

Pan American Development Foundation
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Lost Childhoods in Haiti

Quantifying Child Trafficking, *Restavèks* & Victims of Violence



FINAL REPORT

November 2009
Port-au-Prince, Haiti



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Quantifying Child Trafficking, *Restavèks* & Victims of Violence

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Pwoje Kore Dwa Moun / Protecting Human Rights Project
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EXECUTIVE SUMMARY

For a majority of Haiti's children, life is marked by hardship as a result of the country's miserable economic conditions. The life of children called *restavèks* is worse. *Restavèks*—extremely poor children who are sent to other homes to work as unpaid domestic servants—are prone to beatings, sexual assaults and other abuses by host families. As *restavèk* teens get older, they are commonly tossed to the street to fend for themselves and become victims of other types of abuse.

Although the plight of *restavèk* children, as well as overall saga of child trafficking and violence, is not new, there is little reliable information on the prevalence of such human rights violations within the general population. In order to address the problem, the Pan American Development Foundation decided that is critical to understand the scale of victimization.

With support from the U.S. Agency for International Development's Haiti Mission, PADF conducted the largest field survey of on human rights violations, with an emphasis on child trafficking, abuse and violence. The 1,458 door-to-door surveys in troubled urban neighborhoods of Port-au-Prince, Cap-Haïtien, Gonaïves, Saint-Marc and Petit-Gôave revealed details about the *restavèk* situation:

- Children are moving from very-poor homes to less-poor households—with a vast majority having kinship ties
- In urban areas, PADF estimates that 225,000 children are *restavèks*, with two-thirds of this group comprised of girls
- Port-au-Prince and St. Marc had higher percentages of households with *restavèk* children, with more than one-third reporting servant children in their homes

- The impoverished and violent Port-au-Prince neighborhood of Cité Soleil had the highest percentage — an amazing 44 percent—of *restavèk* children
- Families living in the southern peninsula communities of Les Cayes, Jacmel, Jérémie and Léogane are the most important suppliers of *restavèk* children to Port-au-Prince
- Some children sent to live with families in order to go to school are not classified as *restavèks* but end up performing similar duties, though they retain a higher social status

Independent of the *restavèk* issue, the survey also revealed details about the extent of violence in urban areas. More than 7 percent of urban households report incidents of rape, murder, kidnapping or gang involvement. In terms of incidents of physical assault, Port-au-Prince households had more than double the average (nearly 16 percent) than the other cities. Overall, respondents attribute the vast majority of rapes, murders and kidnappings to armed authorities and politically partisan groups, including gangs. A majority of victims do not file a complaint with authorities.

Conclusion: Based on this in-depth survey and analysis, PADF makes nine recommendations to deal with the tragic situation of *restavèks*, support for victims of violence and abatement of child trafficking. For example, the vast majority of *restavèks* are girls, yet more social services (such as shelters) are available to boys.

About the Project: PADF is in the third year of a USAID-funded project called Protecting Human Rights, the largest program of its type in Haiti. PADF, a non-profit with nearly 30 years of on-the-ground experience in Haiti, focuses on economic development, enhancing civil society and responding to natural disasters.

Introduction



INTRODUCTION

Objective of study

The primary objective of study was to better quantify the prevalence of child trafficking, the use of children as unpaid domestic servants and the prevalence of victims of organized violence and torture within the general population of urban neighborhoods targeted for study. There has been considerable news reporting on organized violence and child trafficking in urban Haiti. However, there is little reliable information on the prevalence of such violations within the general population, especially with regard to restavèk servant children. Therefore, this report focuses primarily on the following question: What is the scale of victimization?

The household survey

In December 2007 and January 2008, PADF's Protecting Human Rights Project conducted a quantitative field survey of the prevalence of human rights violations in troubled urban neighborhoods of Port-au-Prince, Cap-Haïtien, Gonaïves, Saint-Marc and Petit-Gôave. The PHR survey was based on a random sample of 1,458 households.

Restavèk children

The term restavèk child is defined here as an unpaid child servant living and working away from home. The most salient identifying feature is that restavèk children are treated in a manner distinctly different from children born to the household. In principle, parental placement of a restavèk child involves turns over childrearing responsibility to another household in exchange for the child's unpaid domestic service. The traditional expectation is that the "caretaker" household will cover the cost of sending the restavèk child to school.

Survey methodology

Interviewers administered a total of 1,464 questionnaires, more than half of them in the Port-au-Prince metropolitan area. Cluster samples were drawn from troubled urban neighborhoods including five areas of in Port-au-Prince, three in Cap-Haïtien, and Gonaïves, Saint-Marc and Petit-Goâve. Port-au-Prince neighborhoods studied included Carrefour-Feuilles, Fontamara, Martissant, Solino, Bel-Air, Cité Soleil, Delmas, Tabarre, Mon Repos, and Lamentin.

SUMMARY OF KEY FINDINGS

The survey identified three distinct categories of children:

1. Children labeled as restavèks
2. Other outside children living as boarders
3. An intermediate category classified here as “restavèk-boarders”

Overall, the PHR survey found an astonishingly high percentage of the 3,188 children surveyed living away from their homes of origin. Over 22% of children surveyed were living away from home; 32% of the children were not born to the heads of household of survey households, including children born to other household residents.

The survey found that 30% of all survey households had restavèk children present, 16% of all children surveyed were placed as restavèk, and 22% of all children were treated as restavèk servants, including a remarkably high 44% of all children in Cité Soleil.

How many restavèk children are there?

National census projections for 2010 show 21% of the urban population of Haiti composed of children between the ages of 5 and 14. Therefore, using PHR survey findings as a basis for extrapolation, children subject to restavèk treatment in urban areas could be as many as 225,000 children.

Gender is a dominant feature of restavèk recruitment.

Two-thirds of restavèk children are girls.

Restavèk placement and its very high prevalence are deeply marked by poverty, and the movement of children from poor to less poor households.

An important new finding from this survey is that a significant minority of households with restavèk children present (11%) had also sent its own children into restavèk placement.

The magnitude of intra-urban movement of children within the metropolitan area is significant new development in the reporting on restavèk placement. Not surprisingly, the majority of urban restavèk children were born in rural Haiti; however, households in the Port-au-Prince metropolitan demonstrate a new variant in published findings on restavèk recruitment: the largest single recruitment source is other urban households in the metropolitan area. Therefore, recruitment of restavèk children can no longer be viewed solely as a rural to urban phenomenon.

Geographically, Port-au-Prince and St. Marc had a significantly higher proportion of households with restavèk children present - well over a third of households surveyed. Cité Soleil at 44% had the highest proportion of restavèk children.

The Port-au-Prince metropolitan area houses by far the densest concentration of restavèk children the country. The most important municipalities supplying restavèk children to Port-au-Prince, aside

from the metropolitan area itself, are Les Cayes, Jacmel, Jérémie and Léogane.

Kinship ties to host household heads do not necessarily shield children from restavèk treatment or status. Kinship ties and student board and room arrangements often camouflage treatment that is little different from restavèk servant children. The vast majority of restavèk children surveyed are related to host family household heads. Therefore, family ties serve as a transmission belt for child placement.

The PHR study sheds important new light on the vulnerability of students sent to live with relatives who provide board and room during the school year. The survey indicates that the vast majority of such boarding students are treated similarly to restavèk children but without the restavèk label.

Although the majority of all boarding students had kinship ties with the host household, some 35% of “restavèk-boarders” had no kin ties to the head of household, whereas boarding students not treated as restavèk were all related to the household head. This suggests that the absence of kinship ties may increase the risk of abuse and child domesticity, although it is also abundantly clear that kin ties are not a barrier to restavèk treatment.

There is some evidence from field interviews that the proportion of restavèk without kin ties to host households may be growing, especially in the Port-au-Prince metropolitan area. Given evidence of heightened risk of mistreatment for unrelated

restavèk children, it is important to monitor this trend over time.

A significant factor in the treatment of boarding children is the economic situation of families placing their children in such boarding arrangements. There is evidence from field interviews that boarding students whose families contribute more to the host family, such as food, tend to be treated better.

In short, restavèk treatment varies along a continuum rather than being sharply defined by overt placement as restavèk.

For other forms of victimization, the survey shows some 7 percent of survey households marked by incidents of rape, murder, kidnapping, or gang involvement. Respondents attribute the vast majority of rapes, murders and kidnappings to armed authorities and politically partisan groups including gangs. In terms of incidents of physical assault, Port-au-Prince households ranked much higher (nearly 16%) than the other cities.

The majority of victims did not register attacks with the authorities. Victims that did report assaults were far more inclined to register complaints with the police and courts than other institutions.

Households in survey target cities away from the Port-au-Prince metropolitan area had higher rates of children-in-the-street, and higher rates of children sent to the Dominican Republic or deported from there.

In terms of associational life, the overwhelming majority of households are active participants in religious activities and institutions. Among secular associations, the highest level of participation is with rotating credit groups and credit unions.

High ownership rates for radio, television, and cell phones in these urban neighborhoods suggest growing opportunities for dissemination of media messages via radio and television, and for telephone response to such messages or telephone communications related to victim services. For example, cell phones offer the potential for improved communications within grassroots organizations in urban neighborhoods, including neighborhood watch, conflict monitoring, conflict mediation, and watchdog roles in response to organized violence or child trafficking.

Such efforts would require a significant investment in community organization and outreach in urban areas since urban neighborhoods are generally less well organized (fewer and less well developed grassroots organizations) than most rural areas of Haiti. Furthermore, the most densely populated urban neighborhoods tend to have higher proportions of recent immigrants than other neighborhoods.

DEFINING TERMS

Guiding Concepts of Victimization

The principal target groups for PHR study are victims of trafficking in persons, organized violence, torture, and cross border smuggling of migrants. In the present report, these concepts are defined with reference to the following US legislation and UN conventions.

Trafficking in persons. The concept of human trafficking is based on the US Trafficking Victims Protection Act and the UN Convention against Transnational Organized Crime. This legislation defines severe trafficking in terms of the use of threats, violence and intimidation to obtain labor or services:

- a. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or
- b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

According to the language of US legislation, threats, physical coercion, or abuse of the legal process serve as the basis for defining involuntary servitude. Slavery is defined as “a person over whom any or all the powers attaching to the right of ownership are exercised.” Practices similar to slavery include “delivery of children for exploitation.” Children are

defined as persons under age 18. Trafficking in persons includes children recruited for domestic service as unpaid child servants, and minors recruited for the sex trade.

Torture. In 1984, the United Nations, in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted the following definition:

“...the term ‘torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed, or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by, or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in, or incidental to lawful sanctions.”

As defined here, the concept of torture has a political character comparable to the definition of organized violence.

Organized violence. The term organized violence refers to violence committed by agents of the state for political, racial, religious, ethnic, social, sexual or other reasons. This includes violence by armed gangs or political groups protected by their ties to

public authorities, and groups struggling to attain political power.

Human smuggling. Unlike trafficking in persons, which implies non-consensual exploitation of the victim, human smuggling breaks the law but generally does so with the consent of the person smuggled. The UN protocol against the smuggling of migrants uses the following definition:

(a) “Smuggling of migrants” shall mean the procurement in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a state party of which the person is not a national or a permanent resident.

(b) “Illegal entry” shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving state.

Glossary of Socio-Cultural Terms

Specialized terms used in this report are defined as follows:

Boarders and boarding students – children housed with another family under temporary board and room arrangements to facilitate, for example, school attendance away from home, i.e., *fè la desant* (temporary lodging) or *pansyonè* (boarder).

Boukong also pasè – cross-border guides, recruiters, intermediaries, traffickers, and human smugglers.

Chèf katye or chèf baz – neighborhood boss, somewhat veiled reference to a gang leader in formerly gang dominated neighborhoods.

Children in domesticity, child domesticity or child servitude – synonyms for *restavèk* children used as unpaid domestic servants. Haitian law recognized this practice by name - “*enfants en service*” – as used in chapter 9 of the 1961 labor code, an article later annulled (2003).

Chimè – armed political pressure groups supporting Lavalas in certain urban slum districts.

Fè la desant – Staying with others, temporary living arrangements, temporary room and board (boarders, boarding students). When children *fè la desant*, they live with others temporarily for reasons such as a family crisis, or to attend school at a distance. It is generally understood that sending parents will send food and actively defray costs.

Grassroots Organizations – local level member-based organizations operating through volunteer efforts, the equivalent of community based organizations.

Household – The number of people eating and sleeping under the same roof. The household is the basic unit of analysis of this survey. Responses to survey questions are analyzed from a household composition perspective. Some urban households in Haiti provide shelter for people who sleep but

do not eat there; others include members who eat there but do not sleep under one roof. Therefore the present study takes these variants into account by interpreting the number of people eating/sleeping as the number of mouths fed and the number of spaces used for sleeping.

Komite katye - neighborhood committees in urban slum districts that emerged after the fall of Duvalier in 1986 and tended to become political pressure groups

Militan – armed political pressure groups supporting the opposition (“Convergence”) during the second Aristide administration (Petit-Goâve).

NGO Service Providers – non-governmental and non-profit organizations that provide services using a salaried staff rather than relying primarily or solely on volunteers.

Organizasyon popilè (OP) – grassroots organizations in urban slum districts, including pro-Lavalas pressure groups called chimè with a reputation for violent political demonstrations.

Pansyonè, or, pansyonè ki fè la desant – a boarder, a child or adult living with others temporarily in a board and room arrangement.

Pitit kay, or, pitit zantray – literally “children of the house” or children biologically born to the household, i.e., children who “belong” to the household, especially children of the heads of household. The

term may also be used to refer to others accepted as household members even if not born to heads of household. This might include, for example, children present who are born to other adults living in the households. Such children might be nieces, nephews, or grandchildren of household heads.

Restavèk – Unpaid child servant living and working away from home. Closely related terms include children in domesticity or child servitude. The most salient identifying feature of restavèk children is that they are treated in a manner distinctly different from pitit kay, i.e., children born to the household or who belong to the household. In principle, parental placement of a restavèk child involves turns over childrearing responsibility to another household in exchange for the child’s unpaid domestic service. Restavèk placement is generally viewed as a long term arrangement that may last for several years. The traditional expectation is that the “caretaker” household will cover the cost of sending the restavèk child to school.

The Créole term restavèk literally means someone who lives with another; however, in popular parlance the word is a pejorative reference to servile dependence and is categorically demeaning. Less pejorative synonyms of restavèk include timoun rann sèvis (children who render service), timoun rete kay moun (children living with others), or simply timoun (literally “child”) in which the connotation is one of an outside child rather than one’s own child (pitit or pitit zantray).

Restavèk-boarders – children placed outside the home under temporary board and room arrangements and treated in a manner akin to restavèk children but without the label. In the present study, restavèk-boarders are an intermediate category, and retain a somewhat higher social status in the household than children consciously placed into restavèk service. Nevertheless, restavèk-boarders are outside children treated distinctly different from the household's own children (*pitit kay*).

Sang, sabotay, sol – indigenous, self-organized rotating credit groups.

Street children – children who rely on various activities in the street as a survival or livelihood strategy in urban areas. There are two major variants of street children,

(1) *enfants de la rue* (children of the street) without a family and no place to sleep who live in the streets day and night, and (2) *enfants dans la rue* (children in the street), children who spend days and perhaps evenings in the streets but maintain active family ties and have a place to sleep at night.

Ti paran – distant relative.

Guiding Concepts and the Survey Instrument

Detecting restavèk children. The PHR survey is designed to elicit the prevalence of several categories of victimization in respondent households; however,

the instrument devotes more attention to restavèk servant children than other victims. This is due in part to the emphasis on trafficking in persons in the results framework for the project, and the need to quantify the prevalence of restavèk servant children in neighborhoods targeted for study. The larger number of restavèk questions in the instrument also stems from the heightened risk of biasing responses if the question of restavèk children is raised too directly. Therefore, the instrument broaches the question indirectly, and does so in different ways.

The instrument determines who is present in the household prior to asking more focused questions. The instrument does not mention the term restavèk at all. As a proxy, it uses correlates of restavèk status such as differential school attendance and differences in household work assignments among different categories of children within the household. A guiding assumption of study is that the sheer scale or prevalence of restavèk servant children is much higher than other victim categories queried. Therefore, the scale of victimization justifies heightened attention to detecting the presence of restavèk children.

The survey questionnaire lists restavèk chores, and queries heads of households regarding work assignments for their own children compared to other children living in the home.

In general, leading indicators of restavèk treatment include work expectations equivalent to adult servants and long hours that surpass the cultural

norm for children's work at home, inferior food and clothing compared to other children in the home, sleeping on the floor rather than in a bed, no time out for play, and a common expectation that the *restavèk* child must use formal terms of address when speaking to social superiors including virtually all other household members. This expectation applies to *restavèk* relations to other children in the household, even children younger than the *restavèk* child, e.g., *Msye Jak* ("Mister Jacques" rather than simply Jacques).

Education is also an important indicator in detecting child domesticity. Children in domesticity may or may not attend school, but when they do attend, it is generally an inferior school compared to other children. *Restavek* children are also more likely to be overage for their grade level, and their rates of non-enrollment are higher than non-*restavèk* children in the home.

Child status analyzed in this study includes all children age 5 through 17. The questionnaire uses two approaches to counting children age 5 through 17. First, respondents are asked to identify the number of children under age 18 that are present. Secondly, they are asked to determine how many of these children are under the age of 5 years (see questionnaire page 1, q1d and q1e).

Street children in survey households. The instrument includes questions to elicit the presence of "children in the street" in survey households, that is, children who sleep at home but spend their

days working the streets. To update information on street children, it is essential to carry out a dedicated study of street children based on direct contact with street children and programs providing services to street children; however, the household survey can help to estimate the incidence of "children-in-the-street" within general population, one element of a triangulated approach to gaining better information on street children.

Children and gangs. Questions eliciting adult or child involvement with gangs refer primarily to an earlier time frame when gangs dominated neighborhoods such as *Cité Soleil*. Gangs no longer dominate *Cité Soleil*; however, this researcher identified former gang-recruited children in *Cité Soleil* in August 2008. The PHR household study identified a total of 29 individuals formerly linked to gangs, only one of which was a child.

Cross-border trafficking and smuggling. The survey included questions devised to elicit the incidence of household children sent to or deported from the Dominican Republic. These questions serve as a proxy for rating the relative risk of cross-border trafficking and smuggling of children among cities surveyed. The responses to these questions show notable differences by city.

Violence. The instrument asked household heads if any members of their households were victimized by murder, rape, kidnapping, or other physical attacks during a particular time frame – specifically the period since the end of the Interim Government

(May 2006) up to January 2008. This coincides with the initial 19 months of the Preval government. The survey disaggregates victims of violence by age and gender, and asks respondents to identify different categories of aggressor, including violence by public authorities.

