
Lutheran World Relief
MADRE
Mennonite Central Committee U.S. -
Washington Office
National Lawyers Guild - Environmental
Justice Center
Outreach International
Oxfam America
Partners in Health
Robert F. Kennedy Center for
Justice and Human Rights
TransAfrica Forum
United Methodist Church, General Board of
Church and Society
Unitarian Universalist Service Committee
Washington Office on Latin America

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SUSTAINABLE RURAL AND AGRICULTURAL DEVELOPMENT IN HAITI

BACKGROUND:

In the aftermath of the January 12, 2010 earthquake, both Haitian Civil Society and the Haitian Government have called for a renewed commitment to food and agricultural sovereignty within the country. Haiti is one of the few countries in the Western hemisphere where the vast majority of people live and work in the rural sector. Furthermore, 86% of the rural population earns less than \$2 per day. Hence, initiatives around rural and agricultural development - in which Haitian civil society are allowed to play a leading role - present one of the most crucial components of a comprehensive Haiti reconstruction plan.

In recent years, the rural population and economy of Haiti has experienced a dramatic decline due in part to unbalanced trade policies and the concentration of private and public investment in urban areas. Other factors such as the devastation wrought by four hurricanes in 2008, the global economic crisis, severe environmental degradation, and political instability have also contributed to the steady deterioration of the country's rural economy.

Haiti's agricultural sector was, until recently, fairly resilient and productive. In the 1980s, Haiti was nearly self-sufficient in food and agricultural production. Most of its farmers earned a sustainable income and the Haitian population could purchase locally produced food. Today, at least 57% of Haiti's food is imported and Haiti's agriculture remains in shambles due to economic and trade policies that have debilitated local food production and rural development. The international community should support Haitians in determining their own food security strategies and needs. The Haitian government's pre-earthquake National Growth and Poverty Reduction Strategy (DSNCRP) identifies rural and agricultural development as one of its key pillars. In addition, the newly designed National Agricultural Investment Plan calls for \$879 million in needed investments national support for this investment plan. However, it is civil society's vision and implementation that is urgently needed in order to ensure success.

Civil Society Platforms, such as the "Kat Je" and "PAPDA," have earned the trust and respect of rural agrarians and can offer strong, crucial recommendations for sustainable rural and agricultural development. For example, PAPDA presents detailed guidelines for Haitian food sovereignty that are "based on comprehensive agrarian reform (and) prioritizing agricultural investments that respect ecosystems, biodiversity, and the needs and culture of the majority."* In order for the Haitian government to provide sustainable livelihoods and food security for its people, the DSNCRP, National Agriculture Investment Plan and future agricultural funding vehicles must include the recommendations and implementation support of these Civil Society Platforms.

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RECOMMENDATIONS:

1. Support a comprehensive agrarian reform that includes both traditional allocation of land rights and individual land titles. Agrarian reform should guarantee credit and technical assistance. The legal system must ensure that traditional practices are preserved along with measures that protect against corruption and bias. Ensure that land titling and land dispute settlement is conducted in Haitian Kreyol as well as French, as language exclusion is a violation of human rights.
2. Haitian civil society¹ and the government of Haiti² have called for the procurement of locally produced food whenever possible in order to avoid undermining Haitian agriculture with an excessive reliance on imports that compete directly with Haitian food products. Prioritizing local purchase of food aid would provide a direct boost to Haiti's small farmers and, in view of the benefits that it would bring to the rural economy, represents a relatively small expense. For instance, the cost of buying Haiti's rice crop for food aid over the next two years, would amount to between 1.8 and 2.3 percent of total aid funds pledged by foreign donors to Haiti³.
3. Provide direct financial support to small scale farmers, including women farmers, and their organizations through international grants and increase funding for the Haitian Ministry of Agriculture, Natural Resources, and Rural Development in order to provide access to credit, technical assistance and other resources for smallholders. This will help strengthen rural communities' ability to produce enough to meet their food needs and sell surpluses to consumers. Increased food production and stronger local markets will promote food security and resilience for rural communities and all of Haiti.
4. Enable the Haitian government to regulate food imports in order to strengthen and build local markets. Haiti's import tariffs are the lowest in the Caribbean sub-region, depressing prices for Haitian producers. The Haitian government's ability to regulate markets on rice and other imports, for example, will help protect and support local agricultural production.
5. Repair and improve agricultural infrastructure including roads, water systems, and soils management.
6. Invest in participatory, farmer-led research and knowledge transfer among small-scale farmers to support agroecological technologies and approaches as a viable strategy to sustainably improve production, food security and environmental regeneration. This can strengthen soil conservation and improvement, local seed systems, livestock management, market linkages, water management and reforestation. Knowledge sharing can be accomplished through farmer-to-farmer networks, exchanges, documentation, web-based platforms, radio and other media, both within Haiti and across other Caribbean and Latin American countries as appropriate.
7. Strengthen local seeds systems. Haitian small scale farmers depend on their own seed production and storage, and this can be strengthened through training and support (e.g., a seed selection process that farmers manage). Actively support current South-South seed exchanges such as those with other countries in the region. Support Haitians in promoting open dialogue on appropriate agricultural technologies in order to determine the best way forward to develop the agricultural sector.

¹ "We're not in favor just of food security (...) We need food sovereignty, which means that so that everyone can eat, we produce it here at home. We could produce here at least 80% of what we eat." - Doudou Pierre of the National Haitian Network for Food Sovereignty and Food Security (RENHASSA), quoted in Beverly Bell, "So that everyone can eat...", www.otherworldsarepossible.org

² *National Agricultural Investment Plan*, Ministry of Agriculture, Natural Resources and Rural Development, Government of the Republic of Haiti, May 2010, p. 46.

³ "Issue Brief: Using Food Aid to Support, Not Harm, Haitian Agriculture", Mark Weisbrot, Jake Johnston and Rebecca Ray, Center for Economic & Policy Research, April 2010.

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Deplorable Conditions in IDP Camps Continue

Over six months after the devastating earthquake struck Haiti, conditions in the camps that are home to over 1.5 million displaced people are still extremely troubling. Shelter, still not distributed to all those in need, is of the most basic variety, and sanitation is still sorely lacking. Camp residents must face the prospect of forced eviction and even rape. It is no surprise that, in a recent progress report by TransAfrica Forum, based on numerous field visits, it was observed that “[t]he vast majority of camps in Haiti today violate the rights outlined in the UN Guiding Principles [on Internal Displacement].”¹ Before long-term reconstruction can begin in earnest, the urgent problems still facing current relief efforts must be addressed.

Shelter

With an especially active hurricane season already underway and heavy rain now a near daily occurrence, the lack of safe and adequate shelter is particularly worrisome. As Doctors Without Borders recently noted, “By far the biggest threat to people’s living conditions is the failure to provide any substantial, robust shelter.”² Despite the work of relief agencies, who have distributed over 600,000 tarps and nearly 100,000 tents, there remain immense needs. The rain has torn through the make shift camps, ruining the flimsy tents and tarps. Residents often must spend their days and nights standing up, trapped by the rain pooling above and the mud floor below. The life span for these tents and tarps, even absent the weather, is just a few months. In June the Shelter Cluster reported that nearly one third of all tents and tarps “might” need to be replaced because so much time has already passed.³ As time passes, this number will only increase.

Sanitation

The lack of adequate sanitation only compounds the problem. Although sanitation coverage before the earthquake was one of the lowest in the world, a recent report from the International Federation of Red Cross and Red Crescent Societies that focuses on the issue, concludes that the sanitation situation “is considerably worse now than it was before the quake.”⁴ The report notes that “the numbers of toilets come nowhere near meeting SPHERE standards (an internationally recognized set of universal minimum standards for disaster response).”⁵ Many of the latrines are open pit and are often not cleared regularly. Given the rain, they are prone to overflowing, spilling sewage throughout the camps. Although efforts from relief organizations have thus far avoided any large scale epidemic from breaking out, the inadequate sanitation situation presents one of the greatest threats of a second disaster.

¹ “Haiti Cherie.” TransAfrica Forum. July 12, 2010. Available at: http://transafricaforum.org/files/Haiti_Report.pdf

² “Emergency Response After the Haiti Earthquake: Choices, Obstacles, Activities and Finance.” Medecins Sans Frontieres. July 2010. Available at: http://www.msf.org/source/countries/americas/haiti/2010/6months/haiti_6_months.pdf

³ “Emergency Shelter Gap – 08 June 2010.” Inter-Agency Standing Committee: Haiti Shelter Cluster. June 8, 2010. Available at: <http://crocodoc.com/JZt4J>

⁴ “From Sustaining Lives to Sustainable Solutions: The Challenge of Sanitation.” The International Federation of the Red Cross and Red Crescent Societies. July 2010. Available at: <http://www.ifrc.org/Docs/Reports/199600-haiti-sanitation-report-july-2010-EN.pdf>

⁵ Ibid.

