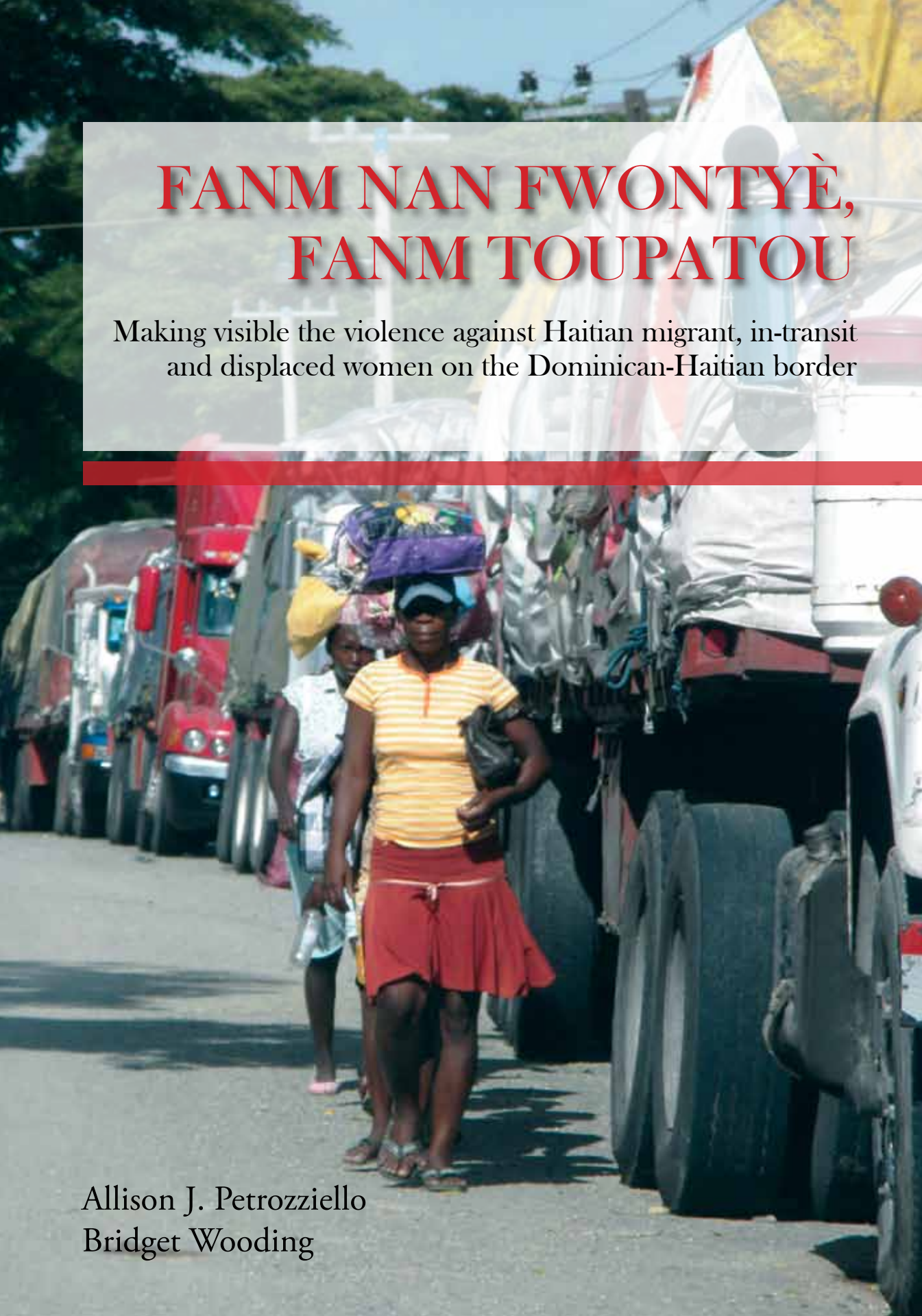


FANM NAN FWONTYÈ, FANM TOUPATOU

Making visible the violence against Haitian migrant, in-transit
and displaced women on the Dominican-Haitian border

Allison J. Petrozziello
Bridget Wooding



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Qualitative research report commissioned by the *Colectiva Mujer y Salud* and *Mujeres del Mundo* as part of the project “Women in Transit”

Allison J. Petrozziello and Bridget Wooding



In memory of Sonia Pierre,
Dominican feminist activist who fought tirelessly
for the human rights of women, Dominicans of Haitian descent, and migrants,
1963-2011.

*Fanm nan fwontyè, Fanm toupatou*¹: Making visible the violence against Haitian migrant, in-transit and displaced women on the Dominican-Haitian border

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All of the photographs which appear in this publication were taken in Comendador between May and August 2011. The persons photographed are not the same people who participated in the study, whose identity has been altered to protect their privacy. The cover photo depicts Haitian women who sell merchandise in the marketplace of Comendador, in transit towards Belladère, through the official border crossing at Carrizal.

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¹ The title “*Fanm nan fwontyè, Fanm toupatou*” is a Haitian Creole phrase that means “Women on the border, women everywhere.” It was chosen as the title in order to make visible the growing feminization of Haitian migratory flows toward the Dominican Republic, while also recognizing the multiple settings in which migrant women are exposed to different types of violence against them.

You always see men hitting women, kicking and punching them. I don't give any man the right to do something like that to me. For my part, I feel like I can defend myself from any man, I have the resources to do so, I can do that. If he hits you today and you accept it, he will hit you tomorrow and you will accept it, little by little he turns you into his 'shoe'. I am the one who has to recognize my rights and say what I want and what I do not want.

— Maliya, Haitian migrant woman and vendor in the border market of Comendador, Elías Piña



States are obligated to 'respect and guarantee (the enjoyment of human rights) for all individuals within the territory under their jurisdiction.' Therefore, migrant women have the same right to be assisted and protected against gender violence, regardless of their documentation status.

— Amnesty International (2003)

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ACRONYMS

AECID	Spanish Agency for International Development Cooperation
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEI-RD	<i>Centro de Exportación e Inversión de República Dominicana</i> (Center for Export and Investment of the Dominican Republic)
CESFRONT	<i>Cuerpo Especializado de Seguridad Fronteriza Terrestre</i> (Specialized Unit for Land Border Security, Dominican military)
CIPROM	Interinstitutional Committee for the Protection of Migrant Women
CITIM	Interinstitutional Commission against Human Trafficking and Illicit Smuggling of Migrants
CIT	Intermunicipal Cross-Border Committee
CMB	Bilateral Mixed Commission
CMS	<i>Colectiva Mujer y Salud</i> (Women's Health Collective, Dominican NGO)
CONANI	National Council for Children and Adolescents (Dominican governmental agency)
CONAPLUVI	National Commission for the Prevention and Fight against Intrafamily Violence
DGDF	<i>Dirección General de Desarrollo Fronterizo</i> (governmental development program focused on the border area)
DGM	<i>Dirección General de Migración</i> (General Directorate of Migration)
DOP	Dominican Pesos

DPS	<i>Dirección Provincial de Salud</i> (Provincial Directorate of Health)
GARR	<i>Groupe d'Appui aux Rapatriés et Réfugiés</i> (Support Group for Repatriated Persons and Refugees, Haitian NGO)
GBV	Gender-based Violence
HIV/AIDS	Human Immunodeficiency Virus / Acquired Immunodeficiency Syndrome
HNP	Haitian National Police
IOM	International Organization for Migration
ISPRI	Institutional Support Program for Regional Integration
IVF	Intrafamily Violence
MCFDF	<i>Ministère à la Condition féminine et aux Droits des femmes</i> (Ministry for Women's Status and Women's Rights, Haiti)
MdM	<i>Mujeres del Mundo</i> (Women of the World, Spanish NGO)
MINUSTAH	United Nations Stabilization Mission in Haiti
NAM	<i>Núcleo de Apoyo a la Mujer</i> (Support Group for Women, Dominican NGO)
NGO	Non-governmental organization
OBMICA	Observatory Migrants of the Caribbean
OHCHR	Office of the High Commissioner for Human Rights (United Nations)
OCHA	Office for the Coordination of Humanitarian Affairs (United Nations Secretariat)
OPM	<i>Oficina Provincial de la Mujer</i> (Provincial Office of Women's Affairs)
ORMUSA	<i>Organización de Mujeres Salvadoreñas por la Paz</i> (Organization of Salvadoran Women for Peace, Salvadoran NGO)
OTIMEP	<i>Oficina Técnica Intermunicipal Elías Piña</i> (Intermunicipal Technical Office for Elías Piña)
RFJS	<i>Red Fronteriza Jano Siksè para la Promoción y Defensa de los Derechos Humanos</i> (Jano Siksè Border Network for the Promotion and Defense of Human Rights)
UAV	Specialized Violence Assistance Unit
UNFPA	United Nations Population Fund

UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VAW	Violence Against Women

PROLOGUE

On July 12, 2011, Rooldine Lindor, a young Haitian woman studying at university in the Dominican Republic was raped and murdered in Santo Domingo East. The incident might have gone unnoticed within a context of increasing delinquency and criminality in the Dominican Republic; however, to the contrary, it provoked an unexpected response of indignation on the part of the Haitian community in this country, as well as at the highest level of government in neighboring Haiti and in the international media. In addition, the newly-elected Haitian president Michel Martelly, despite being engrossed in the naming of his governmental cabinet, followed up on the case by sending parliamentarians to pay a visit to their counterparts in Santo Domingo, to dialogue specifically on the case of Rooldine Lindor.²

The Haitian press described this femicide as a “slap in the face” to Haitians in the Dominican Republic. Feminist and other civil society groups in the Dominican Republic joined the Haitian student community in expressing their indignation over the crime. Some analysts have compared the impact that the murder of this young foreigner has had to the uprising following the murder of Dominican immigrant Lucrecia Pérez in Madrid almost two decades ago, which mobilized a more sustained movement for immigrant women’s rights in Spain.

However, there are other social and geographic contexts on the island that Haiti and the Dominican Republic share, in which Haitian migrant women’s rights are violated daily, including through multiple forms of violence against women. Why does violence against migrant women in other areas not receive the same attention? Is it because they live in the borderlands rather than a large, metropolitan city? Is it because they come from a lower social class in a highly class-stratified society? Is it because they lack a positive migratory status? This study aims to make visible some of the women who live and work in situations in which their citizen security is placed at high risk, and in which the women themselves, due to deep-seated sociocultural norms, assimilate this continuum of violence as part of their daily lives.

² Liriano, Jhonatan. “Diputados haitianos visitan el Congreso Nacional” in *El Caribe*, 2 September 2011. Available at: <http://www.elcaribe.com.do/site/pais/nacionales/286658-diputados-haitianos-visitacion-congreso-nacional-.html>.

The case study is that of the Dominican-Haitian frontier, and more specifically, the border cities of Comendador in the province of Elías Piña on the Dominican side, and Belladère in the Central Plateau on the Haitian side.

The migrant women in this setting, who are poor and often undocumented, in the worst case scenario can be murdered without leaving a trace in Dominican records, or can be repatriated to Haiti without respecting due process or the stipulations laid out in the binational protocol that governs the matter. Several factors converge to create an environment of impunity for the perpetrators of violence (mostly, but not exclusively, men) whether on the official or unofficial border crossing points, within the family, in domestic work, in local brothels, or in the border market on Mondays and Fridays in Comendador.

Beyond calling for a more favorable legislative framework in both origin and destination countries and greater public awareness on the topic, this study emphasizes the roles and responsibilities of two key actors within this panorama: the migrant women themselves, as rights holders with notable agency and remarkable resilience; and the relevant authorities, as duty bearers. It highlights the urgent need for a radical change in current practices which tolerate such violations, with little public outcry on the island or beyond. It is our hope that this report will point out possible courses of action for key stakeholders, with additional emphasis on the role of accompanying organizations who support these women along their migratory trajectory.

Bridget Wooding

Director

Observatory Migrants of the Caribbean

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Executive Director

Colectiva Mujer y Salud

EXECUTIVE SUMMARY

Haitian migrant women, as well as those who have been displaced or who are in transit on the Dominican-Haitian border, find themselves at risk of suffering violence against women (VAW) in various contexts. Many migrate independently, in order to improve their living situation; others have been forcibly displaced by the Haiti earthquake in January 2010 and more recently by the post-electoral violence in the months of April and May 2011. There are high levels of routine violence against women in the region, which takes on various forms: physical, sexual, economic, and verbal/psychological violence, as well as high risks of illicit human smuggling and trafficking, including for purposes of forced sex work.

The border market in Comendador is an important point of commercial exchange for many Haitian women who work there, which at the same time exposes them to situations of “*macuteo*” or being “shaken down” for money, as well as physical, verbal and sexual abuse. Other situations which have been detected as common sites of VAW include host families where displaced women and girls have taken refuge following the Haiti earthquake, and employer households where migrant women and girls work in domestic service. The cholera outbreak in Haiti (2010-present) led Dominican authorities to close the border on various occasions and to take the purported public health measure of segregating Haitian vendors from Dominican vendors in a provisional market in El Carrizal, which led to an increase in the number of women crossing the border through unofficial crossing points, where they ran a greater risk of being robbed, raped and in some extreme cases, murdered.

However, the number of complaints of VAW registered by Haitian survivors is very low, due in part to survivors’ lack of knowledge of their rights, and in part to the inadequate functioning of services on the Dominican side of the border and the scarcity of such services on the Haitian side. Some reasons for not filing complaints derive from their migratory condition. For example, they may not know Spanish (recent arrivals); not know where to go; be unfamiliar with the system; fear being deported; and/or come from a context characterized by very weak institutions. Other migrant women may refrain from pressing charges for reasons that are similar to those of Dominican or other survivors, such as: family or social pressure; religious beliefs;

“learned helplessness”; fear of attacker; economic dependence; and/or lack of confidence in the capacity of institutions to protect them or resolve the situation.

From an institutional perspective, there is a marked lack of support networks, health services in general and specialized services for post-traumatic disorders. The situation is aggravated by insufficient attention given to women’s rights at local and national levels, discriminatory and xenophobic attitudes held by some authorities and service providers, and general impunity surrounding perpetrators.

Given this situation, the NGOs *Colectiva Mujer y Salud* and *Mujeres del Mundo* commissioned the present study, within the framework of their project “Women in Transit: Improving the Quality of Life of Migrant, In-transit and Displaced Women on the Dominican-Haitian Border by Decreasing Levels of Violence and Improving Sexual and Reproductive Health,” funded by AECID. The study was co-financed by AECID and IOM/Dominican Republic. Its immediate objective is to serve as a baseline for the creation of an observatory on violence against migrant, in-transit and displaced women in Elías Piña and Belladère, and more broadly, to serve as an advocacy tool for Haitian migrant women’s rights. Toward this end, a research team from the Observatory Migrants of the Caribbean (OBMICA) carried out qualitative research on the typologies of violence against women, the profile of migrant women survivors and perpetrators, and the institutional response of authorities and relevant stakeholders. The following table summarizes the typologies of violence which were identified, context in which they occur, and most common perpetrators and survivors.