Knowledge of support services in the general population. The survey instrument includes sections on respondent knowledge and use of psychological, medical, policing and legal services. This type of feedback from the general population is useful for determining the coverage of service networks.

Involvement with civil society organizations and public authorities. The questionnaire elicits respondent levels of participation or membership in civil society organizations, and respondent interactions with government authorities. The assumption is that participation in organizations, including virtually any type of organized group, has an impact on the relative vulnerability of households including the benefit of strength in numbers, recourse in the face of victimization, access to hidden victims, and identifying institutional networks or channels of communication regarding services available to victims and other human rights messages.

Child prostitution. Questions pertaining to household prevalence of children in prostitution were pretested in the initial survey instrument. These questions were removed when statistical analysis indicated that questions pertaining to prostitution tended to bias responses to other questions in

the instrument. Clearly, the dynamics of child prostitution are a high priority but require a dedicated study using qualitative methodologies, collaboration with institutions in contact with prostitutes including health and police services, and direct contact with minors, patrons, and businesses linked to the sex trade.

Socio-Economic Status. The survey estimates the economic status of households based on such indicators as household furnishings, house characteristics, home ownership or rental, and employment (see Annex III). Questions seeking to quantify household income were dropped after pretesting due to a high rate of non-response.

The survey identified three distinct categories of children:

1. Children labeled as *restavèks*
2. Other outside children living as boarders
3. An intermediate category classified here as “*restavèk-boarders*”

Overall, the PHR survey found an astonishingly high percentage of the 3,188 children surveyed living away from their homes of origin. Over 22% of children surveyed were living away from home; 32% of the children were not born to the heads of household of survey households, including children born to other household residents.

The survey found that 30% of all survey households

had restavèk children present, 16% of all children surveyed were placed as restavèk, and 22% of all children were treated as restavèk servants, including a remarkably high 44% of all children in Cité Soleil.

How many restavèk children are there?

National census projections for 2010 show 21% of the urban population of Haiti composed of children between the ages of 5 and 14. Therefore, using PHR survey findings as a basis for extrapolation, children subject to restavèk treatment in urban areas could be as many as 225,000 children.

Gender is a dominant feature of restavèk recruitment. Two-thirds of restavèk children are girls.

Restavèk placement and its very high prevalence are deeply marked by poverty, and the movement of children from poor to less poor households.

An important new finding from this survey is that a significant minority of households with restavèk children present (11%) had also sent its own children into restavèk placement.

The magnitude of intra-urban movement of children within the metropolitan area is significant new development in the reporting on restavèk placement. Not surprisingly, the majority of urban restavèk children were born in rural Haiti; however, households in the Port-au-Prince metropolitan demonstrate a new variant in published findings on restavèk recruitment: the largest single recruitment

source is other urban households in the metropolitan area. Therefore, recruitment of restavèk children can no longer be viewed solely as a rural to urban phenomenon.

Geographically, Port-au-Prince and St. Marc had a significantly higher proportion of households with restavèk children present - well over a third of households surveyed. Cité Soleil at 44% had the highest proportion of restavèk children.

The Port-au-Prince metropolitan area houses by far the densest concentration of restavèk children the country. The most important municipalities supplying restavèk children to Port-au-Prince, aside service as unpaid child servants, and minors recruited for the sex trade.

CENTRAL THEMES

A very large number of Haitian children live away from their homes of origin. In terms of the sheer scale of victimization, restavèk treatment affects far more children than other forms of victimization studied. The vast scale of restavèk victimization also has significant social consequences for the next generation, including a growing number of young adults traumatized by a history of restavèk abuse and by the absence of affection during childhood.

There is an important gender component to restavèk placement. The vast majority of children subject to restavèk treatment are girls.

The movement of restavèk children is from poor to somewhat less poor households.

Port-au-Prince houses by far the densest concentration of restavèk children in the country.

The majority of urban restavèk children were born in rural Haiti; however, the largest single recruitment source is other urban households in the metropolitan area. Therefore, recruitment of restavèk children cannot simply be viewed as a rural to urban phenomenon.

All regions of the country supply restavèk children to the metropolitan area; however, the most important supply region outside of the metropolitan area is the southern peninsula.

A significant minority of urban households with restavèk children present also send children of their

own into restavèk placement.

The vast majority of restavèk children have kinship ties to host family household heads. There is also some evidence of a growing number of restavèk children without kinship ties to household heads.

Many households also have children present who are school boarders, and the vast majority of such boarding students is treated in a manner similar to restavèk children but without the restavèk label.

In actual practice, restavèk treatment varies along a continuum rather than being sharply defined by restavèk status.

Kinship ties to host household heads do not shield children from restavèk treatment or status. Kinship ties and student board and room arrangements often camouflage treatment that is little different from restavèk servant children. Nevertheless, there is also evidence that restavèk children without kinship ties are subject to a heightened risk of abuse.

Survey respondents attribute the vast majority of rapes, murders and kidnappings – during the study period – to armed authorities and politically partisan groups including gangs.

In comparison to households in the metropolitan area, households in other survey cities away from Port-au-Prince had higher rates of children-in-the-street, and higher rates of children sent to the Dominican Republic or deported from there.

The majority of victims did not register attacks with the authorities; however, victims are far more inclined to register complaints with the police and courts than other institutions.

SURVEY METHODOLOGY

Drawing the sample. Cluster samples were drawn from neighborhoods selected for study including five areas of in Port-au-Prince, three in Cap-Haïtien, and Gonaïves, Saint-Marc and Petit-Goâve (see Table 2 below). The cluster sites were drawn from aerial photographs given the unavailability of accurate lists of households or street addresses to establish sampling frames. Sampling was based on three steps:

1. A map of each targeted neighborhood was made using aerial photographs.
2. Within each neighborhood, points corresponding to the number of cluster samples needed were laid out in quincunx (i.e., three neighboring points forming equilateral triangles) thus covering the entire neighborhood selected for study.
3. Around each point, an equal number of households were chosen for the study.

Data collection. Interviewers gathered information using a structured questionnaire based primarily on closed and precoded questions (see Annexes I and II). Most of the interviewers had administered similar instruments in earlier surveys in many of the same neighborhoods. Interviewers were given three days of training followed by a pre-test of 42 questionnaires. After the pre-test, certain modifications were made to the questionnaire. Questions on revenue and child prostitution were eliminated due to low response and respondent sensitivity to these questions.

Items added included questions on lodging, the number of rooms, and household items used to establish the economic status of people interviewed. These changes significantly increased the response rate. Interviewers administered a total of 1,464 questionnaires, more than half of them in the Port-au-Prince metropolitan area.

A team of four supervisors supervised groups of 4 to 6 interviewers. Supervisors coded the questions daily. The field survey was implemented in two stages: Port-au-Prince area in December 2007, and other cities between December 2007

and January 2008. Following the initial two days of data collection in Port-au-Prince, researchers halted the field survey for a week to assess data quality. This resulted in modification of certain questions to avoid biasing results, especially questions related to kinship ties and child domesticity service. Supervisors verified and coded questionnaires in the field. Electronic data entry included double entry by two different data entry staff as a cross-check on the quality of data entered.

Table 1: Neighborhood & Household Sample Selected for Study

| Neighborhoods chosen for study | Clusters by site | Households Studied | | |
|---|------------------|--------------------|------------|-------------|
| | | Households | Pre-Test | TOTAL |
| PORT-AU-PRINCE | | | | |
| Carrefour-Feuilles / Fontamara / Martissant | 13 | 135 | | 135 |
| Solino / Bel-Air | 26 | 247 | 42 | 289 |
| Cité Soleil | 13 | 127 | | 127 |
| Delmas / Tabarre | 13 | 138 | | 138 |
| Mon Repos / Lamentin | 13 | 132 | | 132 |
| Total in Port-au-Prince | | 779 | 42 | 821 |
| CAP HAITIEN | | | | |
| Cap: Bassin Rodo | 10 | 92 | | |
| Cap: Centre Ville | 12 | 105 | | |
| Cap: Petite Anse | 10 | 72 | | |
| Total Cap | | 269 | | 269 |
| Gonaïves | | | | |
| Gonaïves | 13 | | 169 | 169 |
| Saint-Marc | 12 | | 127 | 127 |
| Petit-Goâve | 12 | | 120 | 120 |
| TOTAL | | 1464 | 42 | 1506 |



Survey Findings and Analysis



DEMOGRAPHIC & ECONOMIC CHARACTERISTICS

The survey population is located in low income urban neighborhoods. The study elicited household demographics including gender, age, household size and composition, level of education and economic indicators. The respondents interviewed were heads of household, or in their absence, another adult resident of the household.

Gender of respondents and heads of household.

The survey sample included 1,458 households. In terms of the gender of interviewees, there are no significant differences among cities and neighborhoods surveyed. The vast majority of respondents were women (73%). See Table 2.

Table 2: Gender of interviewee by city

| Gender of interviewee | CITY | | | | | Total |
|-----------------------|----------------|-------------|----------|------------|-------------|-------|
| | Port-au-Prince | Cap-Haïtien | Gonaïves | Saint-Marc | Petit-Goâve | # |
| | 778 | 268 | 168 | 124 | 120 | 1,458 |
| Men | 25% | 28% | 33% | 23% | 33% | 27% |
| Women | 75% | 72% | 67% | 77% | 67% | 73% |
| Total | 100% | 100% | 100% | 100% | 100% | 100% |

As shown in Table 3 below, survey households in all cities are overwhelmingly female headed households (76%), and the five neighborhoods surveyed in the Port-au-Prince metropolitan area have by far the highest rate of female headed households (79%). The lowest rate is Gonaïves (65%) which still has nearly two-thirds of households headed by women. In general, urban areas of Haiti have far higher rates of female headed households than rural areas; however, the low income “hotspot” neighborhoods selected for the PHR survey show even higher rates of female headed households than other published data for the overall metropolitan area.¹⁹

Table 3: Percent of women interviewees and heads of households by city

| CITY | Female interviewees | | Women heads of households | |
|----------------|---------------------|-------|---------------------------|-------|
| | % | N* | % | N |
| Port-au-Prince | 75 | 778 | 79 | 521 |
| Cap-Haïtien | 72 | 268 | 74 | 199 |
| Gonaïves | 67 | 168 | 65 | 103 |
| Saint-Marc | 77 | 124 | 78 | 112 |
| Petit-Goâve | 67 | 120 | 68 | 77 |
| Total | 73 | 1,458 | 76 | 1,012 |

*N refers to both genders and the total number of interviewees and women heads of households.

Age of respondents. As shown in Table 4, the majority of interviewees are between the ages of 26 and 55 (79%) with percentages declining with age. The average age by site varies from 36 to 39 and there is no significant statistical difference between sites.

Table 4: Age of interviewees by city

| Age of Interviewees | CITY | | | | | Total |
|---------------------|----------------|-------------|----------|------------|-------------|-------|
| | Port-au-Prince | Cap-Haïtien | Gonaïves | Saint-Marc | Petit-Goâve | |
| 17 - 25 | 11% | 12% | 16% | 13% | 18% | 12% |
| 26 - 35 | 34% | 30% | 35% | 35% | 32% | 33% |
| 36 - 45 | 28% | 32% | 30% | 36% | 27% | 30% |
| 46 - 55 | 17% | 17% | 13% | 13% | 16% | 16% |
| 56+ | 9% | 9% | 6% | 3% | 8% | 8% |
| Total | 773 | 267 | 167 | 124 | 120 | 1451 |
| | 100% | 100% | 100% | 100% | 100% | 100% |
| Average Age | 39 | 39 | 36 | 36 | 37 | 38 |

Household size. If we define the household as the number of people who eat and sleep in one dwelling, average household size in the PHR survey is 6.2 people (see Table 5). There are also variations by site studied, ranging from 5.9 in Petit-Goâve to a high of 6.9 people per household in Gonaïves. For the Port-au-Prince metropolitan area, the PHR

¹⁹ The EMMUS survey found 39% female heads of household in rural areas nationally, and 53% in the Port-au-Prince area. See IHE, 2007, EMMUS-IV, Haiti, 2005-2006, Table 2.3, Composition des ménages (p. 11).

survey shows 6.2 people per household, much higher than the EMMUS figure of 4.9 per household (ibid., 11). The significantly higher figure shown for PHR households may reflect the high density of low income neighborhoods selected for PHR study.

Table 5: Number of people who eat and sleep in the house

| CITY | Average | N |
|----------------|------------|-------------|
| Port-au-Prince | 6.2 | 777 |
| Cap-Haitian | 6.2 | 267 |
| Gonaïves | 6.9 | 166 |
| Saint-Marc | 6.5 | 123 |
| Petit-Goâve | 5.9 | 120 |
| Total | 6.3 | 1453 |

Socio-economic characteristics. Table 6 shows household belongings as indicators of economic level. Only 26% of households have access to running water or well water, 20% a flush toilet, 30% a refrigerator, and 11% land line phones. Only 12% of households surveyed owned vehicles, though this degree of vehicle ownership indicates a certain range and variation in economic levels within these vulnerable neighborhoods.

There are significant differences by site. Access to vehicles is significantly higher in Port-au-Prince, Gonaïves and Saint-Marc than other study sites, and flush toilets are more common in Port-au-Prince and Petit-Goâve than other sites.

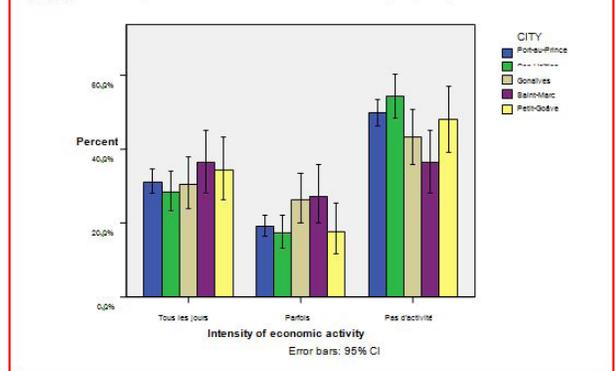
The vast majority of households surveyed lack

toilets, running water or wells, although 87% have cellular phones and 72% televisions. The ownership rate for cell phones and televisions was much higher than that found in an earlier national survey of all urban areas. The higher rate of cell phone in the PHR survey undoubtedly reflects the rapid expansion of cell phones among the poor since 2005 due to intensive marketing efforts by cell phone companies.

Table 6: Distribution of furnishings owned by households

| Types of furnishings owned | VILLE | | | | | |
|----------------------------|-------------------------|----------------------|-------------------|---------------------|----------------------|-----------------|
| | Port-au-Prince N=774 | Cap-Haitian N=268 | Gonaïves N=168 | Saint-Marc N=122 | Petit-Goâve N=120 | Total N=1452 |
| Running water or wells | 25% | 22% | 42% | 12% | 31% | 26% |
| Flush toilet | 25% | 13% | 13% | 16% | 25% | 20% |
| Television | 77% | 62% | 63% | 73% | 68% | 72% |
| Refrigerator | 34% | 20% | 10% | 41% | 48% | 30% |
| Telephone (land line) | 9% | 5% | 7% | 16% | 35% | 11% |
| Telephone (cellular) | 89% | 85% | 90% | 83% | 84% | 87% |
| Washing machine | 1% | 0% | 1% | 2% | 0% | 1% |
| Oven | 11% | 4% | 7% | 7% | 8% | 9% |
| Motorcycle | 2% | 5% | 13% | 20% | 8% | 6% |
| Shower | 38% | 20% | 38% | 21% | 31% | 33% |
| Computer | 5% | 2% | 4% | 5% | 5% | 4% |
| Car | 14% | 6% | 16% | 16% | 8% | 12% |

Fig. 1. Intensity of household economic activity by city



RESTAVÈK SERVANT CHILDREN

Table 7 and Figure 1 show percentage of people actively engaged in making a living. This includes salaried employment but is far more often petty commerce, daily wage labor or other activities commonly identified with the informal economic sector. There is some variation by site in that Cap-Haïtien has a significantly higher rate of unemployment (54%), followed by Port-au-Prince (50%) and Petit-Gôave (48%). Less than one third of respondents report steady income from economic endeavors,

Table 7: Intensity of household economic activity by city

| | | CITY | | | | | Total |
|--------------------------------|-------------|----------------|-------------|----------|------------|-------------|-------|
| | | Port-au-Prince | Cap-Haïtien | Gonaïves | Saint-Marc | Petit-Gôave | |
| Intensity of economic activity | Every day | 31% | 28% | 30% | 36% | 34% | 31% |
| | Sometimes | 19% | 17% | 26% | 27% | 18% | 20% |
| | No activity | 50% | 54% | 43% | 36% | 48% | 49% |
| Total | N | 771 | 267 | 167 | 121 | 119 | 1445 |
| | | 100% | 100% | 100% | 100% | 100% | 100% |

Child servants. The household survey distinguishes children used as household servants from other children based on indicators of differential treatment, particularly school enrollment and the amount of work assigned. Data analysis suggests that the use of children as domestic servants takes a variety of forms; kinship ties and boarding arrangements may serve to camouflage restavèk treatment that extends beyond the children labeled as restavèk children. For example, a large number of children are boarders who come from a distance to go to school while living with a family (*yo fè la desant*), often in the homes of relatives. These children are not classified nor labeled as restavèk children, but in some cases they perform the full range of household chores associated with restavèk servant children.

Schooling for boarding children is paid by their parents, and their living arrangements are temporary, based on the school year. The actual treatment of boarding children depends in part on the extent of parental contribution to their upkeep, including money, food or supplies sent on a regular or occasional basis. When parents do not contribute enough, host households may impose greater work expectations on the children. Some of these children are treated little different from restavèk servant children, though they generally retain a higher social status. They may for example sit at the table for meals, unlike restavèk children. Thus, survey findings point to an intermediary category of “restavèk-boarders” midway between servant children and regular boarders, and distinctly different from the household’s own children (*pitit kay*).

Restavèk Servant Children by Gender and Site.

Household composition studies in Haiti show a remarkably high rate of children living away from their homes of origin. In the PHR household study, nearly a third (32%) of all children surveyed were not born to the household heads. Table 8 below shows the percentage of restavèk children in relation to all children surveyed. Children classified as restavèk account for 16% of all children. When lumped together with “restavèk-boarders,” children treated as restavèk accounted for 22% of all 3,188 children surveyed in 1,450 households in five Haitian cities.