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Food distribution

Although food distribution in the immediate aftermath of the quake reached many of the most vulnerable, Doctors Without Borders reports that “for most people it is still less secure than in their lives before.”⁶ The World Food Program estimates that 2 million Haitians are vulnerable to malnutrition, this is especially prevalent among children. The UN Office for the Coordination of Humanitarian Affairs reports that in the first three months, before the Haitian government stopped general food distributions, “around 4 million people had received food assistance.”⁷ These statistics, although they sound impressive, do not reflect the reality on the ground, where food remains scarce. Jesuit Refugee Service, who have a significant presence on the ground in Haiti have repeatedly spoken out about the lack of food in the camps. For instance, in the Automeca camp, which JRS manages, they reported in May that “only three food distributions had been made by the World Food Program in the past three months and none since February.”⁸ This is hardly an isolated case. OCHA, while saying that 4 million had been provided with food assistance, also note that “69% of households in large IDP camps suffer from food insecurity,” compared to 52% country wide.⁹ In addition, drinking water, distributed for free in the first three months is now distributed through a charge system. Cash-for-work programs have been initiated because many people do not have money for basic services.

Security

Displaced persons also face significant security threats, from rape to forced evictions. The increase in frequency and severity of Gender Based Violence since the earthquake is directly associated with the lack of adequate shelter, sanitation and food. The camps are densely packed, and tents and tarps provide no sort of protection from invaders. Lack of sanitation is a key driver of this epidemic. There are often too few showers, and they are located too great a distance from resident’s tents. TransAfrica Forum notes that one camp they went to had just two showers for 4,000 residents.¹⁰ The lack of food distributed in the camps forces residents to travel outside the camps, putting them at risk. Sparse lighting also contributes to the overall lack of security. Forced evictions have also been relatively common occurrences. In the immediate aftermath of the earthquake, the displaced took up camp anywhere it was possible. These spontaneous communities have frequently met opposition by private land holders, in some cases resulting in threats of violence. International Action Ties, who has been on the ground monitoring the situation regarding evictions, released a report on July 14 that concluded, “Despite millions of dollars in funding and thousands of security-oriented personnel—police, military, and protection officers—the government, UN and partners are leaving earthquake victims at the mercy of landowners and gangs.”¹¹

Looking ahead

With an active hurricane season underway and daily heavy rains, there is a possibility that without immediate efforts to remedy the situation, life in the camps will get worse. Fortunately, the situation can be improved. Lack of coordination in the international community, but also between Haitians and the international community, has diminished the effectiveness of the relief efforts. IDP camps often form their own self governance committees, which are then left out of the decision making process by relief agencies. Cluster meetings are often closed to Haitian groups, isolating local grassroots leaders who are aware of peoples’ needs more intimately than any outside relief group. Coordination must be improved between all actors and that Haitian civil society be allowed to take a lead in the implementation of relief efforts.

RECOMMENDATIONS:

- End to forced evictions and call on Haitian authorities to immediately designate land for relocation.
- Expedite housing inspections to make it easier to return home.
- Follow UN Guiding Principles on Internal Displacement.
- Source food aid locally, to support local economy
- Maintain free distribution of water and other services

⁶ “Emergency Response After the Haiti Earthquake: Choices, Obstacles, Activities and Finance.”

⁷ “Response to the Humanitarian Crisis in Haiti.” Office for the Coordination of Humanitarian Affairs. July 2010. Available at: [http://www.reliefweb.int/rw/rwb.nsf/db900sid/AZHU-878SCC/\\$File/full_report.pdf](http://www.reliefweb.int/rw/rwb.nsf/db900sid/AZHU-878SCC/$File/full_report.pdf)

⁸ “Haiti Cherie.” Jesuit Refugee Service/USA. May 2010. Available at: <http://www.jrsusa.org/voice/haiti2010/index.html>

⁹ “Response to the Humanitarian Crisis in Haiti.”

¹⁰ “Haiti Cherie.” TransAfrica Forum.

¹¹ “Vanishing Camps at Gunpoint: Failing to Protect Haiti’s Internally Displaced.” International Action Ties. July 2010. Available at: <http://www.jrsusa.org/voice/haiti2010/index.html>

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DECENTRALIZATION: HAITI'S ANSWER FOR SIX MONTHS AND SIXTY YEARS¹

The plan for Haiti's future must include and be guided by the vision of those who are living the reality of life after the quake, those who will carry it forward: Haitians. They have many times articulated this vision, either following some natural (e.g. hurricanes), or man-made catastrophe, including political. The long-term solution begins with Decentralization.

Haiti's center of power - political, social, and economic - resides almost exclusively and even jealously in Port-au-Prince. It is a historical power-grab that leads to the severe inequality in the distribution of resources, ultimately causing the capital's demographic explosion, since hope for access to resources and work lures millions to migrate there. Aid distribution from the international community even reinforces the distribution imbalance between population and projects development, investment, infrastructure and other resources.

Well before the earthquake, living conditions for the majority of the capital's residents had been steadily deteriorating. This situation results from the fact that Port-au-Prince is a city that was built to accommodate only 200,000 residents, but is now engulfed with nearly 3 million. As a result of the capital's overpopulation, more than 230,000 people died unnecessarily during and in the aftermath of the earthquake. This fact shows the need to decentralize. Finances, politics, education and health care cannot continue to be concentrated in only this one urban area.

Centralized Haiti: The Republic of Port-au-Prince

The extensive destruction the earthquake caused, particularly in the capital, was precipitated by the historic centralization of services and industry in Port-au-Prince, and the lack of investment in the countryside. Decades of neglect turned huge swaths of Haiti's agricultural land, at one time some of the richest and most fertile in the world, into desolate areas that produce partial harvests at best. The migration from rural areas to the urban center of Port-au-Prince is a manifestation of rural communities' desperate effort to access services they sorely need.

Haiti's centralization began under colonial rule and was further reinforced during the 1915-1934 U.S. occupation. The fundamental cause however, of the Port-au-Prince population concentration was the decades-old policy of devaluing agriculture, and the refusal to invest in rural areas. These conditions resulted in the extremely high loss of life. Moreover, lack of investment in infrastructure and ports outside the capital posed serious challenges to the post-earthquake emergency response. Haiti's one international runway and the Bay of Port-au-Prince's damaged wharf slowed aid delivery and personnel response, resulting in many preventable deaths.

¹ Excerpted from "Haiti's Answer: At Six Months and Sixty Years" by Melinda Miles, Let Haiti Live, a project of TransAfrica Forum July 12, 2010.

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The Immediate Need: Internally Displaced Persons at Six Months

The biggest obstacle to moving people out of the unhealthy, inhumane, and dangerous spontaneous communities that sprang up following the earthquake is the relocation of internally displaced persons (IDPs). With the confusion created by the idea that property rights – the ability claim and profit from a piece of land – are on par with the right to survive, Haitians are left to suffer in tent cities. The Haitian government is not invoking eminent domain to make land available to families that are living in the parks, streets, and medians of Port-au-Prince, Leogane and Jacmel.

The aid community has left camp inhabitants without access to basic services. This strategy seeks to avoid luring people back to Port-au-Prince from the countryside with the promise of services in the camps. This perversely reinforces a “blame-the-victim” mentality, by implying that people prefer life in Port-au-Prince's dangerous encampments in the midst of earthquake rubble. However people have nowhere else to go. Rural areas have been on a steady decline due to lack of investment. Of the 600,000 survivors who left the capital after the earthquake, many have returned because the scarce resources that are needed to survive are mostly distributed in the capital. However, even more people would certainly leave Port-au-Prince and not return if the conditions in the countryside were adequate. The initial departure of more than 500,000 people to the provinces is indicative..

The Answer: Implementing Decentralization

Decentralization is the short-term immediate solution to the terrible living conditions of Haiti's IDPs, but is also the long-awaited manifestation of the population's desire for their future: a long-term strategy to redistribute resources and bring the Haitian people out of desperate poverty. The first concrete step toward decentralization is recognition by actors in Haiti's recovery that there is a decentralization plan, and each actor has an important role.

The Government of Haiti's Action Plan outlines both immediate and long-term concrete steps to improve the living conditions of the majority of Haitians. The solution is a decentralized Haiti and the de-concentration of the population in Port-au-Prince. It creates the circumstances Haitians need to access basic services and employment, no matter the region of the country in which they reside.

