

# HAITI

## Protection after Hurricane Matthew



### Key findings

<b>Frustrations with the response</b>	<ul style="list-style-type: none"> <li>Some aid is reportedly being distributed according to political support, creating discontent and distrust. This is likely to persist in the run-up to 20 November elections.</li> <li>Discontent could increase as the response remains slow, leading to more security incidents and protection concerns.</li> <li>A focus on the most severely affected areas in the south puts those affected in other areas at risk of neglect, exacerbating their needs and potentially leading to further tensions.</li> </ul>
<b>Physical safety and security</b>	<ul style="list-style-type: none"> <li>Lack of lighting at night leads to an insecure environment in areas affected by the hurricane. Women and girls in shelters have no private space.</li> <li>Sexual and gender-based violence is a major concern, particularly in shelters, where cases of rape have already been reported.</li> </ul>
<b>Forced relocation</b>	<ul style="list-style-type: none"> <li>The government has announced a plan to close all remaining temporary shelters, but no strategy is in place to assist those who have lost their homes. Forced relocations and evictions of IDPs have occurred in Haiti in the past.</li> </ul>
<b>Property issues</b>	<ul style="list-style-type: none"> <li>Documentation has been lost, boundary stones destroyed, property owners have died and previously informal land ownership arrangements will need to be formalised.</li> <li>Issues related to land and property rights have been a major concern in Haiti in the past, hampering the reconstruction of shelters. Displacement and loss of housing are likely to lead to similar challenges and tensions.</li> </ul>
<b>Child protection</b>	<ul style="list-style-type: none"> <li>125,000 children are estimated to be in need of protection from violence, exploitation, and abuse.</li> <li>Other concerns include lack of documentation, including loss of birth certificates, and a risk of human trafficking.</li> </ul>

### Limitations of this report

Few actors have been analysing protection issues. Most information is anecdotal or unconfirmed. Pre-crisis information on protection in the affected areas is limited, as these were not affected by the earthquake and the protection issues that followed.

### Frustrations with the response

#### Politicisation of the response

A slow response in the context of the elections is already exacerbating tensions between national and local authorities, and the population. Anecdotal reports indicate that people are perceiving aid as being distributed along political lines, creating distrust and discontent (PI 14/10/2016; local media 18/10/2016). Communities in the south of Dame Marie have erected blockades and dug a trench in the road to prevent humanitarian actors from reaching Anse d'Hainault, as they accuse the mayor of Anse d'Hainault diverting and not distributing aid (PI 19/10/2016). Perceptions of unfair aid distributions are also fuelling violence during the delivery of assistance. The President and the Electoral Commission have both publicly called for the end of distributions by political members as part of their campaign (local media 19/10/2016). Unequal distribution of resources has historically fed grievances in Haiti (Earth Institute Columbia University 09/05/2012).

An unstable political situation is aggravating tensions. A long-delayed first round of presidential and legislative elections was scheduled for Sunday 9 October, but has been rescheduled to 20 November due to the hurricane (AFP 06/10/2016; local media 14/10/2016). The country is currently run by a transitional government, headed by Interim President Jocelerme Privert, although his term officially expired in June (AFP 13/02/2016). The transitional government has been in place since February. Many have questioned its legitimacy and protested against election delays, and election-related security incidents over the past year have ranged from disruption of political events to armed attacks against candidates and supporters, some reportedly involving gunfire (AFP 05/06/2016; ICG 01/07/2016, Metropole Haiti 26/09/2016, Haiti libre 06/09/2016).

Almost 50 security incidents targeting and impacting aid have been reported by humanitarian organisations and the MINUSTAH,, since the hurricane, ranging from roadblocks and demonstrations to looting and robbery with violence (ACAPS 23/10/2016). In 2010, the perceived lack of response by the Haitian government led to violence within a week of the earthquake (Daily Mail 18/01/2010).

