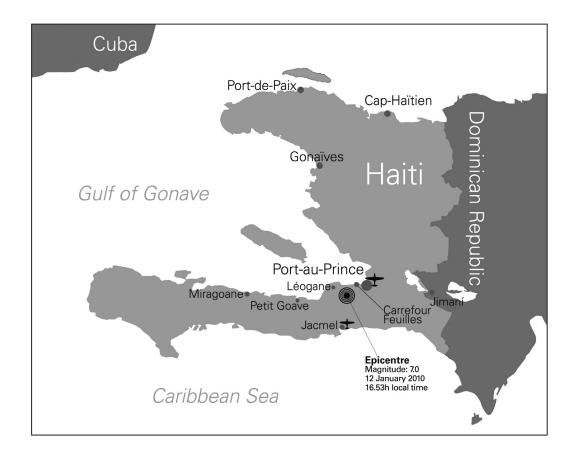
BUILDING BACK BETTER: AN IMPERATIVE FOR HAITI

POVERTY

A PARLIAMENTARY BRIEFING PAPER

CAFOD, Christian Aid, Progressio, Tearfund

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GLOSSARY OF TERMS

CEEH - Concile des Eglises Evangéliques d'Haïti (Council of Evangelical Churches of Haiti)

CSO - Civil Society Organisation

FAO - Food and Agriculture Organisation of the United Nations

FEPH - Fédération des Ecoles Protestantes d'Haïti (Federation of Haitian Protestant Schools

FONHEP - Fondation Haïtienne de l'Enseignement Privé (Haitian Foundation of Private Schools)

GARR - Groupe d'Appui aux Rapatriés et Réfugiés (Support Group for Refugees and Returnees)

GHRAN - Groupe de Réflexion et d'Action pour un Haiti Nouvelle (Reflection and Action Group for a New Haiti)

IDPS - Internally Displaced Persons

IHRC - Interim Haiti Recovery Commission

ITECA – Institut de Technologie et Animation

KOFAVIV - Komisyon Fanm Viktim pou Viktim (Commission of Women Victim-to-Victim)

MENFP - Ministère de l'Education Nationale et de la Formation Professionnelle (Ministry of Education - Haiti)

MUDHA - the Dominican-Haitian Women's Movement

PAJ – Programme Alternative de Justice (Alternative Justice Programme)

PDNA - Post Disaster Needs Assessment

PSSN - Plan de Sauvetage National (National Rescue Plan)

SOFA – Solidarité des Femmes Haïtiennes

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EXECUTIVE SUMMARY

In the months before the earthquake of 12 January 2010, Haiti's social and economic prospects were starting to look somewhat brighter. After years of political turmoil, the country was entering a new phase of relative stability. Bold measures taken by Bill Clinton, UN Special Envoy to Haiti, to encourage international donors and companies to invest in Haiti seemed initially fruitful. Tentative steps had been taken towards greater cooperation with other Caribbean governments, and a new Democratic leadership in the United States promised a fresh era in international cooperation with Haiti. There were cautious, but hopeful, signs that the country could be entering a new phase in its turbulent history.

The tragedy that struck Port-au-Prince and neighbouring towns on 12 January dealt a devastating blow, triggering one of world's worst humanitarian crises of the year. Approximately 230,000 people died and more than two million were directly affected. Rurally based Haitians not directly affected by the earthquake suddenly found themselves hosting migrants from the capital, but without the required capital or spare assets to bear the cost of this.

Approximately US\$11.5bn was needed for reconstruction, on top of the millions spent in emergency aid. Other tragedies later exacerbated the already critical situation: cholera struck, killing more than 2,000 people and created a public health problem never seen before in Haiti. A hurricane and floods then worsened the environmental and living conditions for the many thousands who had already lost family, homes, and livelihoods.

The humanitarian crisis exposed in sharp relief some of the country's deep rooted, structural problems. Unequal land distribution, an unclear and unregulated land tenure system, continued violation of the basic human rights of Haiti's most vulnerable people, low investigation rates and impunity, poor governance, insufficient social consultation, and adversarial state and civil society relations have long undermined Haitian social fabric. Now, in the aftermath of its worst natural disaster in living memory, they were also obstacles to delivering important and long-term humanitarian assistance to Haiti in the form of shelter and housing, security, safety, health care and education, and a sense of hope that comes from being part of the process of rebuilding.

This report highlights that unless these deep-rooted, structural problems are urgently addressed, the delivery of emergency aid to the most vulnerable people will be rendered less effective, and Haiti will lose the opportunity – ironically offered by the earthquake itself – to start afresh and rebuild a stronger and more equitable society.

SUMMARY OF RECOMMENDATIONS

CAFOD, Christian Aid, Progressio and Tearfund have worked with and supported local partner organisations in Haiti (and the Dominican Republic) for many years prior to 2010's earthquake. Therefore, we call on the British government and the European Union to continue to support donors and international organisations and more specifically to support the government of Haiti over the implementation of the following recommendations:

To donors and international organisations:

- · Donors should honour pledges made of international funding for the Haiti's recovery effort.
- Continue to support humanitarian interventions in Haiti well into 2011, including measures to address and treat cholera, and support Internally Displaced Persons (IDPs) living in camps.
- Recognise that reconstruction must be Haiti-led, including active promotion by all stakeholders of the participation of
 Haitian civil society organisations in all aspects and phases of Haitian reconstruction.
- Ensure that funding for technical support, institutional strengthening and staff training to key Haitian government ministries is included in all reconstruction projects.
- Give urgent priority to the clearance of rubble in Port-au-Prince so that reconstruction of houses and new buildings can take place.
- Quickly establish protective measures that safeguard women's security and rights both in camps and outlying areas
 where displaced Haitians have settled.

To the government of Haiti:

- Encourage good governance in Haiti in all its dimensions. This should include working towards free and fair future elections, representative, accountable and transparent political institutions and mechanisms for downward accountability.
- Establish a targeted housing/shelter policy that addresses the housing needs of low income, landless and homeless Haitians who are now in camps. Ensure that host families that have given shelter to urban to rural migrants, are given long term support.
- Adopt long-term measures for the protection of women and girls. Safeguard women's security and rights both in camps and outlying areas where displaced Haitians have settled.
- Address educational policy, including aiming higher than the status quo within the reconstruction plan if children are
 to progressively realise their rights to survival, education and protection in Haiti and be guarded against future economic,
 environmental and/or social shocks.
- Continue to promote cooperative Haitian-Dominican relations in the reconstruction phase.
- Work closely with the Haitian private sector and international donors to prioritise political and economic decentralisation away from Port-au-Prince.