Concrete strategies to solve Haiti's biggest decentralization challenges include:

1. **Infrastructure:** need to expand roads, ports and additional international airports. That expansion would help end the capital's monopoly on international air travel, and help create job opportunities and regional development throughout Haiti.
2. **Basic Services:** services like education, referral hospitals, and electricity need expansion in the country's developing zones and sub-zones. The creation of “local distribution networks of electrical power to fuel growth” is endorsed by the Action Plan.
3. **Political Governance:** Haiti's 1987 Constitution includes specific recommendations to decentralize governance. The country is broken into Departments, each divided into municipalities which are split into communal sections. The Action Plan includes specific steps to decentralize administration and services, as well as to invest in regional development projects.
4. **Agricultural & National Production:** The Action Plan contains instructions for investment in rural areas outside urban centers, including funding for farming resources and equipment, construction of rural roads, recapitalization of agricultural enterprise and improved irrigation systems.

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HAITI'S DIASPORA CONTRIBUTING CAPACITY-BUILDING AND KNOWLEDGE TRANSFER TO HOMELAND

In pre-earthquake Haiti, the Inter-American Development Bank (IDB) stated over 83% of the country's professionals are abroad, mostly in the United States and Canada. Both countries constituted and remained the major pull factor for Haitian immigrants and migrants for nearly five decades, causing over time a severe “brain-drain” that depleted the human resource stock that could have sustained the viability of the Haitian state. Chronic social unrest, which began in the mid-1980s with the collapse of the Duvalier Dictatorship, has significantly hampered Haiti's human capacity development. In the wake of the January 12, 2010 disaster, the public sector, according to government officials, has registered a loss of over 20,000 career employees. Countless Haitian professionals in the private sector have also lost their lives. Among those who survived the earthquake, a not yet quantified number has resettled outside of Haiti. Meanwhile, as of June 2010, the Government of Haiti (GOH) still has not conducted a human resources needs assessment designed to help rebuild the country and render government agencies fully operational.

Given the country's current condition, Haiti has very few choices as it grapples to address its human capacity building issues. Moving forward, the country has two options: it can rely on experts from the international community almost exclusively, or it can make use of the large wealth of talent and support from its Diaspora; allowing the Diaspora to join in the process by setting appropriate mechanisms and incentives to integrate its expatriates into government ministries, and local government offices, and the Non Governmental Organization (NGO) sector. While the first option is highly prohibitive in terms of cultural differences, long term commitments and costs, the second option is much more appealing in both short and long terms.

Officials from the United Nations Development Program (UNDP) stated recently at a symposium on knowledge transfer, that they anticipate Haitian expatriates being assigned from 12 to 36 months on the ground in Haiti. UNDP, along with the Ministry for Haitians Living Abroad (MHAVE), have expressed interest to begin the deployment of Diaspora personnel as soon as September 2010.

On June 10, 2010, MHAVE, along with UNDP and the International Office on Migration (IOM), coordinated a symposium to discuss best strategies to integrate human resources from the Diaspora into the reconstruction process. One of the main challenges to pursuing this endeavor is Haiti may not have the required resources to quickly implement a UNDP-like TOKTEN program designed for knowledge transfer. The government of Haiti will have to build closer collaboration with its partners who are willing to invest in capacity building initiatives like the fellowship program presented by the U.S. Department of State at the Organization of American States (OAS) Haitian Diaspora Forum this past March. At the forum, the Haiti Permanent Ambassador at the OAS

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warned participants that the GOH did not have the capacity to pay them at the same rate that they were making in the United States. Meanwhile, Haitians in the Diaspora who have made a home outside of Haiti and have acquired education and professional experience abroad, carry the same financial and other obligations, as their non-Haitian colleagues working on Haiti-related projects.

RECOMMENDATIONS

There are other major roadblocks that must be cleared before expatriate Haitians can be fully integrated into Haiti's society. The central government needs the support of U.S. policy makers to change and adapt itself to stricter administrative rules and regulations within the state apparatus. The concept of citizen participation in the public policy process must be followed by government institutions. An action plan aimed at the integration of members of the Diaspora must also be employed. In addition, the following elements are crucial for a successful integration:

- Securing passage of bill HR-417 introduced in the House by Congresswoman Barbara Lee, (California) could provide the U.S. Congress and the Obama Administration with the necessary outlet to provide Haiti with Haitian-American cadres trained in a variety of disciplines, including public sector management and accountability. Bill HR-417 needs to be amended in order to be responsive to the needs of Haitian-American professionals.
- Implementing rapidly the Haiti Diaspora Fellowship program, under the leadership of the Department of State, to help identify appropriate Haitian-Americans to be assigned in key government agencies as consultants or advisors in order to fast-track the functionality of government agencies.
- Developing a two-track system for deployment of Haitian-American professionals willing to serve in Haiti: track-one aimed at paid professionals willing to serve for 12 months or more in the country, and track-two aimed at non-paid professional volunteers willing to serve for less than one year in Haiti.
- Strengthening the Haitian Diaspora through widely distributed and accessible information regarding opportunities related to Haiti
- Supporting Congressman Alcee Hasting's call for a White House Conference on Haiti
- Supporting the GOH in conducting a thorough human resources needs assessment and ascertain how existing resources within the Haitian Diaspora can be deployed effectively and efficiently in the post-earthquake era.

It is evident that saturating Haiti with foreign NGOs and relying on Foreign Donor Programs, while neglecting the wealth of resources in the Haitian Diaspora community, are not adequate formulas for the self-sustainability of the Haitian state. The challenge before us today is to ask what kind of Haiti do Haitians want. Haitians in Haiti and Haitians abroad want to see a prospering, self-reliant homeland. If we are to Build Haiti Back Better, then we must do things better, differently - and fully availing ourselves of the professional experience and cultural and language capabilities of the Haitian Diaspora, is a clear way of doing better.

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Donor Principles, the Haiti Reconstruction Fund, and Interim Haiti Recovery Commission

Several international mechanisms have been established to help ensure that aid delivered to Haiti is transparent and consistent with the priorities identified by the Government of Haiti (GOH). In addition to the Interim Haiti Recovery Commission (IHRC), which monitors all recovery funding, the GOH and international community established a multi-donor fund, the Haitian Reconstruction Fund (HRF), at the March 31, 2010 donors' conference. These international mechanisms are aimed at increasing donor coordination, transparency and accountability.

International Mechanisms

The HRF is administered by the World Bank to (1) encourage much-needed direct budgetary support that is aligned with the Haitian national plan rather than dictated by donor priorities, (2) provide one central body with which the GOH and its Ministries can interface to facilitate transparency and accountability, and (3) improve coordination of development projects. Many donors, including the United States, have begun to deliver funds to the HRF; the United States has committed to give \$120 million in assistance through the HRF. The HRF Steering Committee¹ is tasked with approving all multi-donor fund projects for funding and ensuring project coordination and alignment with the GOH reconstruction plan.² The HRF Steering Committee held its first meeting on June 17, 2010 in Port-au-Prince.

The Interim Haiti Recovery Commission (IHRC) is a separate body responsible for the overall coordination of Haiti's reconstruction. It is co-chaired by Prime Minister Bellerive and UN Special Envoy to Haiti, President Bill Clinton. The 26-member Board will include representatives from a broad spectrum of society.³ The IHRC held its first meeting on June 17, 2010 where it announced its first approved projects. The IHRC is responsible for the oversight and planning of all international assistance to ensure it is delivered in coordination with the GOH plan. The IHRC Co-Chairs will monitor and encourage timely pledge disbursement. There are concerns that donors will slow the disbursement process while debating guidelines and procedures for the IHRC.

Publicly available websites will track donor funds and the activities of the IHRC and HRF.⁴ A parallel mechanism to share this information at the community level and solicit feedback from the ground does not currently exist.

¹ The Steering Committee is comprised of GOH Prime Minister Jean-Max Bellerive as Chair; representatives of donors contributing at least \$30 million to the fund, or donors that pool their contributions to total \$30 million may rotate the seat on the Steering Committee; representatives from partner entities; and observing members as approved by the Steering Committee (possibly from NGOs, the private sector, and local government).

² Action Plan for National Recovery and Development of Haiti available at http://www.haiticonference.org/Haiti_Action_Plan_ENG.pdf

³ The IHRC will include two representatives from the Executive Branch, two designated by the Judicial Branch; two designated by local authorities; one designated by the Senate; one designated by the Chamber of Deputies; one CARICOM representative, one representative of unions and one from the private sector; and a representative from each donor that contributes over \$100 million in 2010 and 2011. The Organization of American States, one representative from national NGOs, one from international NGOs, and a representative from the Diaspora will be non-voting observers.