Typologies of Violence against Migrant, In-transit and Displaced Women

Context	Types	Perpetrators	Survivors
Home	Physical violence Sexual violence Verbal violence Economic violence	Intimate partner (Haitian or Dominican)	Haitian women (migrants, in-transit and displaced)
Official Border Crossing Point: El Carrizal	Improper charging of “toll” Physical and verbal violence Sexual harassment	CESFRONT and soldiers/policemen	Women in transit
Unofficial Border Crossings: “In the Bush”	Robbery Assault Sexual violence Homicide	Scouts Travel companion (family member) Delinquents (Dominicans and Haitians “in the bush”) Motorbike drivers	Haitian women (migrants, in-transit and displaced)
Street	Sexual harassment Sexual violence	Dominican and Haitian men (known persons and strangers)	Migrant women Displaced women

Context	Types	Perpetrators	Survivors
Market	Verbal violence Physical violence Sexual violence "Macuteo" ("Shaking down" for money)	Fee collectors (all four types) Sellers and clients (only physical and verbal)	Haitian market sellers
Domestic Work	Violation of labor rights (non-payment, unfair termination, excessive hours, payment of less than minimum wage) Sexual harassment Rape	Employers Males of the household Males of the household	Domestic workers (migrants and displaced women and girls)
Trafficking and Smuggling	Fraud/deception Sexual violence Human trafficking	Scouts Bus drivers Complicit authorities	Haitian women (migrants, in-transit and displaced)
Sex Work	Forced sex work Rape Physical violence Robbery	Haitian and Dominican scouts Clients (Dominican and Haitian men) Complicit authorities	Haitian women (migrants, in-transit and displaced), especially young women
Repatriations	Violation of rights recognized in the 1999 Binational Protocol of Understanding Robbery of belongings	CESFRONT Migration (DGM)	Haitian women (migrants, in-transit and displaced), suspected of having irregular migratory status
Girls and Adolescents	Domestic abuse Risk of abuse and exploitation Sexual violence	Host family members Males of host family household	Foster daughters <i>Restavèk</i> Displaced girls

In terms of the institutional response, this report offers analysis of both the referral system in cases of violence against women as well as efforts underway to improve the situation of violence in the marketplace and border crossing. The referral system – also known as the “critical route” – encompasses all of the institutions and organizations with a mandate to prevent and/or intervene in cases of intrafamily violence and violence against women. In Elías Piña, it includes various governmental bodies – Police, Public Prosecutor, Hospital, Provincial Directorate of Health, and the Provincial Office of Women’s Affairs – as well as non-governmental organizations such as the CMS, Jano Siksè Border Network, and Plan International. Various gaps and difficulties were detected in the assistance offered in VAW cases. On one hand, the Public Prosecutor and Police report that Haitian women rarely file complaints and often abandon their own cases when they do file, and that it is difficult to locate the perpetrator due to the informality of their living conditions. On the other hand, the Haitian women interviewed report indifference and discriminatory treatment on the part of the Police. The Hospital and Provincial Directorate of Health limit their intervention to the issuance of a medical certificate to the battered woman; they do not intervene in order to counsel her or refer her to other in-

stitutions, nor do they collect statistical information. Lastly, the Provincial Office of Women's Affairs conducts very little outreach toward the Haitian community, which, for its part, has no knowledge of the existence of this office.

Some efforts to improve the situation in the market and the border crossing are underway. The Jano Siksè Border Network, for example, has convened meetings with relevant authorities in order to take steps to improve the situation. In addition, many hope that some of the recurrent problems can be resolved through the construction of the new market in Comendador, scheduled for the upcoming year. It is of crucial importance that the migrant women prepare themselves, with support of civil society organizations, so that their voices and interests are heard and represented in the consultations leading up to the new project.

This study highlights the urgent need for a radical change in current practices which tolerate violence against migrant women in all of its forms, with no public outcry on the island or beyond. The report points out possible courses of action for key stakeholders, including those organizations which support these women along their migratory trajectory. Toward this end, the following recommendations are offered:

Colectiva Mujer y Salud

- Continue efforts to launch an Observatory on Violence against Migrant Women (OB-VIO), in coordination with the Public Prosecutor, and Provincial Office of Women's Affairs, Jano Siksè Border Network (RFJS). Coordinate with the Ministry of Women's Affairs to obtain results of the 2011 assessment of the system of assistance in cases of violence against women. Work with the Hospital and the Provincial Directorate of Health to improve the collection of statistics.
- Continue working with the Intermunicipal Cross-Border Committee (CIT), which is coordinated by OTIMEP, in order to include in its agenda migrant women's issues of interest, such as conflict resolution in the market, the elimination of bribes, or the creation of a cross-border identity card.
- Support the creation of a conflict resolution mechanism, in coordination with RFJS, in order to establish clear channels through which parties can place a complaint and seek a resolution of their problem (in cases of merchandise disputes, for example, but never in cases of domestic violence).
- When creating the security unit in the marketplace, as planned within the "Women in Transit" project, collaborate with the human rights observers of the RFJS, so that those receiving training can report abuses to the Network. Involve the market administrator, to the extent possible, since he recognizes that there have been problems in the past with market fee collectors and his interest is that those who come to sell in the market do not suffer abuse.

- Accompany the institutions that participated in the working meetings in July and August 2011 in the implementation of the agreed-upon actions.
- Continue distributing the stickers with telephone numbers of the institutions that belong to the referral system, as a means to encourage the practice of inter-institutional notification and coordination.
- Contact Plan International in San Juan de la Maguana to learn from their experiences activating the referral system there.
- Support the migrant women in their organizing efforts, using the proposals that they have generated as a base document (see appendix 3), so that they can participate in decision-making processes regarding the new market.

Migrant Women

- Participate in training activities on the right to live a life free of violence; human rights; labor rights; women's rights; rights in case of repatriation; etc. as well as training on the channels through which to present complaints in case of violation of these rights.
- Organize an association of Haitian merchants in order to represent their interests collectively, especially during the consultation process and construction of the new border market.
- Travel in groups, during daylight hours, to the extent possible. Learn self-defense techniques and the Spanish language.

Relevant Authorities

- Create a system in order to ensure that the survivor is accompanied between institutions. Never send her alone to the hospital or elsewhere; always accompany her.
- Strengthen coordination between institutions, in order to improve the quality of assistance in cases of violence against women. In order to maximize synergies, establish effective communication system between the different institutions belonging to the referral system: Public Prosecutor, hospital, Provincial Directorate of Health, National Police, *Colectiva Mujer y Salud*.
- Strengthen the institutional response of Public Health in cases of violence against women, given that the health system is the first and sometimes only point of contact between Haitian women and public institutions, especially in their implementation of the national-level guidelines *Normas Nacionales para la Atención Integral en Salud de la VIF y VCM*, and its respective implementation protocol *Guía y Protocolo para la Atención Integral en Salud de la Violencia Intrafamiliar y Contra La Mujer*.
- Establish an office or other entity (e.g. ombudsman) where Haitians who have suffered violence at the hands of authorities can register a complaint and receive a response.

- Identify which factors may be blocking access to services and justice for migrant women from a linguistic and cultural perspective, and take appropriate measures in order to make these services more user-friendly. Involve the human resources trained by CMS as intercultural mediators as well as backing courses on Haitian Creole language and culture.
- Expand the functions of the recently-created Gender Unit in the municipality of Comendador in order to include violence prevention as one of the competencies coordinated within the municipal government, in compliance with article 19 of the municipal law 176-07.
- Organize meetings with high-level officials of CESFRONT and the national army, in order to arrange trainings for their personnel on appropriate treatment of Haitian women, within the framework of their ongoing training in topics of human rights.

Civil Society Organizations

- Negotiate a space for the participation/representation of the interests of the migrant women market sellers in the new market. Contribute, from civil society, in the design of the project and definition of operational procedures, while learning from the challenges in the construction of other border markets, notably in Dajabón and Pedernales. Ensure the full participation of the Women's Network, which CMS coordinates, in this process.
- Designate a coalition of organizations to oversee the functioning of the referral system in cases of VAW. Involve other community stakeholders, such as NGOs, in combating the problem. They can make referrals, accompany the survivor, and carry out social oversight of the fulfillment of the respective roles of each institution.
- Strengthen the use of television programs: the Provincial Directorate of Health, in collaboration with CMS and the Provincial Office of Women's Affairs, could produce an episode of the existing program "Health on the Border" focusing on the topic.
- Train migrant women, in their language, on where to go in cases of abuse. Educate survivors that they will not be deported for registering a complaint of violence. Design outreach materials in two languages, to raise public awareness that violence affects families and the entire community, making it everyone's responsibility to work towards its eradication.
- Organize follow-on trainings for men in the topic of new masculinities, in order to alter violent behavior patterns associated with dominant forms of masculinity.
- Call attention to new areas of concern in which migrant women are at risk, such as forced prostitution, domestic work, and cross-border fosterage arrangements for Haitian girls, taking note of lessons learned in current work with market seller women.

International Organizations

- Continue building the capacity of civil society organizations to dialogue with authorities regarding issues of violence against migrant women.
- Continue to support training activities for relevant authorities to improve their awareness, knowledge, and skills to duly confront the problem of violence against migrant women.
- Make use of international networks to draw media attention to the situation of Haitian migrant women on the Dominican-Haitian border, in order to promote a more favorable environment for them to exercise their rights vis-à-vis the wide array of violence against them.

Bi-national Response

- Border municipalities: Implement regulation of border markets, which currently operate extra-legally.
- General Directorate of Migration: Establish an identity card or special entrance permit for cross-border market sellers.
- Inter-institutional Committee for the Protection of Migrant Women (CIPROM) and Inter-institutional Commission against Human Trafficking and Illicit Smuggling of Migrants (CITIM): Make effort to scale up protection of Haitian migrant women in work plans.
- Monitor the application of the rules established in the new Migration Rules of Procedure (*Reglamento*), especially clauses related to the guarantee of rights of cross-border workers.
- Take advantage of the re-establishment of the Mixed Bilateral Commission (CMB) in order to include violence against migrant women in its agenda.

1. INTRODUCTION

Haitian migrant women, as well as those who have been displaced or who are in transit on the Dominican-Haitian border, find themselves at risk of suffering violence against women (VAW) in various contexts. Many migrate independently, in order to improve their living situation; others have been forcibly displaced by the Haiti earthquake in January 2010 and more recently by the post-electoral violence in the months of April and May 2011. There are high levels of routine violence against women in the region, which takes various forms: physical, sexual, economic, and verbal/psychological violence, as well as high risk of illicit human smuggling and trafficking, including for purposes of forced sex work.

The border market in Comendador is an important point of commercial exchange for many Haitian women who work there, which at the same time exposes them to situations of “*macuteo*”³ or being “shaken down” for money, as well as physical, verbal and sexual abuse. Other situations which have been detected as common sites of VAW include host families where displaced women and girls have taken refuge following the Haiti earthquake, and employer households where migrant women work in domestic service, among others. Lastly, the cholera outbreak in Haiti (2010-present) led Dominican authorities to close the border on various occasions and to take the public health measure of segregating Haitian vendors from Dominican vendors in a provisional market in El Carrizal, which led to an increase in the number of women crossing the border through unofficial crossing points, where they ran a greater risk of robbery, rape, and in some extreme cases, homicide/femicide.⁴

Despite the relative frequency with which it occurs, the numbers of registered complaints in cases of VAW is very low, due to at least three factors: survivors’ lack of knowledge of their

³ Slang term in the Dominican Republic used to refer to extortion by corrupt authorities or other figures.

⁴ Although the murder of women on the border could possibly be categorized as femicide, there is not enough information available to determine whether the homicide was committed as an act of gender-based violence or due to another motive, given that the perpetrator is unknown. For more information on what constitutes femicide, see the working definition in section 2.1.

rights; the inadequate functioning of services on the Dominican side of the border; and the general lack of services on the Haitian side. From an institutional perspective, there is a marked lack of support networks, health services in general, and specialized services for post-traumatic disorders. The situation is aggravated by insufficient attention given to women's rights at local and national levels, discriminatory and xenophobic attitudes held by some authorities and service providers, and general impunity surrounding perpetrators.

Given this situation, the NGOs *Colectiva Mujer y Salud* and *Mujeres del Mundo* commissioned the present study, within the framework of their project "Women in Transit: Improving the Quality of Life of Migrant, In-transit and Displaced Women on the Dominican-Haitian Border by Decreasing Levels of Violence and Improving Sexual and Reproductive Health," funded by AECID. The study was co-financed by AECID and IOM/Dominican Republic. Its immediate objective is to serve as a baseline for the creation of an observatory on violence against migrant, in-transit and displaced women in Elías Piña and Belladère, and to serve more broadly as an advocacy tool for Haitian migrant women's rights.

Toward this end, a research team from the Observatory Migrants of the Caribbean (OBMICA) carried out qualitative research on the typologies of violence against women, the profile of migrant women survivors and perpetrators, and the institutional response of authorities and relevant stakeholders. In particular, we have attempted to answer the following research questions:

1. What are the typologies of violence against migrant women in the border area of Comendador-Belladère?
 - a. What is the profile of migrant women who are most vulnerable to violence in this context? What impact has violence against women had on their lives? What strategies of resistance have they employed?
 - b. What is the profile of the perpetrators of violence against Haitian migrant women in transit as well as the sociocultural context that allows for this behavior?
2. Who are the governmental and non-governmental entities and service providers with the mandate to intervene in cases of violence against Haitian migrant, in-transit and displaced women? What is their level of comprehension of the issue? What is their institutional response?

The report begins with a brief summary of the conceptual framework that enables us to gain a better understanding of what is happening in terms of violence against migrant women, followed by descriptions of the methodology, study area, and profiles of the research participants. The findings are organized into two main substantive chapters: typologies of violence identified, and institutional response. The report concludes with a series of recommendations for the *Colectiva Mujer y Salud*, migrant women themselves, and a number of other stakeholders responsible for upholding their rights.

2. CONCEPTUAL FRAMEWORK

This chapter lays out the most important concepts that provide the foundation for this study and that enable us to conduct qualitative analysis of the data. First, we make a key conceptual distinction between violence against women (VAW) and gender-based violence (GBV), followed by an overview of VAW across the island, as well as the legislative framework that governs both countries at national, regional and international scales. The particularities of the Dominican-Haitian border context are discussed in light of their relationship to the topic at hand, while paying close attention to migrant women's vulnerability to VAW. We draw on the concept of structural violence, developed by medical anthropologist Paul Farmer based on his lived experiences in Haiti, as a relevant theory to this study. The section concludes with a brief discussion of the concept of intersectionality, which helps to explain how discrimination operates based on different facets of individuals' identity.

2.1 Violence against Women versus Gender-Based Violence

Academics such as Sue Turrell point out the importance of distinguishing between GBV and VAW, arguing that the term GBV obscures the alarming fact that the overwhelming majority of survivors of GBV are women and girls while the majority of perpetrators are men. Turrell proposes the use of the term "violence against women" as it exposes more clearly governments' negligence in the fight against power inequalities between men and women, in both public and private spheres.⁵ Geraldine Terry⁶ and Prieto et al⁷ clarify that GBV and VAW are not synonymous, and that the United Nations Declaration on the Elimination of Violence Against Women of 1993 considers VAW a sub-category within GBV, which includes any act of gender-based violence that results in physical, sexual or psychological harm to women; it also includes threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.⁸

⁵ Turrell 2007: 1

⁶ Terry 2004

⁷ Prieto et al 2007

⁸ Terry 2004: xiv; CAWN 2008: 2 cited in CAWN 2010: 17-18

Gender-based violence within the household derives from unequal power relations which can be both cause and effect of the unequal access to and use of resources within couples. Among all of the dimensions of violence, this type is suffered mostly by women and inflicted mostly by men, and affects all spheres of their lives: their autonomy, productivity, capacity to care for themselves and their children, and community and society at large.

The most extreme form of gender-based violence against women has come to be called *femicide*. In its simplest form, femicide is the murder of a woman because she is a woman. At the time of writing, the Foro Feminista had recently agreed upon a more elaborate definition which was presented to the Dominican Congress to be considered for inclusion as a modification of the country's Penal Code:

Femicide. The crime of femicide is committed by whosoever, within the framework of unequal power relations between men and women, shall kill a woman, due to her condition of being a woman, given any of the following circumstances:

- a. Having attempted unsuccessfully to establish or re-establish a relationship or intimate relationship with the victim.*
- b. Maintaining at the time the act was committed, or having maintained with the victim, a family, conjugal, co-habitational, intimate or boyfriend-girlfriend relationship, friendship, companionship or work relationship.*
- c. As a result of repeated manifestations of violence against the victim.*
- d. As a result of group rituals using or not using weapons of any kind.*
- e. Degrading the body of the victim for the satisfaction of sexual instincts, or committing acts of genital mutilation or any other type of mutilation.*
- f. Due to misogyny. Misogyny, from the Greek term μισογυνία or 'hatred towards women', is aversion or hatred of women or the ideological or psychological tendency toward the degradation of women as a sex and toward everything considered feminine.*
- g. When the act is committed in the presence of the children of the victim.*
- h. In the event of any of the qualifying circumstances included in article 93, numeral 1 of the Penal Code.*

The person responsible for this crime will be sanctioned with a prison sentence of 30 to 40 years, and will not be granted a reduced sentence for any reason. Those persons prosecuted for committing this crime will not be eligible for any substitute measure.⁹

While domestic violence is the most widely recognized form of violence against women, it is important to recognize that there are many other forms, such as sexual harassment, rape, etc. in which the perpetrator is not necessarily the victim's partner.

⁹ Draft language being considered for inclusion in the Dominican Penal Code, subject to Congressional approval.

2.2 Context of Violence against Women in Haiti

In order to understand the context from which the migrant women originate, this section presents a synthesis of the disadvantaged position that they continue to occupy vis-à-vis men in their country of origin, Haiti.

