

119TH CONGRESS
2D SESSION

S. RES. _____

Expressing the sense of the Senate that protecting and advancing the rights of women and girls in the Republic of Haiti is critical to the success of Haiti's transition from crisis and its future stability, condemning the failure to center women's leadership and distinct needs to date, and calling for urgent measures to secure all human rights of women and girls in Haiti.

IN THE SENATE OF THE UNITED STATES

Mrs. SHAHEEN (for herself, Ms. COLLINS, Ms. MURKOWSKI, and Ms. ROSEN)
submitted the following resolution; which was referred to the Committee
on _____

RESOLUTION

Expressing the sense of the Senate that protecting and advancing the rights of women and girls in the Republic of Haiti is critical to the success of Haiti's transition from crisis and its future stability, condemning the failure to center women's leadership and distinct needs to date, and calling for urgent measures to secure all human rights of women and girls in Haiti.

Whereas women and girls in Haiti are subjected to systematic discrimination across all areas of public and private life and endemic gender-based violence, and have been systematically excluded from political and other leadership roles such that Haiti was nearly last in the world for

women's participation in Parliament after its last elections;

Whereas women and girls are distinctly affected by the current deteriorating security, governance, and humanitarian crisis in Haiti, and are being subjected to widespread sexual and other forms of gender-based violence, including collective rape and sexual exploitation that is being deliberately wielded as a tool of conflict to control and terrorize communities;

Whereas the pervasive threat of gender-based violence has led to a significant reduction in women's and girls' freedom of movement, civic participation, and economic activity, further increasing their vulnerability to exploitation and abuse, especially in situations of displacement;

Whereas, despite the critical need for survivor support services like emergency medical care, shelter, and judicial recourse, access to such services remains severely limited, impeded, and in some areas, nonexistent, and impunity for gender-based violence remains the norm;

Whereas the Constitution of Haiti expressly requires "the equity of gender", provides that at least 30 percent of all positions and offices "at all levels of national life, notably in the public services" and in elections be reserved for women, and incorporates as national law all rights recognized by the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, signed at New York December 18, 1979, and the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, done at Belem do Para June 9, 1994;

Whereas Haiti’s transitional government has failed to include women and girls on an equal basis in leadership and decision-making positions or to meet the 30-percent constitutional minimum requirement, most egregiously exemplified by the fact that no women hold any of the 7 voting seats on the Transitional Presidential Council;

Whereas civil society organizations in Haiti have documented and denounced the lack of adequate government protections, services, and responses to the distinct security, economic, and human rights needs of Haitian women and girls, as well as the transitional government’s failure to sufficiently include women in decision making, in violation of their rights;

Whereas the United States Government voted into effect a series of United Nations Security Council resolutions that collectively established the Women, Peace, and Security (in this preamble referred to as “WPS”) Agenda, which urges member states to increase women’s representation in institutions and mechanisms for preventing, mitigating, and resolving conflict and to center the rights of women and girls, and further explicitly recognizes that weaponized gender-based violence exacerbates conflict and represents a threat to international peace and security;

Whereas centering women’s leadership and specific needs is thus an established best practice for conflict-affected transitions, reflecting the empirical recognition that when women are included, outcomes are more effective and sustainable;

Whereas the United States Government recognized the WPS Agenda as “both a moral and strategic imperative of U.S. foreign policy and national security” and became

the first country to adopt a comprehensive law on WPS when Congress passed and President Donald Trump signed into law the Women, Peace, and Security Act of 2017 (Public Law 115–68);

Whereas that Act requires policies that promote and encourage partner governments to ensure the meaningful participation of women in conflict resolution, along with their physical safety, economic security, and dignity, recognizing explicitly that women’s engagement in resolving conflict is critical to long-term stability and democracy;

Whereas the 2019 United States Strategy on Women, Peace, and Security, effectuated by President Donald Trump, requires measures to support women’s participation in decision making related to crises and to promote the protection of women’s and girls’ human rights, access to aid, and safety from violence, abuse, and exploitation around the world;

Whereas the international partners working with the transitional government of Haiti to respond to its crisis have largely failed to center the principles of the WPS Agenda, providing limited support to addressing sexual violence and paying little notice to other rights and obligations, including especially women’s leadership;

Whereas civil society in Haiti has with global support launched a Policy Framework for an Effective and Equitable Transition, which outlines for the transitional government and its international partners the applicable legal obligations and best practices, such as the WPS Agenda, and sets out concrete recommendations with the aim of supporting a more equitable and thus more effective transition from crisis; and

Whereas the failure to center women’s leadership and women-specific needs and protections in Haiti’s transition threatens the effectiveness of the transition and the long-term security, democracy, and socioeconomic development of Haiti: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) condemns the systematic sexual violence
3 and other gender-based harms directed at women
4 and girls in Haiti and the accompanying lack of protection, services, and accountability, which constitute
5 breaches of Haiti’s legal obligations under Haitian
6 and international law;

8 (2) condemns the persistent exclusion and
9 marginalization of women in Haiti’s transitional government and in other leadership and decision-making
10 positions, especially with respect to restoring security, management of displacement sites, and delivery
11 of humanitarian relief, which constitute breaches
12 of Haiti’s legal obligations under Haitian and international law;

13 (3) condemns the failure of Haiti’s international
14 partners to center the distinct needs of
15 women and girls in policies, programs, and efforts to
16 provide good offices or otherwise support Haiti’s
17 transitional government;