⁴ See <http://www.refondation.ht/>; www.haitireconstructionfund.org; <http://www.cirh.ht/>.

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U.S. Assistance to Haiti

The U.S. government has also made a commitment to work in partnership with the GOH and Haitian communities to deliver accountable, transparent aid that will have a sustainable impact.⁵ To date, mechanisms have not been created to allow for transparent access to information about the United States' funds to projects in Haiti.

RECOMMENDATIONS

U.S. assistance should be allocated and committed to Haiti immediately and the IHRC should be encouraged and supported to ensure prompt project approval. Capacity-building, transparency, empowerment, and accountability should guide all rebuilding efforts, in accordance with the Paris Declaration on Aid Effectiveness and Accra Agenda for Action.

- 1) **Strengthen the capacity of the Haitian government to ensure the rights of its people.** To support the Haitian government's capacity to provide basic services to its people, the United States should partner directly with the government throughout the planning, implementation and evaluation stages of recovery projects, and provide training in technical capacities, such as budget development and monitoring.
- 2) **Ensure transparency of assistance.** The United States should act with full transparency and accountability, making information about its plans and projects available through local and international platforms. The United States should work with the Haitian government to set up widely accessible public monitoring and reporting mechanisms.
- 3) **Empower the Haitian people.** The United States should encourage the participation and input of Haitian civil society and community-based groups in all stages of recovery assistance – from project design to implementation. USAID should encourage implementing organizations in Haiti to coordinate with the GOH and other agencies and report their activities to the GOH, the IHRC, and Haitian people. Wherever possible, the United States should work with Haitian-owned businesses and community groups, as well as employ Haitian personnel.
- 4) **Require avenues for accountability.** Recipient communities must have an avenue to provide input and, if necessary, complaints regarding development projects designed to benefit them. The United States should support and fund complaint mechanisms for assistance projects to facilitate feedback from local communities and protect against potential harm to these communities.

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⁵ See, e.g. Statement Of Secretary of State Clinton at Haiti International Donors Conference: Towards a New Future for Haiti, United Nations Headquarters, New York City, March 31, 2010. Available at: <http://www.state.gov/secretary/rm/2010/03/139313.htm>; Lois Romano, State Department's Cheryl Mills on Rebuilding Haiti, Washington Post, May 10, 2010. Available at: <http://www.washingtonpost.com/wp-dyn/content/article/2010/05/09/AR2010050903009.html>.

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FOCUSING ON THE CHILDREN: Universal Education: A Renewal of Haiti's Education System

The education sector in Haiti was in a state of crisis long before the January 12, 2010 earthquake which affected half of the nation's educational institutions. Education in Haiti was typified by a fee-based private system, with 80% of education services provided by the non-public sector. The majority of schools were inaccessible for those living outside of Port-au-Prince with 25 percent of Haiti's districts located in rural areas and not having one school. The Literacy levels in Haiti hover at an abysmal 53% literacy rate for school-aged children, while only 38% of Haitians above the age of 15 are literate, with significantly less adult literacy among women than among men. Many youth received inferior, truncated, and segregated education. **As children under the age of 18 account for almost half of Haiti's total population of 9 million persons, the public education system is undoubtedly a critical element in rebuilding and strengthening the nation's political and socio-economic development.**

Six-Months After the Earthquake

- As many as 79%, of children in camps have no access to centers of learning
- UNICEF has emphasized that the longer children are out of school, the more vulnerable they become to exploitation or abuse
- Most schools are still operating on a fee-based system that excludes the majority of poor Haitian youth
- Half of Haiti's 15,000 primary schools and 1,500 secondary schools were destroyed or badly damaged in the earthquake

Given these grim realities, the immediate priority must be the child welfare, nutrition, and security of these children followed by a clear plan for the building of key infrastructure for learning and a strong focus on education reform at the primary and secondary levels through the promotion of universal education.

Education must be a key priority if Haiti is to move away from a model characterized by the underutilization of human resources- a concern highlighted by USAID since 1986. Haitians truly value education and have carried the weight of funding it. Haitian students bring to school a sense of resiliency and a rich fund of knowledge, language, and culture from their every day experiences; therefore schools can no longer greet them from a deficit model.

If quality, publicly and adequately funded public schools are built, students will come and they will succeed. **Discourse and strategic plans in collaboration with the Haitian Diaspora must also occur to adequately implement these plans and ensure the success of its delivery.** The renewal of Haiti's education system is the future of building in-country capacity, empowering its youth with knowledge and access to resources to secure a better life for tomorrow.

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Strategic Plan for Education Reconstruction

1. **Quality *Universal Education For All (EFA)* to assure equitable access ****
 - a. Primary, Secondary and Higher education must be decentralized so that it is available to those who live outside of major urban centers.
 - b. Build schools to code including provisions with access for students with disabilities
 - c. Provide free meals (breakfast and lunch)
 - d. Provide free transportation and sanitation when appropriate and potable water
 - e. Provide uniforms, school supplies, and textbooks
 - f. Implement technology ready schools with Media Centers and Libraries
2. **Foster cooperation between the Haitian Government and private education institutions**
 - a. **The Haitian Government must be armed with the tools to fulfill the educational needs of the population.** While NGOs and the private sector may partially fill this vital need, the government must have the capacity to provide a free primary and secondary education to all of Haiti's children. Cost-sharing methods may be employed to accelerate the accomplishment of this goal: The Haitian Government can pay for teacher salaries while IOs, Donors, NGOs and private organizations provide safe spaces for children to learn.
 - b. The Haitian Government in collaboration with the Haitian Diaspora should embark on a massive literacy campaign in the rural regions of the country, in the effort to build an educated, engaged, and politically capacitated population.
 - c. Donors, IOs and NGOs should support the Haitian government's stated goal of lessening discrimination and the perpetuation of gender-based stereotypes, guaranteeing that women and girls have as much access to education as boys and men.
3. **Enhance the abilities of teachers and administrators ****
 - a. Ongoing professional development of educators and administrators
 - b. Higher wages for teachers and administrators
 - c. Diaspora Teacher Mentoring Exchange Program
 - d. Diaspora Adoption of School/Students Program
4. **Start school readiness programming through a community approach that leads to higher education and vocational training ****
 - a. Develop second chance education and adult literacy programs
 - b. Support post-secondary internships for workforce readiness
 - c. Build capacity of University of Haiti through partnerships with Universities abroad
 - d. Support of Cultural Art Centers
5. **Develop curriculum with national standards and result-based evaluation criteria ****
 - a. Create and implement culturally relevant curriculum
 - b. Create and implement differentiated curriculums
 - c. Create and implement Science, Technology, Engineering and Mathematics program
 - d. Use mechanisms such as distance learning, media tools, etc.
 - e. Create and implement health and sports program
6. **Provide education in Creole to help address high illiteracy rate ****
7. **Address the needs all vulnerable groups by implementing psycho-social support services for vulnerable groups (special education, orphans/unaccompanied minors, restavek/children of domesticity, exploited children, disabled youths, etc.) ****

**Recommendations made at Haitian Diaspora Forum at the OAS, March 2010, which included Haitian Educators and members of several educational institutions.

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- **Dr. Sandra Duval**, Haitian Diaspora Representative and expert educator at tenzininc@gmail.com

The International Community Should Support Prompt and Fair Elections in Haiti¹

The Haitian government has announced that presidential and parliamentary elections will be held November 28, 2010. These elections are particularly important to re-establish an effective legislature, establish political accountability for the expenditure of large amounts of money, and resolve Haiti's current societal disputes in a peaceful and democratic manner.

Given the widely-criticized efforts of the Provisional Electoral Council (CEP) to exclude opposition parties from recent elections and the logistical challenges posed by the earthquake, achieving this goal will require significant, principled assistance from the international community. If fair, credible elections are not held as scheduled this year, Haiti risks widespread civil unrest that would imperil all foreign investment in Haiti.

Current Challenges to the Electoral Process

Haiti currently faces three principle problems relating to elections:

1. the closing of Parliament when most members' terms expired in May 2010;
2. a credibility crisis for the Provisional Electoral Council (CEP); and
3. a looming crisis for the Executive when its Constitutional term expires on February 7, 2011.

Haiti has had no functioning legislature since May. The Constitution scheduled elections for the House of Deputies and 1/3 of the Senate for November 2009, but President Préval did not appoint an electoral council for those elections until October 2009. The Council scheduled elections for February 2010, but they were postponed after the earthquake. In the meantime, the seats scheduled for the elections became vacant when the legislators' terms expired in May 2010, leaving Haiti with no Deputies and only 2/3 of its Senators.