Within the educational system in Haiti, girls' opportunity to remain in school is conditioned by gender, resulting in disparities in access to secondary and tertiary education between girls and boys. Women continue to have limited access to health services. Despite some progress in prevention and assistance in cases of VAW, much remains to be done in order to strengthen policies and service provision for survivors in the country.¹⁰

Women and girls are migrating *motu proprio*¹¹ in greater numbers than before, including crossing borders where they can be vulnerable to human trafficking, illegal smuggling, and potentially exploitative labor situations. Many women continue to be the key provider for their family in both origin and destination. According to the National Statistics Office in Port-au-Prince, in 2003 women made up a greater proportion of internal migrants (13.4%) than men (10.7%),¹² while in neighboring Dominican Republic it was estimated in 2004 that 25% of the Haitian migrants that country were women.¹³

In terms of access to justice, many women do not have the necessary knowledge or ability to exercise their basic rights as upheld in, for example, the American Convention on Human Rights (also known as the Pact of San José, ratified by Haiti in 1979), the Convention Belém do Pará (Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women) and the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).¹⁴

The more robust operations of the Haitian National Police (HNP) and the United Nations Stabilization Mission in Haiti (MINUSTAH), underway since the end of 2006 to fight criminal gangs, have improved the overall security situation. However, recently news outlets have reported abuses committed by MINUSTAH soldiers, such as a gang rape committed by four Uruguayan soldiers against a young Haitian man,¹⁵ and the lack of paternal

¹⁰ DSNCRP, Gouvernement d'Haiti, 2007

¹¹ This "feminization of migration" does not necessarily imply that women are migrating more than men (though that may be the case in some other contexts), but rather that more women are migrating autonomously and as primary breadwinners for their families (Pérez Orozco, Paiewonsky and García Domínguez 2008).

¹² IHSI/Enquête sur les conditions de vie en Haïti (ECVH 2003)

¹³ Encuesta, IOM/FLACSO 2004

¹⁴ Appendix 6 of Haiti's cumulative CEDAW report (March 2008) mentions thirty legal instruments related to human rights and women's human rights; of these, only five have not been signed by Haiti.

¹⁵ The incident, which occurred in Port-Salut on July 28, 2011, was recorded on a cell phone camera and subsequently uploaded to the internet. The case is under investigation by MINUSTAH, as well as the National Network for Human Rights (RNDDH) in Haiti and the Uruguayan authorities, who, in addition to ordering the repatriation of the five "blue helmets" presumably involved, have also brought charges against them in Uruguay. For more information, see "Minustah

responsibility of soldiers who have impregnated Haitian adolescents and adult women.¹⁶ Insecurity, whether generalized throughout the country or localized due to the military presence in the region, affects the mobility of women and girls, and redoubles their risk of experiencing violence against women with all of its respective consequences, including increased chances of contracting HIV.

Following the 2010 earthquake in Haiti, changes have taken place in women's situation, particularly in terms of increased need and vulnerabilities. It is generally understood that this increase in need and vulnerability has led to a corresponding rise in the number of Haitian women migrating to the Dominican Republic, especially the number of girls and young women.

The women migrating are primarily poor and undocumented, with low educational levels, and coming from situations of extreme vulnerability and lack of protection. They migrate by themselves or with children or partners, and find work in various income generation activities, including remunerated domestic work, informal trade, sex work, and begging.

VAW is nothing new to Haiti. On the contrary, during times of instability and civil unrest rape has often been used as a political weapon.¹⁷ In 1991, more than a hundred women's organizations banded together in the first national summit to combat VAW. Later on, in 1998, the first international tribunal was convened on the topic, which led to the creation of different platforms and support networks for survivors of VAW in the country.

A 2005 presidential decree on sexual violence exists, but to date has not been elevated to the status of national law. In general, the weak rule of law is a major challenge and there are no specific legal provisions on domestic violence. Both the application of existing laws and the number of registered complaints are conspicuously low, leaving perpetrators to act with relative impunity. Beyond the lack of a comprehensive legal framework protecting women, there are also deficiencies in terms of establishing effective mechanisms for the successful prosecution of cases, creating an additional barrier to women's access to justice. In these circumstances, many victims prefer to remain silent as a survival strategy. The Haitian National Police (HNP) has relatively few personnel, among whom many are themselves perpetrators, despite attempts to filter out criminal elements from their ranks. In Haiti there is no law penalizing human trafficking, only the Penal Code which censures clandestine travel (law from 7 November 1984). Finally, people have little confidence in the official mechanisms in charge of effective application of the law.

However, as mentioned previously, the ratification of CEDAW represents a positive step forward, especially following the country's presentation of its first cumulative report in 2008.

autoriza repatriar militares acusados de violación a haitiano" in *Diario Libre*, 6 September 2011, available at: http://www.diariolibre.com/noticias/2011/09/06/i304512_index.html

¹⁶ Herz, Ansel. "Soldados uruguayos de ONU acusados de embarazar y abandonar a haitianas", Inter Press Service (IPS), 7 September 2011, available at: <http://ipsnoticias.net/print.asp?idnews=99072>

¹⁷ Americas Watch (July 1994) Report on "Rape in Haiti: A Weapon of Terror".

Despite having a national plan, not enough progress has been made on the relevant global commitments. Nevertheless, in 2003, a “national consortium to end violence against women” was formed, bringing together the government, international organizations, and local groups. Its agenda focuses on creating a system and structures to prevent, respond to, and monitor VAW. Currently, it is in the final phase of implementing a five-year National Plan to Fight Violence against Women (2006-2011).

In mid-2011, a draft bill was presented in Haiti on the prevention, suppression, and elimination of VAW. In July, 2011, the Ministry for Women’s Status and Women’s Rights (MCFDF, in French) publicly presented this piece of legislation which, if passed, would be quite innovative. It includes several new elements, covering for the first time all types of violence, recognizing new rights of individuals and obligations of the state, naming specific groups of rights holders such as sex workers and domestic workers, delineating new protection measures, free services and prevention measures, making procedures more simple and swift, and the punishments for this crime more severe. For the first time, the legislation explicitly recognizes new forms of partner violence, including psychological, economic, and sexual violence within marital and partner relationships.¹⁸

As can be expected, if the Haitian parliament passes this legislation, the next challenge will be to ensure its proper application in practice, similar to the challenges experienced in this regard in the Dominican Republic.

2.3 Legal Framework and Violence against Women in the Dominican Republic

Despite the fact that the cornerstone piece of legislation, Law 24-97 which typifies and sanctions violence against women and intrafamily violence, dates back to 1997, persecution of this crime is far from effective. Several important plans and policies exist, including the “National Model for the Prevention and Treatment of Violence against Women and Intrafamily Violence” and its protocol. In addition, the National Commission for the Prevention and Fight against Intrafamily Violence (CONPLUVI, in Spanish) recently launched its new instrument, the “Strategic Plan for the Prevention, Detection, Treatment and Sanction of Violence against Women and Intrafamily Violence, 2011-2016,” which establishes lines of action and responsible parties for the next five years.

The Ministry of Public Health has included the problem of VAW as a key issue in its Ten-Year Health Plan 2006-2015 and recently published the “Guide and Protocol for Comprehensive Health Treatment in cases of Intrafamily Violence and Violence against Women,” which aims to facilitate the implementation of the 2002 “National Norms for Comprehensive Treatment of Intrafamily Violence and Violence against Women.” The use of the Guide is mandatory throughout the national health system for all personnel who intervene in the treatment of persons affected by violence. However, these protocols have yet to be presented to all of the

¹⁸ PowerPoint presentation by the Ministry to the GBV Sub-Cluster in Haiti, July 2011.

pertinent parties, so that they may integrate VAW as a problem requiring obligatory notification and referral, and so that all health personnel throughout the country, in public and private centers, are equipped to recognize the signs of violence and assist patients accordingly.¹⁹

Among the laws, policies, and institutions governing the matter of human trafficking are the new Constitution (2010), Law 137-03 which sanctions the illicit smuggling of migrants and human trafficking, Law 53-03 on crimes of high technology (for the issue of pornography), and Law 136-03 on children and adolescents. Currently, there are 14 Specialized Units for the Treatment of Violence (UAVs, in Spanish), which offer specialized legal, medical, psychological, and forensic services to survivors, free of charge. However, there are no UAVs in the border region of the Dominican Republic.

Various national and international institutions and some special commissions such as the Inter-institutional Committee for the Protection of Migrant Women (CIPROM, in Spanish) and the Inter-institutional Commission against Human Trafficking and Illicit Smuggling of Migrants (CITIM) as well as civil society networks against human trafficking and the National Plan against Illicit Smuggling and Human Trafficking (2009-2014) have the mandate to intervene for the prevention of and assistance in cases of trafficking of women. However, these bodies have yet to include a specific approach toward Haitian women, given that most efforts to date have focused on the trafficking of Dominican women outside the country, rather than Haitian women within Dominican territory.

Reports of VAW have been on the rise in recent years, reaching alarming levels in which one-third (29.8%) of women ages 15-49 who at some point have been married or in a relationship, have experienced some form of violence from their partner or ex-partner, versus five years ago when this figure was at 27.6%.²⁰ In 2011, between January and July alone, the number of women murdered at the hands of their partner or ex-partner increased by 20 percent as compared to the same period in 2009, as denounced by the human rights organization Amnesty International, citing official statistics from the Public Prosecutor's office.²¹ From January to September 2011, statistics on the incidence of femicides in the country compiled by the CMS indicate that there have been 168 femicides in the country, 11 of which occurred in the border region. In that region, only 1 of the recorded cases was committed against a Haitian woman, whose identity was not released. Underreporting of cases of VAW, especially when committed against Haitian migrant women, continues to be a serious problem.

According to the Public Prosecutor's office, the sentences issued in these cases are minimal. Those pressing charges often do not follow through on the case, and the prosecutors themselves often let the case drop. When a sentence is issued, some survivors express that they regret

¹⁹ Quiroga et al 2009: 26

²⁰ Encuesta Demográfica y de Salud 2007, cited in ONE 2009

²¹ "AI denuncia el aumento de la violencia de género en República Dominicana", Noticias EFE, 12 May 2011. http://www.finanzas.com/noticias/república-dominicana/2011-05-12/482787_denuncia-aumento-violencia-genero-republica.html

their decision due to the lost income that the imprisonment of their partner represents for the household.

In summary, although the legislative framework related to VAW is more robust in the Dominican Republic than neighboring Haiti, Dominican women's lack of knowledge of their rights, together with the insufficient and ineffective assistance on the part of institutions mandated to protect their rights, and a rather adverse sociocultural context, limit the impact of that legislation. In the case of migrant women in the Dominican Republic, they may be at an even greater disadvantage coming from a context which is marked by an even weaker rule of law, thus further reducing their expectations that Dominican authorities will protect them in the host country.

However, different actors in the region are working to advocate for the adoption and application of international treaties in their respective countries. At a global scale, the obligation of States to guarantee and uphold women's rights and to fight VAW has been widely recognized, as evident through both the United Nations system and the Inter-American system for the promotion and protection of human rights.²²

2.4 The Dominican-Haitian Border

Several years ago, a coalition of organizations in the northern segment of the Haitian-Dominican border presented a complaint to the Inter-American human rights system regarding the scarce protection for local Haitian women vis-à-vis the responsibility of the Haitian State to protect them from violence.²³ More recently, the international media have drawn attention to the situation of displaced persons in the camps in Haiti and the conditions that have worsened levels of VAW. As pointed out in a report by women's organizations in Haiti, the earthquake exacerbated the already inadequate and unequal access to basic social services. It also generated a massive lack of security, most especially for those living in camps, aggravating the grave, pre-existing problem of sexual violence.²⁴ Hence, the widespread destruction and its political, economic and social consequences at all levels have increased the level of desperation among the Haitian population. Women have been disproportionately affected by the earthquake, both due to existing gender discrimination which exposes them to greater levels of poverty and violence, and due to their assigned role as the primary person responsible for meeting their families' needs.

²² CEDAW General Recommendation no. 26 on Women Migrant Workers: http://www2.ohchr.org/english/bodies/cedaw/docs/GR_26_on_women_migrant_workers_en.pdf. See, for example, The situation of the Rights of Women in Ciudad Juárez, Mexico: The Right to Be Free from Violence and Discrimination (2003), <http://www.cidh.oas.org/annualrep/2002eng/chap.vi.juarez.htm>.

²³ In October 2010, the Inter-American Commission on Human Rights held a hearing on the "Human Rights Situation of Children and Women in the Area of Ouanaminthe, Haiti" with the participation of the *Regroupement des Citoyens pour la Protection des Droits Humains* (RECIPRODH) and the Haitian government. An audio recording of the hearing can be found here: <http://www.oas.org/es/cidh/audiencias/Hearings.aspx?Lang=En&Session=120&page=2>. For more information, see IACHR, *The Right of Women in Haiti to be Free from Violence and Discrimination*, March 10, 2009.

²⁴ Toupin 2010

A new conceptualization of borders in Latin America and the Caribbean, including the dividing line between Haiti and the Dominican Republic, takes into account a trend toward cooperation, overcoming conflicts of the past. Contemporary literature regarding the island analyzes this reality from two opposite poles along a spectrum: on one extreme, emphasizing the persistent poverty, dispersion and violence (see, for example, the *Provincial Human Development Report* for Elías Piña²⁵) and, on the other extreme, playing up the relatively harmonious relations of a shared, cooperative border culture, while acknowledging that women there continue to face discrimination and violence.²⁶

Recognizing that the patriarchal²⁷ system persists, it is important to analyze how it influences the social construction of masculinities in the border context. For Haitian men, their sense of their own masculinity is often challenged by their new condition of being migrants, in which they are commonly exploited in the workplace, oppressed by their negative migratory status, and therefore less capable of asserting the control associated with their masculine identity. This frustration can lead them to act violently toward their partners, in an attempt to exert control over at least one area of their lives – their partner and family.

In the case of the military and border authorities, some attitudes and behaviors have been observed that could be considered “hyper masculine” (in the traditional sense of dominant masculinities), insofar as they sexually harass and rape women, take advantage of their position of relative power by charging illegal “tolls,” and turn the other cheek toward the multiple forms of violence against women that happen in jurisdictions under their watch. Today, it is not happenstance that some authorities, such as the *Cuerpo Especializado de Seguridad Fronteriza Terrestre* (Specialized Unit for Land Border Security, Dominican military, or CESFRONT), have requested assistance from international organizations to strengthen knowledge of and respect for human rights among its military ranks in order to counteract accusations against them.²⁸

Within this context, migrant women are particularly vulnerable to abuses because, among other factors, they are more likely than men to find work in labor sectors with very precarious working

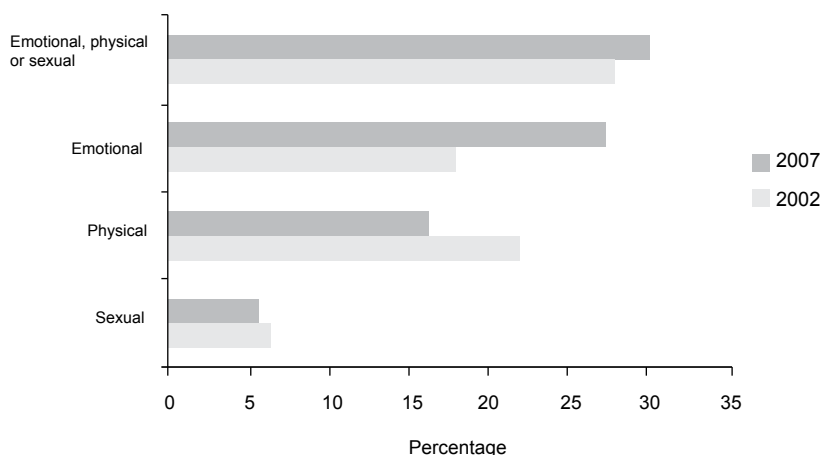
²⁵ PNUD 2010

²⁶ Murray 2010

²⁷ The term “patriarchy” refers to the often tacit cultural belief which holds that that which is deemed masculine is inherently more valuable than the feminine, and that therefore men should control or enjoy more privilege than women, and women should defer to men’s dominance. Pierrette Hondagneu-Sotelo, who pioneered analysis of the operations of patriarchy in immigrant and transnational families and communities, defines patriarchy as a “fluid and shifting set of social relations where men oppress women, in which different men exercise varying degrees of power and control, and in which women collaborate and resist in diverse ways” (1994: 3). Here it is important to point out that it is not that all men oppress all women, but rather that patriarchal or *machista* beliefs create systems of skewed power relations and dominance that are not universal that operate in all aspects of our lives: labor markets, States, social networks, families, etc. These power relations intersect with other system of oppression at work in the lives of migrant women, who are also affected by exploitative relationships due to their social class, race/ethnicity, and legal status.