1 (4) condemns the unilateral steps undertaken
2 by the Department of State and the Department of
3 Defense to dismantle their institutional commit-
4 ments to Women, Peace, and Security, including by
5 closing the Office of Global Women’s Issues in the
6 proposed reorganization of the Department of State
7 and ending the Women, Peace, and Security pro-
8 gram at the Department of Defense, and finds those
9 actions to be contrary to legislation duly enacted by
10 Congress, including the Women, Peace, and Security
11 Act of 2017 (Public Law 115–68);

12 (5) finds that the failure to respect Haitian and
13 international obligations to include women’s leader-
14 ship and address women’s specific needs endangers
15 all efforts to restore security and stable democratic
16 governance in Haiti;

17 (6) finds that confronting widespread gender-
18 based violence against women and girls in Haiti is
19 indispensable for stabilizing and rebuilding Haiti
20 and must be a central tenet of all security and ac-
21 countability policies;

22 (7) finds that failure to specifically consider
23 and endeavor to dismantle historical and structural
24 inequalities and discrimination risks entrenching or

1 worsening such practices and their harmful con-
2 sequences;

3 (8) concludes that policies, programs, and cor-
4 responding budgetary allocations must be urgently
5 implemented so as to—

6 (A) ensure that, in conformity with the
7 Constitution of Haiti, women fill at minimum
8 30 percent of all government, leadership, and
9 decision-making positions, including especially
10 top ministerial, directorate, and commission po-
11 sitions that are concerned with restoring secu-
12 rity, delivering humanitarian assistance, and
13 planning for any elections;

14 (B) ensure that women serving in any such
15 positions are fully and equally empowered and
16 funded so as to be able to exercise meaningful
17 and effective authority associated with their po-
18 sitions;

19 (C) prioritize and fund policies and pro-
20 grams concerned with protecting women and
21 girls in Haiti from sexual and other forms of
22 gender-based violence;

23 (D) prioritize and fund services for sur-
24 vivors of sexual and other forms of gender-

1 based violence, especially medical and psycho-
2 logical assistance, shelter, and protection;

3 (E) prioritize and fund investigations and
4 prosecutions of sexual violence and other forms
5 of gender-based harms, including the preserva-
6 tion of evidence and protection for survivors
7 and witnesses;

8 (F) take all necessary steps to ensure the
9 safety of women and girls in displacement sites,
10 including measures consistent with Inter-Amer-
11 ican Commission on Human Rights Pre-
12 cautionary Measures MC 340/1, namely—

13 (i) to provide medical and psycho-
14 logical care to survivors of gender-based vi-
15 olence;

16 (ii) to adequately secure displacement
17 sites;

18 (iii) to ensure public officials respond
19 adequately to incidents of gender-based vi-
20 olence;

21 (iv) to create specialized units to in-
22 vestigate and prosecute such cases; and

23 (v) to ensure that grassroots women's
24 groups are adequately represented in dis-
25 placement site management;

1 (G) require across all relevant government
2 and foreign assistance programs and policies
3 explicit consideration of the distinct needs of
4 women and girls in Haiti, especially in the con-
5 text of security, elections and governance, and
6 humanitarian relief;

7 (H) require across all relevant government
8 and foreign assistance programs and policies
9 that collection of data is gender-disaggregated
10 and trauma-informed, including especially with
11 respect to crimes, humanitarian need, and civic
12 engagement; and

13 (I) adopt a feminist policy that places the
14 promotion of gender equality and the empower-
15 ment of women and girls at its center, and in
16 particular, to base policies, programs, and plan-
17 ning on the Policy Framework for an Effective
18 and Equitable Transition promulgated by civil
19 society in Haiti;

20 (9) calls on all actors engaged with the situa-
21 tion in Haiti to comply with their international
22 human rights commitments and to meet their obliga-
23 tions to the women and girls of Haiti under the
24 Women, Peace, and Security Agenda, most notably
25 to promote the meaningful participation of women in

1 leadership and decision making and to center the
2 distinct needs of women and girls, especially protec-
3 tion from and accountability for sexual and other
4 forms of gender-based violence;

5 (10) expresses appreciation for the role that
6 civil society in Haiti, especially Haitian feminist and
7 women's rights organizations, have been playing in
8 delivering critical services and advocating for more
9 effective and equitable policies;

10 (11) calls upon all actors engaged with the situ-
11 ation in Haiti to closely consult with civil society in
12 Haiti and in particular with Haitian feminist and
13 women's rights organizations, especially those work-
14 ing at the grassroots level, when formulating poli-
15 cies, programs, and budgets, especially with respect
16 to matters concerning security, elections and govern-
17 ance, and humanitarian relief, and to provide those
18 organizations with adequate funding;

19 (12) calls upon all actors engaged with the situ-
20 ation in Haiti to tangibly invest in the long-term
21 equality of Haiti's women and girls by implementing
22 forward-looking plans, policies, and programs con-
23 cerned with legislative, institutional, and policy
24 changes to that end; and

1 (13) resolves to rebuild the Office of Global
2 Women's Issues at the Department of State and the
3 Women, Peace, and Security program in the Depart-
4 ment of Defense to advance United States Govern-
5 ment commitments to women human rights defend-
6 ers building peace and security in Haiti and beyond.