1. INTRODUCTION

Immediately after the earthquake on 12 January 2010, even as its magnitude was being assessed, a rallying cry from deep within Haiti could be heard. It was swiftly echoed around the world by international and humanitarian organisations as an expression of solidarity with the poorest people in Haiti, one of the world's poorest countries, as images of human and environmental catastrophe emerged. The message was clear: Haiti had been struck by the most awful of tragedies – but could it provide a fresh start? The government could seize the opportunity to start anew, to break completely from previous failed policies, old conflicts and current problems. It could harness the overwhelming public support and the indefatigable energy of Haitians to rebuild the country on completely fresh and fairer foundations. Indeed, it had a duty to do so, not least as a mark of respect for, and as a legacy to, the thousands of people who lost their lives. Quite simply: Haiti must build back better.

One year has passed since this tragic, but nonetheless hope-filled, moment in Haiti's unique history. In that time, thousands have received immediate humanitarian relief, hundreds of agencies have given assistance; millions of dollars have been raised. Haiti's international debt, one of the major factors exacerbating poverty in the country prior to the earthquake, was cancelled in August 2010. New coalitions and networks have emerged to support Haitian reconstruction. Groups formed within the Haitian diaspora have stepped forward. A brand-new phase in formal Haitian-Dominican relations has started, following the overwhelming show of solidarity from these neighbours. And Haiti has moved to the very top of the development agenda.

Despite this, Haiti in 2011 is seriously at risk of having to endure a long-term emergency. The singular opportunity given by the crisis to rebuild a new and more just society is at risk of being squandered. Conspicuously slow progress made in 2010 has reduced the momentum built up for radical change. Hopes for a better future are being dashed on a daily basis by the emergence of fresh challenges. New crises now prevent stakeholders from working towards a bigger and longer term picture – one in which international organisations work alongside local ones to address the roots of problems which have trapped its citizens in persistent poverty. Fresh approaches to long-standing problems, backed by political will, technical and financial assistance are yet to be proposed. These must be fully owned by the Haitian people. It is perhaps due to the enormity of the disaster and the logistical challenges of meeting humanitarian needs, that new solutions to old problems have not yet been found. Yet these are the very ones that need integration into current plans if Haitian development is to now be put on a different track.

Haitians deserve a far greater share of a new and improved Haiti than they had before. It is not too late for Haiti to build back better. The four signatory organisations to this document have all worked with partners there for many years. Working from a common faith perspective and a shared development focus, we believe that the earthquake offers a chance to break completely from the development models of the past. We think that it in order for Haiti to build back better, greater effort must be made to ensure that old mistakes are not repeated either in 2011 or in the next 5-10 years and beyond. This paper will address five areas, identified by our Haitian partners, which we believe are now critical to re-establishing the country on improved foundations including: land, rights, civil society participation in reconstruction, decentralisation and bi-national relations between Haiti and the Dominican Republic. It is hoped that this document contributes to the process of building Haiti back better.

2. HAITI BEFORE THE EARTHOUAKE

Ranked the 145th poorest country in the world, Haiti stands between Angola and Senegal on the United Nations Human Development Index¹. Seventy-two percent of Haitians live on less than US\$2 (approximately £1.29)² per day and 55 percent on less than US\$1.25 (approximately £0.81) per day. Sixty per cent of its total population is unemployed³, with women and the young being almost twice as likely as men to be unemployed. More than half of the population consumes a diet whose nutritional value is well below the minimum required for a healthy life⁴. Infant mortality rates have consistently been the highest for Latin America and the Caribbean in the last twenty years; Haiti today remains the only country in the region where child mortality is higher than one in 105. Maternal mortality rates are also well above the regional average and rank with some of the poorest countries in sub-Saharan Africa. Life expectancy, at 62, is also the lowest in Latin America and the Caribbean⁶.

The physical environment in which poor Haitians try to sustain life and livelihood is severely under threat. Ninety-seven per cent of Haiti is deforested. Limited arable land, a poor land distribution system, insufficient infrastructure and little investment in agriculture have reduced a once-thriving agricultural life to a daily struggle. Fully self-sustaining in food 30 years ago, Haiti today struggles to produce 47 per cent of the food it needs. About one quarter of the population is food insecure and dependent on food aid.

Decades of inexpensive imports – especially rice from the US– punctuated with abundant aid in various crises have destroyed local agriculture and left impoverished countries such as Haiti unable to feed themselves.

Former US President Bill Clinton publicly apologised in March 2010 for championing policies that destroyed Haiti's rice production. Clinton in the mid-1990s encouraged the impoverished country to dramatically cut tariffs on imported US rice.

"It may have been good for some of my farmers in Arkansas, but it has not worked. It was a mistake," Clinton told the Senate Foreign Relations Committee on 10 March. "I had to live every day with the consequences of the loss of capacity to produce a rice crop in Haiti to feed those people because of what I did; nobody else."

Environmental degradation has made it especially vulnerable to natural disasters. During the 2008 hurricane season severe storms devastated more than 70 per cent of Haiti's agriculture and nearly all agricultural land was flooded. Free market policies, imposed over the last 20 years, further aggravated problems facing the rural economy, making it difficult for the sector to raise capital, resulting in its near collapse. A massive rural to urban migration was precipitated that in turn led to a proliferation of problems such as the overstretching of urban infrastructure, with overcrowding in makeshift and unregulated housing, and inadequate sanitation and water services.

Haitian governance and political life have also faced serious problems. Decades of military dictatorship, human rights violations and impunity have left unresolved legacies, even if a fragile democracy did begin to emerge in the 1990s. Haitian sovereignty and self rule had for decades also been undermined by externally imposed austerity measures, and economic and political isolation. Thousands of Haiti's educated professionals emigrated. Internal problems left a mark on many public institutions; the judiciary and constabulary were inadequately trained and poorly paid, the prison system overwhelmed. Many ministries were poorly equipped and overly centralised, and there were allegations of mismanagement and corruption. Problems of accountability and governance were, in the years immediately preceding the earthquake, in the process of being slowly addressed, but still not enough to restore public confidence.