²⁸ See, for example, the April 22, 2010 memo from the Human Rights Clinic at the Law School of Columbia University to the Department of State.

Dominican Republic
Percentage of women 15-49 years of age, who have been married or in a relationship and have suffered violence by a current or former husband or partner, by type of violence, 2002-2007



Source: Encuesta Demográfica y de Salud (Dominican Republic), 2007

conditions,²⁹ such as paid domestic work and informal cross-border commerce. General Recommendation 26 of CEDAW recognizes that women migrant workers employed in domestic work, agriculture and other sectors are particularly vulnerable throughout the world. In the Dominican Republic, although the legal figure of cross-border worker has been established in the 2004 Dominican migration law and is recognized in the recently-passed Rules of Procedure for the application of this law (Presidential Decree 631-11, passed on 19 October 2011), this figure has yet to be operationalized on the border, which can cause confusion in terms of the rights and legal responsibilities of those residents who regularly cross the border for commercial purposes. Lastly, women who migrate as wives or together with family members run the risk of suffering violence at the hands of their own husbands and family members, especially in societies that consider it important for women to be submissive.³⁰

2.5 Structural Violence and Intersectionality

Medical anthropologist and doctor Paul Farmer is renowned, among other achievements, for having debunked the widely held belief that HIV/AIDS was introduced to North America through Haiti, when in reality it happened the other way around.³¹ Building upon his work on

²⁹ UNFPA 2006

³⁰ CEDAW General Recommendation 26, Article 20

³¹ See Farmer, Paul. 1992. *AIDS and Accusation: Haiti and the Geography of Blame (Comparative Studies of Health Systems and Medical Care)*. University of California Press.

these issues in Haiti, he also designed successful community health methodologies to fight the epidemic, through his foundation Partners in Health and its sister organization *Zanmi Lasante*,³² in Haiti's Central Plateau. Through his experience in the Haitian department that neighbors Elías Piña in the Dominican Republic, he began to analyze how social forces from poverty to racism become embodied in individual experience. In his book *Pathologies of Power*,³³ Farmer discusses how political, economic, and social forces combine to structure the risk that individuals will suffer the most extreme forms of suffering, from hunger to torture to rape.

Farmer argues that suffering is a recurrent and expected condition in Haiti's Central Plateau, where everyday life for its residents often feels like war. "You get up in the morning," observed one young widow with four children, "and it's the fight for food and wood and water." What the residents of this region share in common is the experience of occupying the bottom rung of the social ladder in inegalitarian societies. For example, structural violence – in this instance due to entrenched poverty and gender inequalities – makes local women more likely to seek out soldiers, the region's only salaried men, as partners. The soldiers, in turn, tend to have multiple partners, which increases their risk of contracting and spreading HIV. This type of trend illustrates the author's central argument: for most of his patients and informants, their options both large and small are limited by forces beyond their control such as racism, sexism, political violence, and grinding poverty.

In addition, Farmer argues, simultaneous consideration of various social "axes" (gender, ethnicity, socioeconomic status, etc.) is imperative in efforts to discern a so-called political economy of brutality. Gender is but one axis of power that creates inequalities which determine risk factors for certain types of violence over others. On the Dominican-Haitian border, multiple forms of violence affect both men and women, and especially poor men and women. However, the types of violence each are likely to suffer differ, given the ways in which violence is structured along gender lines. For example, men are more likely to be tortured than women, whereas women are more likely to suffer domestic violence and rape. Finally, and especially for women, poverty puts them at greater risk for contracting HIV. Many women have no other option than to work as domestics which can expose them to sexual exploitation; or as cross-border market sellers, which exposes them to the risk of being raped in the border crossing; or as sex workers, where the risk multiplies exponentially.

Farmer's analysis, which is rooted in his work on the ground, resonates with the feminist theory of intersectionality, which is used to understand how discrimination operates based on different axes of identity such as gender, social class, migratory status, and ethnicity,

³² Partners in Health, the organization founded by Paul Farmer that was supporting the bulk of the medical services available at the hospital in Belladère, withdrew from that town in April 2011 following violent protests in dispute of the election results for congressmen and senators in Haiti (GARR, <http://www.garr-haiti.org/spip.php?article747>). During those protests, fire was set to the public hospital and adjoining residence, killing the husband-wife team of Haitian doctors Idelet Ficina and Culsana de Ficina, a patient and possibly several other people (<http://www.elnacional.com.do/nacional/2011/4/23/81347/Queman-consulado-dominicano-Haiti>).

³³ Farmer 2003

among others. A primary argument of this theory is that, given the historical legacy of racism, sexism, class and gender discrimination in Latin America and the Caribbean, the intersectional approach is one of the most appropriate models to understand and intervene in the continuum of VAW and poverty that women face.³⁴ This can be used to understand how violence against Haitian migrant women is committed both as a result of and in order to uphold the social hierarchy, in which they are placed in an inferior and vulnerable position, as women (not men), Haitian (not Dominican), dark-skinned Afro-descendants (instead of “Indian”³⁵ mulattos), poor (not rich or middle-class), and undocumented. In this way, greater power is assigned to some groups more than others, creating a culture in which violence prevails as a means to resolve conflicts, whether in the family, in the bush, or in the marketplace.

³⁴ Muñoz Cabrera 2010

³⁵ The ethnic category of *indio* or “Indian” is used widely in the Dominican Republic to refer to anyone not considered white or black. In practice, even dark-skinned, Afro-descendant Dominicans are often categorized as *indio* on their identity documents, continuing the State-sponsored denial of citizens’ African heritage and affirming their indigenous and Spanish heritage.

3. METHODOLOGY

This study employed qualitative research methods in order to arrive at an in-depth understanding of the different situations and vulnerabilities to VAW. We carried out a desk review of the relevant literature, both theoretical and empirical, prior to the field work, which was done during the second half of May 2011. The field work was carried out in close collaboration with the staff of the NGO *Colectiva Mujer y Salud* (CMS), which has made a concerted effort to extend its services to the population at hand following the Haiti earthquake, by a research team from the Observatory Migrants of the Caribbean (OBMICA), composed of multilingual researchers specialized in gender, migration, sexual and reproductive health, and development, along with the support of a trilingual intern with experience working on the border. The CMS assisted with the identification of local parties to interview, accompaniment of the researchers in the field, and logistics throughout the study.

Sample

During the field work, the OBMICA research team carried out the following:

- Twenty-eight interviews with key stakeholders, including local authorities, and institutions and organizations that provide services related to the assistance, counseling, prevention, and support to survivors of violence. Twenty interviews were carried out with stakeholders from Elías Piña, one from Jimaní, one from San Juan de la Maguana and six from Belladère, Haiti. A complete list of the stakeholders interviewed can be found in Appendix 1.
- Eighteen in-depth, semi-structured interviews with Haitian women and girls who had experienced and/or had knowledge of violence against women. Sixteen were conducted in Haitian Creole and two in Spanish, with women and girls who either lived or were in transit in Comendador. Of the 18 women and girls, nine are migrants who have resided in Comendador since before the earthquake, seven have been displaced due to the earthquake, and two are women in transit who live in Haiti and come to sell their wares in the border market. Eight of the interviewees

are domestic workers, five are market sellers, four are foster children, and one is a housewife/hospital user.

- Two focus groups with Haitian women who are survivors of VAW, with 12 participants in each group. Participants in the first group were migrants originally from Belladère, Lascahobas, Mibalen and surrounding areas, currently living in the neighborhoods of La Pastilla and Galindo, who work in the marketplace and private homes. Participants in the second group were almost all displaced from the earthquake in Port-au-Prince, currently residing in the neighborhood Los Corositos, and expressed that they live in extreme poverty (many wash other families' clothing or work as agricultural day laborers for 50 pesos or approximately US\$1.30 per day).
- Ethnographic observation in the marketplace, official border crossing point at Carrizal, and a nightclub frequented by Haitian sex workers and their clients.

Research participants were identified initially through institutional contact with the *Colectiva Mujer y Salud*, and subsequently through snowball sampling in which participants referred other persons. Interviewees were thus selected through the qualitative research strategy called “purposeful selection”³⁶ in which certain activities, persons or places are selected – in this case, women who work in the market or in private homes, girls displaced by the earthquake who are in cross-border fosterage arrangements – who can share information that can not necessarily be obtained through random sampling techniques, especially on a topic as sensitive as that of violence against women. All of the names used throughout the text of this report have been changed in order to protect participants' identity and to avoid exposing them to violent repercussions.

After the field work, the researchers returned to the site to present the preliminary findings (before writing the final report) in order to validate the findings and collect feedback and recommendations for follow-on work after the research phase. Twenty-two local stakeholders participated in the workshop, from both Elías Piña and Belladère, and twenty Haitian women. In July and August, the researchers conducted two training workshops with Haitian women, in which the findings were validated at the same time as participants began to compile a minimum agenda in order to improve the situation in the new market which will be built in Carrizal. In parallel fashion, two working meetings were held with local authorities and other relevant stakeholders in Elías Piña in order to identify action points and to strengthen the referral system in cases of violence, as well as to improve the situation of violence in the market and border crossing. The results of these meetings are included in the chapter on institutional response and the subsequent recommendations.

Analysis

The majority of the interviews and the two focus groups were recorded in MP3 files; later they were partially transcribed and summarized in Spanish in order to facilitate data analysis. Find-

³⁶ Maxwell 2005: 88

ings were compared with those of similar studies, to come to a better understanding of the subject under study.

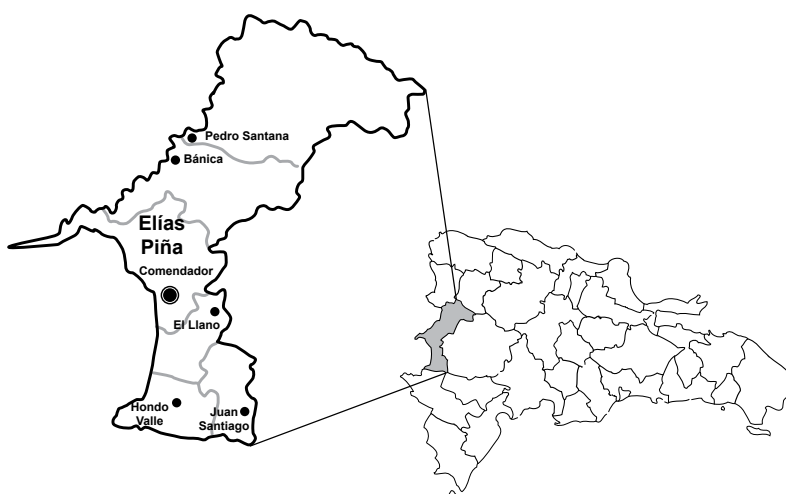
Limitations

Originally, the team planned to visit the town of Belladère, Arrondissement of Lascahobas, Central Department of Haiti, in order to complement the information gathered from a transnational perspective. However, we were not able to cross the border during the period of field work due to ongoing violent unrest led by political activists who were disputing the election results there. In the month prior to field work, they set fire to the residence adjoining the hospital of Belladère, killing two Haitian doctors and their children, and also to the municipality and court house. We were not able to locate any representative from a governmental institution in Belladère; apparently, the majority had taken refuge in Port-au-Prince. Not only did these circumstances limit our field research; they also presented serious obstacles for women in transit to access services in case of violence.

A special effort was made to identify and locate migrant women who work as sex workers or who had been victims of human trafficking. However, access to these populations was limited, which in effect has limited the information collected on these topics and reported in this study to second-hand accounts from persons knowledgeable on these subjects.

4. STUDY AREA

The study area was limited to the city of Comendador, provincial capital of Elías Piña (Dominican Republic) in the central part of the border with Haiti.



Elías Piña is the poorest and one of the least populated provinces in Dominican territory, with approximately 72,000 residents in 2010,³⁷ of whom 70% live in conditions of poverty.³⁸ The province's western limit is composed of 154.4 km (or 39.8%) of the Dominican-Haitian border, in a mountainous region which is conducive to the informal flow of goods and persons. The towns on the Haitian side of the border contiguous to Elías Piña have much more numerous populations than those on the Dominican side.³⁹

³⁷ PNUD 2010: 13

³⁸ PNUD 2010: 113

³⁹ PNUD 2010: 113



City center of Comendador. Photo credit: Allison Petrozziello

In terms of governmental institutions, those with greatest presence and influence on the border are the various branches of the military, including the recently created CESFRONT.⁴⁰ There is a governmental program focused on the border area led by the *Dirección General de Desarrollo Fronterizo*, whose objective is to coordinate infrastructure development on both sides of the border. Comendador is also home to the Intermunicipal Technical Office for Elías Piña (OTIMEP, in Spanish),⁴¹ which coordinates the Intermunicipal Cross-Border Committee (CIT, in Spanish) in order to promote dialogue and coordination for development projects in border communities.

Comendador is the only settlement in the province with an urban structure. It has a population of 11,391 residents,⁴² among whom approximately 60% are considered as living below the poverty line.⁴³ In 2004, the average income of residents in the municipality of Comendador was 2,264 pesos (approximately US\$ 59) per person per month.⁴⁴ The city is made up of the

⁴⁰ Dilla 2010

⁴¹ See <http://ofcinatecnica-intermunicipal.org/index.html>

⁴² PNUD 2010: 17

⁴³ PNUD 2010: 25

⁴⁴ PNUD 2010: 113

center, where government and commercial buildings are located, and various neighborhoods, many of which have unpaved streets and lack adequate public services.

The principal economic activity is no longer agriculture (as it used to be until the 1990s), but is now commerce, due to the opening of the border which has allowed this activity to flourish, especially informal trade in the border markets.⁴⁵ Thus, Comendador has become a hub of commercial activity and related services for the surrounding rural area and border area with Haiti, forming what researcher Haroldo Dilla calls a “cross-border urban complex” between the cities of Belladère y Comendador.⁴⁶ Belladère holds its own market on alternating days to the market in Comendador (Wednesday and Saturday, while the Comendador market is held Monday and Friday), which serves as an important redistribution point toward other communities in Haiti’s Central Plateau.

Comendador has a border market which is the second most important in the country, as well as a formal commercial port, where Haitian agricultural products are imported and Dominican building materials and other products are exported, located two kilometers away at the official border crossing point of El Carrizal. Haitian women make up a large majority of the informal market vendors; some estimate that they make up 90% of the Haitian vendors in the Comendador market.⁴⁷ Likewise, the transition of the local economy toward services has generated employment for many migrant women in the domestic service sector.

Comendador is also an area of transit of growing importance. According to the Provincial Human Development Report from 2010, formal exports through Elías Piña that exit the Dominican Republic through the commercial port at Carrizal in Comendador grew by an annual average of 60%, the highest rate of any other transit port to Haiti.⁴⁸ Another factor which has contributed to the increase in border traffic has been the detour from Malpasse-Jimaní, where constant flooding has obstructed transit along this corridor. The increase in commerce has created demand for other services such as lodging and storage, while also increasing the demand for sexual services from truck drivers and other men who are passing through or working in the area.⁴⁹

There are clearly defined gender roles in terms of men’s and women’s participation in the commercial activity of Comendador. According to the Provincial Human Development Report,

The women, especially Haitian women,⁵⁰ tend to predominate in retail trade. Dominican women specialize in the provision of services such as lodging, food and drink. In turn,

⁴⁵ Dilla Alfonso et al 2010: 21-22

⁴⁶ Dilla 2008.

⁴⁷ Murray 2010: 7

⁴⁸ PNUD 2010: 101

⁴⁹ Interview with key informant, 24 May 2011.

⁵⁰ Trade is a long-standing economic activity for Haitian women, who have been travelling to different border towns and even to the interior to Santiago, selling agricultural and some manufactured goods since the 19th century (PNUD 2010:99).