#### Neglect of less severely affected areas

Most humanitarian actors, as well as the government, are focusing relief efforts on the most affected areas of Grand'Anse and Sud. Nippes, Sud-Est, and Nord-Ouest, are among the less severely affected locations, but damage to housing, public infrastructure, and agriculture is widespread, and the population in these areas has received very little assistance so far. Additional flooding is already exacerbating the situation in Nord-Ouest (Government 22/10/2016; NGO Haiti Participative 22/10/2016). Neglecting the population in less severely affected areas could exacerbate their vulnerability to physical as well as psychosocial risks (Global Protection Cluster 2016). A sense of neglect has already triggered security incidents, from roadblocks to looting of trucks carrying humanitarian assistance (MINUSTAH 10/10/2016). The feeling of neglect also risks exacerbating other grievances that may lead to social tensions and greater insecurity.

## Physical safety and security

The lack of light in the evening and at night as a result of damage to the electricity network is increasing insecurity in affected areas. An increase in theft has been reported, and people are reluctant to leave their homes or even sleep for fear of losing their possessions (The Economist 14/10/2016). Some cases of rape have also been reported.

Women and children are particularly at risk (PI 15/10/2016). An assessment of temporary shelters showed that in most cases women and girls have no private space. They report access to physical security as a priority in the immediate future (UNFPA 19/10/2016). After the earthquake in 2010, women staying in public buildings had to bathe in the presence of others, which increased protection concerns (Global Centurion 2012).

## Sexual and gender-based violence

An increase in SGBV is often reported following natural disasters (UNICEF 16/10/2016). Two IDP camps, Saint Etienne 1 and 2 in Tabarre, Ouest, reported incidents of SGBV following the hurricane (CCCM WG 14/10/2016). Those living in the shelters have identified violence against women as a major problem (UNFPA 19/10/2016). In Petite Rivière de Nippes a certain tolerance in the population vis-à-vis perpetrators of sexual violence has been reported. There is a fear of an increase in sexual violence against girls under 18, in public spaces as well as in homes (UNFPA 19/10/2016). A large proportion of reported sexual violence cases were against minors (UNICEF 20/10/2016).

Many requests for assistance and complaints to local authorities remain unaddressed or are not prioritised. This is the result of a lack of services, and the legal and security system not functioning for several days following the hurricane (UNFPA 19/10/2016). In the past, women in Haiti have often been afraid to file complaints because of fear of the attacker,

or because they had no place to go. A lack of trust in the police and the justice system further contributes to the reluctance to report crimes (Global Centurion 2012).

Following the 2010 earthquake, the risk of rape and other forms of SGBV was of major concern in makeshift camps in Haiti. Insecure and inadequate shelters, inadequate toilets and washing facilities, overcrowding, a lack of income-generating activities, a lack of lighting at night, and a lack of security and policing were all factors that increased the risk (Amnesty International 01/2013). Many of these factors are present in the most hurricane-affected areas, in temporary shelters as well as in other communities, indicating an increased risk of SGBV. Some women and girls also engaged in transactional sex in makeshift camps following the earthquake, and the exchange of sex for food was reportedly common (Amnesty International 01/2013).

## Forced relocation

### Closure of temporary shelters

People living in temporary shelters, such as schools and other public buildings, are at risk of forced relocation. The government has announced plans to close all temporary shelters, as many will be used as voting centres in the elections scheduled for 20 November (PI 13/10/2016). Many of the displaced have no home to go back to, and no strategy is in place yet to assist them (PI 15/10/2016). According to the government, about 141,500 people remain in shelters as of 22 October, primarily in Grand'Anse and Sud, and are at risk of forced relocation (PI 15/10/2016).

The government has taken a strong stance against people staying in camps (PI 17/10/2016). Those being forced to leave the temporary shelters will likely have to stay with relatives or friends, in public buildings that will not be used in the elections, and informal settlements. In Grand'Anse, displacement to informal settlements has already been reported (CDC 14/10/2016, UNOSAT 18/10/2016).