HAITI FACTS AND FIGURES

Population	10 million ⁷
People without access to improved water source	42%
Population living below US\$1.25 a day	55%
Population living below US\$2 a day	72%
Life expectancy at birth	62 years
Probability of not surviving to age 40	19%
Adult illiteracy rate	38%
Earthquake affected population	2 million ⁸
Destroyed or partially damaged houses	188,383
Displaced people in camps	1.3 million
People migrating from West (Port-au-Prince) department	661,000
Camps	1,191
Damaged/destroyed schools	4,758

3. 2010: THE DEVELOPMENT CHALLENGES DEEPEN

The earthquake of the 12 January had a death toll of approximately 230,000°. One-and-a-half million people were internally displaced while another 1.3 million moved to camps. Damages and losses amounted to US\$8bn. Damage to housing stock was enormous: 105,000 homes were completely destroyed and close to 210,000 left barely inhabitable. Calamitous losses to the state were also registered. The presidential palace was severely damaged. Key institutions were destroyed: the parliament, the law courts, tax office, ministries and public administration, prisons, 1,300 educational establishments, more than 50 hospitals and health centres. Databases, office materials and institutional memory were wiped out. Far more critical though, was the enormous loss of human capacity. Nearly 16,000 public sector workers perished in the earthquake¹⁰ Hundreds of schools, hospitals, professional institutions and civil society organisations lost valued and experienced members of staff. According to the evaluation made by the Post Disaster Needs Assessment (PDNA)¹¹, the total reconstruction bill is estimated at US\$11.5bn.12

Much of Port-au-Prince remains under rubble. Governmental plans for land clearance have been scuppered by poor record keeping on land ownership, a dilapidated road network that prevents trucks from passing, lack of appropriate machinery and insufficient funding. According to the Interim Haiti Recovery Commission (IHRC) website only a tiny amount of the estimated US\$17 million needed for rubble clearance has been funded as yet.

Cholera

The outbreak of cholera in October 2010 deeply aggravated the existing emergency. As at 10 December, USAID reported 2,359 deaths and 104,918 cases of which only roughly half had been hospitalised¹³. The Artibonite, West (including Port-au-Prince) North, North-West, and North-East departments have had the highest number of reported cases.

The six-month hurricane season brought tropical storms and flash floods affecting the whole country, but especially those who are still living in camps. Hurricane Tomas, which passed by the south-west of Haiti between 4-5 November, aggravated flooding and intensified the cholera outbreak. Further damage was done to buildings and crops in rural areas especially in the north. This has exacerbated the devastating effects of the 2008 hurricane season when 2,000 people died.

Camps

Conditions in the approximately 1,300 camps that sprung up after the earthquake have been described as squalid, cramped and unsafe¹⁴. Tents provide insufficient shelter from the elements. Designed for summer camps rather than for long-term shelter, most are already in need of replacement. Some settlements where residents previously knew each other have been able to resume community life. However, larger camps, inhabited by now newly cohabiting residents,

have faced problems in re-establishing the social fabric and community trust. Reports abound of robberies, conflicts and insecurity. Pressure, including transactional sex, is sometimes exerted on more vulnerable residents before they are given access to food, employment, healthcare or coupons¹⁵.

Women

The earthquake has had a profound effect on women's lives. Thousands have lost family members, neighbours and friends as well as their homes and personal possessions. Many have also lost the meagre assets they possessed that generated income to support their families. The insecurity produced by the losses and their current conditions have had a profound psychological impact on thousands of women. Dozens of women can be seen walking on the streets of Port-au-Prince, visibly mentally disturbed, dishevelled and mistreated. Local organisations believe that it is the increased insecurity and violence they face, on top of the enormous personal losses caused by the earthquake, that have caused many to suffer mental problems. Women endure particularly extreme and difficult conditions. Privacy is virtually non-existent, hygiene conditions are poor, diet is nutritionally deficient, and access to water is difficult. Insecurity is a serious problem. Although normal life as it existed has all but broken down for the majority of women, they also still have responsibilities to care for their surviving relatives and children, which places additional burdens on them.

Migration

Precarious as these conditions are, Haitians prefer to remain in camps, since alternative shelter or long-term housing is not yet available. Nonetheless, in some locations, hundreds have been forcefully evicted. Since March, it has been reported that up to 28,000 Internally Displaced Persons (IDPs) have been forcefully evicted through intimidation tactics, including verbal and sexual assault.

Urban to rural migration has stretched the coping mechanisms of rural communities. Large numbers of Haitians left rural areas in recent decades in the hope of finding economic opportunities in Port-au-Prince after agriculture ceased to provide a steady income. Now this process is in reverse, as in the aftermath of the earthquake hundreds of thousands of Haitians returned to the places where they grew up. Many now live with elderly family members, and rely on their support since there are few employment opportunities to provide them with an income. Most commonly, members of the family end up scraping a living in the informal sector, or get by on the food they can grow on their small plots of land. The increase in family size means that those who can make a living are then responsible for feeding and clothing many more relatives. Most host families don't officially qualify for post-earthquake humanitarian aid.

Humanitarian response

Alongside a weak Haitian state response there has been a proliferation of humanitarian agencies operating on the ground. Undoubtedly, these have contributed to addressing humanitarian needs, but they have also been poorly coordinated and supervised, weakening the effectiveness of aid. The formal plan established for National Reconstruction has been agreed, but has made little progress even if expenditure towards key projects has been approved. The public receives virtually no information about other ongoing reconstruction initiatives established by the Haitian diaspora, such as the PSSN (National Rescue Plan) and that submitted by GRAHN, the Group for Reflection and Action for a new Haiti.

Following the earthquake, the international community organised a massive humanitarian response to assist Haiti in the relief and recovery effort. Governments, civil society and businesses from over 100 countries contributed to the relief efforts with cash or in-kind contributions. As of November 2010, however, less than half (42.3 per cent)¹⁶ of pledges made at the International Donors' Conference Towards a New Future for Haiti (held in New York on 31 March 2010) by the top 30 donors had been honoured.¹⁷ The IHRC, which will account for about 10 per cent of total contributions to Haiti, received monetary pledges from a variety of countries. But the total available in the Haiti Reconstruction Fund is still only 50 per cent of what was originally pledged. And, according to its website recently, only 22 per cent of that, or US\$55million, has been spent so far. This grant has been earmarked for debris removal, education, credit and direct budgetary support to the Haitian state. This is clearly very much needed, but the spending record so far has been poor. A responsive and flexible approach will be required from donors.

Right now there is no real reconstruction taking place. It still remains a challenge. There is an official reconstruction plan and an interim commission in charge of implementing the programme. But the results are yet to be felt.