*Dominican men, especially from Las Matas de Farfán and San Juan de la Maguana, predominate in wholesale trade, transportation and storage services, while Haitian men participate in the transport of agricultural products.*⁵¹

In addition to being an important transit area for commercial merchandise, Elías Piña is also a transit point for the illicit transport of different types of contraband and people across the border.⁵² At the local level, drivers and carriers – mostly *guagueros* or bus drivers and motor taxi drivers – are involved in various forms of transport of cargo and people, both licit and illicit, during which they sometimes become assailants or accomplices to acts of violence against migrant women.⁵³

Lastly, two recent phenomena have had a great impact on Comendador and the entire border region: the Haiti earthquake and the cholera outbreak. First, the earthquake in Haiti on January 12, 2010 displaced outside of Port-au-Prince roughly half a million people,⁵⁴ many of whom ended up seeking temporary shelter with extended family and friends in Elías Piña. Of these, a large part are women and girls who have received medical assistance, psycho-social support, lodging, income generation opportunities, etc. from organizations such as the *Colectiva Mujer y Salud, Groupe d'Appui aux Rapatriés et Réfugiés* (GARR), Plan International, and the IOM. In addition, there has been an increase in undocumented migration in the months following the earthquake. This reality, together with the movement of contraband, human trafficking, and weak compliance with commercial laws, makes bi-national relations and development in the region all the more difficult.⁵⁵ However, it is important to point out that migration flows did not increase as much as was expected, and by the time of the field work for this study (May 2011), many of the displaced persons had since returned to Haiti or had continued onward to Santo Domingo and other locations in the interior of the country.⁵⁶

Beginning in October 2010, the situation in the border region has gotten worse due to the cholera outbreak which began in Haiti and later affected the Dominican Republic. The border has been periodically closed since then and during several months, Dominican public health authorities took the measure of segregating Haitian vendors from Dominicans and obligating them to sell their wares in a provisional market in El Carrizal. This situation affected the livelihood of thousands of Haitian women, while exposing them even more to extortion on the

⁵¹ PNUD 2010: 107

⁵² PNUD 2010: 12

⁵³ Interview with the Public Prosecutor of Elías Piña, 18 May 2011.

⁵⁴ Murray 2010

⁵⁵ PADF 2009, cited in Rodríguez Grullón 2010

⁵⁶ Interview with the mayor of Comendador, 25 May 2011.

part of Dominican authorities who charged them to be able to pass through to the market in the center of Comendador, and to the abuses of what they call *delenkan*⁵⁷ while crossing the border “through the bush.” The market vendors also complained about the installations of the provisional market in Carrizal, which had a lot of mud and few doors, creating unhygienic conditions and insecurity.



Popular neighborhood scene in the predominantly Haitian “Barrio of the Barraco” in Comendador. Photo credit: Hillary Petrozziello

⁵⁷ The Haitian Creole term *delenkan* is the most common term which the Haitian migrant women used to refer to a delinquent or person who does not follow laws.

5. PROFILE OF VIOLENCE SURVIVORS INTERVIEWED

The study participants are women and girls who are originally from Haiti's Central Plateau or from Port-au-Prince who currently reside in Comendador, Elías Piña or who cross the border regularly to sell in the market on Mondays and Fridays. The majority have completed at least some primary education, and speak Haitian Creole and some Spanish – normally enough to get by in their work environment. The youngest is an orphan girl 10 years of age; she and three other interviewees are underage while the rest are between 18 and 47 years old. None of the participants has legal residency documents in the Dominican Republic, although two of the girls and one adult reported that they were in the process of obtaining them. The majority did not have any identity document from Haiti either.



Family of Haitian origins, currently residing in Comendador. Photo credit: Hillary Petrozziello

The study participants who are migrants or displaced persons reside in the neighborhoods of Mingo (the “barrio” of “el Barraco”), Galindo, La Pastilla, Los Corositos, and la Carrera, while the women in transit live in Belladère. Their houses are made of wood or cinder block with tin roofs, some with dirt floors and others with concrete, and are rented or borrowed, with several people (6-9) living in a relatively small space (1-3 rooms). Seven participants are in common law marriages (2 with Dominicans, 5 with Haitians); six are single; several are separated; and one is legally married. The majority, with the exception of the youngest girls, have children (between 2 and 9, with an average of 4).

The profiles of the purposeful selection of persons interviewed include:

- Women who are cross-border and itinerant merchants in the border market of Comendador;
- Women and girls who have been displaced by the January 2010 earthquake, especially those residing in host family homes;
- Remunerated domestic workers; and
- Girls who have been displaced by the January 2010 earthquake, who have been taken into families informally as *hijas de crianza* or foster children.

The migrant women profiled here have very low income (for example, the domestic workers earn DOP 1000-1500 or US\$ 26-39 per month), and many say they often go hungry. Some exhibit symptoms of poor health (for example, being extremely thin or having a goiter) and several still suffer from emotional trauma associated with their experiences in the earthquake and with other forms of violence.

6. TYPOLOGIES OF VIOLENCE

“They are taking advantage of us women. They do what they like with us because we are not in our own house (country), we are in someone else’s house. They do not have any respect for us.”

– Merina, Haitian migrant and resident
of Barrio Galindo, Comendador

Violence committed against migrant women is cyclical, rather than episodic; that is, violent episodes end up forming a permanent cycle in their lives, in which the abusers can be members of their own family, intimate partners, military, border or market authorities, bus and taxi drivers, employers and/or strangers on the street. Thus, the acts of aggression committed against them can be conceived of as part of a spectrum that ranges from discrimination and verbal violence (threats, insults, harassment) to physical, psychological and sexual violence, to rape and femicide.

Violence against Haitian women in Comendador takes on various forms, of which the most reported in this study are: sexual violence by “*delenkan*” in unofficial border crossing points; economic abuses on the part of soldiers at the official crossing point; physical and sexual violence by their partners; verbal violence in the market by fee collectors; economic violence (non-payment of child support or threats thereof) by the father of their children; being scammed by *buscones* (informal scouts) and other human smugglers; and sexual abuse and violations of labor rights on the part of male and female employers of domestic workers.

Two cases of human trafficking were identified and reported to us second-hand. However, we were unable to locate any trafficking victim for interview, most likely due to the clandestine conditions in which it occurs and to the fact that Comendador is a transit point for human smuggling, which only sometimes becomes trafficking when the smugglers arrive at the capital or other destination points and refuse to release the victim.

Other phenomena observed in Elías Piña include sex work, human smuggling, repatriations and the practice of informally adopting Haitian girls as “*hijas de crianza*” or foster children. While we do not consider these situations violence *per se*, we examine them nonetheless as contexts with conditions in which those involved can commit violence against women and girls.

This report presents the different typologies of violence that have been identified according to the context in which they occur – home, border, street, workplace (domestic work and market) – followed by sections exploring the abovementioned phenomena. Rarely do the women in this context experience only one form of violence; most commonly, they experience more than one, sometimes simultaneously and sometimes in separate spaces or moments of their lives.

6.1. Violence in the Home

Domestic violence – whether physical, verbal, sexual or economic – is common in the lives of Haitian women when they live in Haiti, and often continues to be the case when they migrate to the Dominican Republic. However, migration itself presents several aggravating factors that make it even more difficult for them to leave violent situations. These factors include, among



Home in the “Barrio del Barraco”, Comendador. Photo credit: Allison Petrozziello

others, their largely irregular migratory status, fear of repatriation, isolation from family networks, cultural and linguistic barriers, etc. Both their sense of dignity and their human rights are at stake, given that they work in informal sectors, live in conditions of extreme poverty, face discriminatory and xenophobic attitudes on the part of some authorities who are supposed to protect them, and commonly suffer other types of abuse in their workplace.⁵⁸

At the same time, migrant men can feel frustrated by the humiliations that they often suffer in their workplace or in public spaces, which can lead them to exert violent dominance in the only space in which they feel they have a modicum of control: their home. In the border region, there are also many mixed Dominican-Haitian couples, in which power relations revolve not only around gender, but also according to differences in nationality, ethnicity, and migratory status, creating inequalities that place the survivor at a serious disadvantage to be able to leave the situation, support herself economically, and retain custody of her children.

A noteworthy finding is that, despite the fact that many Haitian women share the experience of being domestic violence survivors, this is not the first type of violence that they name when interviewed. Rather, their sense of what constitutes violence in their lives is of a public nature – any abuse or offense to their sense of personal dignity, such as rapes on the border and violent struggles with the fee collectors in the market. This illustrates, on one hand, how normalized domestic violence has become in their daily lives, and on the other hand, the lack of consciousness they have of themselves as rights holders.

6.1.1. Physical Violence

According to the Pan American Health Organization, “*Physical violence occurs when a person inflicts non-accidental harm upon another, using physical strength or any type of weapon (or object) that may or may not cause injuries, whether internal, external or both.*”⁵⁹ This type of violence is the most widely recognized, though not necessarily the most frequent. However, in the case of Haitian migrant women, physical violence at the hands of their partner, whether Haitian or Dominican, is so common that they tend to see it as normal, or at least as part of their daily lives.

Lemoine, a 16-year-old girl who has been living in the Dominican Republic for two months, observes physical violence all around her: “*In Los Corositos where I live I have seen men hitting women, even when the women have done nothing to them.*” Chantal, a 23-year-old migrant, observes the same, and exhorts women to report it: “*This situation of physical violence with women is very common in the community, but they stay there putting up with the person. This is not good*

⁵⁸ The specific vulnerability of migrant women to GBV was the motivating problem behind the project “Assistance to GBV Survivors and GBV Prevention among the Refugee, Asylum Seeking and Stateless Women and Girls in the Dominican Republic” implemented by Catholic Relief Services (CRS), Center for Legal Services for Women (CENSEL) and the Haitian Pastorate from 2008-2009. More than three times the number of clients planned for sought services, which confirms the need to extend services to this population.

⁵⁹ Solano y Velzeboer 2003: 80, our translation.

because if this person hits you for the first time, you cannot fight with that person because he is a man. You have to go where they can put him in his place.” On the contrary, Bibine exhibits a more resigned attitude, as if violence were something inevitable in couples: “Yes, (this will go on happening) *because you know that ‘the tongue and the teeth will always be fighting.’*”

Several of the physical violence survivors attribute this violence to the jealousy and infidelity of their spouses. Atalie is a 24-year-old domestic worker who is in a common-law marriage with a Dominican man who abuses her: “*We fight to the blood, out of jealousy, because he has other women out there on the street. He hasn’t set up any one of them in a separate house, but he has them in the street. When he comes home late, I know he wasn’t out working and I start to yell at him. He hits me and I hit him too.*” In this case, the abuser feels he has a right to maintain his own freedom of movement, while at the same time using the threat of physical violence to impede his partner from going out: “*He fights and battles for me not to go out without his knowledge, without his telling me, ‘Yes, you can go’ or ‘No, you cannot go.’*” Apparently, Atalie’s partner has a history of domestic violence – Atalie knows that he abused his ex-wife, but she never filed any complaint. Atalie says she would like to separate from him, but he works in a *vellonera*⁶⁰ (informal bar) and she would not be able to pay rent and feed her children without his economic support.

Nicole, a 25-year-old migrant, arrived in the Dominican Republic 7 years ago with her husband and two children; at that time, she was pregnant with her third child. There had not been a history of violence in her relationship until the young couple arrived at Elías Piña, where she had no other family member or social network, and she depended completely on him. She describes her trip as follows: “*He told me he was going to bring me to the capital (Santo Domingo). I sold everything I had. When I arrived here, I asked him if we had arrived at the capital and he said, ‘No, this is Elías Piña.’*” While she remained at home, pregnant and dependent on her partner, he began to go out to the disco to dance and make friends. He would come back late and began to hit her, following a pattern similar to that of Atalie’s partner: “*He would hit me a lot. He would have sex with other women. When he went out, he would leave me in the house with my belly and two children, and would fight so much with me.*” Eventually, he left for the capital with another woman, leaving her in her fifth month of pregnancy with two children. Nicole has not heard from her ex-partner since he left with his new partner, a Dominican woman with whom she felt she could not compete. According to Nicole, the Dominican woman bought him tennis shoes, polo shirts and a cellular phone, while also “*doing some kind of witchcraft to him to bind him to her so that he would forget about his children.*” Instead of demanding that her ex-partner pay child support (which is considered a shared responsibility of both parents according to Law 136-03), she blames the other woman for supposedly manipulating her husband through material consumption and witchcraft.

Kathia is another young woman who has suffered violence, first from her first partner and father of her three children in Haiti, and later from a new partner in Dominican Republic. She

⁶⁰ A “*vellonera*” is an informal beer bar where people drink, dance and listen to music; before, there was a jukebox or vellonera where you could deposit a coin to listen to a song. While there are no longer jukeboxes, the name remains.

had gotten together with her first partner and had her first child at the age of 13, and subsequently had two more, for a total of three children by the age of 19. When part of her house fell down in the earthquake, she took refuge at a neighbor's house. Three weeks later, she decided to go live with her sister in the Dominican Republic where she knew she could find work as a domestic. Following further discussion, it turns out a key motivating factor behind her migration decision was that she had recently broken up with her partner and father of her children, who had been unfaithful to her and had abused her verbally and economically:

I was with a man. I had 3 children with him, but I was going through a lot of misery (meaning he did not give her money). He had other women. He didn't hit me, but it would have been better to be beaten. The humiliations made me lose weight and made little balls break out on my body (possibly a sexually-transmitted infection). I put the 2 children (with my mother) and took the 3-month-old baby with me to Cachimán (Elías Piña). I started working to support my children. Later, when the baby was nine months old and was walking, he (abusive ex-partner) came back to talk to me and I went back with him. But in October he left me, and I went back to work.

Kathia began working as a domestic in a Dominican military man's home, where she met a new partner, who she was pressured into accepting: "While I was working there was a man who was coming on to me, and I told him that I didn't need a husband. The man in the house where I was staying told me that if I didn't get together with that man, he was going to throw me out of the house." So, she stayed with him as a last ditch effort to avoid becoming homeless: "I married that man because the father of my children never came back and left me with the children, and did not pay the rent. When the month was up, they came and took the bed where I was sleeping because I didn't have money to pay them."

Kathia suffered physical and sexual abuse at the hands of this partner for some time, until a final, near-fatal beating, which led her to finally decide to separate from him:

One day I went to buy a fritter in the street, and when I got there the oil was still cold and the woman who was frying the food told me to wait for it to heat up, that it would only be a minute. When I went on my way home, I told him that I had taken so long because the oil was cold. He grabbed the fritter and threw it down the toilet, I grabbed my daughter and sat down and he started to insult me. I went inside the house and he came in, closed the door, and started to hit me, breaking my mouth open until they had to sew me from the inside (give her stitches)... When they took me to the hospital I did not know (was unconscious); it was a neighbor who took me to get my mouth sewn up. I was bleeding from the ears, nose and mouth. (Afterward) I went to the police and ya! I left him.

Another manifestation of physical violence detected in this study is child abuse. Adline, who is 14 years old, suffered abuse at the hands of her stepmother when she arrived in the Dominican Republic at the age of 7. She traveled with her stepmother, father and siblings; later all six moved into a small house with two rooms. Adline had to get up early to run errands and do household chores, and was beaten and verbally abused by her stepmother. She was afraid to tell

her father about it, or her biological mother, who was still in Haiti. When her father decided to migrate onward to the capital, he made an arrangement with a friend to place Adline with a foster family, relatives of his friend. She went to stay with that family, and currently says that her situation has improved greatly: she goes to school, visits her mother in Haiti once a month, and partakes in her foster family, who is helping her to obtain Dominican documentation.

While physical violence is a common control mechanism in the lives of migrant women at their destination, it is also important to recognize that domestic violence is commonly a cause of women's emigration in the first place. Mirlande, a 42-year-old domestic worker, migrated to Elías Piña to escape a marital relationship during which her husband committed multiple forms of violence throughout the 30 years they remained together. Her relationship began with child marriage, given that her ex "took her away" when she was only 12 or 13 years old. Since then, she suffered sexual violence (*"he would force me to be with him, to have his children, he did witchcraft on me and I bore him 9 children"*), verbal violence (*"Oh! Ay! Those are such dirty words I could not repeat them to you"*), economic violence (*"he would not support his children, he would always go away to work at different places and would never leave anything"*), and continuous physical violence that culminated in an attempted femicide by "witchcraft."



Most Haitian women and girls in Comendador live in modest, 1-3-room houses with little privacy. Photo credit: Hillary Petrozziello

Mirlande's ex-husband was a Haitian agricultural laborer who would circulate between the Dominican Republic and Haiti working on various farms. According to her, he was a very jealous man who did not allow her to leave the house, not even to visit her grown children. She would insist on going to see them, since her mother had not educated her to have to ask permission for such a thing. She recounts an episode in which her husband broke her hip for doing so:

One time I went out with one of my daughters who was sick and he followed us and asked why her own husband couldn't take care of her. I told him, 'But my daughter is sick. What am I to let her die?' When I arrived with my daughter, I brought her to have a remedy done. My other nephew was there. When he arrived, he hit me so hard across the face that I fell on a tree trunk... my hipbone almost broke into two pieces. When they sent for someone to examine me, he couldn't examine me. They had to lift me up on an animal (horse or donkey) to take me to Belladère. When I arrived I was in such a state that they started to cry. Two men lifted me up to be able to take an X-ray. When they did the X-ray, it came out black, black, black around the waist. In the hospital, they asked me if my husband had done this to me, but I was not in any condition to speak, I could not speak. Does this mean that I should not have gone out? That what he says goes, and I would have to let my daughter die? And I ask you, 'My daughter, whose daughter is she?'