Table 8: Percentage of restavèk servant children by site

| Sites of study | % | N |
|---|-----------|-------------|
| Port-au-Prince | 28 | 1669 |
| Carrefour Feuilles / Fontamara / Martissant | 26 | 300 |
| Solino / Bel-Air | 27 | 482 |
| Cité Soleil | 44 | 257 |
| Delmas / Tabarre | 22 | 292 |
| Mon Repos /Lamentin | 23 | 298 |
| Cap Haitian | 14 | 590 |
| Bassin Rodo | 13 | 194 |
| Centre Ville | 16 | 229 |
| Petite Anse | 14 | 167 |
| Gonaïves | 11 | 416 |
| St-Marc | 18 | 317 |
| Pt-Goâve | 20 | 236 |
| Total | 22 | 3188 |

In the five neighborhoods of Port-au-Prince, 28% of the children surveyed are restavèk or restavèk-boarders, with Cité Soleil by far the highest at 44%. Sites outside Port-au-Prince have a much lower

overall percentage of restavèk/restavèk-boarders compared to Port-au-Prince although St. Marc (18%) and Petit-Goâve (20%) have higher rates than other cities, and Gonaïves only 11% of children surveyed.

Table 9 demonstrates that the vast majority of restavèk servant children are girls. Nearly two thirds of restavèk children (65%) are girls compared to 53% of non-restavèk children surveyed. Reliance on girls as servant children reflects the sexual division of labor in Haiti whereby most household chores are performed by girls.

Table 9: Percent of restavèk and non-restavèk children by gender

| Gender | % of restavèk children (n = 677) | % of other children n = 2,471 |
|--------------|-------------------------------------|----------------------------------|
| Boys | 35 | 47 |
| Girls | 65 | 53 |
| Total | 100 | 100 |

Servant children by age and location. The survey is based on children age 5 through 17 for a total of 3,188 children surveyed. The average age of restavèk children in the study is 12.3 years versus 11.6 years for other children surveyed (see Table 10).

Table 10: Average age of restavèk and non-restavèk children

| Status | Average age | Number of children surveyed |
|-------------------|-------------|-----------------------------|
| Restavèk children | 12.3 | 684 |
| Other children | 11.6 | 2,504 |
| Total | 11.7 | 3,188 |

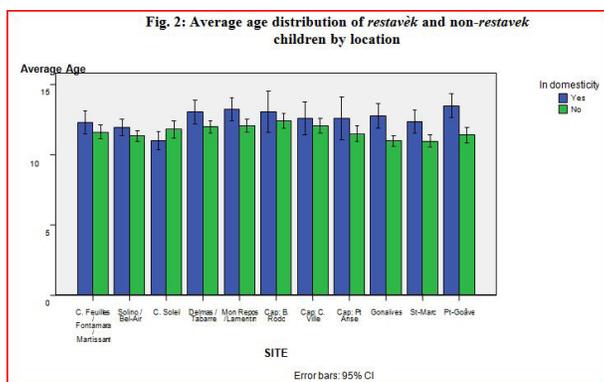


Figure 2 illustrates that in the larger cities (Port-au-Prince and Cap-Haïtien) there is little difference in the average age of *restavèk* versus other children. On the other hand, in Gonaïves, Saint Marc and Petit-Goâve, age differences are more noticeable.

Servant children by household and location.

Overall, 30% of survey households have *restavèk*

servant children present; however, the Carrefour Feuilles/Fontamara/Martissant survey site has by far the highest proportion of households with *restavèk* children (46%), and Cap-Haïtien the lowest (21%). Other sites with a high proportion of households with *restavèk* servant children include Solino/Belair (35%) and Delmas/Tabarre (37%).

Some survey households have more than one *restavèk* child servant, although this is a relatively small minority of households (see Table 11). For example, 38% of households in Carrefour Feuilles/Fontamara/Martissant have a *restavèk* servant child; however, another 9% of households at this site have at least two *restavèk* children, and 9% of Delmas/Tabarre households also have at least two *restavèk* servant children present.

Table 11: Number of *restavèk* servant children by household and site

| No. of Restavèk | SITE | | | | | | | | | | | Total |
|-----------------|---|-----------------|-------------|----------------|--------------------|------------------|-------------------|------------------|----------|------------|-------------|-------|
| | Carrefour Feuilles Fontamara Martissant | Solino/ Bel-Air | Cité Soleil | Delmas Tabarre | Mon Repos / Lament | Cap: Bassin Rodo | Cap: Centre Ville | Cap: Petite Anse | Gonaïves | Saint-Marc | Petit-Goâve | |
| 0 | 54% | 65% | 73% | 63% | 72% | 76% | 79% | 81% | 77% | 63% | 78% | 70% |
| 1 | 38% | 29% | 23% | 28% | 25% | 22% | 20% | 15% | 21% | 32% | 18% | 25% |
| 2 + | 9% | 6% | 4% | 9% | 3% | 2% | 1% | 4% | 2% | 5% | 4% | 5% |
| Total | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |
| N | 130 | 234 | 125 | 138 | 130 | 83 | 108 | 72 | 166 | 118 | 119 | 1423 |

RESTAVÈK CHILDREN & HOUSEHOLD ECONOMIC STATUS

Economic status of sending and receiving households. To what extent does restavèk sending and receiving cut across different economic levels in low income urban neighborhoods studied? The basic assumption of restavèk placement is that wealthier households are less likely to send away their own children, and more likely to recruit restavèk children for their own use. To test this assumption, the study assesses the economic status of households to test correlations between varying economic levels and the propensity to send out or receive restavèk children.

The findings in Tables 12-14 suggest that the use of servant children is a more generalized practice than expected. First of all, a certain percentage of households with restavèk children have also placed their own children in domestic service, and on a scale roughly comparable to households without restavèk children (11% versus 14%), and this was true for all study sites (see Table 12).

Table 12: Households sending and receiving restavèk children

| Households placing their own children elsewhere as restavèk | Households receiving restavèk children | | Total households |
|---|--|------|------------------|
| | No | Yes | |
| No | 86% | 89% | 87% |
| Yes | 14% | 11% | 13% |
| Total | 100% | 100% | 100% |
| N | 993 | 430 | 1423 |

In other words, the fact of having a restavèk child does not mean a household will not place its own children as restavèk servant children. The data also reveal that 70% of the children sent into restavèk placement from these households were sent to other urban households.

Secondly, Table 13 shows the relative economic status of households that have sent their own children into restavèk placement. These households show relatively little difference by economic status: 11% of more affluent households have sent away children compared to 15% and 13% of low and middle level households. Therefore, the practice is cross-cutting in relation to the relative economic status of households studied.

Table 13: Economic Status of Households Placing their Children as restavèk

| Households placing their own children elsewhere as restavèk | Socio-economic status of households | | | Total Households |
|---|-------------------------------------|---------|------|------------------|
| | Low | Average | High | |
| N | 475 | 666 | 292 | 1433 |
| No | 88% | 85% | 89% | 87% |
| Yes | 13% | 15% | 11% | 13% |
| Total | 100% | 100% | 100% | 100% |

Table 14 shows a neat correlation between the percent of households with restavèk children and their relative economic status. Higher income households show a higher restavèk rate (36%) compared to 24% for the lower tier, and 31% for mid-range households. The differences are especially significant between the upper and lower economic tiers. This finding supports the longstanding hypothesis that the flow of restavèk children is from the less affluent to more affluent households, and from poor households to the less poor.

Table 14: Economic Status of Households with Restavèk Children

| Presence of restavèk children in the household | Economic status of household | | | Total |
|--|------------------------------|--------|------|-------|
| | Low | Medium | High | |
| No | 76% | 69% | 64% | 70% |
| Yes | 24% | 31% | 36% | 30% |
| Total | 100% | 100% | 100% | 100% |
| N | 461 | 654 | 282 | 1397 |

Table 15 shows the same overall tendency for all cities although Gonaïves has a 6% difference in the opposite direction for the relatively more affluent households, but this is statistically not very significant. In Saint-Marc, the link between restavèk presence and more affluent economic status is even higher; only 23% of low income households have a restavèk versus 61% for high income households. A similar pattern holds for Petit-Goâve.

Table 15: Economic Status of Restavèk Households by city

| CITY | | Socio-economic status | | | Total | |
|----------------|--|-----------------------|--------|--------|--------|-----|
| | | Low | Medium | High | | |
| Port-au-Prince | | n=243 | n=347 | n=153 | n=743 | |
| | Presence of restavèkchild in the household | No | 71% | 62% | 63% | 65% |
| | Yes | 29% | 38% | 37% | 35% | |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% | |
| Cap-Haïtien | | n=109 | n=111 | n=41 | n=261 | |
| | Presence of restavèkchild in the household | No | 84% | 78% | 66% | 78% |
| | Yes | 16% | 22% | 34% | 22% | |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% | |
| Gonaïves | | n=48 | n=88 | n=29 | n=165 | |
| | Presence of restavèkchild in the household | No | 77% | 76% | 83% | 78% |
| | Yes | 23% | 24% | 17% | 22% | |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% | |
| Saint-Marc | | n=30 | n=57 | n=23 | n=110 | |
| | Presence of restavèkchild in the household | No | 77% | 65% | 39% | 63% |
| | Yes | 23% | 35% | 61% | 37% | |
| Total | | 100.0% | 100.0% | 100.0% | 100.0% | |
| Petit-Goâve | | n=31 | n=51 | n=36 | n=118 | |
| | Presence of restavèkchild in the household | No | 81% | 88% | 64% | 79% |
| | Yes | 19% | 12% | 36% | 21% | |
| Total | | 100% | 100% | 100% | 100% | |

SERVANT CHILDREN AND KINSHIP TIES

What role does kinship play in restavèk placement? The absence of close kin ties is decidedly not an identifying feature of restavèk placement, as some have presumed. On the contrary, the data show that kinship is a prime recruiting ground for restavèk children. Furthermore, child boarding arrangements based on kinship ties are socially more acceptable than restavèk placement; however, the data show that kinship ties may camouflage restavèk treatment when children are sent to live others during the school year.

Table 16 shows kin ties between restavèk children and heads of households. The table also shows a substantial minority (22%) of restavèk children with no kin ties to the head of household. On the other hand, two-thirds of restavèk children in the survey are related to household heads, predominantly as nieces or nephews; however, these children are treated as domestic servants. In short, child domesticity cannot be understood without taking into account its frequent link to family ties.

Table 16: Restavèk kin ties to household heads

| | Frequency | % |
|---------------------|-----------|-----|
| Nephew/niece | 366 | 54 |
| God son or daughter | 17 | 3 |
| Other relative | 146 | 21 |
| None | 151 | 22 |
| Total | 680 | 100 |

Earlier discussion pointed to a recent trend toward more generalized patterns of restavèk placement.

Kinship analysis tends to support this observation. Survey data show evidence of a chain of family ties and obligations whereby restavèk children are supplied by lower income households to higher income households. Therefore, family ties serve as the transmission belt for child placement. Furthermore, there is evidence of kin-based social pressure for more affluent family members, including households that are only a little less poor than sending households, to accept children, and criticism if they decline to do so, since placement is perceived by sending households as an opportunity for schooling and upward mobility – in exchange for unpaid child labor. These pressures may come from more distant relatives (ti paran) as well as close relatives.

This pressure for social promotion does not apply only to restavèk placement. It also applies to child boarding arrangements to facilitate access to education and learn a trade away from home. Under these arrangements, the status and treatment of child boarders depends heavily on the economic status and financial resources of the sending parents. Boarding children are generally expected to perform chores consistent with the level of support or non-support from their own parents. Therefore, a boarding child accompanied by material support may perform few or no household chores, whereas boarding children without family support may pay their way through unpaid child labor.

Discerning the overlap between kinship and social status of outside children in the household helps

to clarify what actually happens under the cover of family ties. It is important then to examine the living conditions and work expectations of boarding children (pansyonè ki fè la desant) including chores and schooling, in comparison to children born to the household (pitit kay), as well as children directly identified as restavèk servant children. Data analysis resulted in three distinct categories including (i) children labeled as restavèk children, (ii) boarding children, and (iii) an intermediate category that may be called “restavèk-boarders.”

In effect, the status of restavèk and boarder are not mutually exclusive in the various sites surveyed. The survey instrument elicits information on children in the household deemed to be boarders, and then asks what is expected of them in terms of children’s work. Table 17 demonstrates that the vast majority of restavèk children (83%) and nearly two-thirds of restavèk-boarders are related to household heads; however, 18% of restavèk children and 35% of “restavèk-boarders” do not have kin ties to household heads.

Table 17: Kin ties to the head of household by child status in the household

| Relationship to the head of household | Status of the child | | | | Total |
|---------------------------------------|---------------------|------------------|---------|-------|-------|
| | Restavèk | Restavèk/Boarder | Boarder | Other | |
| Son/daughter | .0% | .0% | .0% | 88% | 68% |
| Niece/nephew | 60% | 35% | 61% | 7% | 17% |
| Other/godchild | 22% | 31% | 39% | 5% | 10% |
| None | 18% | 35% | .0% | .2% | 5% |
| Total | 100% | 100% | 100% | 100% | 100% |
| | 501 | 174 | 33 | 2456 | 3164 |

In sum, the table illustrates the role of kinship as a transmission belt for child labor, including restavèk

children as well as restavèk-boarders. Therefore, the data suggest that restavèk treatment is more fluid than generally reported, and not defined simply by public defined restavèk status.

See Table 18 for restavèk and boarding status of children by survey site. The percentage of restavèk children (40%) in Cité Soleil is far higher than all other areas surveyed, attaining a phenomenal 44% when taken together with restavèk-boarders. In general, the rate of boarding children is higher in Port-au-Prince than other cities surveyed, especially in Carrefour Feuilles/Fontamara/Martissant. The Port-au-Prince metropolitan area also has higher rates of restavèk placement than other cities surveyed.

School and Work as Restavèk Indicators

The survey instrument relies primarily on the analysis of differences in work assignments and schooling as indicators of restavèk status. Table 19 compares children’s work by restavèk and non-restavèk status (pitit kay) in the home. The instrument includes a listing of chores such as carrying water, going to market, doing dishes and laundry, and cleaning house. Table 19 shows a statistically significant distinction in the assignment of chores.

In general, all children are expected to do household chores; however, according to the survey, which may tend to underreport the intensity of work assignments, restavèk children are expected to do nearly twice as much work as children born to the household (pitit kay). Figure 3 graphs these differences dramatically by site. Furthermore, Table

20 indicates that work expectations of restavèk-boarders are similar to restavèk children. In short, the assumption that restavèk-boarders work less intensively than regular restavèk children does not hold. Age is also not a factor since the two groups of children average the same age (13). Furthermore, there is little difference in education level between the two groups.

This suggests that the primary factor affecting treatment of boarding children is the economic contribution of the children's families to host households, and not their privileged status as boarders compared to restavèk children. In short, the less their families contribute, the more likely

child boarders will be treated as restavèk children. It can be inferred that restavèk treatment of child boarders also reflects the relative poverty of families that board their children with other households that are less poor.

Schooling as indicator of child status. Another indicator of restavèk status is the level of schooling in relation to age, and the quality of schooling. The data in Table 21 support the hypothesis that restavèk children on average have a lower level of education than other children in the household. Figure 4 demonstrates the difference graphically by site.

Table 18: Child status by survey site

| Status of the child | SITE | | | | | | | | | | |
|-------------------------|--|----------------|--------------|----------------|-------------------|-----------|------------|------------------|--------|---------|-------------|
| | Carrf. Feuilles, Fontamara Martissant. | Solino Bel-Air | Cité. Soleil | Delmas Tabarre | Mon Repos Lamntin | Cap: Rodo | Cap: Ville | Cap: Petite-Anse | Gonaïv | St-Marc | Petit-Goâve |
| N | 298 | 481 | 257 | 291 | 297 | 194 | 229 | 182 | 415 | 315 | 233 |
| Restavèk | 15% | 20% | 40% | 17% | 19% | 7% | 14% | 10% | 6% | 12% | 13% |
| Restavèk/Boarder | 11% | 7% | 4% | 5% | 4% | 6% | 2% | 2% | 5% | 6% | 7% |
| Boarder | 0% | 1% | .0% | 2% | 3% | 1% | .0% | 1% | 0% | 2% | .0% |
| Other | 74% | 72% | 56% | 76% | 74% | 87% | 84% | 86% | 89% | 80% | 80% |
| Total | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% | 100% |

Table 19: Average number of *restavèk* and non-*restavèk* chores by site

| SITE | Number of chores assigned to the "pitit kay" | | Number of chores assigned to "restavèk" | |
|---|--|------|---|-----|
| | Average | N | Average | N |
| Carf. Feuilles / Fontamara / Martissant | 3.2 | 109 | 5.7 | 41 |
| Solino / Bel-Air | 2.4 | 205 | 5.4 | 50 |
| Cité Soleil | 3.2 | 114 | 5.8 | 24 |
| Delmas / Tabarre | 2.8 | 122 | 5.6 | 35 |
| Mon Repos / Lamentin | 3.2 | 114 | 5.5 | 24 |
| Cap-Haitien | 3.6 | 246 | 5.8 | 46 |
| Gonaïves | 4.4 | 152 | 6.6 | 27 |
| Saint-Marc | 3.8 | 111 | 5.6 | 37 |
| Petit-Goâve | 3.0 | 111 | 4.9 | 17 |
| Total | 3.3 | 1284 | 5.7 | 301 |

Table 20: Average number of chores assigned by status of child

| Status | Average number of chores | Number of children surveyed |
|---------------------------|--------------------------|-----------------------------|
| <i>Restavèk</i> Children | 5.5 | 124 |
| <i>Restavèk</i> -boarders | 5.8 | 103 |
| Pitit Kay | 3.3 | 1288 |

Table 21: Average years of schooling of children by household status and site

| CITY | Average schooling of a non- <i>restavèk</i> child (pitit kay) | Number of non- <i>restavèk</i> children (pitit kay) | Average schooling for <i>restavèk</i> | Number of <i>restavèk</i> children |
|---|---|---|---------------------------------------|------------------------------------|
| Carrefour Feuilles / Fontamara / Martissant | 6.0 | 117 | 4.0 | 76 |
| Solino / Bel-Air | 6.3 | 212 | 4.0 | 96 |
| Cité Soleil | 5.5 | 115 | 4.5 | 34 |
| Delmas / Tabarre | 6.5 | 123 | 4.4 | 50 |
| Mon Repos / Lamentin | 7.7 | 116 | 5.5 | 37 |
| Cap-Haitien | 6.3 | 245 | 4.4 | 61 |
| Gonaïves | 5.9 | 153 | 4.7 | 39 |
| Saint-Marc | 5.8 | 116 | 4.7 | 45 |
| Petit-Goâve | 6.0 | 111 | 4.0 | 25 |
| Total | 6.22 | 1308 | 4.37 | 463 |

ORIGINS OF RESTAVÈK CHILDREN

Departmental origin of survey respondents. As shown in Table 22, most of the respondents interviewed are from the same department as the survey sites chosen for study. For example, 92% of respondents in Cap-Haïtien are from the northern department, 90% of those in Gonaïves from the Artibonite, 88% of those in St. Marc from the Artibonite, and 93% of those in Petit-Goâve from the Ouest. In stark contrast, only 37% of respondents in Port-au-Prince are from the Ouest department. In addition to the Ouest, respondents in Port-au-Prince come from all other departments, but especially the South (19%), Sud-Est (10%), and Grande Anse (10%).