### Forced evictions

Reports suggest that the police may get involved in forcing people out of shelters (PI 15/10/2016). After the earthquake, there were numerous reports of forced evictions from camps and informal settlements in public spaces, without access to legal assistance or alternative accommodation. According to IOM, as of the end of March 2013, more than 60,000 people had been forcibly evicted from 175 different makeshift camps on private and public land or properties, without access to legal remedies or alternative accommodation. The overwhelming majority of evictions were because other people claimed to own the land on which the camps were located, or landowners were

reclaiming properties from displaced people through intimidation and violence. More than 75,000 individuals, nearly one in four of those living in makeshift camps, were threatened with forced eviction by private landowners or the authorities between July 2010 and March 2013. The threat of forced eviction was often accompanied by intimidation, harassment, and violence (Amnesty International 01/2013). Secondary displacement was also reported as people settled on private land following evictions, where they faced similar risks (UNHRC 08/05/2015).

## Land, housing, and property issues

### Conflict due to lack of documentation

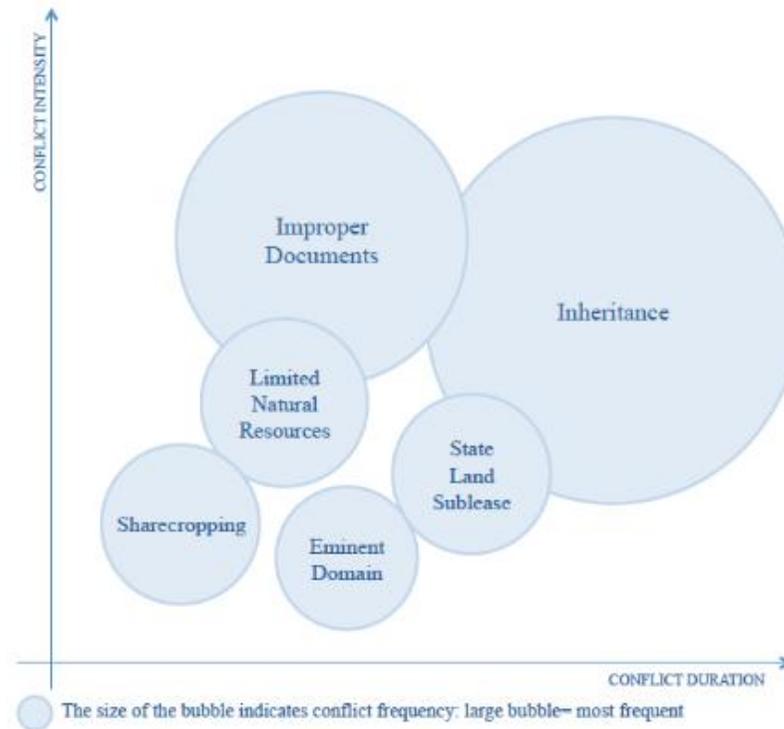
Conflicts over land distribution are longstanding, and have repeatedly undermined peace and stability (Dubois 2013). The main cause of land conflict in the south of Haiti relates to systemic flaws in the documentation of land titles, especially given that verbal contracts are usually not reinforced by official documents (Earth Institute Columbia University 09/05/2012). Less than 5% of Haiti's land is officially accounted for in public land records, according to the United Nations, compounding the difficulty in establishing who owns what land (Reuters 05/07/2010). Cases where two people with official documents claimed the same plot of land have been commonly reported in the Côte Sud (Earth Institute Columbia University 09/05/2012).

### Property issues hamper reconstruction

Following the 2010 earthquake, reconstruction was hampered by the lack of land property documents. In addition, the earthquake killed some 16,000 civil servants and destroyed a large number of title deeds and land registry records. The lack of land inheritance records created even more problems for casualties' heirs to access their lands after the earthquake (Reuters 05/07/2010).

Hurricane Matthew's destruction of houses and public infrastructure will create similar challenges. Documentation has been lost, boundary stones have been destroyed, property owners have died and previously informal arrangements will need to be formalised, adding a new layer of complexity to shelter reconstruction, similar to the situation after the earthquake in 2010 (Oxfam 26/01/2010). Landgrabbers take advantage of the lack of clarity about land ownership, and people returning home often find their land occupied by someone else (Reuters 05/07/2010).