The violence that Mirlande experienced followed a cyclical pattern common to violent relationships, in which each episode becomes more violent. She describes the attempted femicide as follows: *"One day I was coming back from the market at Bwa chech, and he put a powder on the ground to disable me so that I could not walk. When he saw that despite his use of witchcraft I was still alive, he realized that I could not continue with him. I was lying down like a zombie; they gave me long baths, they rubbed oils on me, and he saw that he couldn't pull me (keep her in the relationship through witchcraft)."*

Mirlande's children, who are in Elías Piña, encouraged her to leave their father; however, even after the attempt on her life, she remained in the relationship for a little longer. The "straw that broke her back" in this case was not the physical or sexual violence, but one last humiliation, an affront to her personal sense of dignity. *"One day he threw all of my clothes outside because I had come from a friend's house and he accused me of sleeping with other men and started to use dirty words. But what made us separate was when he told me to wipe my behind with a leaf, and that he would do the same, and then we would put them on the ground to see on which leaf the flies would land first,"* insinuating that she was dirty, rotten on the inside, and good for nothing. *"I told him, 'Don't you worry, it's not necessary for you to do that.' And from that moment I went to gather my things."* She decided to migrate to live with her children in Elías Piña, where she resides to this day.

6.1.2. Sexual Violence

Sexual violence is another mechanism that male abusers use to control their partners. According to the Pan American Health Organization, it consists of *"any sexual act, attempt to consum-*

*mate a sexual act, non-consensual sexual relations, undesired sexual insinuations, action to sell or use in any way the sexuality of a person through coercion or other means, regardless of whether in a relationship with the victim or not.”*⁶¹

In the case study, the lived experiences of the women take on various forms: attempted rape, the use of rape as to coerce the victim to marry her attacker, and rape within marriage.

Cassandra, an 18-year-old domestic worker, suffered an attempted rape by her boyfriend. She describes the experience as follows:

One time I had a boyfriend who wanted to force me, he was forcing me, forcing and when he saw that I didn't want to, he left and has never come back to talk to me. That was on a Monday when everyone had gone out; my mom was at the market and my siblings at school, when he came to the house. We were struggling, each time he would pull me, I would pull myself free from his hand until I ran outside and when he saw that I wasn't going back in the house, he left.

In Cassandra's case, it is not clear whether her attacker sought to rape her with the intention of forcing their marriage, which is a long-standing practice in Haiti. Until the legal reform through presidential decree in 2005, in Haiti forced sexual relations were not considered rape were the attacker to agree to marry his victim, thus exonerating her honor.

Benita, by contrast, had to resist family pressure from her Evangelical Christian family, who wanted her to marry her rapist, another member of their church. The rape took place 15 years ago when Benita was on her way to the city of Port-au-Prince for a religious gathering. According to her account, “*He was in love with me and I didn't know it. We ran into each other on the way and we started to fight each other. I was scared and had to accept it and that was how I was impregnated with my daughter. It happened at night, there were more people on the way, but they left. I did not seek help anywhere, only from God.*” Benita says that her attacker insisted on taking responsibility for the baby girl, as a means to pressure her to accept him as father of her child and husband. Although the rapist was an acquaintance or “*people of her house,*” she “*didn't want anything to do with him*” and remained firm in her decision not to marry him: “*That was something I did not want...for one month I did not have control over myself...I was very angry because I wasn't in the business of getting married, I was so upset because I could not receive communion at church because of what had happened.*”

Lastly, many of the study participants reported that their husbands had forced them to have sexual relations against their will. This constitutes an act of rape within marriage or marital rape, which is defined as “*the imposition of sexual relations upon a woman, by her partner or husband, against her will or desire, and without her consent, whether by use of force, suggestion or threat.*”⁶²

⁶¹ Solano y Velzeboer 2003: 80, our translation.

⁶² Quiroga et al 2009: 152, our translation

Lemoine, a participant in the first focus group, shared that she had been repeatedly raped by her husband. While she told her story, the other women broke out into nervous laughter upon recognizing that what she telling was a common experience among almost all of them: “*There are some men who have bad habits. Yes, when you do not want it they rape you (everyone laughs). They break your panties, they fight with you. But if he makes me feel uncomfortable, I don’t let him get anything (from her vagina).*”

Chantal, a 23-year-old woman and mother of four, says that her husband does not caress her at all and grabs her by force. According to her account:

That man is not at all gentle with one...sometimes we will be lying down and my head hurts or I am very tired, and when he puts his hands on me and I tell him my head hurts, he obligates me to and takes me by force. He doesn’t care. There are men who caress you, talk to you, and that kind of thing. He doesn’t know these things...when he gets what he wants it’s over. This has happened to me several times, because he is a person who has no love.

Kathia, the physical violence survivor who had to have stitches in her mouth due to her second partner’s abuse, also suffered recurrent sexual violence at the hands of the same person:

He would always do that, and he would threaten to hit me if I would not have relations with him. The first time was a day when I was sleeping. I told him that I didn’t want to and he hit me so hard that I passed out. I had a skirt on and when I woke up I saw that he had changed me into pants and a blouse. When he hit me phlegm was coming out of my nose, so he went and put clothing on me to take me to the hospital, and when I came to I told him that I was not going to the hospital. That day I was going to leave him and he didn’t want me to.

The experiences of Lemoine, Chantal and Kathia demonstrate how male partners use sexual violence to assert possession, control, and dominance over the woman they consider as their property. Instead of being based on love, “*intimate relationships become a commercial transaction where masculine control is asserted over the female body, and where the man assumes he has the right to satisfy his sexual desires without taking into account the desires of his partner.*”⁶³

As far as they are concerned, the women reporting sexual violence within marriage did not know that this could be conceived of as rape, and not a wife’s obligation. They tend to conceive of the transaction, or marital contract, as one in which the man provides economically for her and the family, and is faithful, and in exchange, she has to “serve” him sexually. In the second focus group, one participant explained this transactional view of relationships as follows:

If the man doesn’t have another woman, out of obligation I have to serve him because he only has you. If he is not sleeping with another woman outside, and you don’t want him to go with another, you have to serve him. Sometimes one doesn’t want to, but if you don’t want him to go make another life outside and bring you a disease, you put yourself aside and you give it to him.

⁶³ Quiroga et al 2009: 153, our translation

Having implicitly accepted this arrangement, the women interviewed only feel in their right to reject the sexual advances of their husbands in the event that he is not fulfilling this role. This illustrates how the women are socialized to resign themselves to their partners' sexual violence, as in the case of Chantal: "*I have resigned myself to him, because (at least) he is not someone who hits me because of this.*" This gender socialization consists of the women giving in to unwanted sexual relations as part of their marital contract, while men are socialized "*toward the imposition of their desires, the insatiability of their sexual appetite, and the search for immediate satisfaction of their needs as a means to assure their 'manliness.'*"⁶⁴

Aware of the apparent "impossibility" of changing this situation, the survivors who participated in the focus groups exhibited feelings of shame and guilt, as evidenced by their nervous laughter when discussing the topic.

Finally, it is important to remember that there is a strong link between sexual violence and the transmission of HIV and other sexually transmitted infections. If male abusers have unprotected sexual relations outside their marriage, and then oblige their wives to have relations with them, it is quite unlikely that their wives will be able to require that they practice safe sex, thus increasing the risk of their contracting a sexually transmitted infection. This increased risk illustrates the ways in which structural violence⁶⁵ operates in the lives of poor, female migrants who, in addition to being exposed to HIV due to their husbands' infidelity, are also at risk of being raped in the houses where they work or when crossing the border, situations which will be discussed in sections 6.5 and 6.2, respectively.

6.1.3. Verbal Violence

Verbal abuse, including threats, humiliations and insults, is a very common form of violence which some men use to control their wives or partners. This type of violence almost always accompanies other types of violence. In many violent relationships, violence is enacted in a cyclical fashion, beginning with a period of tension, in which anger, arguments and accusations are on the rise, followed by the eruption (physical violence, rape or other attacks), and a "honeymoon" period in which a temporary truce is called, until the pattern begins anew with verbal abuse.

In the lives of migrant women who have suffered partner violence, verbal aggression takes on the same form as verbal abuse against Dominican women (jealous threats, insults and humiliations) with several additional elements that derive from their migratory condition: manipulations of their "dream to get to the capital" and threats of deportation.

Marielyne is a 19-year-old woman from La Kas on Haiti's Central Plateau who decided to emigrate when she separated from her partner after discovering him with another woman. With

⁶⁴ Quiroga et al 2009: 153, our translation

⁶⁵ Farmer 2003

her family's support, she embarked on her journey with her female cousin, who helped her find work in domestic service in Elías Piña. However, her migrating has not put an end to the verbal abuse on the part of her ex-partner. Marielyne says that he is still harassing her, especially now that she has the opportunity to continue her journey to the capital with another man:

He threatens that I cannot marry another man...and if I do there will be death because there was a guy who was courting me and he told me he would take me to the capital, he was going to work and I would stay at home washing clothes...I told him (her ex) that that is pressure that he is trying to place on me, and I don't take pressure. I have already told my whole family this.

Daphnee is a 24-year-old housewife who had a child with a Dominican man who is much older than her with whom, according to her account, she got together in order to have someone to pay the rent – another clear manifestation of the structural violence which delimits the life options available to poor women like Daphnee. The man has 7 children, and Daphnee says that the oldest ones have more or less accepted her child, but the others reject him because he is “Haitian.” She does not feel comfortable in her current situation, because she cannot depend on her partner to support her financially, and sometimes he threatens her with deportation through CESFRONT, where one of his sons works: “*Sometimes he tells me he is going to pick me and my son up and call his son who works with CESFRONT to come drop me off at Carrizal. That is what I don't like, when he says he will call CESFRONT and when he says words that offend me.*” On other occasions, he has contradicted this threat with another in which he claims he will keep the baby if she decides to return to Haiti: “*I feel bad in this situation, but the problem is that he says I will not be able to take my son with me to Haiti, that they won't allow me to cross the border with him.*” Regardless of what the content of the threat may be, it is clear that her partner is wielding his power violently from a position of privilege in terms of both gender and nationality/legal status.

6.1.4. Economic Violence

The term economic violence refers to the non-payment of child support on the part of the father, along with any use of economic power to dominate, control, limit, or impede access to goods and services that may endanger the survival of any family member.⁶⁶ Some men use this type of violence as a means to punish women or pressure them to resume the relationship. Although this type of violence is widely recognized as a form of gender violence throughout Latin America, to date it has not been included within the Law against Intrafamily Violence in the Dominican Republic. However, the feminist movement has included this item among several reforms which it is proposing to Congress in order to modify the Penal Code.

In addition to being a form of violence against women, economic violence also violates the rights of children and adolescents, as established in Law 136-03, which stipulates shared responsibility of fathers and mothers to provide for their offspring. In Dominican law, the non-

⁶⁶ Quiroga et al 2009: 186

fulfillment of child support is considered a punishable act. In practice, non-compliance of both Dominican and Haitian fathers is quite common. In fact, the Public Prosecutor of Elías Piña reports that this type of violence is the most common complaint registered by Haitian women.

In addition to physical and sexual violence, Chantal has also experienced economic violence. She reports that her husband does not want her to work in the market, but does not give her any money to support their family either. Chantal laments that she has had to go out in search of work shortly after being operated upon, because she could not stand her children's cries:

Only when he has (money) or when he buys on credit he will sometimes give us food. Barely 5 months have passed since my operation and I have seen myself in the obligation to work. Before three months had passed I had to go to work in a family home and he has never said, 'So-and-so, take these 50 pesos and go earn some money in the market so you can take a rest from working in a family home.' I am the one who has to fight. He doesn't give any money to feed the children, it is the little I earn that I give them and now I have nothing to do in order to feed the children. When they start to cry because they are hungry, I just sit and cry with them, I don't know what to do. He doesn't want to work the land, I tell him that that is nothing, that he should rent a piece of land and plant it.

When they find themselves in a precarious economic situation, without their husbands' support, some women resort to strategies such as sterilization, prostitution, or seeking out another man (sometimes Dominican) to provide economic support. These strategies are not only ineffective in terms of ending economic violence in their lives; sometimes, they place them at greater risk of suffering other types of violence.

Dayana, a market vendor, recounts the situation of a neighbor in Belladère. Seeing as her husband would not support their children, she decided to sterilize herself after giving birth to their eighth child. However, the decision that she made in order to avoid greater economic violence angered her husband, leading him to physically hurt her. According to Dayana:

Upon seeing her situation, she decided not to have any more children with that man and she was going to take measures to not have any more children because that burden was very heavy on her. When she had her eighth child in Belladère, she requested sterilization to not have any more children. She thought she was doing a good thing, but when she arrived home, her husband got upset and said that she was acting against him. She said, 'What I have done is done. You are not the one here going hungry with the children.' They argued, and he hit her and cursed at her. Later they separated, then they got back together because they have children.

Sex work is another option to which many Haitian women in Elías Piña resort. We were not able to locate any sex worker for interview within the present study; however, the topic came up in several interviews and focus groups. None of the participants blame sex workers for choosing that line of work, because in their estimation, they do it for lack of other options and out of desperation when the father of their children refuses to support them. According to Cassandra:

There are people in Haiti who if their husband doesn't give them money for food, they will have relations with another man for money. Here close to where I live there is a girl who... today you see her with one man and tomorrow you see her with another in a hotel, so that she can find enough money to support her children because her husband left her with the children.

Jesula understands sex work in the same way: “If they do something like that, it's their life situation that obligates them to do so. If they do that, it is because they have children to feed.” Chantal affirms sex workers' decision as well: “I don't speak badly about those women because if they have children to feed and dress and rent to pay, they aren't going to lie down and die. I am not against those women because they do the bad thing to make their living.” While it may be true that a sex worker in Elías Piña can earn in one hour (DOP 100 or US\$ 2.60) what many other women migrant workers may not earn in an entire day, this work also involves great risks such as contracting HIV or other sexually transmitted infections, and physical, sexual, and verbal violence on the part of clients or their own partner, if he finds out.

Finally, some women choose to seek out another man, sometimes an older Dominican man, who will support them rather than continuing to fight with their ex-partner for child support. When Nicole was abandoned by her partner in her fifth month of pregnancy with their third child, having recently arrived at Elías Piña, she did not know what to do nor how to get her ex-partner to take responsibility for their children. She explains: “I had no choice but to pick up a Dominican man so he could help me with my children, and so I stayed here. Now I am living on my own in this house.” Later she had a child with the Dominican man, but she says that he did not take responsibility for the child because he has a wife and children to maintain. She says that now and then he will send milk, diapers or 200 pesos, but that does not cover the expenses of four children and the rent. Now she has no choice but to “go from house to house doing chores”; she lives on her own, although she sometimes depends on a charitable neighbor to help her with the rent – yet another situation of dependency/transaction that could entail certain risks.

The strategy of getting together with a Dominican man to cover the cost of child maintenance did not work out for Daphnee either, since her new partner refused to take responsibility for the child while she was pregnant nor when the baby was born. Currently, he only pays the rent of the house he shares with her. According to Daphnee:

I was so embarrassed because when I gave birth he didn't even buy an outfit for the child... in the hospital they gave me some things... to this day, he doesn't buy any clothing for the child. I have another boy with me and he doesn't buy him anything, he goes around barefoot because he doesn't even have a sandal to put on his feet, and I can't work because the baby cries so much. I told him and his children that I wasn't going to stay with him, that I was going to leave him.

However, Daphnee, who lost her home and family in the earthquake, has not been able to leave her violent relationship because she does not have any help from family and does not have anyone with whom she can leave her children in order to go out and work. She also

considers verbal and economic violence on the part of her current partner preferable to being forced into sexual labor, to which some people in the host family where she lived upon arrival to Elías Piña attempted to subject her.