The CEP suffers a credibility crisis because a) the CEP was established through a process not recognized by the Haitian Constitution; b) a predecessor CEP, including a majority of the current members, improperly excluded all candidates presented by Haiti's largest political party, *Fanmi Lavalas*, from 2009 Senatorial elections; and c) before the elections scheduled for February 2009 were postponed, the CEP announced the exclusion of 14 political parties from the elections. The current CEP is also involved in corruption scandals, with one member facing criminal charges.

Haitian voters from across the political spectrum and others in the international community are insisting on a new CEP, because the Council's past actions and current controversies demonstrate

¹ This document is taken from a lengthier policy brief by the Institute for Justice & Democracy in Haiti (IJDH) and the *Bureau des Avocats Internationaux* (BAI), "The International Community Should Pressure the Haitian Government for Prompt and Fair Elections," June 30, 2010, available at <http://ijdh.org/archives/13138>.

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an unwillingness and inability to conduct fair, inclusive elections. President Préval has insisted that the current CEP run the scheduled elections.

President Préval's term expires, according to the Constitution, on February 7, 2011. Before its members' terms expired in May, Parliament passed a highly controversial law allowing the President to extend his term until May 14, 2011 if elections are not held before February 7.

Elections are Possible and Necessary

If elections are not held as scheduled this fall, Haiti's extraordinary difficulties will be compounded by the lack of a credible, democratic government in place. But, elections are possible:

- *President Préval has issued decrees announcing elections will be held this year:* Préval has authorized the CEP to begin preparing for elections and decreed that presidential and parliamentary elections will take place November 28, 2010.
- *UN Secretary General Ban Ki-Moon says it is possible to hold elections this year:* "The UN mission in Haiti has said it is possible to organize elections before the end of the year even if the country has not fully recovered from the earthquake's devastation."
- *USAID/International Foundation for Electoral Systems (IFES) report that elections can be held this year:* "IFES believes the operational branch of the CEP is technically capable of organizing [elections] assuming their preparations are not delayed any longer."

Recommendations

The international community has an interest in: a) promoting Haitian voters' rights to fair elections guaranteed by Haitian and international law, and b) protecting its \$11 billion pledged investment in Haiti's reconstruction. In order to protect these interests, the United States and other members of the international community should immediately take the following actions:

1. Inform President Préval that there will be no financial support for elections until the current CEP has been dissolved and replaced by a new Council chosen through a process that ensures neutrality, competence and credibility with Haiti's voters;
2. Promise adequate funding and technical assistance for a fairly-chosen CEP to prepare elections. This support must cover the following:
 - a. Production and distribution of the estimated 550,000 **National Identification Cards (CINs)** lost or destroyed in the earthquake that are a legal requirement for voting.
 - b. Updating of the **electoral list** immediately. Photographs on the CIN and indelible ink can also be used to combat multiple voting.
 - c. Placing of **polling stations** in areas allowing internally displaced, poor, and disabled Haitians to participate.
 - d. Provision of extensive **voter education** through media campaigns and meetings.
3. Condition the distribution of long-term reconstruction assistance on Haiti having a government with the political legitimacy to effectively manage that assistance.

Fair, inclusive elections are essential for establishing a Haitian government with the legitimacy and capacity to effectively manage the country's reconstruction. Accepting elections that are less than fair and inclusive will ensure civil strife and political controversy, and will leave Haiti vulnerable to the next natural, economic or political disaster.

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GENDER-BASED VIOLENCE IN HAITI

Epidemic of Rapes Against Women and Girls in Haiti's IDP Camps

In the wake of the January 12, 2010 earthquake in Haiti, women and girls living in the internally displaced persons (IDP) camps face alarming rates of rape and other sexual violence. Inadequate security and lack of privacy in the IDP camps leave women vulnerable to sexual assault and the associated risks of disease transmission and psychological trauma. In the two months following the earthquake, one grassroots women's group tracked 230 rapes in just 15 of the hundreds of IDP camps in Port-au-Prince. The Haitian government has been able to begin prosecutions of only a fraction of these cases. At least half of the victims are Haitian girls under the age of eighteen and medical services are overwhelmed and unable to meet women's healthcare needs stemming from the assaults—many women suffer from depression and are at risk for suicide.

Why Haitian Women's Participation is Critical

Women's full participation and leadership in all phases of the reconstruction of Haiti, as mandated by UN Security Council Resolution 1325 and other internationally recognized standards, requires that a gender perspective be integrated into ongoing discussions and planning. Such a human rights-based approach is mandated by international law and crucial to rebuilding Haiti on a more sustainable, equitable and disaster-resilient foundation.

Recommendations

We applaud the actions of donor States to assist the people of Haiti in this time of crisis and respectfully remind donor governments of their obligation to ensure that vulnerable women and girls are provided adequate protection from sexual violence. The UN Guiding Principles on Internal Displacement call on governments to consult with Haitian women and ensure their participation in decisions that impact their lives. Effective consultations enable participants to actually influence outcomes and are anchored in formal partnerships with Haitian women's groups (particularly local grassroots groups), who are empowered and resourced to take public leadership in the process of reconstruction.

We respectfully urge members of the US Congress to urge USAID to:

1. Guarantee Haitian women's full participation and leadership in all phases of the reconstruction of Haiti as mandated by UN Security Council Resolution 1325, the UN Guiding Principles on Internal Displacement and other internationally recognized standards;

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2. Prioritize the safety and wellbeing of women and girls throughout the relief assistance efforts in Haiti by prioritizing increased security and lighting in the camps, supporting community-based anti-violence programs by providing salaries for informal patrols and supplying basic resources, such as flashlights, walkie-talkies and whistles, and developing and implementing a plan for more permanent housing with the Haitian Government;
3. Prioritize the training of officers in how to effectively respond to rape and other gender-based offenses, and deploy more female officers to handle cases involving violence against women;
4. Work with the Haitian Government to enact a systematic collection of data that documents the prevalence and incidences of all forms of violence against women in the IDP camps; in collaboration with civil society organizations; and
5. Urge the Government of Haiti to assess its current laws, policies and programs that address violence against women; evaluate their compliance with international obligations; remove discriminatory laws and practices against women; and implement a legal and policy framework that guarantees due diligence and promotes the full protection and promotion of women's human rights, including prevention, investigation, sanction and reparation.

This document is taken from a lengthier report by the Institute for Justice & Democracy in Haiti (IJDH), MADRE and others from the Lawyers' Earthquake Response Network (LERN) entitled "Our Bodies Are Still Shaking: Haitian Women's Fight Against Rape" released July 2010 which can be accessed at <http://ijdh.org/archives/13361>.

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Gender Impacts of International Financial Institution Grants & Loans

Over the past 20 years, more than \$5 billion USD in condition-laden donor aid from the International Financial Institutions (IFIs) like the World Bank, Inter-American Development Bank (IDB), and the International Monetary Fund (IMF) benefited rich contractors, investors, and Haiti's tiny elite, but harmed poor women and men while utterly failing to provide the poor with basic needs such as clean drinking water. In the six months since the devastating earthquake of January 12, 2010, 50 IFI loans and grants¹ to Haiti have been either approved or are pending approval for Haiti's recovery needs, with over \$60 million USD to Haiti provided in the form of IFI loans². These loans and grants have ignored women and girls on all levels, from inclusion in the preparation and planning stage to the harmful impacts they will have during and after implementation.

International Financial Institutions: Loans versus Grants

We acknowledge and appreciate the World Bank, IDB, and IMF cancelling most outstanding loan debt incurred by Haiti prior to January 12, 2010; yet Gender Action's monitoring has found that the almost \$310 million USD approved to date for post-earthquake Haiti by the World Bank, IDB, and the IMF includes over \$60 million USD in new loans.

Gender-Based Violence in the Camps

Gender Action's analysis of IFI post-earthquake assistance demonstrates that, incredibly, it fails to address Haiti's escalating gender-based violence, despite international mandates made by the UN Guiding Principles on Internal Displacement, UN Security Resolution 1325, and other internationally recognized standards. A crucial example of these missed opportunities is a post-earthquake World Bank grant to Haiti for solar power generation and lighting which aims to provide security for children and the disabled, but fails to target obvious potential beneficiaries such as women and girls who live with an unacceptably high risk of rape and sexual assault.

Malya Villard-Apollon, leader of the Haitian women's organization KOFAVIV, recently testified to the UN Human Rights Council that gender-based violence is an urgent concern needing immediate attention in refugee camps and beyond. "Conditions in the displacement camps, following the January 12 earthquake, have exacerbated women's vulnerability to rape," she said in her testimony. "Women and girls live in constant fear for their safety."³

KOFAVIV, like many other grassroots organizations working to address gender issues in Haiti, has documented hundreds and hundreds of cases of rape and violence that have yet to be prosecuted. The organization cites inadequate security, lack of sufficient housing and lighting, and poor aid

¹ This information is current as July 15, 2010.