Table 22: *Département of origin of respondents by city surveyed*

| Respondents | Survey Cities | | | | |
|--------------|-----------------------|----------------|-------------|----------|------------|
| | Département of origin | Port-au-Prince | Cap-Haitian | Gonaives | Saint-Marc |
| Artibonite | 7% | 1% | 90% | 88% | .0% |
| Centre | 5% | 1% | .6% | .0% | .0% |
| Grande-Anse | 10% | .0% | .0% | .0% | 2% |
| Nippes | 4% | .0% | .0% | .0% | .8% |
| Nord | 5.0% | 92% | 7% | 5% | .0% |
| Nord-Est | 1% | 4% | .0% | .0% | .0% |
| Nord-Ouest | 1% | .4% | 2% | 2% | .0% |
| Ouest | 37.4% | .8% | .0% | 5% | 93% |
| Sud | 19.0% | .0% | .0% | .0% | .8% |
| Sud-Est | 11% | .0% | .0% | .0% | 4% |
| St. Domingue | .1% | .4% | .0% | .0% | .0% |
| | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% |
| Total | 773 | 265 | 169 | 124 | 120 |

Origins of restavèk children. The inter-departmental flow of restavèk is predominantly towards Port-au-Prince, as shown in Table 23. In the other cities surveyed, most restavèk children live in their département of origin. For example, only 32% of restavèk children in Port-au-Prince are from the Ouest; however, 82% of restavèk children in

Cap-Haïtien are from the Nord; 83% in St. Marc and Gonaïves are from the Artibonite, and 88% in Petit-Goave are from the Ouest.

Table 23: *Département of origin restavèk children by city surveyed*

| Restavèk Children | Survey City | | | | |
|-------------------|-----------------------|----------------|-------------|----------|------------|
| | Département of origin | Port-au-Prince | Cap-Haïtien | Gonaïves | Saint-Marc |
| Artibonite | 8% | | 83% | 83% | |
| Centre | 5% | 4% | | 2% | |
| Grande-Anse | 10% | | | | |
| Nippes | 5% | | | | 4.0% |
| Nord | 4% | 82% | 6% | 4% | |
| Nord-Est | 3% | 9% | | | |
| Nord-Ouest | 2% | 2% | 9% | | |
| Ouest | 32% | 4% | 3% | 11% | 88.0% |
| Sud | 21% | | | | |
| Sud-Est | 11% | | | | 8.0% |
| Total | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% |
| N | 252 | 56 | 35 | 46 | 25 |

Port-au-Prince is a special case. In view of the concentration and high demand for restavèk children in Port-au-Prince, there are important programmatic reasons to identify the most important supply centers for restavèk children to the Port-au-Prince metropolitan area. The most important département of origin is the Ouest (32%); however, another 42% originate overall in the Sud (21%), Sud-Est (11%), and Grande-Anse (10%).

Table 24 compares the origins of survey respondents and restavèk children. Both tend to originate from the same departments. There are no statistically significant differences between the two groups except for Port-au-Prince where 37% of respondents but only 32% of restavèk children originate in the Ouest. In short, most restavèk children are recruited in the departments of origin of household heads, often via kinship and other ties to home town communities.

Table 24: Origins of survey respondents and *restavèk* children in Port-au-Prince

| Département of Origin | Respondents | Restavèk |
|-----------------------|-------------|-------------|
| Artibonite | 7% | 8% |
| Centre | 5% | 5% |
| Grande-Anse | 10% | 10% |
| Nippes | 4% | 5% |
| Nord | 5% | 4% |
| Nord-Est | 1% | 3% |
| Nord-Ouest | 1% | 2% |
| Ouest | 37% | 32% |
| Sud | 19% | 21% |
| Sud-Est | 10% | 11% |
| TOTAL | 100% | 100% |
| N | 773 | 252 |

Origins of *restavèk* children by survey site. Table 25 shows departmental origins of *restavèk* children for survey sites in the Port-au-Prince metropolitan area. As noted earlier, the Sud, Sud-Est, and Grande-Anse, but especially the Sud, are the primary supply zones for Port-au-Prince *restavèk* children; however, communes of the southern department supply Carrefour Feuilles/Fontamara/Martissant at a much higher rate (86%) than any other metropolitan site surveyed. Secondly, and somewhat unexpectedly, other communes within the Port-au-Prince metropolitan area are the next most important supply zone for *restavèk* children in Port-au-Prince. For Cité Soleil and Lamentin, neighboring communes supply *restavèk* children at a significantly higher rate than other study sites. The magnitude of intra-urban movement of children within the metropolitan area is an important new development in the reporting on *restavèk* placement. Aside from Port-au-Prince itself, the most important communes of origin for *restavèk* children in Port-au-

Prince are Les Cayes (9%), Jacmel (8%), Jérémie (5%) and Léogane (4%).

Table 25: Origins *restavèk* children in Port-au-Prince by study site

| Site | Communes of the Sud | Communes of Port-au-Prince | Elsewhere |
|--|---------------------|----------------------------|------------|
| Carrefour-Feuilles / Fontamara / Martissant (N=62) | 86% | 8% | 6% |
| Solino / Bel-Air (N=94) | 53% | 24% | 23% |
| Cité Soleil (N=34) | 33% | 35% | 32% |
| Delmas / Tabarre (N=56) | 43% | 21% | 36% |
| Lamentin (N=36) | 61% | 33% | 6% |
| Total Port-au-Prince (N=282) | 57% | 22% | 21% |

Table 26 shows a total of 72% of Cap-Haïtien area *restavèk* children from other communes of the northern department, and the rate of supply from these other communes is highest in Bassin Rodo (80%). Again, there is also heavy reliance in Cap-Haïtien on supplies of *restavèk* children from within the commune, especially for *restavèk* children in Centre-ville (35%) and Petite-Anse (25%). A similar pattern holds in Gonaïves (23%) and St. Marc (33%), and overwhelmingly so in Petit-Goâve (83%), which is a large commune with 10 communal sections. Nevertheless, both Gonaïves and St. Marc rely primarily on other communes within the same département as supply zones for *restavèk* children.

Table 26: Origins of *restavèk* children in Cap-Haïtien by study site

| Site | Communes of the Nord except Cap | Commune of Cap | Elsewhere |
|-------------------------|---------------------------------|----------------|-----------|
| Bassin Rodo (N=20) | 80% | 15% | 5% |
| Centre-Ville (N=23) | 65% | 35% | 0% |
| PetiteAnse (N=16) | 63% | 25% | 12% |
| Total Cap (N=59) | 72% | 22% | 6% |

Table 27: Origins of *restavèk* children in Gonaïves (N=40)

| Communes of the Artibonite except Gonaïves | Commune of Gonaïves | Elsewhere |
|--|---------------------|-----------|
| 67% | 23% | 0% |

Table 29: Origins of *restavèk* children in Petit Goâve (N=30)

| Commune of Petit-Goâve | Elsewhere |
|------------------------|-----------|
| 83% | 17% |

Table 28: Origins of *restavèk* children in St-Marc (N=46)

| Communes of the Artibonite except St-Marc | Commune of St-Marc | Elsewhere |
|---|--------------------|-----------|
| 50% | 33% | 17% |

Table 30: Origins of *restavèk* and non-*restavèk* children by site

| | SITE | | | | | | | | | | |
|---------------|---|-------------------|-------------------|-------------------|--------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | Carrefour Feuilles Fontamara Martissant | Solino Bel-Air | Cité Soleil | Delmas Tabarre | Mon Repos Lamentin | Cap: Bassin Rodo | Cap: Centre Ville | Cap: Petite Anse | Gonaïves | Saint-Marc | Petit-Goâve |
| Artibonite | 7% 2% | 6% 1% | 27% 3% | 7% 5% | 5% 1% | 1% | | 3% | 86% 95% | 82% 92% | |
| Centre | 5% | 2% 1% | 6% 1% | 14% 3% | 3% 1% | 5% | 4% 1% | 3% | | 2% | |
| Grande-Anse | 17% 5% | 10% 3% | 3% 2% | 9% 3% | 11% 4% | | | | | | |
| Nippes | 5% 4% | 6% 1% | | 5% 1% | 3% | | | | | | 4% 1% |
| Nord | 2%* | 2% 1% | 3% | 11% 3% | 1% | 86% 92% | 87% 96% | 80% 88% | 6% 1% | 4% 2% | |
| Nord-Est | | 7% 1% | 3% 1% | 1% | 1% | 5% | 4% 3% | 20% 3% | | | |
| Nord-Ouest | 2% 1% | 1% 1% | 3% 2% | 2% | | | 4% | | 6% 1% | 1% | |
| Ouest | 22% 76% | 31% 80% | 49% 85% | 27% 77% | 47% 84% | 5% 6% | | 3% | 3% 2% | 11% 4% | 89% 97% |
| Sud | 27% 9% | 21% 9% | 6% 2% | 11% 3% | 21% 2% | | | | | | |
| Sud-Est | 14% 3% | 13% 3% | 3% 2% | 14% 5% | 11% 7% | | | | | | 8% 2% |
| Dominic. Rep. | | | | | | | | | | 1% | |
| St-Martin | | 1% | | | | | | | | | |
| Total N | 100% 59 114 | 100% 82 210 | 100% 33 109 | 100% 44 121 | 100% 38 114 | 100% 21 79 | 100% 23 94 | 100% 15 67 | 100% 35 151 | 100% 45 116 | 100% 26 112 |

*Bolted numbers refer to *restavèk* children, and non-bolted numbers refer to children born to the household

Origins of *restavèk* versus other children in the home. In study sites away from Port-au-Prince, both *restavèk* and non-*restavèk* children tend overall to come from the same geographic department (see Table 30), although *restavèk* children in Gonaïves (86% *restavèk* vs. 95% pitit kay) and St. Marc (82% vs. 92%) are slightly more likely to come from other areas. In the Port-au-Prince area, the difference between the two categories of children is far more

striking. For example, in Carrefour Feuilles, only 22% of *restavèk* come from the Ouest whereas 76% of pitit kay was born there. The same pattern holds in other Port-au-Prince survey sites, including Bel Air, Cité Soleil, Delmas, and Mon Repos (31% *restavèk* versus 80% pitit kay, 49 versus 85%, 27 versus 77%, 47 versus 84%). In short, as noted earlier, the majority of *restavèk* children have immigrated to Port-au-Prince.

OTHER FORMS OF CHILD VULNERABILITY

Table 31 summarizes rates of child vulnerability to two other categories of victimization, including children who spend their days in the street but have a place to sleep, and children sent to the Dominican Republic or deported.

Table 31: Child vulnerability to street life and transport to Dominican Republic

| SITE | Children in percent | | | N = children age 5 to 17 |
|---|---------------------|--------------------|------------------|--------------------------|
| | Street children | Children to the DR | Deported from DR | |
| Carrefour Feuilles / Fontamara / Martissant | 0 | 1.0 | 0 | 309 |
| Solino / Bel-Air | 1.0 | 1.2 | 0 | 484 |
| Cité Soleil | 1.8 | .7 | 0 | 272 |
| Delmas / Tabarre | 0 | 1.6 | .3 | 320 |
| Mon Repos / Lamentin | 0.7 | 0.7 | 0 | 303 |
| PORT-AU-PRINCE | 0.7 | 1.1 | 0.1 | 1688 |
| Cap: Bassin Rodo | 1.1 | 1.1 | 1.1 | 186 |
| Cap: Centre Ville | 2.4 | 1.9 | 0 | 207 |
| Cap: Petite Anse | 1.9 | 4.4 | 0 | 159 |
| CAP HAITIAN | 1.8 | 2.4 | 0.4 | 552 |
| Gonaïves | 2.9 | 2.1 | 0.2 | 421 |
| Saint-Marc | 6.3 | 2.2 | 0.9 | 316 |
| Petit-Goâve | .9 | 3.4 | 0 | 235 |

Children in the Street

The rate of street children in survey households is highest in St. Marc (6.3%), and also Gonaïves (2.9%) and Cap-Haïtien (1.8%), and much lower in the Port-au-Prince area (0.7%) compared to other cities studied. Within the Port-au-Prince area, the rate is by far the highest in Cité Soleil (1.8), also Solino/Bel-Air (1.0).

These figures support the findings of recent qualitative interviews indicating that growth in numbers of street children is not confined to Port-

au-Prince, and that other towns and cities in Haiti have seen a significant expansion of street children in recent years. The figures shown in Table 31 capture the prevalence of “children in the street” who sleep in survey households. These figures do not of course include other “children of the street,” that is, street children who have no place to sleep at night. The rate of street children appears to be lower in Port-au-Prince than elsewhere, due perhaps to its higher rate of schooling than other areas of Haiti.

Children crossing the Border

The survey instrument uses cross-border travel as a proxy for the risk of trafficking and smuggling. The vast majority of cross border migrants, both children and adults, cross the border illegally and there is demand in the Dominican Republic for child laborers for a variety of purposes.

According to survey data, the number of children sent to the Dominican Republic is far higher in other cities than Port-au-Prince, especially at Petite-Anse (4.4%) in Cap-Haïtien and Petit-Goâve (3.4%), whereas Port-au-Prince shows an overall rate of only 1.1% per thousand. The rate of children deported from the Dominican Republic is also higher in other cities compared to Port-au-Prince.

Qualitative interviews and other reports on migration suggest that cross border migration is closely tied to unskilled agricultural and construction work in the Dominican Republic and that recruitment targets rural areas more than urban centers. There

VIOLENCE, AGGRESSORS, AND RECOURSE

is evidence from qualitative interviews that Haitian children are recruited for organized begging or street work such as shining shoes in Dominican cities. This recruitment is generally by Haitians for Haitian households in Dominican cities.

Young women including underage adolescents are also recruited for the sex trade. This includes young women recruited by Haitian boukong (recruiters, traffickers in people) for Dominican establishments, and young women and minors engaged in street commerce in sex in Dominican cities. There is also a serious problem of abandoned children, Haitian runaway children who cross the border, and children separated from parents or other caretaker adults in the process of human smuggling across the border. Border services are inadequate to meet the need of such children.

Time frame. To measure the prevalence of violence in hotspot urban neighborhoods, the survey elicited information specific to the period marked by the end of the Interim Government (May 2006) through the first 19 months of the Préval government (December 2007). This facilitated respondent recall by situating acts of violence in relation to a clearly defined benchmark: Since the departure of Latortue, how many times have you or any other members of your household been physically attacked?

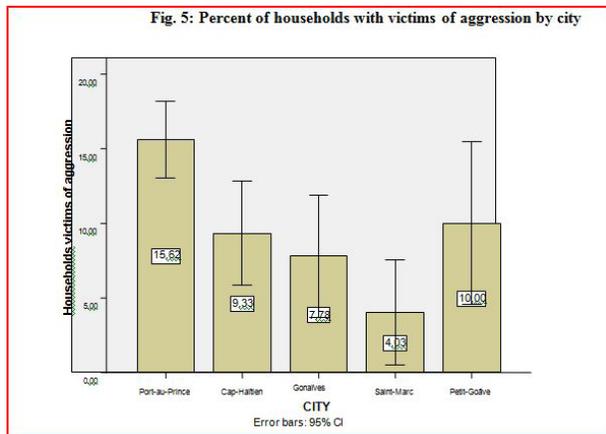
Organized violence. To get at the issue of organized violence, the survey instrument elicited incidents of murder, rape, and kidnapping, and the sources of these acts of violence including the Haitian National Police, soldiers of the UN peacekeeping mission (MINUSTAH), other government authorities, and Lavalas supporters or the opposition to Lavalas.

Recourse. The instrument also elicited the incidence of victim recourse to institutions such as the police, courts, and human rights and women's organizations. Survey results are reported below for physical assault, types of violence and aggressors, and actions taken to report crimes or seek services.

Context. Respondent replies to questions reflect a period of socio-political transition marked by the turbulent months preceding and following the departure of Aristide on February 29, 2004, the period of Interim Government 2004-2006, and the elections of 2006 followed by peaceful transition to power in May 2006. The entire year 2006 was characterized by an unprecedented wave of kidnappings identified

with politically partisan gangs in Cité Soleil and other hotspot urban neighborhoods. The year 2007 saw a concerted effort by MINUSTAH and the Haitian National Police to disperse the gangs and restore order. The period since then has seen a significant decrease in kidnappings and gangs. Respondent reporting of violent incidents appears to reflect, primarily, the higher levels of violence during 2006 and the first six months of 2007.

Physical assault. Figure 5 below reports percent of survey households victimized by physical assault in the five cities surveyed. Not unexpectedly, Port-au-Prince with 16% of households (rounded off) ranks significantly higher than other cities, compared to 10% of households in Petit Goâve, Cap-Haïtien 9%, Gonaïves 8%, and Saint Marc 4%.



Forms of violence. Table 32 shows rates of household victimization reported for specific forms of violence including rape, murder and kidnapping. The overall rate of victimization is about 7% of households surveyed, and murder is the most

frequent of these violations affecting over 3% of households.

Table 32: Rates of victimization by household and crime in percent

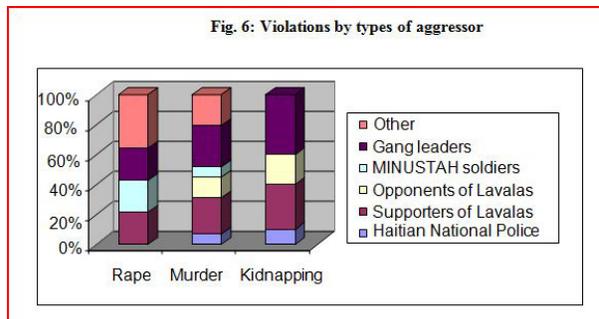
| Types of violations | Households victimized by violence % | Households victimized by violence # | Number of valid responses N |
|---------------------------------------|-------------------------------------|-------------------------------------|-----------------------------|
| Rape | 1.8 | 26 | 1,456 |
| Murder | 3.3 | 49 | 1,456 |
| Kidnapping | 1.4 | 20 | 1,456 |
| Involvement with gangs | 1.2 | 18 | 1,456 |
| At least one case of these violations | 6.7 | 98 | 1,456 |

Aggressors. Table 33 summarizes the household prevalence of violations by category of aggressor specifically for rape, murder and kidnapping. Figure 6 represents these attributions visually. These findings speak directly to the issue of organized violence.