It is quite significant that the Haitian women interviewed have recognized and are filing complaints regarding the non-payment of child support, even if this is only recognized as a violation of children's rights and not a violation of women's right to live a life free of violence. The legal provision regarding child support was established in the Dominican Republic in 2006 through Law 136-03, and in Haiti in 2007 within a legislative menu promoted by the Ministry for Women's Status and Women's Rights (MCFDFE, in French).⁶⁷ Despite the existence of these protections, the enforceability of these rights is very difficult in a context of such weak institutions (both Haitian and Dominican). Also, being in a foreign country, this possibility may be even further out of reach. For all of these reasons, it is notable that some Haitian migrant women have begun to recognize non-payment of child support as violence and to demand respect for their rights.

6.2. Violence on the Border Crossing

Violence against Haitian women in Comendador is not limited to gender violence committed in the domestic sphere. Due to their migratory status, they are subject to multiple abuses on the way to the Dominican Republic, both at the hands of the border authorities themselves – customs agents, national army soldiers, and CESFRONT soldiers – as well as *buscones* (informal scouts), smugglers, and delinquents with whom they enter into contact along unofficial border crossing routes.⁶⁸

6.2.1. Violence in El Carrizal: Official Border Crossing Point

The most recurrent complaint among women in transit is the wrongful collection of a “toll” by different military men stationed by, or near, the official entry point to Dominican territory. The women report that the *chef* or soldiers take advantage of market days, when supposedly the people who come to sell at the market can pass freely up to the market area in the town center of Comendador.

Here it is worth pointing out that there is certain confusion surrounding the word *chef*. In Haitian Creole, it is used to refer to any military authority, without distinction of rank or

⁶⁷ Wooding, Rivas and Séjour 2008

⁶⁸ On 28 September 2011, Haitian president Michel Martelly announced plans to reinstate the Haitian military following the departure of MINUSTAH, which they have called for as of October 2012. If this comes to pass, the armed force of 3,500 would undoubtedly have a presence at the border. This would also have an impact on women's security, since instead of benefiting from the military's protection, women on the move often become an object of their abuses and other forms of aggression.



“The door” to Haiti at Carrizal, Comendador, through which many Haitian women cross on foot or donkey on market days. Photo credit: Allison Petrozziello

branch of the military. In some cases, the use of this term can make it difficult to identify which institution is responsible for the abuses. However, the organization that is singled out the most among interviewees is CESFRONT, which is a border military corps of relatively recent creation that has yet to live up to expectations in terms of increasing protection along the border.

Maliya, a vendor with more than 20 years’ experience working in the border market, sees having to pay this illegal fee as something routine: *“One gives him his little money, depending on the person one gives him 25, 50, 100 pesos, and they will let you pass.”* Magdalena, a migrant who has lived in the country for 13 years, explains that of the different institutions, the CESFRONT soldiers are the ones who do this most frequently: *“There are about five checkpoints down there and (the border crossers) pay 100 pesos to the CESFRONT soldiers and then on the other side up further they have to wet the hand of some other soldiers as well, but the CESFRONT guys are the worst because they are looking to take advantage of you from down there (the border gate) all the way up here (town center).”*

Conversely, various human rights observers who were interviewed (GARR, Jano Siksè Border Network) report that the soldiers also check Haitian nationals who are on their way back to their country, especially those returning from the capital for the Christmas holidays. They report that some soldiers demand payment and/or accuse the migrants of transporting stolen goods, in order to seize some of their belongings. The GARR interviewee, who participates in a border watchdog program coordinated by the Jano Siksè Border Network, shared an example

of such a case from 2009 when a Haitian man was on his way home from Santo Domingo with an electric generator for his mother. They seized it on the border, accusing him of having stolen it when he had the receipt for the purchase on him. On that occasion, she happened to be on watch, and intervened in order to recover the generator for the migrant returnee. However, she says that this type of robbery by the border authorities continues unabated. “*It is an organized theft,*” she adds.

Some of the women who have had to pay a “toll” to the soldiers explain this abuse of power from a compassionate standpoint, understanding that the soldiers charge people due to their own economic need. Chantal rationalizes their behavior as follows: “*You know that the soldiers are making their little side money, because they earn a monthly salary but also have a lot of responsibilities. They have to pay the rent, they have children at school, and what they earn doesn’t cover it all. So one gives them their 50, 100 pesos.*”

However, this exchange does not always happen in friendly fashion – those who refuse to pay are sometimes subjected to physical and verbal violence by the soldiers themselves. Dayana, a market seller who travels from Belladère on market days, sometimes avoids crossing through Carrizal altogether due to the risk of violence there. She explains:

If you don’t have 100 pesos they don’t let you cross. Sometimes you make an effort to see if they will let you pass, and before you know it they push you over. Sometimes the person falls and might break an arm. When a person is walking she receives humiliation (verbal abuse by soldiers). This happens on market days, Mondays and Fridays.

Merina, a migrant who resides in Galindo, has also observed how soldiers use physical violence, or the threat thereof, as a means of coercion: “*When you come to buy food for your children, the military men on guard ask you for money to buy a soda. If you don’t give them soda money, they beat you.*” She adds that if the women cannot pay, sometimes they seize a part of the merchandise they are carrying.

Doisla, a focus group participant, shared a specific example which caused the victim serious injury: “*The other day, I heard about a woman who was on her way here... She was coming to sell mangos and there was a chef who struck her mule with his rifle. The mule bucked up with her on it, she fell and broke both of her legs.*” According to her account, the aggressor was a Dominican soldier in the area of Carrizal, who was supposedly arrested for his actions.

Still there are other soldiers who, instead of charging money under threat of physical violence, abuse their power through sexual harassment. Marielyne, a 19-year-old, says, “*There are CES-FRONT soldiers who tell the women to sleep with them in order to let them cross the border.*” Even in cases where the woman accepts, this type of proposition can be considered a grave abuse of power, punishable with one year of prison and a fine of 5,000 to 10,000 pesos, according to article 333-2 of the Law 24-97.

Due to the economic loss and threat of different forms of violence at El Carrizal – together with the periodic closing of the border for different reasons – many women in transit choose

to cross the border through unofficial crossing points. In the words of Lemoine, a cross-border merchant: “*You know that one has problems crossing the border when one comes from Haiti. Through the bush one has to cross, and in the bush there are lots of tiguères.*”⁶⁹

6.2.2. Violence “in the Bush”: Unofficial Border Crossing Points

The Dominican-Haitian border is long and porous, with little surveillance along the rural and mountainous paths traversed by many persons in transit. There they are exposed to various types of violence – robbery, assault, rape, and even homicide/femicide – at the hands of *buscones* (informal scouts), smugglers, and delinquents. According to the study participants’ accounts, the most dangerous places for them are Oche, La Pastilla and La Terraza.

Female migrants face additional risks along the way, such as being raped; it is not surprising, therefore, that this was the first topic that the women in transit brought up time and again.

Maliya, the merchant who has worked in the market for 20 years, told of a case in which a woman was raped and killed while crossing through Oche at the end of 2010 or beginning of 2011:

There was a very pretty woman who was finishing her schooling. When she went to cross back over there, they raped her, killed her, and dumped her (body). They never found out where her family was. These things always happen. If you cross over through the bush and don’t come the right way, they rape you, steal your merchandise, and beat you.

Benita, a market seller from Belladère who crosses the border on market days, had also heard of this case:

For some time I stopped crossing through Oche, because they hurt a woman there in Oche. That day we were going to cross there and they told us to turn back, that a woman had been killed in Oche. The chef from here (Comendador) went to see her (body). That happened in January or February. I didn’t pass through that point up there for about one month because I was afraid, only now have I started crossing there again. The people who charge us a little money told us to cross up over there, up by La Terraza.

Other cases of rape reported by interviewees include a woman from Port-au-Prince who, according to earthquake survivor Jorelyne, arrived very late to the river, was raped by a man, and died before arriving to the hospital. Micheline, another young woman displaced by the earthquake, told the story of a friend of hers, who was raped by her brother-in-law when she was crossing through the bush with him. Apparently, the brother-in-law was responsible for accompanying her on the journey and bringing her to work on a farm, except in this case her protector became her attacker. According to Micheline, “*The brother-in-law raped her and when*

⁶⁹ *Tiguère* is a Dominican term referring to a male delinquent, or sometimes more positively, as a slick and cunning guy who is quick on his toes and ready to take advantage of any situation.



“Woman in transit” selling plastic basins in Comendador. Photo credit: Hillary Petrozziello

they arrived here (to Comendador), he went and bought ground rice and gave it to her. Then a Haitian man came (possibly the farm foreman) and told the man to leave the girl with him and he took her to the farm.”

Finally, there was one very well-known case among the majority of the focus group participants, in which several men (5 or 6) gang raped a Haitian woman and then proceeded to fill her vagina with dirt – some say it was cow or horse manure – and left her for dead. Apparently, this happened in the area of La Pastilla in January or February 2011, “*when things were still heated and they weren’t letting anyone get through*” (when the border was closed due to the cholera outbreak), according to Tamarah, a participant in the second focus group. No one knows who committed this crime or if the victim survived; some say that she was taken to the hospital to be cleaned up, others say that she died. This type of gang rape, like all rapes in the border crossing, forms part of a conscious process of intimidation of all women crossing the border “*through which men maintain all women in a state of fear, whether or not they themselves have suffered individual acts of violence against their person.*”⁷⁰

Despite the notoriety of this case amongst the Haitian women in this study, none of the Dominican authorities or service providers interviewed had any knowledge of its occurrence. The disconnect between the information managed by these two populations shows

⁷⁰ Quiroga et al 2009: 138

how the lived realities of women in transit do not always reconcile with the panorama visible to the authorities and other organizations with the mandate to protect and assist all persons in the territory under their jurisdiction. None of these rapes was investigated, nor did their occurrence raise public alarm over the security situation on the border beyond the sharing of information among the women themselves.

Information on the perpetrators of these rapes is scarce, as is justice for those who survive their attack. Chantal says that bus and motor taxi drivers are the ones who “*take them (the women) to a place, take what they have from them, rape them and leave them there.*” However, other participants say that it is hard to determine who they are. According to Mirlande, “*One never knows who does it. For us Haitians, if something happens to us on the borderline, it just happens because the Dominicans aren’t going to do anything for us.*” Another focus group participant echoed her remarks: “*We cannot find out who it was. Many people get up early to come (across the border), so someone might assault them on the way. If it were daylight and they knew the person (one could find out who it was), but if you don’t live in the country and you don’t know the person, you cannot say that it was So-and-So.*” Apparently, rape survivors do not expect to find justice in the Dominican Republic, and so they refrain from filing charges, most likely due to fear of confronting Dominican authorities since they were coming across the border through unofficial crossing points.

In addition to the risk of being raped, those crossing through the bush also run the risk of being assaulted and robbed by “the *tígueres*”. Bibine is a market seller who comes and goes through the bush regularly, who says that she is afraid because “*if you come across the tígueres, they might even beat you. If they check you over and you don’t have money they might kill you. There are women who you sometimes find crying in the forest, because they have taken what they were carrying.*”

Dayana, a market seller from Belladère with many years’ experience selling footwear in the market, survived a similar assault. Seven years ago, she was attacked by two “murderers” when she was in the bush on her way across the border with a group of 13 women. She narrates her experience as follows:

When we were arriving to the path we came across two murderers – one stepped in front, the other behind and left us in the middle. We were walking, when we arrived at the path I was a little frightened, but I said, ‘Ah! I don’t have to be afraid, I am with a group of people, I will not be frightened.’ When we came to a place, he told us to go that way, but I didn’t speak Spanish with them, because when you are crossing the border you shouldn’t speak Spanish because they can do you harm. So I talked in Haitian (Creole) with him and I told him that I am not going to go that way because I know that is not the way to Terraza (border point) and we continued onward, but they kept getting closer to us. I told the women that I knew the way and I was going to run and would leave them behind, I was not staying. Then when I ran, one said to the other, ‘Give me a knife’ and they pulled a knife. The rest of the women ran behind me, they threw the knife at one of them and it came close to her side. When I saw that my heart started beating quickly, and I said, ‘Señores, this is the end of me here in

R.D.' When I said that, I felt something work its way up to my head and I started to grow, to grow – I don't know, maybe it was God who taught me this way to survive. Right away I got under him, picked him up and threw him on a maya (thorny plant). Then he got up and told me to walk ahead of him. I told him I would take not one step and stood planted there. When he saw that I was not going to walk, then he continued ahead and I followed behind.

When Dayana arrived at Elías Piña, she told a man what had happened to them, and two policemen went in search of the attackers. The police captured them on their way back toward town and, according to her account, they were taken to prison. Dayana says that after that incident, the women didn't want to come to sell at the market in the Dominican Republic any more, at least until the situation improved enough for them to pass through the official border crossing point.

Some assaults and rapes end in homicide. There were at least three incidents in the Belladère-Comendador corridor in the months immediately prior to our field work, according to the accounts of the interviewees (both migrants and key informants). Around April 2011, three Haitians were shot while crossing through the bush, possibly near La Pastilla, in the early morning hours, killing one man and leaving the other two women wounded. According to the account of a focus group participant:

The person who died was a brother from the church called Fanez who was on his way to sell tennis shoes at market. He got up too early, at 4 in the morning, and the delinquents laid in wait for him in the early morning hours. They shined a flashlight on him and shot him to death. There were some women who were also shot in the mouth and their bodies, but they did not die, they are still alive, thanks be to God. They took them to the hospital. They are women I know. But the man died.

One of the key informants of the study accompanied the mayor of Comendador on a visit to the crime scene. They picked up the wounded persons and took them to the hospital. Currently, the survivors are waiting to be operated upon, but their actual condition is unknown since they live in Belladère and the informant had lost contact with them due to the problems of political violence there.

Another focus group participant told of two other murders of women in that same month (approximately the last week of April 2011) in the area of La Pastilla: one in which a single woman was killed and the other in which mother and child were both killed. A representative of GARR confirmed both of these cases, as she participates in the investigation of these types of crimes on the border. She describes the two cases as follows:

On this border, what you see most is violence against women. Last month there was a woman who was crossing the border, and they caught her and killed her near Cachimán / Carrizal. Two days later we found her dead body. We made a hole and just buried her there because there was already a bad odor and nothing more could be done. Two days later they found another dead woman on the same border with a child on her. They killed the mother and then the child.

Apparently, when these crimes occur in Dominican territory, and Dominican authorities go to the scene to investigate the incident – as did the Justice department, Police, CESFRONT and mayors of Belladère and Comendador in this case – when the victim is a Haitian national the case is not necessarily documented in any Dominican records. According to the CESFRONT coronel who was interviewed in this study, “*When a dead person appears, if it is a Haitian national, the Haitian authorities are called and the body is turned over to them.*” This omission makes it difficult to assess the incidence of violent crime on the border, including national statistics on the number of femicides. In the cases of murders of women mentioned above, it is not possible to ascertain whether they were femicides (murder of a woman for being a woman) because, according to the same coronel, “*You would have to find out who killed her, if it was she who took her own life (or other circumstances), because there (in Haiti) they don’t carry out any kind of forensic pathology, nor do they conduct any investigation.*” It appears that even when authorities from both sides of the border collaborate initially, this does not guarantee that there is any follow-on investigation in Haiti or the Dominican Republic; without a forensic or police investigation, it is extremely unlikely that there will be justice for victims or security for the rest of the women crossing the border.

6.3. Violence on the Street

The violence that Haitian women experience does not stop at the border crossing. In Dominican territory, they circulate along streets that are unsafe for many women, and even less so for Afro-descendent women who are seen by some as sexualized and racialized objects,⁷¹ devoid of rights due to their migratory status, instead of rights-bearing subjects with a sense of personal dignity. This conception, together with the precarious economic situation in which they live, puts them in an even more vulnerable position when some men attempt to take advantage of them by offering money or other resources in exchange for sexual favors. In this scenario, it is not surprising, then, that the most common typologies of violence on the street reported by the study participants were sexual harassment and rape.

Sexual harassment, in almost all of the reported cases in this study, consists of men – both Dominican and Haitian – offering money to Haitian women to sleep with them. Cassandra, an 18-year-old who lives in the “Barrio del Barraco” (also known as Barrio Mingo), says that “*there is a Dominican man near my house who is always offering me money (for her to sleep with him).*”

Adline, a 14-year-old girl who is a foster daughter in an informal adoption arrangement, takes care, at her young age, to keep her distance from the unwanted advances of the men in her neighborhood:

They tell me that one day I will be a woman and they blow me kisses. I continue on my way and avert my eyes. One boy tells me he is in love with me, but I tell him that I am very young

⁷¹ See the explanation of myths surrounding Afro-descendent women’s sexuality in section 6.5 on violence in domestic work.



Motor taxi stop on market day in the town center of Comendador.
Photo credit: Allison J. Petrozziello

and can't have a boyfriend yet. I have to take care of myself so they don't abuse me and so I don't get pregnant.