### Frequency, intensity and duration of conflict relative to land property in Côte Sud



Source: Earth Institute Columbia University 09/05/2012

Insecure property and land rights also had an impact on local enterprise after the earthquake. Businesses struggled to get bank loans because they are unable to prove they owned land (Reuters 05/07/2010). Even when land was available, the conditions for rapid, large-scale construction did not exist (ODI 09/2012).

## Child protection

A week after the hurricane, a sharp increase in the number of children in foster care institutions was reported, as were high levels of informal foster care. Growing pressure on already weak institutions puts children at risk of abuse (OCHA 15/10/2016; UNICEF 16/10/2016). As of 21 October, an estimated 125,000 children are in need of protection from violence, exploitation and abuse, including 3,410 in institutions, who also need nutrition and WASH assistance, as well as protection services. 15% of children in shelters are under five years old, and are at a high risk of violence and neglect (UNICEF 20/10/2016).

Following the 2010 earthquake, thousands of children were reportedly living unaccompanied and were especially susceptible to be taken as unpaid domestic servants (Save the Children 31/12/2010). Even before the earthquake, some 1.2 million children were vulnerable to violence, abuse and exploitation, and approximately 225,000 children lived as *restavek*, meaning in unpaid domestic exploitation (Save the Children 2011). In addition to being forced to work, there is a risk of beating, sexual assault, and other abuse (International media 10/10/2016).

## Statelessness

Many Haitians lost their birth certificates in the hurricane. This impedes their official registration on the beneficiaries' list and their access to services, including education (UNICEF 20/10/2016).

A significant minority are likely not to have birth certificates: in 2011, it was estimated that between 20 and 40% of the children born in Haiti were not registered at birth, placing them at risk of statelessness. Haitians need to possess a document attesting to their nationality to access numerous services (OHCHR 12/02/2016).