Table 33: Violations by category of aggressor

| Aggressor | Rape # | Murder # | Kidnapping # | Total # | % |
|-----------------------------|-----------|-----------|--------------|-----------|-------------|
| PNH/Government authorities | - | 2 | 1 | 3 | 6 |
| Supporters of Fanmi Lavalas | 3 | 7 | 3 | 13 | 25 |
| Opponents of Lavalas | - | 4 | 2 | 6 | 11 |
| Foreign soldiers | 3 | 2 | - | 5 | 9 |
| Gang leaders | 3 | 8 | 4 | 15 | 28 |
| Other | 5 | 6 | - | 11 | 20 |
| Total | 14 | 29 | 10 | 53 | 99%* |

*Rounding error.



The figures reported for individual categories of violation are too low for a statistically valid analysis; however, they are suggestive of possible trends. Furthermore, the numbers are statistically significant when considered as a whole for all three types of crime.

Organized violence. When violations and the authors of organized violence are lumped together, victims attribute 80% of the 53 reported incidents of rape, murder and kidnapping to armed authorities and politically partisan groups, including gangs. Over half of the violations are attributed to gang leaders and Lavalas supporters. Gang leaders are at the top of the list at 28% of reported violations. Gang leaders from this period are generally viewed as Lavalas supporters although violent acts attributed to them are not necessarily political acts. Nevertheless, their access to guns, and official tolerance of their criminal acts, is attributable at least in part to their roles as a political base for Lavalas supporters and as leaders of political pressure groups known as *chimè*.

Some of the attribution of violent acts to the Haitian National Police and MINUSTAH, particularly murder, could be attributable in part to armed exchanges with gangs. According to street interviews with Cité Soleil residents in October 2007, violent exchanges between gangs and the police resulted in the killing of innocent bystanders as well as gang members. Nevertheless, young men interviewed in Cité Soleil expressed a strong desire for the return of a strong and consistent presence of national police in Cité Soleil.

There is an issue of how to validate respondent statements. How did informants identify the types of aggressor? These concerns should be taken into account in qualitative follow-up of victims afflicted by these forms of violence, and also by replicating these questions in a follow-up survey using these findings as a baseline.

LOCAL ASSOCIATIONS, LOCAL GOVERNANCE & VICTIMIZATION

Governance. The Constitution of 1987 provides for civilian governing councils in rural areas, municipal councils in towns and cities, and deliberative assemblies at rural, municipal and departmental levels. Despite these provisions, local governing bodies are poorly funded and provide a limited range of services. The constitutional provision for assemblies has never been fully implemented.

Do local citizens appeal to local elected officials for services, including protection from human rights violence? The survey elicits the incidence of contact between local citizens and local and central authorities such as CASEC, mayors, executive délégués, and parliamentarians. Table 34 shows that only a small percentage (4%) of local residents seeks assistance from public authorities to resolve local problems.

Table 34: Citizen contact with public officials

| State Agents | % | N |
|---------------------------|---|-------|
| Mayors, CASECs, delegates | 3 | 1,454 |
| Parliamentarians | 1 | 1,312 |
| Ministries/State offices | 2 | 1,454 |
| Overall | 4 | 1,464 |

Grassroots organizations. How active are survey respondents in local religious or secular groups, and what effect does active participation in local member-based organizations have on household rates of victimization, including organized violence, and services and recourse in response to rights violations?

To measure participation in local associations, the survey elicited frequency of interviewee participation in local religious groups, parent-teacher associations or other grassroots organizations, and modern credit unions as well as traditional rotating credit groups (sang, sabotay, sol). Figure 11 demonstrates that by far the highest rate of respondent participation is with religious groups – between 71 and 85 percent of respondents at all sites. The next highest rate is parent-student associations (34 to 45 percent at all sites) followed by neighborhood associations (9 to 18 percent at all sites).

Port-au-Prince has the lowest rate of participation in local member-based associations (9%). This is not surprising in light of the high percentage of recent migrants to Port-au-Prince (nearly two-thirds of survey respondents are from other areas of Haiti). Secondly, there has historically been far greater donor and other public investment in promoting grassroots organizations in rural Haiti rather than urban areas.

For credit associations, residents of these low income urban neighborhoods show an impressively high rate of participation (52%) in traditional rotating credit groups (sang, sol, sabotay), and a sizeable minority (18%) in credit unions (see Tables 35 and 36).

Table 35: Participation in traditional rotating credit associations

| Have participated? | Frequency | Percentages |
|--------------------|-----------|-------------|
| Yes | 746 | 52 |
| No | 700 | 48 |
| Total | 1446 | 100 |

Table 36: Members of savings and loan associations

| Members? | Frequency | Percentages |
|----------|-----------|-------------|
| Yes | 262 | 18 |
| Non | 1179 | 82 |
| Total | 1441 | 100 |

Figure 12 demonstrates these trends for the five cities surveyed. The high level of participation in traditional rotating credit associations reflects pressing economic needs, a high demand for credit, and easy social access to such groups compared to the formalities of credit unions or commercial banks.

Rates of victimization and participation in local organizations. Do the survey data show any correlation between victimization and organizational participation? Does organizational affiliation have a positive or negative bearing on the incidence of aggression or the presence of *restavèk* children? Analysis of survey data show a correlation between neighborhood association membership and the likelihood of physical assault, but membership in religious groups and parent-student associations are statistically neutral in this regard. On the other hand, interestingly enough, there is a lower incidence of *restavèk* children among members of parent-student associations.

These findings merit follow-up to better understand links between victimization and active participation in local organizations. This should be done for several reasons. First, grassroots organizations are a potential channel for conflict mediation and the prevention of violence. Secondly, grassroots organizations can be effective in identifying and accompanying hidden victims, and channeling information regarding legal recourse and other support services in the face of rights violations. Thirdly, the emergence of local organizations also offers strength in numbers and new social capital resources that can help counteract the threat of organized violence.

Table 37 links the incidence of physical assault to the frequency of respondent participation in neighborhood associations. Accordingly, 13% of households that participate once a week in neighborhood organizations were victims of aggression versus only 6% rate of victimization for non-participants. The overall rate of participation in such groups is quite low, especially in Port-au-Prince; however, neighborhood groups such as komite katye (“neighborhood committees”) tended to become politicized, and organizasyon popilè (OP) emerged as violent political pressure groups, which in the urban Haitian political context under Aristide significantly increased member vulnerability to violence, both as authors of violence and its victims. It is hardly surprising that heightened risk of aggression would accompany membership in such organizations whose very existence served to increase organized violence, and undercut the development of social capital (noted earlier), based on institutional arrangements that encourage the growth of trust.

Table 37: Households victimized by physical assault by intensity of participation in neighborhood groups *

| Victim households | Intensity of participation in neighborhood group | | | |
|-------------------|--|--------------------------------|---------------------------------|-------------------|
| | Once a week (N=56) | Once or twice a week (N=97) | Once or twice a year (N=141) | Never (N=1132) |
| Yes | 13% | 11% | 9% | 6% |
| No | 87% | 89% | 91% | 94% |

*The relationship between the two variables is significant with 2% margin of error

Table 38 shows an interesting correlation between frequency of participation in parent-student associations and the presence of restavèk servant children. Only 11% of households that participate once a week in parent school associations have restavèk children in their home. This is only one-third the restavèk rate of households (35%) that are not members of parent school associations. The intermediate categories show the same trend. In other words, survey respondents who participate in parent-school associations are less likely than other households to have a restavèk child at home.

Table 38: Households with restavèk children by frequency of participation in parent-school association meetings*

| Restavèk Household? | Intensity of participation in parent school association | | | |
|---------------------|---|----------------------------------|---------------------------------|------------------|
| | Once a week (N=18) | Once or twice a month (N=512) | Once or twice a year (N=643) | Never (N=243) |
| Yes | 11% | 26% | 32% | 35% |
| No | 89% | 74% | 68% | 65% |

*The relationship between the two variables is significant with 2% margin of error.



Availability and Use of Services



SURVEY FINDINGS ON USE & KNOWLEDGE OF SERVICES

Table 39: Average % of victim households filing complaints

| Households with victims of violence | Average % filing declarations | Number of households |
|-------------------------------------|-------------------------------|----------------------|
| Yes | 38 | 94 |
| No | 6.0 | 1316 |
| All households | 8.0 | 1410 |

Recourse and use of services. As shown in Table 39, the percentage of all survey households who have brought charges or registered complaints with the authorities or human rights organizations averages 8% at all survey sites surveyed (see Figure 7 below for breakdown by city). Not surprisingly, victimized households show a much higher rate of filing than other households (38%); however, it is important to note that the vast majority (62%) of victimized households did not file complaints or bring charges.

Fig. 7: Rate of participation in different types of groups

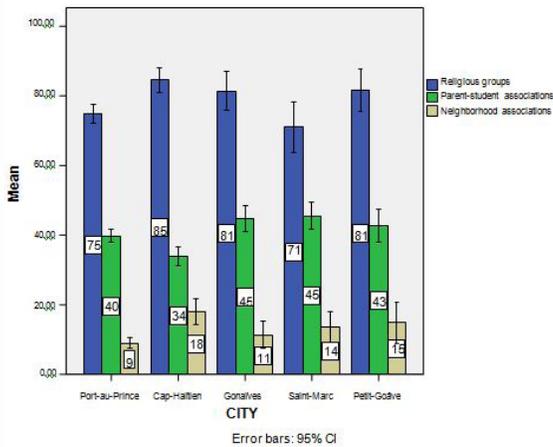


Fig. 8: Percent of membership in traditional rotating credit groups and modern credit unions (cooperatives) by city

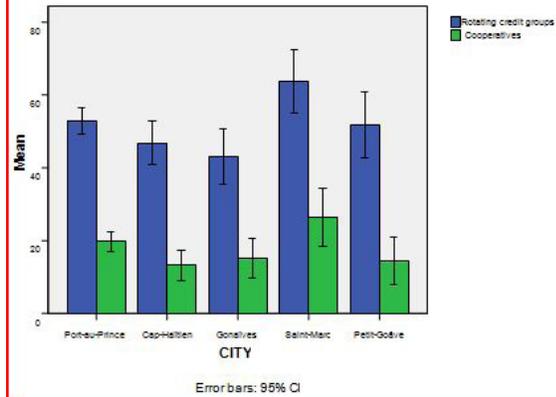


Figure 8 above indicates that victims are far more inclined to register complaints with the police (80%) and the court system (60%) than human rights organizations (20%) or women’s organizations (10%). It should also be noted that police and the courts, though woefully inadequate, are generally more available than other central government institutions in Haiti, and provide some degree of national coverage in relative terms.

Fig. 9: % of households filing complaints by city

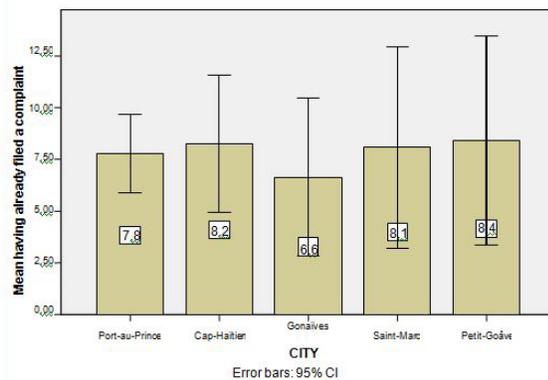
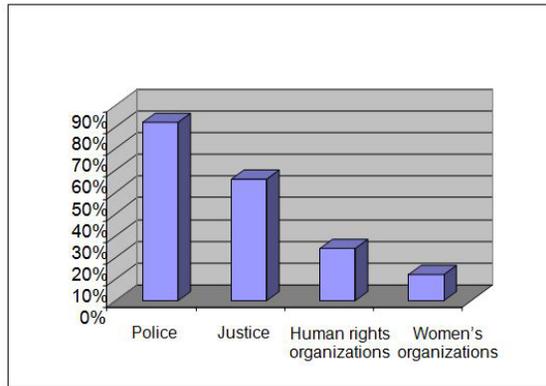


Fig. 10: Institutions where households have filed complaints



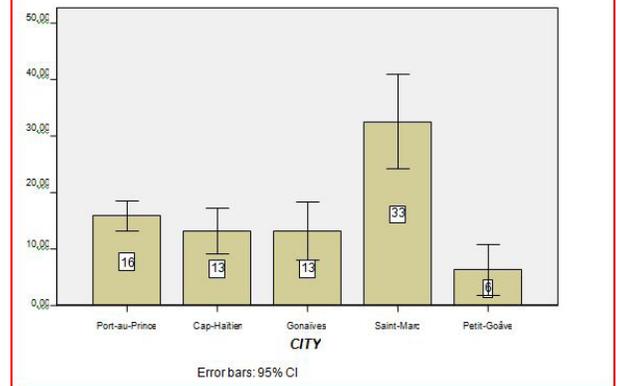
The household survey asked whether respondents were aware of services available to victims, and if household victims of assault had used such services. Survey findings indicate that respondent knowledge of victim services is low. As shown in Table 40, only 15% of 1,431 respondents knew where to go for services to victims of violence.

Table 40: Knowledge of available services by household

| | Frequency # | Percentage % |
|-------|-------------|--------------|
| Yes | 226 | 15.8 |
| No | 1205 | 84.2 |
| Total | 1431 | 100.0 |

Figure 11 shows percentages by city. St. Marc shows a much higher rate (33%) than other cities surveyed. This may reflect the relative efficiency of Hôpital St. Nicolas and its collaboration with active civil society organizations such as FEFBA which provides legal aid and physically accompanies victims who need medical services.

Fig. 11: Knowledge of services available by city in %



Petit-Goâve shows by far the lowest rate of respondent knowledge of services (6%), which may reflect the more limited range of services available in Petit-Goâve compared to other cities studied.

The survey instrument also tested the frequency with which victims used particular types of services, as reported by respondents, for 98 household victims of assault including organized violence. The findings in Table 41 and Figure 12 indicate that access to small groups was the most commonly used service (33%). Another 22% received medical attention, and 19% benefited from interpersonal support, including physical accompaniment in seeking other services such as medical services. Another 12% sought legal or psychological services, and 13% received other types of assistance including temporary shelter or financial assistance.

PHR INVENTORY OF SERVICES

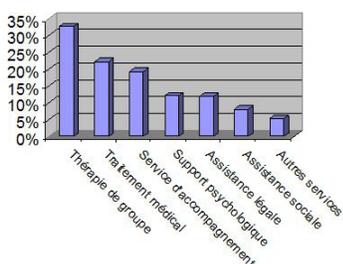
Table 41: Types of services used by victims of assault, by percent

| Services | Percentage | N |
|-----------------------|------------|-----|
| Group therapy | 33 | 98 |
| Medical treatment | 22 | 108 |
| Accompaniment | 19 | 99 |
| Psychological support | 12 | 99 |
| Legal assistance | 12 | 108 |
| Social assistance | 8 | 99 |
| Other services | 5 | 94 |

NOTE: "Group Therapy" refers here to the opportunity for victims to discuss their victimization in small groups, which may include groups without trained counselors. "Social services" temporary shelter or financial assistance. "Accompaniment" refers to personal assistance and referral, including physical accompaniment and personal support in seeking other services. "Psychological support" refers to counseling by trained social workers or psychologists.

Fig. 12: Services used by victims

Services used by victims of violence



Subsequent to the household prevalence survey, carried out in December 2007, PHR completed an inventory of partner institutions providing services. The project also carried out assessments of 13 partner institutions including two Haitian government agencies – the Office National de Migration (ONM), and the national ombudsman, Office Protecteur de Citoyen (OPC), as well as 11 other local associations in Cap-Haïtien, Gonaïves, St. Marc, and Petit-Goâve. See Annex V for the list of 116 service providers inventoried by PHR, and Annex VI for a list of 11 shelters.

Table 42 below summarizes and categorizes the range of services offered by these institutions, by département. Not surprisingly, the largest number of institutions is found in the West département, primarily in the Port-au-Prince metropolitan area.

Table 42: Services offered by 116 institutions inventoried by PHR

| Victim Services | Artibonite | North | West | Total | |
|--------------------------------------|------------|-----------|-----------|------------|------------|
| | # | # | # | # | % |
| Education & training | 19 | 18 | 36 | 73 | 63 |
| Legal aid | 10 | 17 | 15 | 42 | 36 |
| Medical | 8 | 12 | 17 | 37 | 32 |
| Social-psychological | 6 | 6 | 20 | 32 | 28 |
| Case documentation & referral | 3 | 16 | 16 | 35 | 30 |
| Social reinsertion & reintegration | 4 | 11 | 20 | 35 | 30 |
| Food & lodging | 2 | 5 | 11 | 18 | 16 |
| Promotion of human rights protection | 7 | - | 4 | 11 | 9 |
| Repatriation support services | 0 | 0 | 5 | 5 | 4 |
| Total service providers | 32 | 25 | 59 | 116 | 100 |

NOTE: Data are drawn from 116 institutions inventoried by PHR (see Annex V). Numbers in rows add up. Columns do not add up because institutions may offer multiple services and be counted under more than one service category. Percentages are percent by service category of 116 institutions inventoried.

Nearly two-thirds of the inventoried institutions do education and training, roughly a third provides medical services or legal aid, and 30% do social reinsertion or case documentation and referral. In light of the listing of services available in the PHR inventory (Table 42), it is interesting to note that victims in the household survey (Table 41) reported greater use of group therapy sessions, medical services, and personal "accompaniment" than the other services. The categories in the two tables are not entirely consistent; however, it appears that legal services are underutilized by victims, services offered do not reach the majority of victims, and the balance of inventoried services

favors education and training over direct services to victims. It is highly appropriate to do prevention; however, education is not sufficient, particularly in the face of legal constraints and weaknesses in the system of enforcement. Furthermore, very few of the inventoried services are public services. There is a marked absence of national service networks to ensure some degree of national coverage through the four critical public services – the police function (BPM), migration (ONM), child protection services (IBESR), and the ombudsman (OPC).

A total of 18 institutions provide lodging, including some of the 11 shelter services listed in Annex VI. Given the sheer scale of *restavèk* children, their dense concentration in Port-au-Prince, and the fact that two-thirds of them are girls, there is a shortage of shelter services, particularly in light of the high risk of rape and other abuses that afflict *restavèk* girls, and the need for protective services to serve runaway children fleeing abusive situations.

Although 30 percent of inventoried institutions provide reinsertion services, such services are labor intensive and time consuming. They are able to serve only a small volume of victims since reinsertion, for example, of *restavèk* children into poverty stricken rural homes can result in their being sent anew into *restavèk* placement – unless these households receive some type of ongoing support services such as assistance in educating their children.