² Data in this document comes from the IFI websites, as of July 15, 2010. These publicly available websites continue to call some operations loans, despite announcements that post-earthquake only grants would be made, not loans.

³ Villard-Apollon, Malya. (June 2010). *Oral Intervention of Malya Villard-Apollon*. Speech presented at UN Human Rights Council, Geneva, Switzerland.

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distribution that excludes civil society consultations as reasons for rampant rapes. Massive IFI spending in post-earthquake Haiti must address gender-based violence.

The U.S. Role in Haiti Reconstruction

The U.S. has pledged \$1.15 billion USD in financial contributions to the reconstruction of Haiti, and has so far donated \$30 million USD to the Haiti Reconstruction Fund, administered by the International Development Association (IDA) of the World Bank. The U.S. pledge entitles it to a voting seat on the Interim Haiti Recovery Commission (IHRC). As a country that has committed one of the highest contributions⁴ to Haiti, the U.S. must ensure that its funds are used for the advancement, security, and inclusion of women.

Recommendations and Requests to the U.S. Congress

On the six month anniversary of Haiti's devastating earthquake, Gender Action respectfully urges the U.S. Congress to use its influence to end the IFI pattern of past mistakes, including the exclusion of women and unsustainable loans. With the World Bank and IDB positioned as the largest sources of post-earthquake aid, and given our nation's uniquely powerful role in these IFIs, it is imperative that our funding to the IFIs require them to encourage the inclusion and participation of women in all levels of decision making, address Haiti's rapes and other gender-based violence, and end the cycle of crushing debt.

We respectfully request that the U.S. Congress:

- Require that IFIs involve Haitian women's groups and grassroots social movements in designing and implementing IFI investments. Local women's organizations and social movements must be involved in participant-driven evaluations of temporary camps, housing, security, police-training, education, agricultural development, water, sanitation, healthcare, and job creation.
- Authorize the U.S. appointed Executive Directors at the IFIs to oppose any operation which does not mandate a gender analysis nor guarantee full participation and leadership by women.
- Direct the U.S. representative to the IHRC to oppose any investment which does not mandate a gender analysis, guarantee full participation and leadership by women, nor address gender-based violence.
- Require that IFI operations in Haiti include impact assessments of rapes and other gender-based violence in their recovery and reconstruction operations, as outlined by the U.N. Guiding Principles on Internal Displacement, U.N. Security Council Resolution 1325, and other internationally recognized standards.
- Authorize the U.S. appointed Executive Directors on the IDB, IMF, and World Bank Boards of Directors to oppose any funding in the form of loans to Haiti. We respectfully urge Congress to also seek the elimination of all existing Haitian debt to the IDB, IMF, and World Bank.

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⁴ The U.S.'s contribution is second only to Venezuela, which has pledged U.S. \$ 2.4 billion in financial aid to Haiti.

⁵ Elaine Zuckerman, President of Gender Action, was former Inter-American Development Bank Programs Officer for Haiti.

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Health Challenges in Haiti

The massive earthquake in Haiti on January 12, 2010, hit a country whose health systems were already resource-starved, understaffed, and poorly stocked. This weak system, which was funded by the government at less than \$8 per capita,¹ faced an enormous disease burden. With 2.2% of the population HIV positive,² 18.9% of children under 5 underweight,³ and the WHO recording 29,000 new TB cases every year,⁴ the Office of the Haitian Ministry of Health, Ministère de la Santé Publique et de la Populations (MSPP), faced a dire situation even before the dramatic escalation of health needs resulting from the earthquake and the ensuing destabilization.

In the wake of the earthquake, widespread social and economic volatility have exacerbated existing health problems and created new issues. Particularly, orthopedic injuries have increased the demand for surgical care and rehabilitation services. Follow-up appointments, home-care visits, and intensive physical therapy are necessary for the recovery of newly injured or disabled patients, and obtaining these services has proven especially challenging in a post-disaster setting. Prosthetics, especially pediatric, are greatly needed in addition to long-term care for new patients with prosthetics.

Additionally, the vulnerability of women and children has increased, particularly those among the populations of internally displaced persons (IDPs) living in temporary camps and settlements. There is a significant need to provide reproductive and perinatal care to pregnant women as well as to ensure safe spaces for breastfeeding. Many children have also been displaced as a result of the earthquake, and there is an urgent need to ensure their safety as well as access to health care. The earthquake has amplified the need for psychological support in all Haitian populations, and many are in desperate need of counseling and treatment as they face tragedy and an uncertain future. Compounding both the bodily and mental health issues facing displaced Haitians, stresses on water and sanitation systems and agricultural markets have put the basic needs of Haiti's population in jeopardy.

Facing such an overwhelming situation, the Haitian government has drafted an Action Plan for the Reconstruction and National Development of Haiti, through which the government hopes to facilitate and lead Haitian recovery. The Action Plan includes specific strategies for the development of the health sector, including the construction of eight referral hospitals supported by stronger primary care units. It also calls for an emphasis on follow-up care for those who have had major surgery, increased attention to treatment of acute malnutrition in the country's increasingly vulnerable children, and expansion of the public water and sanitation systems. In order to implement these plans, Haitian officials have called on Haiti's major supporters to provide

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budgetary support for the government, while at the same time working through NGOs to align private projects with the public vision that has been laid out.

Recommendations

1. Support expansion of the MSPP through public sector aid and advising so that it may fulfill its citizens' rights through comprehensive health care programs capable of reaching all Haitians
2. Respect the recommendations of the Haitian government's Action Plan for the Reconstruction and National Development of Haiti by partnering with Haitian officials to advance their initiatives, achieve their goals, and assist them in meeting their obligations to fulfill Haitian citizens' right to health care
3. Ensure the ability of the public health sector to pay its employees, hire new local staff, and expand monitoring and regulation efforts
4. Engage NGOs and civil society to achieve plans and goals set by the MSPP
5. Promote the repair of existing public sector infrastructure and the future expansion of health facilities and health professional education systems in such a way that strengthens the public health infrastructure from top to bottom
6. Support the provision of comprehensive medical and social care including surgical care, follow-up care, psychosocial support, and physical rehabilitation services
7. Maintain and expand prevention and treatment programs for HIV/AIDS, malaria and TB, so as to prevent any back-sliding in Haiti's fight against these endemic diseases
8. Work towards actively finding, supporting, and treating the basic psychological needs and acute mental health issues facing internally displaced persons (IDPs) and other vulnerable populations
9. Support the health needs of women and children, who are particularly vulnerable in the displacement camps, by addressing issues of physical safety, pregnancy-related care, family planning, STI treatment, and nutrition.
10. Attend to the comprehensive social and economic needs of IDPs, which underlie their overall health, by working towards providing greater camp security, ensuring permanent and safe housing, working towards greater food security, promoting the creation of dignifying jobs, and improving access to clean water and safe sanitation systems
11. Ensure sustainable aid to provide aid in a reliable and long-term fashion that addresses the acute problems of post-disaster health crises in such a way that promotes resolution of long-existing health disparities

US Organizations Working on the Issue

- Partners In Health

Haitian Partner Organizations Working on the Issue

- Zanmi Lasante

¹ Global Health Observatory. "Health Expenditure Per Capita." *GHO Data: World Health Statistics*. World Health Organization. Web. 7 July 2010. <<http://apps.who.int/ghodata/>>.

² WHO,UNAIDS, & UNICEF. (2008, December). *Epidemiological Fact Sheet on HIV and AIDS: Haiti 2008 Update*. Retrieved July 8, 2010, available at http://apps.who.int/globalatlas/predefinedReports/EFS2008/full/EFS2008_HT.pdf, p. 4.

³ WHOSIS. "World Health Statistics 2010." *World Health Organization*. World Health Organization, 2010. Web. 7 July 2010. http://www.who.int/whosis/whostat/EN_WHS10_Full.pdf, p. 23.

⁴ WHO. *Haiti TB Country Profile*. Retrieved July 8, 2010, available at http://apps.who.int/globalatlas/predefinedReports/TB/PDF_Files/hti.pdf, p. 1.

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Immigration: Create a Haitian Family Reunification Parole Program to Increase Remittances to Haiti Permit Applications to Waive the Humanitarian Parole Fee

On January 14, President Obama promised leadership on Haiti. On at least two fronts, many urge bolder action by the Administration.