Freud Jean, Director PAJ (Programme Alternative de Justice)

4. BUILDING BACK BETTER

4.1 LAND

Land distribution in Haiti has long been unequal. Prior to the earthquake neither reliable data on land tenancy nor an adequate regulatory system for land tenure existed. Only five per cent of properties were registered and establishing land tenure took an astonishing 1,400 steps. Unclear property rights coupled with the concentration of land ownership in the hands of an elite few meant intense competition for this resource. More than one third of Haiti's farming population typically work on tiny plots of land of no bigger than two hectares, unable most of the time to produce enough to fully satisfy their family needs or to guarantee a stable income through sale of their produce in the market. On the other hand there is an abundance of unused land in Haiti, most of which is owned by the state or rich individuals. There have long been calls for agrarian reform and land distribution in Haiti, most recently by the UN's Food and Agriculture Organisation (FAO), but little has been done to address the issue.

Housing policy in Haiti also failed to cater for landless Haitians living in Port-au-Prince. Land distribution in the capital was also extremely unequal, with the poorest being forced to live in illegal, dilapidated settlements. These settlements received little or no support from the state and standards applicable to construction and housing were neither applied nor monitored, increasing the precariousness for the inhabitants.

The earthquake has brought these inequalities into greater focus and many people, whether new urban-to-rural migrants, their rural host families or landless urban dwellers destined to remain in the capital, now face a very uncertain future. The number of people still living under sheets and in tents in the sub-standard conditions in the camps is unacceptable and of great concern to all humanitarian and development agencies. However, until the land issue is addressed they are at risk of having to remain living in those undignified conditions for an indefinite period of time. The government of Haiti has yet to produce a comprehensive plan for land reform and land allocation to meet the population's needs and while the PDNA states that 'it is the role of the urban plan to govern the allocation of land between that which will be used by the State and that which will be transferred to private landowners at current value of land', it does not establish how or when this will be implemented.

Haitian Civil Society Organisations (CSOs) are concerned about the slow progress being made on the issue of land reform, which in turn is hampering the construction of permanent housing. They blame a lack of political will more than a lack of capital and investment for holding back the provision of dignified and more permanent shelter for those in the camps and point to the fact that a new post-earthquake building code has not even been established yet.

Key questions such as where houses will be built, which land can be used, whether the shelter built now is to be temporary or permanent and how much compensation should be paid to people who lost their houses cannot be easily answered. However, the issue of land transfer must

be dealt with as a matter of urgency. Ensuring that the land allocated for housing is not going to increase the vulnerability of the people to natural disasters such as flooding is vital. Furthermore, there needs to be a comprehensive assessment and identification of the different categories of people's needs in order to have the disaggregated data required to design appropriate policy on housing.

Haitian people are becoming increasingly frustrated at the lack of a comprehensive housing strategy. The state will need to respond quickly in 2011 if it is to avoid social unrest related to this issue. It will be important for the new government, when it is in place, to work with both state and non-state actors, civil society organisations and members of the public in designing future housing policies.

In the absence of such a policy at this time, some local organisations are doing what they can to address the issues within the local communities with whom they have established strong working relationships and mutual trust. Many are collaborating with international NGOs, municipal authorities and local communities to identify long-term solutions to the problem and a number of small-scale pilot housing projects are currently being trialled. Other humanitarian agencies are working on transitional shelter to address immediate needs by helping communities to build houses on land borrowed from owners for a time period of 3-5 years. While in many cases, where there are land tenure issues still to be addressed, transitional shelter is the only means of moving people out of the camps, unless it is backed by a longer-term strategy to provide permanent housing and access to land, this approach may only defer mass evictions in the short-term.

The Haitian Government and the Interim Commission need a better understanding of the range of solutions being considered by local and international organisations to address housing and shelter and the long-term implications of these solutions. Communities must be fully integrated into the decision making around housing solutions in order to find what works best in their context.

"The government of Haiti should recognise the existence of different categories of people affected by the earthquake and provide a range of options according to their needs. Many families left homeless after the earthquake have access to family plots of land outside Port-au-Prince, own a small business and have some income, but do not have enough to completely rebuild a house or have collateral to get loans from banks. Then there are rurally based families who are now accommodating dozens of relatives in their small houses; they also need new houses. It should help them to get a loan from banks or other financial institutions and act as guarantor so that poor families can pay off loans for low-income housing over a number of years. The problem is not a lack of funds, but of leadership."

Aldrin Calixte: Haiti Survie

Christian Aid partner Haiti Survie is building new homes in Anse a Pitre for rurally based families who are now accommodating dozens of their displaced relatives from Port-au-Prince. In rural areas there are many absentee landlords and prices, unregulated by the Government, fluctuate easily. Haiti Survie has identified former Port-au-Prince dwellers that had access to family plots of land, making the construction of permanent housing possible. By working through municipal authorities in the area it has also identified public land and local families who are willing to give up a portion of their land to build small villages of no more than 10 houses each. These villages will be used as a model that can be replicated in other areas. By working with local government structures Haiti Survie also plans to address the need for community health centres and schools and hopes that in time, with private investment and government support, other social services will be delivered.

CAFOD is supporting sister agency Caritas Switzerland and local partner ITECA with a large-scale housing project in Petit Boucan, just outside Port-au-Prince. An estimated 1,700 family homes were destroyed in the area as well as roads and schools. Following consultation with the affected communities the project was designed to construct 1,700 earthquake- and hurricane-resistant homes using sustainable and locally available material and community labour. Stage one of the project, the building of four prototype houses has been completed allowing the community to choose the type of house which best suits their needs. Stage two of the project will see the first 100 houses being built and an evaluation carried out before the final stage of the project, the construction of a further 1,600 houses is carried out. As access to water was also an issue identified by the community at planning stage, a system of rainwater harvesting has also been integrated into the process. Families in Petit Boucan have owned land for generations and there is little dispute around land tenure, making the rebuilding process more straightforward. ITECA is working with lawyers to obtain official registration where no documentation exists or in the few cases where houses are being built on land rented from the state, to secure agreement from the council that the new house will belong to the beneficiary and that the land can be rented in the long term. Crucially the community has been involved in each stage of the process with the result that it is the community that is ultimately driving the project forward.

4.2 PROMOTING RIGHTS IN POST-EARTHQUAKE HAITI: CHILDREN AND GENDER-BASED VIOLENCE

Children

Haiti's population is predominantly young, with 48 per cent aged under 18 and 39 per cent under 14.¹⁸ Before the earthquake, only two-thirds attended primary school and out of these, only half completed their education.