As noted earlier, PHR has assessed government agencies critical to providing services to victims and to the struggle against stop trafficking and smuggling

of persons, including the migration office (ONM) and the national ombudsman (OPC). Both are confronted with severe constraints in budgets and personnel, and neither has an adequate legislative framework (*loi organique*) to define its existence as a public institution. According to the PHR report of 2008, the ONM has a very limited presence at the border and virtually no direct involvement with border repatriation or the prevention of trafficking and smuggling of persons across the Haitian-Dominican border. This finding from 2008 is consistent with recent field interviews in Dajabón.

The OPC ombudsman is well situated to play a key role in combating organized violence by virtue of its juridical autonomy and mission to protect individuals from abuse by agents of the state. In 2008 it carried out a training program on torture and organized violence that targeted police, penitentiary staff, and local government offices (mayoral and communal sectional personnel). According to the PHR report, the OPC does not carry out programs focused specifically on *restavèk* and child trafficking.

In 2006 and 2007, the PADF-Trafficking in Persons project evaluated the Brigade de Protection des Mineurs (BPM) of the national police, and the Institut du Bien-Etre Social et de Recherches (IBESR) attached to the Ministry of Social Affairs. The creation of the BPM in 2002 was an important step forward in law enforcement related to children's rights. According to the PADF report, the BPM is regularly involved with runaway *restavèk* children; however, it has little impact on the problem of trafficking and

PARTNERS AND PRIORITIES

smuggling of persons due to limited resources and the absence of a systematic campaign to identify and arrest smugglers of children and others across the border. The BPM arrested four child smugglers in Plaisance in 2004, perhaps the first such cases in Haitian law enforcement. This created precedent for enforcing existing laws against smuggling; however, there has been no subsequent follow-up. Furthermore, parliament has not yet enacted the legislation required to combat trafficking in restavèk children.

The IBESR is the primary public social service focused on child protection and rehabilitation; however, it has a very limited presence outside of Port-au-Prince and virtually no presence along the Haitian-Dominican border. According to the PADF-TIP evaluation, the IBESR has been little involved with services to trafficked and smuggled children including shelter services.

These four public institutions – ONM, OPC, BPM, IBESR – are absolutely critical to combating trafficking and smuggling of persons as well as torture and organized violence. They are poorly funded by the national budget, and they lack an adequate legal framework to exercise their missions. They have all been dependent on international funding including the UNDP, UNICEF, and USAID, as well as the IOM which provides assistance to ONM.

Prioritizing Victims to Be Served

To complement survey data, a series of qualitative interviews with key informants sought first to identify categories of victims already targeted for service by local partner organizations, secondly, under-served, ignored or hidden victims, and thirdly, a sense of partner priorities for victims to be served.

Priority categories of victimization. Respondents in qualitative interviews identified the following victim categories as high priority for services:

- Children at risk of sexual exploitation including prostitution, adult and child victims of rape, unschooled children, street children,
- Children trafficked across the border including children separated from parents or other caretaker adults during cross border migration and repatriation,
- Victims of “mob justice” including children exposed to traumatic incidents,
- Harsh conditions of incarceration including children incarcerated with adults,
- Victims of organized violence including abuse by the police, penal guards, and other public employees.

These categories of victimization are not fully consistent with the list of victim categories identified in the introductory chapter of this report, particularly

partner concerns for unschooled children and victims of rape or mob violence that are unrelated to trafficking, torture, and organized violence.

Children vulnerable to sexual exploitation.

In areas targeted for PHR services, there are few services available for minors recruited into prostitution, and even fewer in border areas, including services to young sex workers repatriated by Dominican authorities.

In light of concerns expressed by PHR partners, especially women's organizations, sexual exploitation warrants more in-depth study with a view to improving social services for child victims of prostitution. Minors who work as servants or servers in small bars and restaurants are especially vulnerable to sexual exploitation. Rural children sent to urban centers for education are also highly vulnerable, especially in households composed primarily of minors without adult family members in residence. Orphans in general, and especially AIDS orphans, face a heightened risk of child domesticity and prostitution. Children in orphanages are vulnerable to sexual assault by orphanage staff. Young girls in restavèk placement are vulnerable to sexual use by men and adolescent boys resident in the household. Other high risk factors for sexual exploitation include urban children not in school, children of very poor urban households, child victims of rape who are sometimes abandoned or neglected, and the children of former restavèk child servants reflecting a disturbing pattern of inter-generational transmission of risk and trafficking.

There is a shortage of reliable studies on child prostitution in Haiti. A pre-test for the PHR household survey found questions pertaining to the prevalence of child prostitution to be sensitive, and interfered with responses to other questions. Therefore these questions were eliminated from the survey instrument. In any case, for both psychosocial and cultural reasons, child prostitution is best studied using qualitative methods. Clearly this area of child victimization requires follow up study.

Child prostitution. According to partner interviews, prostitution in St. Marc is centered on (i) streets and bars of certain areas such as Maurepas Avenue and Derrière Moulin, (ii) the "batolières" – a term used by FEFBA to refer to young women offering sexual services to sailors at the port of Saint Marc, (iii) recruitment of minors engaged in non-sex work in the streets near bars (e.g., Portail Guêpe), and (iv) the sexual recruitment of girls from nearby schools in these neighborhoods.

Organizations in Gonaïves have identified the streets and bars ("cafés") of Rue Vernet such as Malè Pandye and Sugar Night Club; in Cap-Haitien, Rue 17-A and Lotbòpon; in Petit-Goâve, streets and bars of Bèlavni such as Auberge and Amido Disco. In Pétionville and Port-au-Prince, young women work the sidewalks and bars of certain areas, especially the downtown area of Pétionville.

Victims of rape. Women's organizations contacted in this study express a keen interest in services to victims of rape. There is some concern that the

incidence of rape is growing, generating increased numbers of hidden victims unwilling to denounce their attackers or seek medical attention for fear of being stigmatized. Rape does not manifest itself primarily as a problem of organized violence at present; however, girls under age 18 are the primary victims of rape and sexual violence. Feedback from partner institutions suggests that the incidence of rape has increased in the wake of destructive tropical storms and hurricanes, including Tropical Storm Jean in 2004, and after the series of four hurricanes in September-October 2008.

There is a natural convergence of interest among (i) women's organizations, (ii) medical institutions such as clinics and hospitals, (iii) and specialized HIV-AIDS services that include the tracking of sexual contacts with a heightened risk of HIV-AIDS infection. Closer collaboration among the three service networks could significantly improve services to victims of rape and child prostitution, and to AIDS orphans at risk of sexual exploitation and child domesticity.

Women's organizations commonly play an important role in accompanying rape victims seeking medical and legal services, e.g., FEFBA in St. Marc, AFASDA in Cap Haitian, Oganizasyon Fanm Solidè and Espoir des Femmes Haitiennes in Petit-Goâve, and Kay Fanm and SOFA in Port-au-Prince. Rape victims also contact the Ministère à la Condition Feminine which refers victims to medical and legal services, and sometimes accompanies victims in filing charges or seeking services. For example, in Gonaïves the departmental office of the Ministry

of Women accompanies rape victims seeking services from La Providence Hospital, the human rights section of MINUSTAH, and a local volunteer network, especially women's organizations.

According to service providers interviewed, including the director of St. Trinité Hospital (St. Marc), accompanied victims tend to receive better services. This is due in part to the more open communication of victim needs in a context where victims are reluctant to talk, and the accompanying person, generally a volunteer, and the service provider are already known to each other. In effect the accompanying person plays a crucial role in the service provider network.

Unschooling children at risk. Partner organizations attribute high priority to targeting services at school age children not in school. Children not in school are generally the poor and underprivileged. Such children are vulnerable to sexual exploitation, prostitution, living in the street, restavèk status, organized begging, and also paid child labor arrangements. In short, children not enrolled in school, and children in school who are over age for their grade level, are powerful indicators of heightened risk and vulnerability. Programmatically, education is a separate sector; however, partners are well aware of the acute vulnerability of school age children not in school.

Enhancing the value of socially devalued children. Field observations suggest that enrollment in school directly enhances a child's social status;

schooled children are deemed more valuable and therefore more highly valued socially. Concomitantly, not being in school significantly diminishes the social status of children, and greatly increases their vulnerability to abuse. For example, children not in school are more vulnerable to corporal punishment, including children living with their own families as well as restavèk children living away from home.

A number of partner organizations put great emphasis on educating (i) restavèk children, and (ii) poor children in general, as a high priority in poor neighborhoods. As noted earlier, aside from the inherent value of learning, the social status benefits of schooling have a significant impact on a child's treatment, including restavèk children. According to partner organizations, subsidized schooling of restavèk children is generally accepted by household heads.

The very fact of enrolling restavèk children in schools also puts social pressure on restavèk households, enables follow-up by school personnel to monitor domestic treatment, and facilitates restavèk child access to other social services. In short, educating the poor is an effective measure to prevent restavèk placement, and educating restavèk children can effectively alleviate the effects of restavèk placement, foreshorten the amount of time children remain in restavèk placement, and reduce the likelihood of inter-generational child domesticity.

Street children. Urban children not in school are far more likely than other children to hustle the

streets - kokorat children left to fend for themselves, earning small sums from petty commerce, petty theft, cleaning cars, or carrying things for street vendors and market women. Street children also run a heightened risk of rape, victimization by agents of organized violence including the police, assault by other street children, drug use, and recruitment by gangs of young adults.

According to partner organizations, children of the street who have spent a significant amount of time in the street are "hardened," extremely difficult to recuperate and little inclined to schooling. Hardened street children tend to protect their freedom from adult authority and from efforts by authority figures to restrict access to sex, drugs and petty income. In effect, veteran street children may strongly value their independence, having attained a kind of premature adulthood along with the dangers and difficulties of living in the street. Social service agencies that target street children report more success with children newly arrived in the street, including abandoned or lost children or recent runaways from abusive homes or restavèk placement (for example, L'Escale).

Partner organizations providing services to street children include a number of Catholic agencies in the Port-au-Prince area. There are also street children in other Haitian cities; however, the growing number of street children in small towns appears to be a fairly recent trend. In terms of magnitude, review of field studies suggests that street children are far fewer in number, overall, than the victims of child domesticity or rape; however, street children

have a social impact that far surpasses their numbers because they are visible to the public and are recruited by adult criminals who use children as lookouts and unpaid child servants, and also to carry firearms and commit crimes. Street children are also vulnerable to political use as hired protestors, including recruitment by chimè gangs and political pressure groups in the recent past.

Cross border trafficking in children. Women's organizations and social workers encountered in Cap-Haitiën point to the recruitment of children for organized begging. Informants cite cases of organized begging in Cap-Haitiën as well as a number of Dominican cities. The recruitment of children for organized begging targets babies and young children below school age. School age children are recruited to shine shoes and provide sexual services in the Dominican Republic.

Prosecution of child domesticity and trafficking. According to lawyers, judges and prosecutors interviewed, there have been no prosecutions of child domesticity or trafficking in Haitian courts. There have been cases that relate to the abusive punishment of children, including restavèk children, but not because of their restavèk status. According to the state prosecutor in Petit-Goâve, neither the parents of origin nor the adults in restavèk households nor restavèk children themselves are likely to bring suit over illegal restavèk status. It is the prosecutor's view, based on similar cases in other countries, that restavèk cases and trafficking are unlikely to be prosecuted unless advocacy groups actively bring

suit on behalf of a restavèk child.

During fieldwork, this researcher observed the presentation of a labor dispute at the Cap-Haitiën office of the Ministry of Social Affairs. In this case, an underage maid accused her employer of physical abuse. The case was assessed as a problem of employer-employee relations without regard to under age status nor to whether or not the worker was legally employed.

Popular justice. Partner organizations express concern about the continuing incidence of "popular justice" in which people accused of theft or other crimes are attacked or killed by mobs. This may also qualify as a form of organized violence when tolerated or subtly promoted by authorities. Mob justice violates the rights of the victim, and traumatizes others including children. These incidents often occur when local neighborhoods are repeatedly victimized by criminals, and law enforcement officials are absent or unresponsive. The absence or perceived indifference of law enforcement officials, and a perceived lack of legal recourse, generates a climate conducive to mob violence.

Detention conditions. Terrible conditions of detention are a high priority concern of lawyers and human rights organizations encountered, especially in Gonaïves and Petit-Goâve. Informants state that the 48 hour limit on imprisonment without notification of cause is rarely respected. Furthermore, children accused of crimes are commonly detained together with adults. According to members of the Bar

Association of Gonaïves, organized abuse of prisoners by other prisoners is tolerated by police authorities. This tolerance of abuse may therefore constitute a form of organized violence.

The slow operations of the judicial system result in extended periods of temporary detention. For example, the prosecutor's office of Petit-Goâve provided statistical evidence of the slow pace of judicial proceedings. Between 2004 and 2007, the prosecutor registered 386 cases but processed only 65 judgments, 17% of the cases registered with the prosecutor's office. According to the prosecutor, most of the accused cannot afford legal representation. This commonly results in extended periods of temporary detention that last for years resulting in the denial of justice, i.e., therefore, justice delayed is justice denied

Organized violence. In some areas such as Petit-Goâve and St. Marc, victims of political violence from the Aristide era and the period following his departure made an effort to document politically-motivated assault; however, this documentation has not generally resulted in arrests or lawsuits against aggressors. The mayor's office in Petit-Goâve maintains a victim documentation base, and victim associations in Saint-Marc and elsewhere continue to advocate for reparations related to assault during the Aristide era. Violent political polarization is currently much less prevalent; however, there are cases of organized violence, such as the cause célèbre in Cap-Haitiën in which a prison guard used his authority to assault the wife of a prisoner.

Summary of victim priorities identified by key informants. Children in domesticity are a high priority for numerous partner organizations. Women's organizations also assign high priority to adult and child victims of rape and child prostitution. Child domesticity and rape appear to account for the largest numbers of human rights violations targeted by the Project. There is also a significant incidence of double victimization since restavèk girls are more vulnerable to rape than other children. Street children are comparatively fewer in number, but the social problem of street children is a high profile issue and a priority concern of many partner organizations, especially in Port-au-Prince and Cap Haitian. There is evidence of a fairly recent trend for increased numbers of street children in Haitian cities besides the Port-au-Prince metropolitan area. In terms of the relative weight of different categories of children at risk, partner organizations assign high priority to school age children who are not in school. Lawyers and rights organizations express great concern over illegal conditions of detention, the continuing incidence of mob violence, and inefficiency, delays and corruption in the administration of justice.

Training Themes and Recommendations

Field interviews with partner organizations also identified priority themes for in-service training and continuing education, including the following:

- How to receive victims,
- Training of human rights trainers, including procedures for reporting violations, and the training of volunteers assisting victims of rape,
- Training social workers in group work and the use of victim support groups
- Victim follow-up and social reinsertion and reintegration,
- Strategies for identifying and providing services to hidden victims,
- Human rights training for law students and practicing lawyers, including children's rights and trafficking.

In the interim since interviews were undertaken, the PHR project has carried out training pertinent to all of these thematic and training targets. At this point it would be useful to assess the effectiveness and coverage of training in relation to the need and especially to evidence of practical applications of training, and to institutionalizing, for example, human rights training for law students, and building up the social service skills and distribution network

for critical public sector institutions (IBESR, BPM, OPC, ONM).

How to receive victims (ki jan pou n resevwa moun?). Most organizations encountered express strong interest in practical training on sensitive ways of dealing with victims of rape and other physical violations, including medical admissions, physical examinations, and police or court declarations. Such training should take into account psychological aspects of trauma.

Pertinent targets for this training vary greatly including volunteers, social workers, hospital admissions, nurses, doctors and all service staff coming into contact with victims. Training should take into account the specific roles and education level of targeted personnel. For example, a group of medical residents assigned to maternity at Justinien Hospital requested training sessions on psychological aspects of doctor-patient relations including victims of rape. On the other hand, the majority of people who accompany victims of rape are generally volunteers without training. In addition to training on how to deal with victims in the period immediately following victimization, training should also emphasize follow-up strategies beyond initial contact with medical services and authorities, including legal counsel or psychological support.

Training of trainers. Partners express strong interest in training on how to report rights violations to the authorities, including rape. The training of partner organization trainers would facilitate training

and support for other staff and particularly for volunteers who accompany rape victims.

Training of social workers. In-service training of social workers should include techniques for group work, and the use of groups as a support system for victims, including victims of rape. A staff person for the Ministry of Social Affairs in Cap-Haïtien expressed a need to train ministry personnel in the area of human trafficking, social reinsertion of victims, child domesticity and employment of minors.

Victim follow-up and the challenge of social reinsertion. Social reinsertion is an important concern of partner organizations, and a high priority for victim accompaniment and follow-up. Reinsertion applies to various victim categories including restavèk children, rape victims and street children. A number of women's organizations facilitate social reinsertion of rape victims. For restavèk children, CAD (Centre d'action pour le développement) has developed a method based on extended accompaniment and follow-up of children reinserted into their family homes of origin. The topic should be a high priority for service provider sessions devoted to participatory review and discussion of practical strategies for social reinsertion of victims.

Identification of hidden victims. How can social service agencies and human rights groups enter into contact with hidden victims? How can agencies reach traumatized victims afflicted by social stigma, fear of reprisal, and a sense of powerlessness?

Partner organizations have approached this problem in various ways. In order to reach children in domesticity, FEFBA organized an informal house to house "survey" of the entire city of St. Marc and offered scholarships to children not in school, including restavèk children as well as other unschooled children. In Cap Haitian, AFASA undertook a campaign to identify victims of rape in 19 northern municipalities. AFASA contacted key informants in each commune including judges, prominent local citizens, church leaders, the police, health centers, women's groups and human rights organizations.

Partner organizations in smaller towns express an interest in using radio to reach victims in rural areas, especially hidden victims and those unaware that their legal rights have been violated. Publicity campaigns can be a useful means of transmitting messages to hidden victims, but publicity campaigns have limited value unless tied directly to program response and identifiable points of service. Therefore, any media campaigns should be locally targeted and directly facilitate victim access to legal and social services by disseminating contact information.

Seminars on the law. The Project should continue to support human rights training for (i) law students and (ii) practicing lawyers, including seminars on children's rights, trafficking and legal representation of rape victims and children whose rights have been violated, and changes in the core curriculum in law schools to support human rights law and children's rights. Such sessions should be linked to broader

efforts to increase the legal representation of the poor and disenfranchised. The Bar Association of Gonaives noted a problem of unequal representation when law school interns provide legal aid to the poor, especially when confronting experienced lawyers representing the other party to a lawsuit. The Project should also sponsor seminars on conflict mediation and how to organize around problems of mob violence.



Program & Policy Implications



SUMMARY OF KEY FINDINGS

The present chapter reviews the household prevalence survey (a) to situate findings in the broader social and political context, and (b) make practical recommendations for orienting and prioritizing program activities in the human rights and social service sector.