## Human trafficking

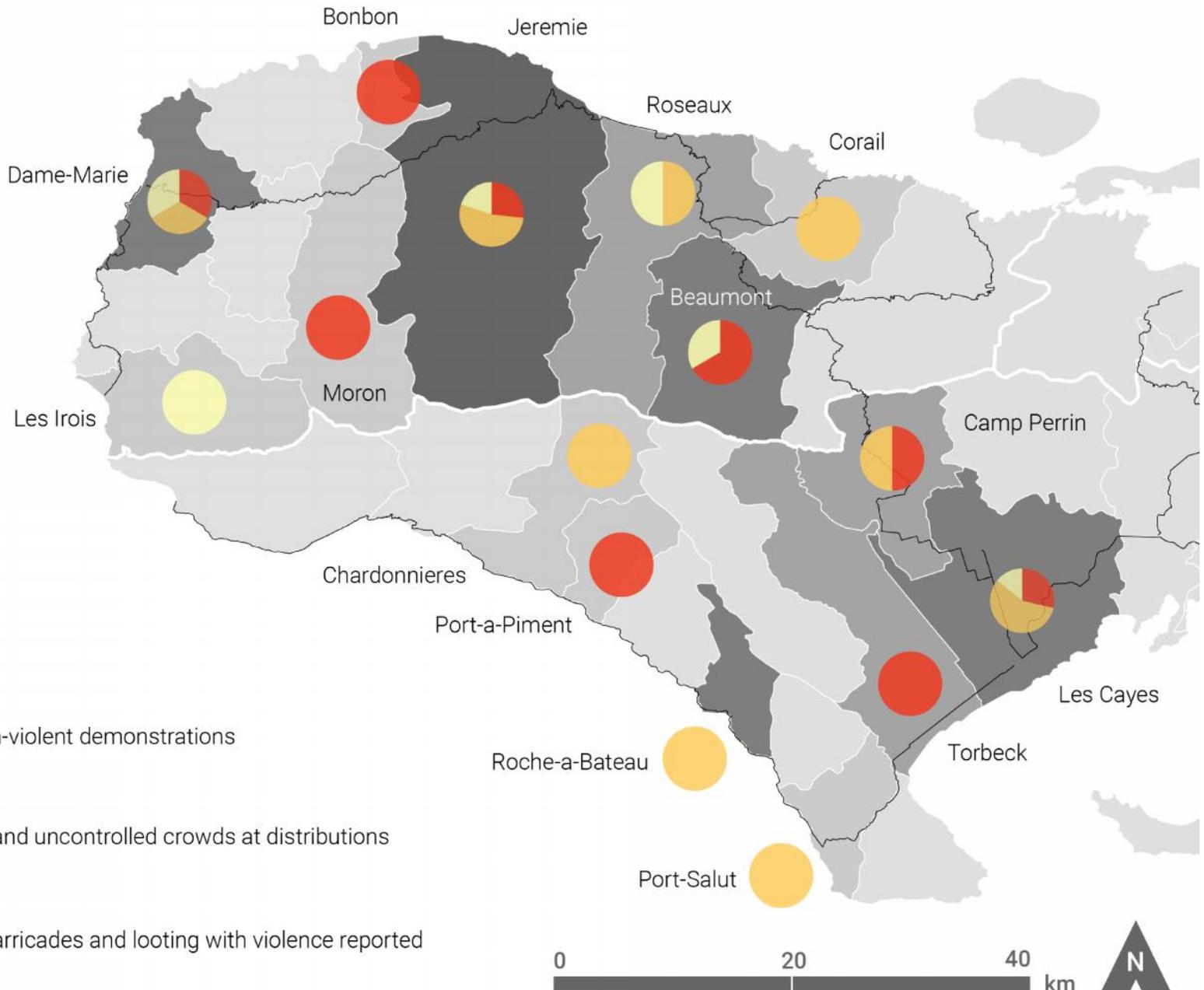
When poor families cannot afford to support their children anymore, they usually send them to live and work for another family, and this usually increases during disasters. Traffickers take advantage of this practice by buying or selling children under the false promise of better future for the children. Children are instead put to work or sent to orphanages to benefit from the international adoption trade (International media 10/10/2016). Since the hurricane hit, at least 2,000 children in Haiti have been separated from their parents or evacuated from orphanages, putting them at risk of human trafficking (Save the Children 09/10/2016).

## Information gaps and needs

- The extent to which distributions happen along political lines is unknown. Reports remain anecdotal.
- The number of people displaced within host families and in informal settlements is not clear, nor is the extent to which they face protection issues.
- Problems related to housing, land, and property rights for those who have lost their houses are likely, but so far little information is available on the current situation.
- Child protection and SGBV information currently available focuses on those living in temporary shelters. Little is known about the needs of other affected groups.

# Security incidents

as of 23 October

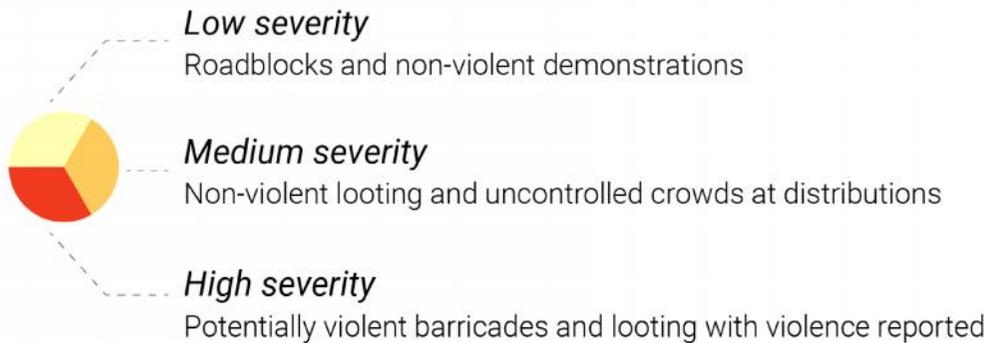


Major roads

Number of reported incidents



Severity of incidents



Sources CNIGS, ACAPS database