Fifteen per cent of schools are financed by the state while the remaining 85 per cent are funded by private institutions. The government has only allocated nine per cent of the total national budget to education over the past few years, an amount which civil society organisations in Haiti consider to be insufficient. A campaign led by local NGO's, including Tearfund's local partners FONHEP, FEPH and COSPE (Consortium des Organisations du Secteur Privé de l'Education), have been pushing for a substantial increase of that allocation to about 20 per cent in order to achieve universal access to education. The quality of education from one school to another varies greatly from public to private and even between private institutions. Also, according to local organisations, there is little transparency in the development of the budget or accountability about actual spending. Many have been dissatisfied with the quality of education in public schools and have endured higher costs of school fees, transportation and uniforms to send their children to private schools, even if the quality of the institution isn't that much better. 19 Traditionally, the Haitian school curriculum did not give its children a skill base that is relevant to their context, for example, life skills, vocational training or disaster risk reduction to name a few.

As can be imagined, the earthquake has sharpened already existing challenges for the education sector. More than 1,300 education institutions were destroyed²⁰ and up to 4,600 damaged in the earthquake²¹. Unschooled children are at a higher risk of exposure to being trafficked, abused, exploited or falling victim to violence.²² Before the earthquake, the number of children without access to primary school in Haiti was 400,000. Now, it is over 2.5 million (in both affected and non-affected areas).²³ Since the earthquake, the private education sector has been responsible for 95 per cent of educational services in the three earthquake affected departments.²⁴

In addition to this, parents from all economic backgrounds have also become more vulnerable, as a result of losing jobs, houses and security. Many families now living in camps cannot afford the cost of private education, due to their drop in income since the earthquake. This is problematic given that 95 per cent of all education in the earthquake affected regions is private²⁵. The quality of teachers is also reportedly low because the teachers contract out their posts to people with a basic level of education²⁶. Teachers who survived the earthquake are now trying to meet greater needs on very basic salaries. Added to this, the Ministry of Education has lost a great deal of trained professionals as well as technicians, archives, data, financial resources and the building in which its ministry was housed.²⁷

"Even families who could afford to before cannot now afford to send their children to school this year because of the cost of school fees, books and uniforms" – FEPH.

"Educational facilities are significantly undermined in Haiti due to the natural disaster. Not only are there fewer schools but also, because of displacement after the quake and the break up of many family units, young people in Haiti are functioning in some form of educational vacuums. Broad-reaching, scalable, national alternatives must be created or revised quickly and offered to the young people of Haiti in order to not lose this current generation as a huge part of Haiti's population is 15 years old or younger." – FONHEP.

"Tired and traumatised students want to restart school, parents are impoverished by the devastating effects of an unprecedented earthquake and teachers live in extremely difficult conditions while trying to manage ruined schools and are demoralised by the earthquake. This is a summary of the education situation in Haiti" – CEEH.

In Haiti, a large number of children are sent away from their homes to live as domestic workers with another family. These 'Restaveks' - from the Creole for 'stays with' - are mainly girls but also include boys. Some families send their children away because they cannot afford to feed them, others in the hope that the families that take them in will provide them with the education and food that they need. In the majority of cases, Restaveks are subject to multiple forms of abuse including economic exploitation, sexual violence and corporal punishment. Estimates place the number of Restaveks in urban areas at 225,000²⁸ but the total number of Restaveks in Haiti could be as high as between 300,000 and 500,000 children.²⁹ Although the Haitian government is signatory to the ILO Convention on the Elimination of the Worst Forms of Child Labour and has ratified the Convention on the Rights of the Children, the plight of children still remains a key concern to local and international groups due to lack of implementation of the convention.

The earthquake has exacerbated the vulnerability of children to exploitation and trafficking as families were broken apart in its aftermath. Damage to social infrastructure and loss of livelihoods will probably result in an increase in the number of children being sent away as Restaveks by their families. There is a real concern that children orphaned by the earthquake could be handed over into the Restavek system or become vulnerable to child trafficking, if other family members cannot care for them.

Gender-based violence

Sexual violence is not new in Haiti. It is a product of the country's unequal gender relations, its often unquestioned macho culture and its propensity to make women bear the brunt of underlying social, economic and political problems. During political unrest between 2000 and 2004, hundreds of Haitian women suffered rape and gang rape for their own political activity, or because they were relatives of men involved in rival political parties. The violence against women unleashed during that period had not been witnessed in Haiti before, but since then has become a regular occurrence. It was at that time that local organisations such as SOFA and KOFAVIV started to monitor the incidence of rape and sexual and domestic violence to establish national databases, track trends and work with the Haitian government, police and judiciary to formally address the problem. Two police units to address gender-based violence, recently established and not yet launched, were destroyed in the earthquake.

Although a climate of cooperation and solidarity exists among Haitians, the effects of the earthquake have since unleashed another terrifying spate of violence against women. Both local and international organisations report a sharp increase in cases of sexual assault including rape and gang rape. Women as old as 90 and girls as young as nine or 10 have been assaulted since the earthquake³⁰. In March 2010, Amnesty International reported that high levels of intimidiation and sexual violence against girls and women of all ages were taking place in camps, exacerbating the humanitarian crisis³¹. In October a group of American and Haitian civil society organisations submitted a petition to the Inter-American Commission for Human Rights, to request that urgent action be taken to address violence against women. Working with local Haitian organisations, this group had found evidence of rape, beatings and threats against women and girls. Subsequently, on 18 November, the Inter-American Commission formally asked the government of Haiti to install lighting in camps, increase security measures and apply more staff to patrol the camps at night so that women could be protected. In spite of this, in November only 30 per cent of camps investigated by Refugees International had managers, of which only a small proportion were women³².

Women in the camps report living in a perpetual climate of fear. MUDHA, a Dominico-Haitian women's group from the Dominican Republic that has been accompanying sexually abused women in Leogane, is concerned about the high levels of fear and insecurity faced by women. Many women that they have supported know their aggressors, and are therefore fearful of reprisals not just by the men, but by the wider community if they speak out. In addition, many men intimidate them by remaining nearby even after the rapes are committed. Humiliated and threatened by their continued presence, many women refrain from taking appropriate action or denouncing abuse to the authorities.

Many women get sick with nervousness; their nightmare starts every time the sun sets and night falls. One of them told us that she sleeps with three pairs of jeans because this prevents would be attackers from acting too quickly. This gives her more time to scream for help.