There has been considerable news reporting on organized violence and child trafficking in urban Haiti; however, there is little reliable information on the prevalence of such violations within the general population, especially with regard to restavèk servant children. Therefore, this report focuses primarily on the following question: What is the scale of victimization? Field based study of the relative prevalence of victims for different victim categories is a critical factor in setting program priorities and orienting public policy to make a discernable, measureable impact.

Overall, the PHR survey found an astonishingly high percentage of the 3,188 children surveyed living away from their homes of origin; 32% of the children surveyed were not born to the heads of household of survey households.

The survey found that 30% of all survey households had restavèk children present, 16% of all children surveyed were placed as restavèk, and 22% of all children were treated as restavèk servants, including a remarkably high 44% of all children in Cité Soleil.

Gender is a dominant feature of restavèk recruitment. Two-thirds of restavèk children are girls.

Restavèk placement and high prevalence is deeply marked by poverty, and the movement of children from poor to somewhat less poor households.

An important new finding from this survey is that a significant minority of households with restavèk children has sent its own children into restavèk placement.

The magnitude of intra-urban movement of children within the metropolitan area is significant new development in the reporting on restavèk placement. Not surprisingly, the majority of urban restavèk children were born in rural Haiti; however, households in the Port-au-Prince metropolitan demonstrate a new variant in published findings on restavèk recruitment: the largest single recruitment source is other urban households in the metropolitan area. Therefore, recruitment of restavèk children

can no longer be viewed solely as a rural to urban phenomenon.

Geographically, Port-au-Prince and St. Marc had a significantly higher proportion of households with restavèk children present - well over a third of households surveyed. Cité Soleil at 44% had the highest proportion of restavèk children.

The Port-au-Prince metropolitan area houses by far the densest concentration of restavèk children the country. The most important municipalities supplying restavèk children to Port-au-Prince, aside from the metropolitan area itself, are Les Cayes, Jacmel, Jérémie and Léogane.

The household study provides new information on the relation of kinship to child placement. The vast majority of restavèk children surveyed are related to host family household heads. A niece or a nephew adopted informally by an aunt or uncle may well be treated as a restavèk child under the banner of kinship. A child under age 5 may be related to the head of the household, and benefit from lodging and food until such time as he or she is old enough to provide domestic services. Even though such a child was not recruited as a restavèk (a defined social status) but rather as a distant relative (ti paran), he or she may find herself in a situation of domesticity without necessarily bearing the restavèk label.

In sum, kinship ties to host household heads do not necessarily shield children from restavèk treatment or status. Kinship ties and student board and room

arrangements often camouflage treatment that is little different from restavèk servant children.

The PHR study sheds important new light on the vulnerability of students sent to live with relatives who provide board and room during the school year. The survey indicates that the vast majority of such boarding students are treated similarly to restavèk children but without the restavèk label.

Although the majority of all boarding students had kinship ties with the host household, some 35% of “restavèk-boarders” had no kin ties to the head of household, whereas boarding students not treated as restavèk were all related to the household head. This suggests that the absence of kinship ties may increase the risk of abuse and child domesticity, although it is also abundantly clear that kin ties are not a barrier to restavèk treatment.

There is some evidence from field interviews that the proportion of restavèk without kin ties to host households may be growing, especially in the Port-au-Prince metropolitan area. Given evidence of heightened risk of mistreatment for unrelated restavèk children, it is important to monitor this trend over time.

A significant factor in the treatment of boarding children is the economic situation of families placing their children in such boarding arrangements. There is evidence from field interviews that boarding students whose families contribute more to the host family, such as food, tend to be treated better.

In short, restavèk treatment varies along a continuum rather than being sharply defined by overt placement as restavèk.

For other forms of victimization, the survey shows some 7 percent of survey households marked by incidents of rape, murder, kidnapping, or gang involvement. Respondents attribute the vast majority of rapes, murders and kidnappings to armed authorities and politically partisan groups including gangs. In terms of incidents of physical assault, Port-au-Prince households ranked much higher (nearly 16%) than the other cities.

The majority of victims did not register attacks with the authorities. Victims that did report assaults were far more inclined to register complaints with the police and courts than other institutions.

Households in survey target cities away from the Port-au-Prince metropolitan area had higher rates of children-in-the-street, and higher rates of children sent to the Dominican Republic or deported from there.

In terms of associational life, the overwhelming majority of households are active participants in religious activities and institutions. Among secular associations, the highest level of participation is with rotating credit groups and credit unions.

High ownership rates for radio, television, and cell phones in these urban neighborhoods suggest growing opportunities for dissemination of media

messages via radio and television, and for telephone response to such messages or telephone communications related to victim services. For example, cell phones offer the potential for improved communications within grassroots organizations in urban neighborhoods, including neighborhood watch, conflict monitoring, conflict mediation, and watchdog roles in response to organized violence or child trafficking.

Such efforts would require a significant investment in community organization and outreach in urban areas since for historical reasons urban neighborhoods are generally less well organized (fewer and less well developed grassroots organizations) than most rural areas of Haiti, including a tendency for neighborhood organizations to be used as political pressure groups or vehicles for electoral campaigns rather than for local public services or development. Furthermore, the most densely populated urban neighborhoods tend to have higher proportions of recent immigrants than other neighborhoods.

POLITICAL CONTEXT OF ORGANIZED VIOLENCE

In 2006 the USAID Mission targeted volatile urban neighborhoods for PHR programming including Cité Soleil, Haiti's now archetypal hotspot, along with other low income urban neighborhoods marked by social and political conflict, crime and violence, and dense concentrations of highly vulnerable people. At present, these urban areas continue to be marked by highly vulnerable populations; however, the political and social context has evolved over time. For the past two years there has been an overall reduction in the level of political polarization. Food riots in April 2008 led to a change in government; however, there was a peaceful if somewhat delayed transition to the new government. At present, the urban neighborhoods originally targeted for study show no evidence of violent political conflict comparable to the Aristide and post-Aristide period. Gangs no longer control hotspots, and the hotspots of 2006 are no longer hot, although violence continues in Haiti in other forms.

The acute political and social polarization that led to the fall of Aristide continued for a time in other forms under the Interim Government (2004-2006). This included Operation Bagdad, a campaign of kidnappings and other violent acts by politically partisan gangs (*chimè*) identified primarily with Cité Soleil. This period was also marked by the presence of rebel forces and ex-soldiers in some areas of the country including Gonaïves, Cap-Haïtien and Petit-Goâve. For an extended period of time, travelers from Port-au-Prince to Petit-Goâve passed through a series of checkpoints manned by distinctly separate armed forces including the

Haitian National Police, MINUSTAH, and armed and uniformed ex-soldiers of the Haitian Armed Forces, which had been dismantled by Aristide in 1995. In Cap-Haitian, local supporters referred to invading forces as “rebels”; supporters of Aristide called them “*asayan*” (aggressors). The invading forces in Cap-Haitian initially supplanted the police but with a political twist. According to one interviewee,

Militè demobilize

It was the demobilized soldiers
ki te kalme chimè Lavalas.
who calmed down Lavalas chimè.

In general, the political turmoil that surrounded the departure of Aristide gave rise to a wider breakdown of law and order. The presence of competing armed groups left numerous victims of organized violence in their wake. In many cases, political and criminal actions merged. In Cap-Haitian, political pressure groups called OP (*organisations populaires*) were active, although unlike Cité Soleil these groups were not generally identified locally as “gangs.” Politically partisan groups in Gonaïves and St. Marc were openly interested in control over the ports and the opportunity for job patronage and corruption related to importing cars and other high value imports. In Gonaïves, rival gangs with *cocky noms de guerre* dominated the adjoining neighborhoods of Raboteau and Jubilé, or the Cannibal Army versus the Vampire Army. In St. Marc, conflict between rival political pressure groups - Bale Wouze (Lavalas) and RAMICCOS (opposition) – included the burning of radio stations and houses, physical injury and

death, and what was identified as the massacre of La Scierie (February 2004), a neighborhood where RAMICCOS members lived. Under Aristide, Bale Wouze was dominant but its members went into hiding after the fall of Aristide, and RAMICCOS became dominant.

In Petit-Goâve, travelers on the national road were subject to search and theft at barricades manned by rival, politically partisan armed gangs called *chimè* (supporters of Lavalas) or *militan* (militant supporters of the opposition *konvèjans*). As in Port-au-Prince and Gonaïves, some neighborhoods of Petit-Goâve were called lawless zones (*zones de non droit*) where the police rarely intervened or feared to tread. According to field interviews in Petit-Goâve, supporters as well opponents of the *ancien régime* from these political gangs were subsequently arrested or killed during the period of Interim Government:

Chime kont militan.

It was the *chimè* against the militants.

Tou de gwoup arme.

Both were armed groups.

Kashe deye politik pou yo fè zak.

They hid behind politics to commit crimes.

Konvejans ki plis mouri na mawonauj.

More *konvèjans* partisans died in hiding.

Konvejans te pi vyolan.

Konvèjans adherents were more violent.

Lavalas plis mouri prizon.

More Lavalas supporters died in prison.

The statement, “they hid behind politics to commit crimes,” is applicable to political pressure groups in the various hotspot urban communities targeted for PHR services and field studies. According to field interviews, the various politically partisan groups and gangs noted above were generally affiliated with a political *parenn* (godfather) - sometimes a senator or *député*. Some groups switched sides politically depending on circumstances. They also engaged in non-political activities both legal and illegal though with the benefit of political cover.

Political rivalries and social polarization dogged the political campaign period leading up to 2006 elections; however, overt political rivalries within urban neighborhoods diminished following 2006 elections and the inauguration of the Préval government in May 2006. Nevertheless, gang control and violence in Cité Soleil continued unabated throughout 2006, including an unprecedented rate of kidnapping. In Gonaïves, rival gangs maintained ongoing control over the slum districts of Raboteau and Jubilé. In early 2007 the Haitian National Police and MINUSTAH embarked on a concerted campaign of deadly force to disperse the network of gangs that dominated Cité Soleil. According to field interviews, the Haitian National Police reestablished themselves in Petit-Goâve as early as May 2005, but in Gonaïves they only reestablished control of gang dominated neighborhoods in May of 2007.

Field interviews point to numerous victims of organized violence dating back to the period leading up to and following the departure of Aristide. Deputy

Mayor Yves Lindor of Petit-Goâve, a relative of the assassinated journalist Brignol Lindor, was himself a victim of organized violence before his election to the mayoral council, and he still suffers from these injuries. The current mayoral council of Petit-Goâve has documented some 96 cases of organized violence from this earlier period, including people who were beaten, injured, and required medical attention. Deputy Mayor Lindor stated:

Nou pa ka fè anyen pou moun sa yo
We cannot do anything for these people
sof nou monte dosye yo.
except to document their cases.

The deputy mayor also noted that the political context has changed dramatically since this earlier period, and that the current trend in Petit-Goâve is one of “reconciliation and tolerance.” Field interviews elicited similar statements in Gonaïves, Cap-Haïtien and St. Marc:

Li pa kontinye.
It did not continue.
Pa gen polarizasyon sa anko.
It is not so polarized anymore.
Depi monte Prezidan Preval,
Since President Préval came to power,
pa gen viktim anko Gonaïves.
there are no longer victims in Gonaïves.
Violence organize, sete avan.
The organized violence happened earlier.

The reference to organized violence stems from

acute political and social polarization that led up to the fall of Aristide, and continued during the period of interim government. The 2006 cycle of elections tended to normalize political arrangements, at least outwardly; however, the acute social stratification of Haitian society remains, and there is without a doubt an ongoing pattern of human rights violation and threats of organized violence. The Haitian National Police as well as human rights organizations such as the Commission Nationale Justice et Paix report regularly on acts of violence in the metropolitan area whether political or non-political.

For the moment, dominance of hotspot slum districts by politically partisan gangs has disappeared, but non-political gangs still operate, and urban neighborhoods continue to be plagued by crime and violence. In a sense, political violence has tended to become secular; violence continues, but for the moment it is not defined primarily by politics in troubled urban neighborhoods.

Overall, politics in Haiti have always been accompanied by an underlying threat of organized violence. Electoral campaigns in Haiti are generally marked by violent incidents and this will likely happen again in upcoming presidential elections. The Duvalier regime exercised a virtual monopoly on violence; however, in the post-Duvalier era, there emerged a kind of “democratization” of political violence including violent political pressure groups and gangs (chimè) associated with the Aristide era. During periods of crisis, organized violence readily erupts in the street as exemplified by the food riots

of April 2008. Unemployed urban young people are readily mobilized as paid or unpaid demonstrators. Furthermore, agents of government may abuse their authority, as in cases monitored by human rights organizations. This includes incidents of rape within the penal system as described in field interviews, especially in Cap-Haitien and Gonaïves, and the rape of students by public school teachers in Petit-Goâve.

There are also associations of victims of organized violence from the Aristide period who seek redress from injuries sustained during the period of intense political turbulence. Two organizations in St. Marc are defined by old conflicts between Bale Wouze (Lavalas) and RAMICCOS (opposition), reincarnated this time as victim associations, AVIFLASM, Association des Victimes de Fanmi Lavalas de St.-Marc, and AVIGES, the Association des Victimes du Génocide de La Scierie.

In sum, the political turbulence that characterized Haitian society before and after the fall of Aristide has receded, and politically partisan gangs no longer dominate hotspot slum districts. Nevertheless, there are ongoing effects of organized violence from the Aristide era, including victims whose needs have not been met and whose cases have not been heard in a court of law. There is also the ever present specter of organized violence linked to political rivalries, which tends to erupt in moments of political and economic crisis, electoral campaigns and changes in government, and abusive exercise of power by agents of law enforcement and government.

Field interviews with victims, lawyers and agents of the judicial system indicate that the judicial system does not function well. This creates incentive for unlawful recourse to settle grievances including mob violence.

Field interviews also suggest that people tend to be highly skeptical of elected officials and their capacity as a channel for grievances:

Parol nan peyi isit

Getting the word out in this country

se sou plas piblik,

is on the public square,

paske se sel la

because it's only place

pou fe mesaj revandikasyon pase.

where grievance messages can be heard.

PUBLIC POLICY AND HAITIAN LAW

Haitian Law and Trafficking in Persons

The definitions of trafficking, torture and organized violence discussed in Chapter I are based on US and international law. They are not entirely consistent with Haitian law or legal practice and precedents. For example, Haitian law does not specifically prohibit trafficking in persons, including cross border trafficking. Haitian lawyers interviewed in the course of this study, including two judges and a prosecutor, are unaware of any cases based on charges of trafficking in persons or the use of children as unpaid domestic servants. The June 2009 Trafficking in Persons report notes that the child protection unit of the national police has not pursued cases of child trafficking related to recruitment and use of restavek servants because there are no statutory restrictions on this practice in Haiti.

In sum, the fielding of a new police corps in 2003 devoted to the protection of minors was a landmark development; however, current efforts to enforce laws protecting the rights of children have only a limited impact due to limited resources, training and coverage. Furthermore, Haitian law does not provide adequate legal protection against trafficking in persons.

There has been some recent progress on this front. In March 2009 the Haitian parliament ratified the United Nations Convention against Transnational Organized Crime and its protocols on human trafficking and smuggling, both of which were cited

earlier in the report. Furthermore, a proposed law on human trafficking is presently before the Haitian parliament.

Migration Policy and the Haitian-Dominican Border

The issues. Three issues dominate Haitian-Dominican relations along the border. These issues are inextricably interrelated and have a direct bearing on efforts to protect the human rights of Haitians:

1. Migration: Acute migration pressures from Haiti, strong Dominican demand for cheap Haitian labor, the prevalence of illegal cross-border migration by undocumented Haitian workers, trafficking in Haitian workers and children, and a growing incidence of forced repatriation of Haitians from the Dominican Republic since the early 1990s;
2. Cross-border commerce: formal and informal commerce, smuggling of commodities and persons, and the growing importance of Haitian buyers and sellers in Dominican border markets since the embargo period of the early 1990s;
3. Border zone security: The 388 kilometer border is marked by the growing presence of Dominican armed forces at 10 kilometer intervals, the virtual absence of Haitian police or other border security forces throughout most of the border, scores of illegal border crossings used by smugglers, traffickers,

labor migrants, and border residents, and border related corruption by agents of the Dominican army.

Migration, repatriation and human rights. The most politically sensitive of these issues is Haitian migration and repatriation, accompanied by smuggling and trafficking across a porous border. A 20 year decline in the Haitian economy combined with heightened Dominican demand for cheap labor gave rise to acute migration pressures and a cross-border market for human smugglers and traffickers, including trafficking in children for organized begging, shining shoes, prostitution, and restavèk placement as domestic servants, including Haitian households in the Dominican Republic. Cross border trafficking and smuggling of persons has burgeoned into a major growth industry.

The situation is complicated by a pervasive Dominican fear of being overwhelmed by a flood of Haitian migrants. In response, the Dominican office of migration periodically rounds up people who physically appear to be Haitian and repatriates them. According to eye witness reports, the border corps of the Dominican army sends undocumented Haitians back when caught trying to cross the border or picked up at roadway checkpoints in the border region.

Dominican law includes anti-trafficking and anti-smuggling legislation; however, field interviews on both sides of the border suggest that soldiers of the

Dominican army have a reputation for corruption, and commonly facilitate cross-border smuggling and trafficking for a fee. Children smuggled or trafficked across the border by Haitian traffickers are also subject to sexual assault and separation from parents or caretakers.

Absence of labor migration policy. There is no bi-national agreement on labor migration and neither government has asserted effective control over cross-border migration. Neither Haiti nor Dominican Republic has a national cross-border labor migration policy although migration pressures have tended to increase over time. It appears that neither government has the political will to confront the whole issue of labor migration, except for Dominican reinforcement of its border patrol and periodic round up and repatriation of Haitians.

Protocol on Repatriation (1999). In December 1999, the two governments signed a protocol on procedures for repatriating Haitians, including respect for the human rights of those repatriated. The provisions of the protocol are summarized below:

- Repatriation will not take place between 6:00 PM and 8:00 AM.
- Avoid separation of nuclear families, including children unaccompanied by parents.
- Repatriation limited to the four major crossing points.

- The Haitian government maintains migration inspection offices at crossing points used for repatriation.
- Respect for the human rights of repatriated persons, allowing them access to personal effects, not withholding personal documents.
- Dominican authorities will provide each repatriated person a document of repatriation.
- Dominican authorities will provide advance notice of repatriation to Haitian diplomatic and consular personnel, including a listing of persons repatriated.
- Haitian authorities will establish migration control posts throughout the border to prevent illegal migration.
- The Haitian government will provide identity papers to Haitian citizens seeking to migrate to the Dominican Republic.

parents or other caretaker adults during repatriation by the Dominican migration authority.