Need for a Haitian Family Reunification Parole Program

On July 2, the *Philadelphia Inquirer* editorial board urged the Administration to create a Haitian Family Reunification Parole Program (FRPP), citing DHS's creation of a Cuban FRPP in 2007. On June 26, the *Washington Post* editorial board again, as on January 29, urged the Administration to parole the 55,000 Haitian beneficiaries of *already-approved* visa petitions who such a program would cover, and who otherwise will languish years longer unnecessarily in Haiti due to the visa backlog, part of the burden on its government and the international community, rather than being part of the solution by working here and sending remittances home. On July 17, the *Boston Globe's* editorial board strongly urged the Administration to parole the 55,000 approved beneficiaries as "the most effective way" to help Haiti recover, as did the *Los Angeles Times'* editorial board on July 21, asking "why the disparate treatment?"

Creating a Haitian FRPP would serve the same goals as the existing Cuban program – orderly migration and saving lives at sea – and boost Haiti's recovery by getting crucial additional remittances to an estimated 550,000 or more Haitians. Given the extremely slow pace of recovery six months after the quake, ignoring this appropriate and implementable step only perpetuates unnecessary suffering.

Support for a Haitian FRPP is broad. On January 22, Elliot Abrams urged increasing legal immigration to spur remittance flow in a *Washington Post* op-ed. On January 29, the *Washington Post's* editorial board urged paroling the 55,000 approved beneficiaries to do this. On February 4 and 5, Senator Gillibrand and Rep. Yvette Clark introduced S. 2998 and H.R. 4616 to accomplish this, hoping to spur Administration action. On March 8 House Democratic leaders joined by four Republicans urged Secretary Napolitano to parole them; on March 12, 75 organizations urged her to create a Haitian FRPP, citing the Cuban FRPP. On March 22 and March 29, the *Miami Herald* editorial board urged the Administration to parole the 55,000, as did Haitian-Americans in their April 5 meeting with Vice President Biden and the U.S. Conference of Mayors in a strongly worded, unanimously passed June 14 resolution. "Haiti Remittances [Are] Key to Earthquake Recovery," reported the World Bank on May 17, but the Administration has yet to act.

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This is a step which the White House should approve and the Administration implement now.

Need for Humanitarian Parole Application Fee Waiver

The U.S. Citizenship and Immigration Services (USCIS) should have the ability to waive the currently non-waivable \$305 fee to apply for humanitarian parole (HP). HP is only for quake victims with *urgent, dire, and special needs* including the double amputees and rape victims. Applicants must meet stringent requirements, including who will care for them here. But they cannot afford the prohibitive per-person \$305 filing fee. If humanitarian parole is to have meaning in the context of Haiti's tragedy, this fee should be waived by the agency. Otherwise, HP-qualified quake victims will not be able to apply for it, which would tragically defeat HP's very purpose.

Recommendations

We respectfully urge the Obama Administration to take the following actions to alleviate suffering in Haiti:

- Create a Haitian Family Reunification Parole Program: Parole 55,000 approved beneficiaries to help 550,000 Haitians survive and rebuild.
- Give USCIS the authority to waive the \$305 humanitarian parole application fee by considering individual fee waiver applications

For more information, please contact:

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Support for This Position

"Helping the Haitians," *Philadelphia Inquirer* editorial, July 2, 2010
http://www.philly.com/philly/blogs/inq_ed_board/97630409.html

"The U.S. Should Welcome Haitians In," *Washington Post* editorial, January 29, 2010
<http://www.washingtonpost.com/wp-dyn/content/article/2010/01/28/AR2010012803513.html>

"Haiti: Expedite visas for family members," *Boston Globe* editorial, July 17, 2010
http://www.boston.com/bostonglobe/editorial_opinion/editorials/articles/2010/07/17/haiti_expedite_visas_for_family_members/

"Helping Haitians help themselves," *Los Angeles Times* editorial, July 21, 2010
<http://www.latimes.com/news/opinion/editorials/la-ed-haitians-20100721.0.3618364.story>

"President Obama Could Rapidly Aid Haitian Immigration Seekers," *Washington Post* editorial, June 26, 2010
<http://www.washingtonpost.com/wp-dyn/content/article/2010/06/25/AR2010062504520.html>

U.S. Conference of Mayors Resolution #43: Urging Parole for all Haitian Beneficiaries of Approved Immigrant Visa Petitions and Expedited Consideration and Approval of all Pending Immigrant Visa Petitions. June 14, 2010.

HAITI ADVOCACY WORKING GROUP (HAWG)

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The Three Principle Challenges Facing The Justice Sector In Haiti Following The Earthquake

A. Responding to the needs of the majority of Haitians who are poor

Haiti's justice system is notoriously corrupt, and the burden of this corruption falls primarily on those who cannot afford to pay for access to justice. Over 80% of the people in Haiti's prisons have not been convicted of a crime; almost all of these long-term pre-trial detainees are poor. Poor Haitians are unable to enforce the basic rights – labor, housing, contract, property and education rights, the right to child support – that are essential to escaping the cycle of poverty.

The inability to enforce their basic rights forced poor Haitians to live in inadequately constructed housing in the crowded slums which collapsed in the earthquake, killing thousands in single neighborhoods. The continued inability to enforce their rights will prevent most Haitian families from taking advantage of Haiti's reconstruction to obtain a minimally acceptable standard of living.

B. Protecting Women

Poor women and girls began reporting sexual assaults in the Internally Displaced Persons (IDP) camps as soon as they were set up. One survey found that 3% of all people in Port-au-Prince had been sexually assaulted since the earthquake, and half of the victims were girls under age 18.

Sexual assaults impose enormous stresses on women, girls, and families already deep in crisis. Before the earthquake, women in Haiti bore two disproportionate burdens: entrenched gender discrimination and the primary care-giving responsibility. Both left them poorer and more vulnerable to violence. Many women lost adult male family members who provided physical security and a source of income. Surviving women have primary care-giving responsibility for the most vulnerable, including infants, children, elderly, and newly disabled people. When women are injured due to rape or fear of rape, everyone within their circle of care, especially children, suffers.

The Haitian law enforcement and justice systems have never effectively prosecuted rape. Although the earthquake reduced the capacity of those systems, the Haitian government has not effectively deployed the resources it has available to protect women. The international community has responded to the rapes, but too slowly and with insufficient input from the women in IDP camps.

C. Security of Land Tenure

Judicial corruption, poor record-keeping, and political instability have left Haiti with an extremely insecure land tenure system. Many properties have two or more judicially-recognized owners, while most landowners, have title that is either informal or questionable. One study concluded that only 5% of Haiti's land has a clear and recognized title. Tenure insecurity has long plagued Haiti's economy, providing a disincentive to invest in improvements on land, and allowing people with political, economic or military power to appropriate the work and property of others.

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Tenure insecurity has been particularly problematic following the earthquake. NGOs, governments and individuals building homes cannot be certain that the intended homeless beneficiary will be able to stay on the land once the house is completed. The many people whose claim to land was based on their actual possession of the land, lost that claim when their house fell and they fled. On January 13th, opportunists dispossessed people with earthquake-weakened title claims.

Recommendations

A. Justice for Poor Haitians

1. Foreign aid supporting the Haitian government's capacity to arrest and incarcerate should be matched with aid supporting the government's capacity to treat detainees fairly and humanely. This includes programs to accelerate judicial procedures, fight corruption and provide aggressive, effective legal representation to pre-trial detainees.
2. Existing justice sector support should be complemented with programs designed specifically to help poor people enforce a range of their rights. The United States has many examples of effective anti-poverty legal initiatives to serve as models.

B. Protecting Women

3. Foreign assistance programs impacting Haitian women's security- including housing, emergency response and police programs- should systematically integrate poor Haitian women into the program's design and implementation.
4. The United States should support programs that increase the ability of police, judges and prosecutors to effectively respond to rapes, including programs that assist health care providers to generate medical documentation useful for court proceedings.
5. The United States Congress should encourage all programs funded by the United States to more quickly and effectively respond to the epidemic of rapes in the IDP camps.

C. Increasing Security of Land Tenure

6. The United States should support long-term initiatives designed to eradicate the causes of land tenure insecurity, especially judicial corruption and poor record keeping.
7. Short-term programs to resolve land-tenure problems caused by the earthquake should implement lessons learned from the 2004 Indian Ocean Tsunami and other natural disasters, with particular attention on programs that maximized long-term impact and protected the interests of the poorest landowners.