There is also less reporting now because women are too fearful; those who dared go to the police have had to leave their abodes because they were subsequently threatened by the men who raped them. These men go away for a while after they commit their crimes, but eventually reappear in the camps. It is totally unacceptable that women should have to suffer such violence on top of the all the problems caused by the earthquake.

Sonia Pierre MUDHA

The Haitian police are aware of increased levels of sexual violence but, operating in an emergency with severely depleted human and material resources, are very poorly equipped to address it. MUDHA reports that when they have approached them to report cases of rape, the police have answered that there is nowhere to incarcerate men, even if they could arrest them, as all the prisons were destroyed in the earthquake. In other cases, the police claimed to be unable to investigate cases or pursue men due to a shortage of vehicles or petrol to fuel them³³. Even if these claims are true, the uncooperative attitude of policemen has not reassured women that they would be taken seriously if they reported cases of abuse. Neither do the women feel confident about turning to UN authorities or MINUSTAH given that these do nothing when cases are denounced and spend their time driving by in marked vehicles but seldom spend enough time in the camps to address conditions there.

Camp committees organised in the settlements by the residents themselves, have only sometimes been able to provide support to abused women. Where women head the committees, reports of sexual abuse have a greater chance of being formally addressed. However, in the majority of cases, committees tend to be male dominated. As most committees were established to manage and monitor the distribution of emergency aid to families, protection of vulnerable people in camps has not been identified as a priority for them. Few understand protection to be a part of their role. In some committees members are known gang leaders. Furthermore, if cases of sexual exploitation have been committed by camp members themselves, it has been especially difficult for women to feel confident about speaking out³⁴. Moreover, camp committees are being insufficiently monitored by the authorities. Where INGOs operate in camps and have identified the issue, they don't have resources to address it comprehensively or establish protective measures for women. In December, the Humanitarian Accountability Partnership International reported that the humanitarian organisations that include protection in their interventions are the exception, rather than the rule, albeit as a result of competing pressures rather than negligence³⁵.

The effects of sexual violence on girls and women are long term. Trauma, fear, poor mental health and depression are commonplace, as are feelings of shame, disempowerment and hopelessness. Many report wanting to commit suicide. Consequences for women's physical health are also severe. The Women's Health Collective, another Dominican women's organisation working with displaced women along the Haitian-Dominican border, has reported increases in sexually transmitted diseases, vaginal infections and pregnancies. APROSIFA, which for years has provided sexual and reproductive health services to poor women in the capital, has also reported an increase in STD cases since the earthquake. MUDHA reports that man women have tested positively for HIV in the camps, having contracted it since the earthquake. If women continue to be unprotected and these sexual and reproductive health issues are left unaddressed, the sexual violence now taking place could lead to serious public health problems in years to come.

Women have the right to live free from sexual violence, intimidation and threats and should not be expected to endure such insecurity and abuse, particularly on top of the enormity of challenges they face after the earthquake. It is not acceptable that the problem of widespread sexual violence should be given such low priority by authorities now, even if their resources are seriously overstretched by the scale of the disaster and the challenges of reconstruction. Unfortunately, it would appear that the problem of genderbased violence is perceived as "normalised" in Haiti and therefore a long-term development problem for which answers will be found eventually, rather than legitimate humanitarian issue requiring urgent response now. Authorities understand that something must be done, but have relegated it to a secondary priority.

Local organisations consider this to be a problematic and discriminatory approach to the issue. In their view, recent violence is rooted in women's historic powerlessness in relation to men, but this has been worsened by conditions created by the earthquake. Unemployment, inactivity and lack of income have reduced male power, creating unprecedented levels anger and violence, which is often directed at women. They believe that sexual and gender violence against women and girls therefore should be a matter of priority for the new GoH and all authorities.

Urgent measures are needed to prevent further abuses and provide care for women already affected so that they don't feel so stigmatised. The police must establish special units and train staff to investigate cases, arrest, try and indict perpetrators. This will send a clear signal that impunity will no longer be tolerated. UN agencies, the MINUSTAH and the Haitian government must establish regular patrols of camps, recruit more women security officers, monitor camp committees and establish visible mechanisms that give women confidence to report abuses, and reassurances about their long term security. Public campaigns are needed which include all the ministries. Local organisations that already give support to affected women should be formally supported by the UN cluster system and the Haitian government, and invited to participate in decision-making forums. There should also be collaboration with the Dominican organisations and public health departments that have resources to provide therapy and other forms of care.

Sonia Pierre

Director

MUDHA

4.3 PARTICIPATION OF CIVIL SOCIETY IN HAITIAN RECONSTRUCTION

For the reconstruction process to succeed, the Haitian people need to be fully involved in every aspect of it. This should take place in a democratic, inclusive and transparent fashion. Unfortunately, evidence suggests that this is not happening. On the contrary, throughout 2010, civil society organisations have either been, at best, only minimally consulted, or at worst, actively excluded from decision-making processes.

Relations between the Haitian state and civil society have long been characterised by lack of trust. In the years leading up to the earthquake, social structures in Haiti tended to marginalise much of the population. Dialogue between the state and civil society was often marked by antagonism and mutual criticism. Some Haitian intellectuals argue that Haiti lives under a 'culture of exclusion' that systematically denies the vast majority of Haiti's people access to power, wealth and to the corridors of decision making.

In order to 'build back better', Haiti needs to tackle these embedded exclusionary practices and develop a culture of integration. Unfortunately the post-earthquake context has reinforced exclusion rather than provided a fresh opportunity to invite all sectors of society around the table. This well-established pattern immediately surfaced after the earthquake. Many Haitian CSOs felt frustrated that they had become passive observers rather than active participants in the reconstruction process and angry about what they perceived as marginalisation by the international community.

An early sign of the failure to incorporate local actors into the emergency response was the language used at UN cluster meetings. For a long time, these meetings were conducted in English or Spanish, not in French or Creole, thereby excluding Haitian civil society. Many felt that insufficent efforts were being made by the UN to engage with local CSOs in the Dominican Republic and Haiti.