Despite a 380 kilometer border, 16 border communes, and scores of informal border crossings, only Ouanaminthe, Malpasse, and Belladère are presently equipped with physical infrastructures for Haitian border authorities. The Office National de Migration has no personnel posted directly to the Haiti/DR border, although the ONM is technically responsible for processing all repatriated and deported Haitians. Field interviews point to an overall pattern of non-adherence, or partial adherence at best, to the procedures for repatriation noted above. For example, children are often separated from

RECOMMENDATIONS

Migration policy and human rights. The critical issue is how to handle Haitian labor migration in response to ongoing demand for cheap labor in the Dominican Republic. The most logical solution is politically sensitive and requires the political will to (i) offer temporary work permits and (ii) establish a binational entity to manage the process.

In addition, improved protection of the human rights of trafficked and repatriated Haitians requires that both countries actively enforce the provisions of the 1999 bilateral agreement on repatriation which includes respect for human rights, and to negotiate a binational labor migration policy, assure an active presence of state authorities and services on both sides of the border, enforce existing laws against trafficking and smuggling in both countries, and pass additional anti-trafficking legislation in Haiti.

The human rights sector, parliamentarians, and the executive branch should be promoting these policies and effective law enforcement. In the absence of executive initiatives in both countries, advocacy groups and donors should lobby with parliament and the executive branch to enforce the law, push for the fundamental policy changes noted above, and enact additional laws.

Prosecuting violations of children's rights. Significant findings from field interviews with lawyers, judges, and a prosecutor include the following:

- Court cases are chronically slow and rarely achieve closure,

- Partner organizations devote little attention to monitoring or following up cases based on violation of children's rights.
- The judicial system has sometimes seen cases based on physical abuse of children, including restavèk children.
- Legal and human rights informants interviewed are unaware of any cases of prosecution based on trafficking in children or the use of children as unpaid domestic servants.

Therefore, support for this sector should include the following:

- Legal counsel and financial support to prosecute test cases, create legal precedents and enforce the law on children's rights,
- Monitor court cases pertaining to children
- Generate a critical mass of lawsuits aimed at protecting children's rights
- Institutionalize human rights training of ministry employees, lawyers, and law students on children's rights and the protection of minors.

Public sector services. The human rights sector cannot adequately respond to improved policies and the need for better coverage and more effective enforcement unless four critically important public institutions are funded at much higher levels, including a significant investment in better qualified

human resources: BPM and the Haitian National Police, OPC, IBESR, and ONM. Support for these public services should be essential features of any donor and government of Haiti strategy to combat trafficking and smuggling of persons, torture and organized violence. Given survey respondent identification of the police as the most widely used service to victims, it is absolutely essential to expand police coverage, including border areas, and integrate a heightened focus on basic police training and ongoing in-service training.

Quantitative baseline survey & replication over time. To orient and adjust program response to changing needs, patterns of restavèk placement should be monitored over time. The PHR household study establishes a replicable baseline for monitoring the proportion of urban households with restavèk children, restavèk children with and without kin ties to household heads, and restavèk children with urban origins.

Additional research on sensitive topics. To protect the rights of children, it would be useful to elicit better information using qualitative methodologies and follow-up interviews on the following topics:

- the recruitment and uses of children as sex workers, including cross border trafficking,
- the prevalence of sexually transmitted diseases and mental health disorders among women and girls in prostitution
- better information on urban households that

- both send and receive restavèk children,
- inter-generational patterns and consequences of restavèk placement, including interviews with adults reared in restavèk placement,
- movement of restavèk children from house to house in urban areas,
- assessment of services available to restavèk girls including runaways,
- the effects of post traumatic stress on exploited and working children,
- case studies and life histories of restavèk children,
- rapid assessment of rural sending communities for restavèk children and child sex workers,
- updated information on street children, especially secondary cities,
- analysis of victim data collected by service providers,
- treatment of children trafficked to Dominican Republic, including repatriated children,
- more detailed analysis of cases and patterns of organized violence identified by the study.

Targeting high demand restavèk zones for PHR services. The study showed evidence of distinct variations in the geographic patterns of victimization. Given the need to prioritize scarce resources, PHR should more closely target its services to maximize

impact with special attention to high density restavèk neighborhoods in Port-au-Prince and St. Marc, and especially Cité Soleil which has by far the highest proportion of restavèk children.

Targeting restavèk supply zones for services.

Supply zones are widely dispersed; however, the Ouest department and the southern peninsula supply by far the largest numbers of children for restavèk placement in the Port-au-Prince metropolitan area, especially Les Cayes, Jacmel, Jérémie and Léogane. The largest single supply center for restavèk children is Port-au-Prince itself.

Children sent to Dominican Republic. Efforts to reach high risk recruitment areas for children sent to the Dominican Republic should target provincial cities, especially Petit-Goâve, Cap-Haïtien, St. Marc and Gonaïves.

Targeting law enforcement and judicial services.

The first recourse for victims of violence is far and away the police and the judiciary. Therefore, any serious effort to improve services to victims of violence should give high priority to training and monitoring the police including human rights training, referral services and how to deal sensitively with traumatized victims.

Referrals and services. To increase the level of awareness of services, any information campaigns by project partners should emphasize the specific location of service centers for victims of violence including social, medical and legal services.

High impact grassroots associations. Given the wide spread network of schools and churches, program outreach should prioritize schools and religious institutions as channels for reaching victims and communicating the availability of victim services. In light of survey findings, outreach programs should actively promote parent participation in parent-school associations, including households where restavèk children are present.

Organizational outreach and research strategy.

Follow-up research and local organizational assessment in urban communities should focus on a better understanding of survey-identified links between victimization and participation in local organizations. The focus of interest should be how to make better use of local organizational networks to prevent and mediate violence, reach hidden victims, and channel information regarding legal recourse and other support services in the face of rights violations. Higher functioning grassroots organizations offer strength in numbers and may build a denser network of new social capital resources to counteract the threat of organized violence, in keeping with the Putnam (1993) social capital thesis.

Organized violence. Sector partners in violence prone areas should make a special effort to organize watch programs, monitor local rates and risks of murder, rape, and kidnapping, and take grassroots measures to diminish the risk of political violence, including rapid response mechanisms for conflict mediation – especially during periodic electoral campaigns and changes of government.

Adapt program assistance to a wide diversity of partner organizations. The most salient distinctions are (i) public versus private service providers, (ii) grassroots organizations (member-based, reliance on volunteers) versus NGO service providers (paid professional staff), (iii) advocacy groups, and (iv) professional associations (lawyers, psychologists, medical doctors).

Donor efforts to strengthen services should adapt its support to widely varied partner associations linked by shared interests in human rights and victim services. For example, attention to treatment modalities and improved methods for monitoring the impact of treatment applies mainly to a few state agencies and NGO service providers. On the other hand, grassroots organizations are far more numerous, very local, and based on volunteer membership. Grassroots organizations are far better placed than professional service providers to contact hidden victims, share information and accompany victims seeking services.

Given the paucity of social services in Haiti, the Project should work with the full range of professional service providers, victim associations, and advocacy groups, and not limit itself to professional service providers. This should include practical training and organizational development of grassroots associations as a channel for sharing information, accompanying victims in contacting the police and court system, and access to legal, medical and social services.

Information management. Many partner organizations need practical training in data base management, including admissions data. These needs should be discussed with partners with a view to providing technical assistance and training to improve data base management and to explore the creation of a sector-wide data base to chart trends and target program services.

Prevention as a priority. Partner organizations stress the importance of preventive efforts, especially the schooling of restavèk children and sending other unschooled children to school.

Analyze existing data bases. Partner organizations often collect data on victims who benefit from their services; however, these data are generally not analyzed to assess trends or effectiveness of services provided. For example, the Coeur de Jeunes School in Cap-Haitièn has collected information on the geographic origins of restavèk children enrolled in the school. This is a rich data base that warrants social analysis, including follow up interviews in the localities and homes of origin of restavèk children.

Recommendations on targeting victims for services. In light of study findings and partner priorities, the human rights and social service sector should orient future programming as follows:

1. The sector should assign high priority to social services that target child domesticity and sexual assault of minors.

2. The category of unschooled children is by far the most numerous population of children at risk, and should be assigned high priority for program assistance to prevent child victimization and alleviate risk, especially the risk of restavék placement.
3. Donors with an interest in child trafficking and restavék children should invest heavily in educating the poor, especially all school age children.
4. Services to street children should give first priority to improving services to children-in-the-street who sleep at home, and shelters for children newly arrived in the street including abandoned, lost, or runaway children.
5. For long term, hardened street children of the street, funding sources should increase efforts targeted at prevention, since services to hardened street children tend to be less effective.
6. The vast majority of restavék children are girls, but services appear to be more available to boys rather than girl restavék and street children. Therefore, social services should expand services to girls, including shelters for restavék children and other children fleeing abuse.
7. In response to partner concerns and the lack of well grounded information on the social dynamics of child prostitution, sector support should include study of underage prostitution that builds upon the household survey and other available data, including analysis of data sets available from partner organizations.
8. To ensure more effective referral of rape victims and other hidden victims, including those with a heightened risk of HIV-AIDS infection, the sector should promote systematic collaboration among (i) women's organizations, (ii) medical institutions, (iii) public social service providers, and (iv) specialized HIV-AIDS services.
9. Sector funding should expand support for direct physical accompaniment and ongoing follow-up of victims, including the use of trained volunteers, as a strategy for increasing the number of victims served, especially rape victims and other "hidden" victims, and to diminish the impact of psychological trauma and social stigma in response to sensitive crimes.

CONCLUSION

In the broadest sense, alleviating the risk of trafficking in restavèk children should be guided by the following premises:

- The recruitment of restavèk servant children is intimately linked to poverty, especially for sending households and oftentimes for receiving households as well.
- Donor and government programs directed at reducing the risk of restavèk placement should invest heavily in poverty alleviation and better quality and more widely available education, especially in rural areas.
- Program interventions directed at trafficking in children should retain a focus on the broader issues of children's rights, the wider social problems of child abuse and child labor exploitation, and an emphasis on humane treatment of all children, rather than focusing solely on restavèk placement.
- Significant expansion of public social and human rights services including a much wider service network for the police, especially the Brigade pour la Protection des Mineurs (BPM), the courts and administration of justice, the Office Protecteur de Citoyens (ombudsman), the Institut du Bien-être Social et Recherches (IBESR), and the Office National de Migration (ONM), especially ONM services along the Haitian-Dominican border,
- Prioritizing services in the Port-au-Prince metropolitan area as the most important center for both supply and demand of restavèk children, and the urban community with the highest risk of organized violence, especially during electoral campaigns and changes in government,
- Strong advocacy for binational migration policy reforms and enactment of legislation needed to combat trafficking,
- Universal access to public services that have a strong, immediate impact on the supply and demand of restavèk children, especially access to education and potable water.

Pertinent program areas include the following:

- Investigation to fill in serious gaps in knowledge of victims to be served,
- Legal reforms and improved law enforcement on behalf of children and against child abusers and the users of children as servants; passage of laws against child trafficking and child domesticity and the strengthening of children's legal rights,

BIBLIOGRAPHY

Bernier, Martine, and Dr. Françoise Ponticq. November 1999. Planification d'interventions utilisant les modes d'organisation sociale et économique des enfants et des jeunes vivant et travaillant dans les rues en Haïti et entre autres de ceux et celles vivant de la prostitution. Université Quisqueya pour Aide à l'Enfance-Canada and UNICEF.

CHF. 2007. More Employment and Sustainable Livelihoods. KATA Program. Port-au-Prince, Haïti.

Clark, Amy. July 22, 2006. "Kidnappings Threaten Haiti's Stability." CBS News. www.cbsnews.com/stories/2006/07/22/world/main1826817.shtml

CNUS. 2008. En Busca de un Trabajo Decente : Las experiencias laborales de los trabajadores inmigrantes en el sector de la construcción en la República Dominicana. Confederacion Nacional Unidad Sindical (CNUS), Centro de Solidaridad AFL-CIO, FENTICOMMC.

Fortin, Isabelle and Yves-François Pierre. 2008. Haïti et la Réforme de la Police Nationale d'Haïti." The North-South Institute.

Fuller, Ann. April 9-10, 2005. "A Propos du massacre de La Scierie." Le Nouvelliste.

GARR, March 19, 2009, "La Convention contre la Criminalité Transnationale Organisée et ses trois protocoles ont été ratifiés par le Parlement Haïtien." Retrieved from www.garr-haiti.org.

IHE. January 2007. Enquête mortalité, morbidité et utilisation des services, EMMUS-IV, Haïti, 2005-2006. Institut Haïtien de l'Enfance (IHE) for the Ministry of Public Health.

HSI-CAF. March 2003. Défis du présent et rêves d'avenir: Plaidoyer pour une responsabilisation sociale. Etude sur la situation et la condition des filles des la rue et des filles dans la rue de la zone métropolitaine de Port-au-Prince. Haïti Solidarité Internationale and Centre d'Appui Familial.

IOM. September 2006. Propositions pour une politique de gestion de la migration de main-d'œuvre en Haïti. Rapport préparé par le Groupe interministériel et intersectoriel pour le renforcement des capacités de gestion de la migration de main-d'œuvre. Port-au-Prince: International Organization of Migration

Jaramillo, Laura and Cemile Sancak. 2007. Growth in the Dominican Republic and Haiti: Why has the Grass Been Greener on One Side of Hispaniola. IMF Working Paper WP/07/63. Washington, DC: International Monetary Fund.

Kolbe, Athena R. and Royce A. Hutson . September 2, 2006. "Human Rights Abuse and Other Criminal Violations in Port-au-Prince, Haiti: A Random Survey of Households." The Lancet. Volume 368, Issue 9538, pp 864-873. Published on line, www.thelancet.com.

Manigat, Nesmy. April 2007. "Développement Local

Transfrontalier: Haiti-République Dominicaine.” DSRP/Haiti.

Marotte, Cécile. 2005. « Victimization et Citoyenneté » dans La Violence organisée et ses conséquences auprès des victimes et auprès de la communauté. Port-au-Prince: IFES/VOV.

Ministère des Affaires Sociales et du Travail. December 2002. Domesticité des Enfants en Haïti. Caractéristiques, Contexte et Organisation. Port-au-Prince, Haiti.

PADF-PHR. April 2008. Cadre d'assistance aux victimes. Protecting Human Rights Project.

_____. November 2008. Diagnostic institutionnel de l'Office de Protection du Citoyen (OPC).

_____. November 2008. Diagnostic institutionnel de l'Office National de la Migration (ONM).

PADF-TIP. July 2006. Diagnostic Institutionnel de la Brigade de Protection des Mineurs (BPM).

_____. March 2007. Diagnostic Institutionnel de l'Institut du Bien-Etre Social et de Recherches (IBESR).

Pierre, Yves-François, 2003, “Les enfants de rue à Port-au-Prince: État des lieux” (Save the Children and Plan International).

Putnam, Robert, 1993, Making Democracy Work: Civic Traditions in Modern Italy. Princeton, NJ: Princeton University Press.

République d'Haïti. Decembre 2, 1999. Protocole d'accord entre la République d'Haïti et la République Dominicaine sur les mécanismes de rapatriement.

Réseau National de Défense des Droits Humains. 2006. Regard sur la situation générale des droits humains en Haïti sous le gouvernement intérimaire. Port-au-Prince.

-----. 2007. Juin 2006 – juin 2007 : L'ombre de l'État de droit. Port-au-Prince.

Silié, Rubén. “La Nueva Inmigración Haitiana”, FLACSO, February 18, 2004.

_____. Ley (law) No. 285-04 Sobre migración. Promulgated August 15, 2004. Santo Domingo, República Dominicana.

_____. Ley (law) No. 137-03 Sobre Tráfico Ilícito de Migrantes y Trata de Personas. Promulgated July 16, 2003. Santo Domingo, República Dominicana.

_____. Ley (law) 87-01 Sobre Sistema Dominicano de Seguridad Social. Promulgated May 10, 2001. Santo Domingo, República Dominicana.

Smucker, Glenn R. 2009. La Migration et les Droits Humains: Haïti et la République Dominicaine. Port-au-Prince: Le Service Jésuite aux réfugiés et Migrants (SJRM) - Solidarite Fwontalye.

_____. January 2008. “Repatriation and Border

Services in Belladère.” PADF-Haitian Border Project, Stabilization and Reconstruction Task Force, Canadian Foreign Affairs Department.

_____. 2006. RAMAK Community Radio Partners in the South, South-East & West. RAMAK, Creative Associates.

_____. 2005. Orphans and Other Vulnerable Children in Haiti: A Field Report. The Futures Group for USAID/Haiti.

_____. March 2003. Civil Society Customer Survey. USAID/Haiti Mission.

_____. 1998. Organisations paysannes en Haïti: tendances et implications. Port-au-Prince: Editions La Ruche.

Smucker, Glenn R., and Gerald M. Murray. 2004. The Uses of Children: A Study of Trafficking in Haitian Children. Port-au-Prince : USAID/Haiti.

Smucker, Glenn R. and Jamie Thomson. August 1999. Social Capital and Development in Haiti. ADF-Asosye, ARD-PACTE, Winrock-ASSET for the USAID/Haiti Mission.

StrategyWorld.com. March 28, 2007. “Kidnappers Protest Political Persecution.” www.strategypage.com/qnd/haiti.

United Nations. 1984. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment

or Punishment, G.A. res. 39/46, [annex, 39 U.N. GAOR Supp. (No. 51) at 197, U.N. Doc. A/39/51 (1984)], entered into force June 26, 1987.

United Nations. 2004. UN Convention against Transnational Organized Crime and the Protocols Thereto. New York: United Nations Office on Drugs and Crime.

United Nations. 2004. Protocol against the Smuggling of Migrants by Land, Seas, Air. Supplementing the UN Convention against Transnational Organized Crime. New York: United Nations Office on Drugs and Crime.

United States Department of State. July 17, 2009. Travel Warning. Haiti. <http://travel.state.gov/travel>

United States Department of State, June 2009, Trafficking in Persons Report. Washington.

Wooding, Bridget et Richard Moseley-Williams. 2004. Inmigrantes haitianos y dominicanos de ascendencia haitiana en la República Dominicana. Santo Domingo : Cooperación Internacional para el Desarrollo y el Servicio Jesuita a Refugiados y Migrantes (CID/SJR).

Zéphyr, Pierre Martin Dominique, Yves-François Pierre, and Abby Cordova Guillen. 2006. Culture Politique de la Démocratie en Haïti: 2006. Latin American Public Opinion Project, Haiti (LAPOP). Vanderbilt University.

