



Institute for Justice & Democracy in Haiti
Bureau des Avocats Internationaux



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U.S. Delegation Finds Inadequate Response, and “Victim-Blaming” Approach to Rapes in Haitian Displacement Camps

Lawyers collect rape survivor accounts and plan legal strategy

PORT-AU-PRINCE (May 17, 2010) – In over a week of on-site interviews and exploration, a delegation of U.S. lawyers, health professionals, and community activists found continued alarming rates of rape and other gender-based violence (GBV) in the displaced persons camps throughout Port-au-Prince since the Haitian earthquake in January. Expressed sentiments on the part of some Haitian government officials that victims are somehow to blame for the rapes is outrageous to human rights attorneys and community members, who find that women face a grave lack of security necessary to prevent and respond to the sexual violence crisis. Medical services are overwhelmed and unable to meet women’s healthcare needs stemming from the assaults.

“It is critical that we dispel the myth that these rapes are a result of promiscuity,” said Blaine Bookey, an attorney with the Institute for Justice & Democracy in Haiti (IJDH), and coordinator of the delegation. “These are violent crimes being perpetrated by strangers in the dark of night and they merit the attention of the police and other groups helping organize the camps.”

The vast majority of the women and girls reported being raped by groups of armed, unknown assailants who often beat them in the course of the attack, and threatened them with further violence if they reported the rape. Perpetrators often attack at night, when women are asleep beside their children; or when they go to the latrines, men wait for them in the dark stalls. “It is totally unacceptable for these rapes to continue to go unpunished,” said Mario Joseph, Managing Attorney at the Bureau des Avocats Internationaux (BAI), which hosted the delegation at its office in Port-au-Prince. “We are now building strong legal cases to hold rapists accountable and bring these women the justice they deserve.”

Women who report rapes to the police describe being turned away, not taken seriously, or told to notify the police if they see the rapists again. “Pa tap vini” or “They never would have come,” described one woman as to why she did not report her rape. These experiences foster the perception that reporting to the police is futile, especially if the survivor cannot identify her assailants. “If we are going to overcome a culture of complete impunity for rapists, we must create environments in which survivors are able to report these crimes and be taken seriously” said Lisa Davis, an attorney with MADRE. “Haiti’s political and economic crises both before and as a result of the earthquake still do not relieve the authorities of the responsibility to protect women from sexual assault,” said Deena Hurwitz, associate professor and director of the International Human Rights Law Clinic at the University of Virginia School of Law.

Information regarding medical and legal services for survivors of rape is largely unavailable, and where available, it is generally incorrect and incomplete. Where services exist, women face prohibitively long waits, lack of privacy, and limited access to female healthcare providers. “I accompanied a 15-year-old rape survivor to the General Hospital, where we waited for three hours before being led to a dirty cot in a public room, where a male doctor was to conduct the exam. I ended up conducting the exam myself in another doctor’s living quarters,” said Betsy Freeman, women’s health specialist on the delegation. Medical certificates, instrumental in documenting cases of rape, are not reliably issued.

Based on these findings, the Port-au-Prince based BAI and the Lawyers' Earthquake Response Network, LERN, call on the government of Haiti, UN agencies, donor nations, and nongovernmental organizations (NGOs) working in Haiti to immediately improve services for rape survivors, and take concrete steps to reduce rape in the camps. Police patrols must increase to include all camps, and officers must patrol inside the camps, not just around the perimeter. Patrols should, where possible, include female officers. Police stations must have female officers who can help victims file reports, and all officers should have training to sensitively take women’s reports.

About the Organizations

Coordinated by the IJDH-organized Lawyers’ Earthquake Response Network (LERN), the delegation included representatives from MADRE, the University of Virginia School of Law, TransAfrica Forum, the ABA Section of International Law, and the law firm of Morrison and Foerster. Members met with grassroots women’s organizations, including KOFVIV and FAVILEK, and larger NGOs including Kay Fanm and SOFA.

LERN now has over 360 lawyers and law students responding to various post-earthquake needs. IJDH and BAI fight for human rights and justice in Haiti and for fair and just treatment of Haitians in the United States.

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