The design of the PDNA provided further evidence of civil society exclusion. Haitian organisations have expressed strong views to their international partners about how the plan was made. They believe that there was no involvement from, or consultation with, wider civil society that struggled to be heard by those leading the reconstruction process. Some Haitian CSOs believe that the Haitian government should not have endorsed the plan as it was not rooted in the needs of the population but written by 'technocrats'. Pressure to address emergency needs meant that the process was completed in a matter of weeks, putting longer-term development considerations into conflict with shorter-

term humanitarian objectives. Civil society organisations were divided in their views about how to respond to the PDNA, but were unanimous that the speed of its approval prevented a longer timetable for reconstruction planning to emerge, that, in turn, would have ensured a greater sense amongst them of ownership of the process. This exacerbated feelings of disempowerment and disenchantment of Haitian civil society actors. As a result, many have become increasingly suspicious of exactly whom the PDNA action plan will benefit in the long run.

Construction of the IHRC aggravated the problem even more. Haitian civil society organisations believe that this commission was set up in negotiations between donors, the Haitian government and the Haitian business sector without any involvement from the community level or local CSOs. Haitian CSOs strongly questioned the reasons behind the lack of voting rights for national NGOs, especially since the business community and Labour Union have voting members. They were also unclear about the IHRC mandate and how to influence its decisions, and were divided in their opinions on how to approach it. The stresses of this situation have led to a lot of polarisation and fragmentation among CSOs.

"We feel excluded. We think the government should have initiated a broad consultation about the refoundation of the country. This is not just a matter

for the government but for the whole nation – and every Haitian citizen – but the leadership is just not interested"

Fr François Kawas, Director, Cedar (Centre for Social Research), Haiti³⁶

"If the reconstruction process is carried out in the same exclusionary manner, and without consensus and respect, we will not be eliminating poverty in Haiti. On the contrary, we will be building more fragmentation and divisions in a process that requires building consensus"

Colette Lespinasse

Groupe d'Appui aux Rapatriés & Réfugiés (GARR), Haiti³⁷

4.4 DECENTRALISATION AND LOCAL DEVELOPMENT

Haiti's economic, social and political power has long been centralised in its capital Port-au-Prince. This centralisation dates back to Haiti's early colonial rule and was later reinforced during the 1915-1934 US Occupation. All industry, government, business, banking and administrative services were concentrated in the capital, and Haitians were expected to travel to there to access essential services, from the provision of ID cards, passports and birth certificates to payment of local government salaries and the provision of health and education. This has placed unreasonable demands on people living outside Port-au-Prince, and rural areas suffered greatly as a result of lack of state and private investment. People moved to the capital in order to access services that were simply unavailable in the countryside with the result that Port-au-Prince was unsustainably overcrowded at the time of the earthquake.

Centralisation has also contributed to more difficulties since the earthquake. Reports indicate that aid delivery was centralised following the earthquake in order to coordinate and account for it more effectively. Unfortunately this often resulted in the loss of perishable goods because of delays, particularly for aid deliveries from the Dominican Republic.

Emergency aid has also been largely located in the capital, with international organisations often being perceived by the local people to be poorly coordinated in their efforts to reach affected areas outside Port-au-Prince. Some CSOs argued for more regional coordination rather than centralised coordination coming solely from Port-au-Prince. Greater decentralisation would have enabled the aid effort to be delegated to local authorities in affected areas, allowing more direct contact with the people affected, especially in the case of those internally displaced.

"Centralisation in the decision-making process greatly affects Haiti. Too much centralisation is a key problem because it reduces politically the whole country to only the capital. After the earthquake, there was an opportunity to decentralise because people moved to places outside of Port-au-Prince, but they are slowly returning due to the centralisation of aid in the capital and the lack of opportunities created elsewhere"

Fr Lazard Wismith, Director of the Jesuit Refugee and Migrant Service (SJRM)³⁸

Local organisations strongly believe that the need to provide housing for 1.5 million internally displaced persons should be seized upon as an opportunity finally to implement a comprehensive decentralisation programme. There needs to be a clear plan for rebuilding outside the capital. However, while decentralisation has been included as part of the PDNA Action Plan, there has been no progress towards this in 2010.

Haiti can only build back better if the former centralisation of services and state functions is redressed in a manner that is sustainable. Intensive investment of local and international capital and industry is required to ensure the provision of adequate roads, schools, health services and electricity provision in rural areas, as well as political and administrative decentralisation. The capacity of municipal authorities to create and provide vital opportunities in employment, housing and basic services locally must be strengthened in order to encourage people to remain in the regions rather than return again to Port-au-Prince. Local CSOs point out that in order for this to happen, not only is funding and investment required, but also a great deal of political will.

4.5. HAITIAN-DOMINICAN BI-NATIONAL RELATIONS

For many years prior to the earthquake, Haitian-Dominican relations were tense and complex due to a number of unresolved issues including migration and trade. If there were disagreements between the two countries, this was reflected in immediate border closures, which directly affected the border market trade and diplomatic relations, and cases of reported violence against Haitian migrants.

The Haitian government position was characterised by non-confrontation with the Dominican Republic (DR). Since 2008, however, Haitian officials have been more ready to call for better protection for the rights of Haitian migrants in the DR, and to publicly express their opinion regarding binational relations. The position of the Dominican government has also been transformed since the earthquake. Much of the relief effort has been coordinated through the DR, and two international summits have been held there, at which the Dominican government pressed for support for Haiti and delivery of funds pledged by donors to support the reconstruction efforts in Haiti. For this report, we asked Haitian and Dominican organisations if they perceived any differences in bi-national relations, if they have included this issue in their work, and if they could offer suggestions and share examples of good practice. We also looked at how we could consolidate positive and constructive experiences that might help both countries in framing a holistic approach to development on their shared island.

In an effort to overcome the tensions that existed between the two countries, both governments met in 1996 to set up a Bilateral Mixed Commission. Its aim was to formalise cooperation in areas of mutual interest such as trade, border trading and migration (including, importantly, the issue of repatriation of Haitian migrants from the DR). Later, the commission's mandate was expanded to include other topics such as agriculture, culture, education and youth. As it turned out, the commission met only sporadically and remained largely inactive. On 31 July 2010, however, two official delegations led by the Dominican Republic Foreign Minister, Carlos Morales Troncoso, and Haitian Prime Minister Jean Max Bellerive, met in Ouanaminthe (a Haitian northern border town) to officially re-launch the Bilateral Mixed Commission. This suggests that positive bilateral engagement is key to the agenda of both countries. This commission announced that it would be working on particularly sensitive issues such as trade, migration, agriculture and the environment. It is these issues that are vital to the long-term development of and cooperation between both countries.

