



Institute for Justice & Democracy in Haiti *Bureau des Avocats Internationaux*

FOR IMMEDIATE RELEASE

Contact:

Mario Joseph, BAI, mario@ijdh.org; (011) 509 3938-9831 (in Haiti, speaks French and Creole)

Beatrice Lindstrom, IJDH, beatrice@ijdh.org; (011) 509 2943-2106 / -2107 (in Haiti, speaks English and French)

Brian Concannon, IJDH, brian@ijdh.org ; [541 263 0029](tel:5412630029) (in U.S., speaks English, French and Creole)

Building Back Better Requires Justice and Haitian Participation

Boston, Port-au-Prince — Human Rights lawyers in Haiti and the United States affirm that progress in Haiti is achievable if Haitians are involved at all stages and the building is done on a foundation of justice. Despite the frustration with the uneven progress at the 3rd anniversary of Haiti's January 12, 2010 earthquake, the lawyers note that well-designed projects have produced results.

According to Mario Joseph of the Port-au-Prince-based *Bureau des Avocats Internationaux* (BAI), "Haiti can be built back better, but only if it is built back more justly, with the Haitian people involved in the choice, the planning and the execution of the projects."

Attorney Joseph cites the efforts to fight rape after an increase in rapes following the earthquake, especially in the Internally Displaced Persons (IDP) camps. The Haitian justice system has historically not prosecuted rape well, but in last summer's trial sessions in Port-au-Prince, 22 out of a total of 78 criminal trials were for rape. Of the 14 publicly-known verdicts, 13 were convictions, with just one acquittal. The BAI brought seven rape cases to trial in 2012, all resulting in convictions.

"These cases worked because grassroots women's groups made them work. They participated in the legal process, formed court observation teams, and lobbied their government," said Attorney Joseph. "This encouraged Haitian officials from police officers to judges to step up and prosecute rape better than ever before."

Beatrice Lindstrom of the Boston-based Institute for Justice & Democracy in Haiti (IJDH) stated that "this progress is sustainable and has a ripple effect. Everyone involved has improved advocacy skills that can be used the rest of their lives. Prosecuting rape frees women to participate more fully in Haiti's economic, political and social spheres. That benefits the women, their families and the country." Joseph added, "poor women victims of rape—among the most marginalized people in the hemisphere, enforcing their

rights—with a little help—within Haiti’s troubled justice system. That is what building back better looks like.”

In contrast, another urgent need — housing for those displaced by the earthquake— has stalled, in large part because courts cannot determine with certainty who owns the land. Instead of targeting the cause of the problem, using available legal procedures such as eminent domain and working collaboratively with displaced persons, the international community and Haitian government have targeted IDP camp residents through illegal evictions and short term payoffs, without providing viable housing for displaced families. “These are band-aid solutions to a fundamental problem,” said IJDH’s Brian Concannon. “The problem of IDP camps sitting where journalists will see them is being solved; the problem of earthquake survivors with no homes is not.”

The lawyers point to a similar dynamic in the United Nations’ response to the cholera epidemic brought to Haiti by UN troops in 2010. Instead of cooperatively providing timely information about the epidemic’s origins, the UN withheld information, generating a panic that facilitated the epidemic’s spread. Instead of accepting legal responsibility for its actions and providing the clean water and sanitation necessary to stop the cholera’s killing, the UN has denied the facts established by the scientific community, including the UN’s own experts, while 8,000 Haitians died.

“Involving Haitians and respecting the law are, in principle, uncontroversial,” according to Concannon. “They are just widely disregarded in practice, by organizations that know better.” Attorney Joseph expressed his appreciation for the continued attention to his country since the earthquake, but noted that “when international development efforts in Haiti fail, it is frustrating for the world, but deadly for the poor of my country.”

###