US Organizations Working on Justice

- Habitat for Humanity, www.habitat.org (land tenure)
- Huairou Commission, www.Huairou.org (land tenure and women's rights)
- Institute for Justice & Democracy in Haiti, www.HaitiJustice.org (enforcement of legal rights of poor, prison issues, protection of women, property rights)
- MADRE, www.Madre.org (protection of women)
- Partners in Health, www.pih.org (prison conditions, medical treatment of rape survivors)
- Transafrica Forum, www.transafricaforum.org (protection of women)

Haitian Partner Organizations Working on Justice

- Bureau des Avocats Internationaux (BAI) www.ijdh.org/about/bai (enforcement of legal rights of poor, prison issues, protection of women, property rights)
- Fanm Viktim Leve Kanpe (FAVILEK), contactable through BAI (protection of women)
- Komisyon Fanm Viktim Pou Viktim (KOFAVIV) contactable through BAI (protection of women)

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LAND RECLAMATION IN HAITI

BACKGROUND

After Haiti gained independence from France in 1804, Haitian independence leader Jean-Jacques Dessalines nationalized substantial tracts of land and granted ownership to the privileged who happened to be residing on it. The first post-independence Coup d'Etat rose up in large part as an over-heated dispute over land tenure. The descendants of these counter-revolutionaries now own much of the land that was obtained through outright intimidation, theft, or falsification of papers. To this date, the system of land tenure in Haiti is largely based on a class-based and racist division of land assets. Patrick Elie, a Haitian democracy activist explains, "Land tenure in Haiti is total chaos. This is the result of the behavior of the Haitian elites over centuries. They have expropriated land and, especially after independence and the end of slavery, they appropriated vast tracts of land... Now there is a lot of discussion about who owns what piece of land."

POST-EARTHQUAKE

In the months after the January 12 earthquake, the Haitian parliament voted to cede power to the Interim Commission to Reconstruct Haiti (IHRC), comprised of foreign bankers and governments along with 13 members of Haiti's elite. The IHRC has the right to seize land and redistribute it, and can do so without any prior consultation with Haitian Civil Society or impacted communities. Kim Ives, of Haiti Liberté explains, "The bourgeoisie has been put in charge of re-settling the squatter camps. They have the best land in suburban Port-au-Prince, large tracts of land very suited to building new cities." Rather than using the elite-owned tracts of land, which are large and ideal for relocation, the interim commission is taking away land from working people. The placement of new residences is part of a haphazard process; according to Mayor Ralph Lapointe of Ganthier and many other mayors, both judicial authorities and the police are collaborating with the Commission, but have failed to communicate with the peasant communities that are directly affected (Democracynow.org 7/14/2010).

Expropriations of land for displaced persons and the simultaneous empowerment of the bourgeoisie constitutes a stark reality in Haiti. After 6 months, the UN and Haitian government have done little more than move citizens from one set of temporary housing to another. Verbal lease agreements with landowners leave new housing developments tenuous, while attempts to formalize the land title system—efforts undertaken by the OAS, for example, to create a cadastre system—threaten to further victimize those without proper legal representation and formal documents (International Development Law Organization).

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To date, no plan for permanent housing exists for the current 1.9 million displaced persons. Moreover, massive relocation will only serve to exacerbate ownership and environmental problems, especially with improper use or overuse of land.

Land ownership should be the result of local planning which reflects the needs of Civil Society and long-term environmental stewardship. Towards this end, Haitian Civil Society Platforms are developing an alternative development plan that would be based on equity, justice, environmental sustainability and participation.

RECOMMENDATIONS

- Displaced people must be relocated into permanent housing and must maintain control of their land for housing and work.
- Imminent domain procedures must be fair, just, and equitable.
- International donors should donate only to trustworthy environmental aid organizations that will ensure local, sustainable, culturally-sensitive redevelopment in Haiti.
- Haitian communities and civil society affected by land transfers and distributions must have access to some legal representation.
- Land use and land transfers should be transparent and must include environmental impact assessments.

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A Focus On Post Earthquake Shelter Issues

The Importance of Shelter

One of the greatest direct impacts of the earthquake for most Haitians has been the loss of their homes and shelter has become a clear, urgent priority in relief and reconstruction efforts. In total, nearly 1.5 million people have been displaced or are homeless due to the earthquake. Shelter is one of the most basic and essential human needs; it is critical to health, stable employment and education. Other humanitarian assistance investments will suffer diminishing returns and the “re-founding” of Haiti will be delayed if the provision of adequate shelter is not made a priority. Any reconstruction plan must make shelter in cities a central component as a part of a broader effort to foster Haitian self-sufficiency. Shelter reconstruction will stimulate the local economy through job creation, investment, and skills training. Decisions about how, where, and when the homes of Haitians are rebuilt will have a critical impact on Haiti’s future economic opportunity and on the living standards and conditions of its people.

The Context for Thinking about Shelter

Haiti and its international partners must be committed to “building back better.” Housing reconstruction should occur within the framework of an urban strategy and development plan supported by the Government of Haiti and its citizenry. That plan must take into account such factors as the availability of land and improved security of tenure; land use and environmental issues; the improved delivery of basic services including and water, sanitation and transport; national economic development and job creation opportunities; disaster risk reduction measures; the expressed preferences of those who have lost their homes and community needs; the special problems and needs of renters; etc.

Specific to the current situation, policy-makers should enable families to return to homes that are structurally sound, develop programs to help families fix homes that can be repaired, and plan for the reintegration of the many families whose homes have been destroyed and who inevitably will want to return to be near family, community, and livelihoods. Policies of urban inclusion and support are essential. It is well documented that in similar disasters, urban populations have increased over time and accepting and planning for that increase must begin now; ensuring that costs and benefits of urban investments enables fairness and equity on the ground.

Special Considerations and Priorities

A number of principles, considerations and priorities must be assessed and considered in designing and implementing a program for shelter reconstruction:

- Link reconstruction plans to poverty alleviation and durable job generation and economic growth opportunities
- Include programs to clarify land ownership and occupancy rights, and to improve security of tenure
- Coordinate housing reconstruction with infrastructure development, particularly water and sanitation

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- Ensure that shelter reconstruction strategies and building standards take into consideration the likelihood of future earthquakes and other natural disasters
- Incorporate gender concerns into shelter planning at all stages of development
- Reflect local preferences, practices and conditions and community infrastructure
- Build up capacities of Haitian organizations (government, CBOs, NGOs, private sector)

The shelter situation in Haiti today, 6 months after the earthquake:

People displaced in settlement sites after the earthquake still continue to struggle to meet their basic needs. Original estimates showed 1.2 million displaced persons, but that has increased in the past six months to 1.5 Million. Of the estimated 570,000 people who left Port au Prince after the earthquake, well over half have returned. Displaced persons live in over 1,300 settlements, of which less than 25% have a designated camp management agency to coordinate the provision of food, water, protection, and other humanitarian aid. Displaced people face extreme uncertainty as their futures are threatened by forced evictions. Moreover, the impending danger posed by expected hurricanes and the existing stress caused by heavy rains are compounding an already difficult situation. Only 5,657 of a planned 125,000 transitional shelters have been built.

The Importance of Security of Tenure in Shelter Reconstruction

Tenure security is a vital part of a multi-pronged approach to improve housing conditions for the poor. It more effectively fights poverty when implemented gradually in tandem with basic services such as water and sanitation. Efforts to improve tenure security should prioritize the most vulnerable populations—the urban poor, women and children, and those affected by disasters. Education, advocacy, and awareness of individual rights are key to improving tenure security for the poor, especially for these populations most at risk. National and local laws that create a framework for granting tenure security, including an accessible, transparent and accountable land administration system to combat corruption and inefficiency in government, are vital to increasing tenure security.

Haiti Shelter Related Recommendations for the U.S. Government

- Increase resources for shelter reconstruction activities. As the Government of Haiti stated in March, 40% of the earthquake's impact was related to the housing sector. However, less than 6% of funding pledged at the donor conference is earmarked for housing and less than 14% of the current US Haiti supplemental is designated for shelter. Special focus should be given to housing repair programs. Currently only 3 million USD has been dedicated to housing repairs.
- Ensure programs resulting from the Haiti supplemental with funding targeted for shelter reconstruction take the above context, considerations and priorities into account.
- Expedite and expand resources for rubble removal activities, which is a necessary pre-condition to housing reconstruction.
- Increase resources for solutions to land tenure issues. Special focus must be given to the vast majority of IDP's living in camps who were previously in rental situations.
- Increase time, resources, and focus on the capacity of organizations that work on urban planning, housing policy, and land tenure issues.
- Understand that decentralization and resettlement are distinct and separate issues, and that housing reconstruction should only take place in areas where jobs exist.
- Understand the multiplier and boosting effect that shelter and housing reconstruction activities have on the local economy and family livelihoods, as well as its contribution to enhanced protection of affected populations.

For more information, please contact:

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Organizations working on Shelter Issues in Haiti:

See Haiti Shelter Cluster website: www.shelterhaiti.org