Many Haitian and Dominican CSOs supported the setting up of the commission but were concerned that it could become a bureaucratic burden if it is not working properly. Both Dominican and Haitian CSOs have said that, more than ever, a formal agreement between the two nations is needed to tackle issues around migration, including the formalisation of migrant flows and the regularisation of immigrants. Interviewees for Progressio's report, *Haiti after the earthquake*, were fully aware that the earthquake triggered a great deal of solidarity and unity within the DR in support of its Haitian neighbours. This was immediately demonstrated by action to assist the victims, both by

government and civil society. For example, Ayuda à Haiti (Help Haiti – a platform of Dominican organisations) was formed, initially to coordinate humanitarian relief, and supported by international organisations like Progressio. At the time that these interviews took place⁴⁰, both Dominican and Haitian organisations expressed concern that if there was no official dialogue established between the two countries, the 'informal engagement' that arose in response to the earthquake might not last. Although in subsequent months the two countries have had more fluid exchanges, it is also necessary to settle the basis of more long-term relations. This commission might provide the formula for ensuring stronger bi-national relations. A combined effort could help the two countries to reinforce a positive change in hearts and minds of people on both sides of the border, helping to change 'bad' stereotypes, which in turn could improve tolerance, respect and mutual appreciation. Joint bi-national development programmes would recognise the interconnectedness of the two countries and the necessity of working together for their common benefit.

Haiti is a viable trading partner for the DR, and there are border-trading opportunities that should be capitalised on to benefit both economies – and the decentralisation process in Haiti, by increasing employment and trading in the border area. More investment is needed, however, plus a formalisation of the trading opportunities. This could be delivered through a bi-national trans-border programme tackling development and trading at the same time.

Haiti's geographical proximity to the DR coupled with extreme poverty has fuelled Haitian migration to the DR. Before the earthquake, an estimated one million Haitian migrants were living in the DR. After the earthquake, it is expected that there will be a significant increase in migration to the DR as many Haitians seek to go there to rebuild their lives and provide better livelihoods for their families. Haitians living in the DR are mostly illegal immigrants who, due to their status and lack of documentation, are extremely vulnerable. While the DR has taken few steps to recognise the rights of Haitian migrants within its borders, the Haitian government has also failed to address the serious lack of documentation among Haitians. At present, most Haitians enter the DR without proper documentation. Suitable IDs are needed to facilitate and regularise migration and help protect the rights of this important group. The regularisation of Haitian migrants, the control of migration flows and the respect of basic human rights during deportation continue to be unmet challenges. Political willingness is needed to ensure that these problems are solved once and for all. Some Dominican and Haitian CSOs have made provisions and arrangements to overcome obstacles arising from the centralisation of documentation processes. For example, the Jesuit Refugee and Migrant Service in Jimaní has a partnership with the Haitian consulate, whereby every Thursday an adviser from the consulate travels to Jimaní and receives applications for Haitian passports. Over a period of two months, this initiative facilitated the issue of 200 passports. More initiatives of this kind to provide legal and humanitarian assistance to Haitian migrants in the border area were seen as important by CSOs.

5. RECOMMENDATIONS

CAFOD, Christian Aid, Progressio and Tearfund worked with and supported local partner organisations in Haiti (and the Dominican Republic) for many years prior to the 2010 earthquake. Therefore, we call on the British Government and the European Union to continue to support donors and international organisations and more specifically to support the donors Government of Haiti over the implementation of the following recommendations:

To donors and international organisations:

 Donors should honour pledges made of international funding for the Haiti's recovery effort.

Following the earthquake, the international community organised a massive humanitarian response to assist Haiti in the relief and recovery effort. Governments, civil society and businesses from over 100 countries contributed to the relief efforts with cash or in-kind contributions.

However, as of November 2010, less than half (42.3 per cent) of pledges made at the International Donors' Conference Towards a New Future for Haiti (held in New York on 31 March 2010) by the top 30 donors had been honoured.

- Continue to support humanitarian interventions in Haiti well into 2011, including measures to address and treat cholera, and support people living in camps and internally displaced persons (IDPs).
- Recognise that reconstruction must be Haitian led This includes:
 - Active promotion by all stakeholders of the participation of Haitian civil society organisations in all aspects and phases of Haitian reconstruction.
 - Ensuring that the voice of IDPs and those living in camps are heard.
 - Widen participation of the Interim Commission for Reconstruction to include more CSOs as well as granting formal voting rights to those Haitian Civil Society Organisations involved in the Commission.
- Ensure that funding for technical support, institutional strengthening and staff training to key Haitian government ministries is included in all reconstruction projects. Training should ensure that the ministerial staff have the necessary skills to fully satisfy donor requirements in all aspects of project implementation, monitoring and accountability.
- Give urgent priority to the clearance of rubble in Port-au-Prince so that reconstruction of houses and new buildings can take place.
- Quickly establish protective measures that safeguard women's security and rights both in camps and outlying areas where displaced Haitians have settled.

To the government of Haiti:

- Encourage good governance in Haiti in all its dimensions. This should include working towards free and fair future elections, representative, accountable and transparent political institutions and mechanisms for downward accountability.
- Establish a targeted housing/shelter policy that
 addresses the housing needs of low income, landless and
 homeless Haitians who are now in camps. Ensure that
 host families that have housed urban-to-rural
 migrants, are given long term support. This group
 should be taken into account in all aspects of the national
 reconstruction plan and funding allocated to cater for their
 needs.
- Adopt long-term measures for the protection of women and girls. Safeguard women's security and rights both in camps and outlying areas where displaced Haitians have settled.
- Address educational policy by:
 - Aiming higher than the status quo within the reconstruction plan if children are to progressively realise their rights to survival, education and protection in Haiti and be guarded against future economic, environmental and/or social shocks.
 - Prioritising the reconstruction of vital infrastructure for schooling and investment in the education sector.
 - Taking all necessary measures to implement the existing international instruments that protect the rights of Haitian children.
 - Capitalising on the opportunity to reform the education system as an urgent priority for Haiti, allowing for free, quality, inclusive and basic education as the right of every child.
- Continue to promote cooperative Haitian-Dominican relations in the reconstruction phase. This should build on governmental and civil society support from the Dominican Republic which occurred immediately after the earthquake. Haitian-Dominican cooperation should be technical, social and cultural, while addressing systemic problems of discrimination and prejudice.
- Work closely with the Haitian private sector and international donors to prioritise political and economic decentralisation away from Port-au-Prince. This should include land reform, long-term town planning incorporating provision for health care, housing, and education.

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