In addition to the offer of money, some men in this context harass women by tempting them with promises of marrying⁷² them and “putting them up in a little house” even when the men are married and have another family. Micheline, a 16-year-old girl who lives in Los Corositos neighborhood, describes the constant sexual harassment she receives from both Dominican and Haitian men:

There are many who ask me to sleep with them. Others ask me to marry them and I tell them that if they have a wife, I will not marry them. They use dirty words with me, insult me. Sometimes I am walking and they touch my buttocks or vagina. Sometimes they grab my hand, I pull it away and they tell me dirty words.

If the woman does not respond to his advances, sometimes the harasser feels humiliated and the harassment escalates to verbal violence (threats, insults), as Micheline's experience demon-

⁷² In the Dominican context, especially in rural areas, the terms “marry” and “husband” and “wife” are used in a broad sense to refer to a couple that has moved into the same house together and established a formal relationship. These common-law marriages or *unión libre* are not necessarily formalized by legal or religious marriage rites, and may last many years or may dissolve.

strates. In other cases, the harasser threatens with physical violence or seeks revenge through slanderous gossip, as in an experience that Kathia shared:

There was a man where I used to live who put 2000 pesos in my pocket so I would sleep with him and I told him no. And he said that he would kick me so hard I would fall on the other side. I told him no because he has a wife, then he told me that he would rent me a house, and he would pay for it, and I told him no. Even so, he went to Haiti because he sells cattle and he told people he had slept with me, but that is a lie. I never slept with him because he is married. I felt bad then because one comes here to work to help her children, and one comes across people who offer money, and because one says no, they say they will kick you.

Lastly, some men promise that they will take the women to the capital in exchange for sexual favors. In the three months since Darline arrived at Comendador, she says that several men have told her they were in love with her and were going to take her to the capital – a clear manipulation of the “dream of the capital”⁷³ shared by many migrants. Darline is aware of the dangers associated with such offers, which often lead to graver forms of sexual violence. Darline explains: “*What they do is if they get you to sleep with them, you are lucky because they will only go and tell everyone, but if you are not lucky they come and make several men ‘pass on top of you’⁷⁴ and put dirt inside you.*” In this last part, she is referring to the gang rape mentioned in the last section, which had inspired fear in all of the focus group participants. Their remarks demonstrate that there is continuity between the almost universal sexual harassment and the culture of sexual violence against women which this foments. In other words, the macho attitudes of the “talkers” on the street reduce women – and particularly Haitian women – to the status of sexual object; in turn, it is easier to commit violent acts against an object than a person.

It is not surprising, then, that the interviewees recounted several cases of rape of Haitian women in Comendador. Fourteen-year-old Adline told of a rape that happened near the Armed Forces fort in Comendador: “*A girl who lives in Barrio del Mango, her mother had a toothache and went to get a ticket at 5 in the morning. When she was going by the fort, some men grabbed her and raped her.*” A participant in the second focus group said that she knows women who “*have been walking on the street and the delinquents grab them, rip their clothing, jump on top of them and then leave them there. . . They have to be lucky so they aren’t killed because there are some places where they ‘pass on top of you’ (rape you) and they kill you. If they only pass on top of you and don’t kill you and don’t give you any disease, you give thanks to God.*”

Others say that the threat of being raped goes beyond the street; they fear that an attacker may enter their homes to rape them. One focus group participant said, “*There are places where we cannot live alone because they will come into the house. There are places where we cannot walk.*” Marielyne has heard of some *tígueres* who have gone into the houses of married women as well. She claims that a woman is safer in her house in Haiti: “*When I get married to a man I will*

⁷³ See section 6.6.1. “Sueño Capitaleño” or Dream of Going to the Capital.

⁷⁴ “Pass on top of you”, a literal translation from Creole, is phrasing that many of the Haitian women use to describe rape.

bring him with me to Haiti, because they say that here if a man has a woman the tígueres won't let him sleep. I had a cousin who was living here in a house with her husband and because of the tígueres, he had to send her to Haiti because they would go with knives and sleep with her and he had to send her to Haiti."

The point here is not to argue whether the situation is better or worse in the DR or Haiti, but rather to take note that migrant and displaced women do not feel safe even in their own homes. This fear may be well founded. The majority of them lives in small houses of somewhat precarious construction, with many people under one roof who are not always family, in neighborhoods with little space or privacy between one house and the next. This intimacy, together with the lack of protection of displaced women and girls who live in borrowed accommodations or who are residing with host families, can create conditions in which some men in the *barrio* become sexual predators.

6.4. Violence in the Border Market

6.4.1. General Description of the Market

The border market of Comendador is the second largest of its kind in the Dominican Republic, after that of Dajabón. According to the "First Census of Vendors and Second Survey of Buyers in the Bi-national Market in the DR-Haiti Border Region" (CEI-RD and ISPRI 2011), 24,046 of the 95,095 Dominican buyers who visit the different points of sale along the border do so in Comendador (22.49%). On the other side, of the 86,652 Haitian buyers who visit the border markets, 17,527 or 19.28% go to Comendador. The census highlights the number of women and Haitian nationals who work in this informal trade.

In Comendador, the market is held on Fridays and Mondays from approximately 7am-3pm, with Friday being the more important of the two. It covers a broad area including all of the streets in the center of Comendador. It is roughly divided into sections, including: second-hand clothing and footwear (that comes from bales of donated clothing from the U.S. and elsewhere) and new clothing, food items (oil, bouillon or stock cubes, garlic, onion, *recaito*, sardines, pasta), vegetables (yam, cassava, squash, okra, eggplant, christophine, carrot, peppers, tomato, potato, and sweet potato) and fruits (pineapple, mango, cherry, plum, lemon, orange, plantain, banana bunch), household items (soap, detergent, firewood, charcoal), toys, meat (pork, beef, chicken), prepared foods (smoked fish, fried plantains, grilled meat), personal hygiene products (perfume, lotion, toothpaste, tooth brushes), grains (pigeon peas, rice, beans, corn), spices (cinnamon, cloves, bay leaves), live animals (chickens and roosters, beta fish), and other miscellaneous items such as botanical potions and tobacco leaves.

The market is property of the municipality of Comendador, which auctions a contract for the administration of the market yearly and receives a monthly payment of DOP 100,000



Haitian vendors in the Comendador market do so in different conditions according to their economic status, and are forced to pay higher fees than in any other border market in the Dominican Republic. Photo credit: Allison J. Petrozziello

(approximately US\$ 2,600). The current administrator has held this contract for 7 years and has paid a deposit of DOP 250,000 (approximately US\$ 6,500).⁷⁵ Among all of the border markets, the Comendador market is the only one which has been privatized; this model has allowed for the extraction of much higher fees than in other markets, especially from Haitian women market sellers.⁷⁶

During observation visits to the market during our field work, we observed that the people selling there do so in different conditions, which vary according to their economic status. Some sell their wares on the ground, while others sell from table tops; some sell under the sun, while others take shade under a tarp. Each pays a tax that ranges from DOP 50 (US\$ 1.30) to DOP 500 (US\$ 13.00) per day, depending on the quantity of merchandise s/he has for sale. In terms of the territorial division, it appears that there are some “privileged” selling spots, such as, for example, an area under the shade of a large tree, where the majority of the vendors are Dominican men selling vegetables. In the rest of the market, there are mostly Haitian women

⁷⁵ Interview with market administrator, 26 May 2011.

⁷⁶ Observation visits conducted on May 20 and 27, 2011 for this study; observation confirmed by Murray 2010:7.

vendors, with many Dominicans and Haitian men mixed among them. Since the majority of the vendors appear to be Haitian women, what determines who sells where is most likely to be their economic situation and the type of product they sell.

In terms of gender roles of men and women, we observed a division of labor along product lines. The women, both Haitian and Dominican, tend to sell clothing, footwear, food items, spices, personal hygiene products, and second-hand purses, amongst other wares. Some men sell fruits and vegetables, but only the men have stands selling CDs, baseball caps and t-shirts, and hardware items (nails, machetes, etc.).

All of the market fee collectors are Dominican men of certain age and physical stature, who begin to make their rounds at 9:30 or 10:00 in the morning. They set out accompanied by other men with sacks in which they stow seized merchandise from vendors who cannot pay the fee. The CESFRONT and other military men circulating about are mostly young, Dominican men. All of the motor taxi drivers and bus drivers are men, mostly Dominican.

In general, the marketplace is a heated environment. We observed arguments, pushing and shoving, wheelbarrow accidents, and sexual harassment. Several men attempt to circulate with motorbikes, wheelbarrows, and wooden carts hand-made to fit the narrow corridors, pushing and sometimes running people over. The chaos derives in part from the informality of the market, which arose spontaneously, without any kind of planning or Dominican legal regulation to justify its existence. The border markets are not prohibited or illegal, especially since civil and military authorities take part in them; they simply lack legal order.⁷⁷

After our field work, in August 2011, the Congress and President of the Dominican Republic approved the very first piece of legislation that seeks to create order in the border markets. Law 216-11 includes provisions stipulating where the markets can be held, who can sell there, and what license they need to do so. Given that the law has yet to be applied on the ground, it remains to be seen whether this is a positive or negative development.⁷⁸

6.4.2. Violence Committed by Market Fee Collectors against Haitian Women Vendors

In general, according to observations of both the women vendors and the authorities, the situation in the market has improved following several attempts to impose order. For example, the market administrator reports that he has hired a supervisor for the fee collectors and has established a system in which the vendor is given a receipt indicating the amount of merchandise seized in case she is not able to pay. However, the Haitian market vendors interviewed report

⁷⁷ Murray 2010: 5

⁷⁸ According to researcher and expert in border markets Haroldo Dilla, the new law is “an obstructionist and mediocre regulation that was not even consulted with the mayors who have the largest markets in their territory” (“La Ley 216-11 de mercados fronterizos: una tarea para FEDOMU” in *7dias.com.do*, 22 September 2011, our translation).

that there are still incidents of violence committed by the fee collectors – verbal, physical and sexual – as well as other forms of extortion against them.

Many of the conflicts apparently arise when the fee collectors make their rounds to charge the vendors. If the vendor has not made enough sales, she tells the collector she cannot pay the fee and he retains certain merchandise which he estimates is equivalent to the amount she must pay. Supposedly, she can recover her merchandise when she has paid the fee, but it is unclear whether this actually happens. The market sellers claim that they do not always receive the receipt that the market administrator mentioned, nor do they recover the entire quantity of merchandise retained. They complain that the collectors often keep the higher quality merchandise, or the collector might only return one shoe from the pair, causing a greater loss for the vendor.

Chantal says that the fee collectors mock the vendors: “*When they go to collect, sometimes you haven’t sold anything and you don’t have money to pay them, and they take that as a joke, and start to eat the fritters (that you have for sale).*” The most common insult that they hurl is “*maldita haitiana del diablo*” (literally “Damned Haitian woman of the devil”) – a phrase every market seller recognizes as humiliating and degrading.

The abuse on the part of fee collectors is also physical, including pushing and hitting during struggles to seize their merchandise. Magdalena, a migrant who has lived in Comendador for 13 years, explains how this happens:

They even hit them sometimes, for example if they (the women vendors) have not sold anything and they come to charge them and they say, ‘Go make another round and return later’, they will hit them and take their merchandise. For example, if she doesn’t have enough to pay the 200 or 300 pesos, they take merchandise worth up to 1000 pesos and shove it in their sack. That is violence. I have seen it in front of my own eyes.

Maliya, who has been in the market for 20 years, experienced this kind of attack by a fee collector of certain notoriety among the vendors. She reports that this collector hit her when she was pregnant with her daughter, who is now two years old: “*I was about to give birth, with only 15 days remaining (in her pregnancy) and he threw something on me and started hitting me.*” However, she considers the market administrator “*a good person, who behaves very well with people, but the others mistreat the Haitians, punching and slapping them, and you can’t say a thing.*”

The same assailant is notorious among the market sellers who participated in interviews and focus groups, above all for the sexual violence (sexual harassment and rape) which he has committed against many of them. Merina, who resides in Galindo, calls him a *delenkan* (Haitian Creole term for a person who doesn’t respect the rules), and emphasizes, “*The women are having a really hard time with him. He is charging money and if you don’t have money, he takes your merchandise. And then, he tries to touch the women’s behinds in the market – all those things that men try to do.*” In the first focus group, Darline showed with her hands how he had groped her, while the rest nodded their heads indicating that they too knew or had experienced the same. In the second focus group, Yousy said that he had done the same

to her, but she kept quiet because he has the power to charge her an even higher price if she were to place a complaint: “*Yes, he has touched my behind, and has pinched my nipples. If you don’t allow him to touch you, he makes you pay even more for what you have on the table. If you don’t pay, he takes the better part of the items you have.*” Others report that this particular fee collector has a tactic of offering the Haitian women vendors a ride on his motorbike, and then taking them “to the bush” to rape them. This tactic was confirmed by one of the researchers for this report when he approached her while she was making observations in the marketplace, and harassed her, inquiring if he had given her a ride before and if he could visit her at her home later that day.

During the field work, we inquired about this employee’s behavior with both the market administrator and the mayor. Both of them responded that they were aware of his abuses; the market administrator said that this had already been resolved by hiring a supervisor to monitor his behavior while the mayor said that other measures would have to be taken to correct his actions.

6.4.3. *Physical and Verbal Violence by Other Vendors and Customers*

In general, the interactions between vendors and customers, and among vendors themselves, are characterized by a certain respect that can be observed in regions where co-existence among cultures is a historical fact.⁷⁹ However, those interviewed for this study reported that there are sporadic situations of violence among these groups.

In a focus group, one Haitian woman market seller shared an experience in which she had suffered physical violence at the hands of a Dominican woman market seller: “*There is a woman around there who didn’t want me to open my stand in the market. When she saw that I was selling, the chef (authorities) arrived and told all the Haitians to pick up and leave. Then the woman came over and slapped me. If this were in Haiti, she would not have been able to hit me like that.*”

Occasionally, customers – both Haitian and Dominican – wield verbal violence against the Haitian women vendors. Bibine, who sells bouillon cubes, matches and garlic, narrates her experience as follows:

In the market, sometimes even Haitians will offend or insult you. When they come to buy and you give them a price, for example if you say that this box of matches costs 15 pesos, they want to give you 10 pesos and if you say no, they tell you, ‘Where do you get off, what is it that you are selling that you can get on like that? I don’t see the goods’ and the Dominicans call you ‘maldita haitiana del diablo’.

Maliya, the veteran among all of the vendors interviewed with 20 years in the market, has also been insulted in this way. “*This happens all the time, not just to me, but to all the Haitians*

⁷⁹ Dilla Alfonso et al 2010

in whatever argument they come at you and slap you. (They tell you), ‘maldito haitiano del diablo, shut your mouth’. I don’t like those words, they don’t make me feel good.” She says that these altercations sometimes turn physically violent, as in the case of a Dominican customer who threatened her with a knife when she would not accept that he return his purchase. According to her account:

If you don’t give it to them, they pull a knife on you, because I remember that a Dominican man bought a stuffed animal from me and left. I took the money and bought some sandals for my daughter, I didn’t realize (this was going to happen) and when I came back he returned to ask for his money back. He said that he didn’t want his purchase and wasn’t going to keep it. I told him, ‘Well I already spent the money. Give me a moment and I will give it to you later.’ He went to the lottery kiosk at his house and got a knife to kill me. Another Dominican who is a soldier and knows me told him, ‘No, you can’t do something like that’ and he didn’t have a chance to kill me.

Maliya was able to protect herself due to the good relations she has kept with some of the Dominican authorities who circulate in the marketplace. Other vendors go to the market administrator’s business, from which he paternalistically sets about resolving conflicts (according to Maliya, when she was attacked by the fee collector when she was pregnant, the market administrator warned his employee, ‘Careful with Maliya, if there is any problem, come tell me’). However, the current system of conflict resolution is quite informal, characterized by “buddy buddy-ness” and the partiality of those with more power. It is not likely that a vendor with less experience in the market, who feels victimized by the fee collectors and afraid of the military authorities, would trust the market administrator, military, or the Public Prosecutor to resolve her problem. In the words of one market seller who participated in a focus group, “*Those who come out ahead are those who win because the cockroach will never be right in the eyes of the hen.*”

6.4.4. “Shakedown” in the Market: Higher Fees for Haitian Vendors than Dominican Vendors

The most common complaint of all the Haitian merchants, besides the practice of seizing their merchandise, is of the arbitrary and high fees charged in the Comendador market in particular. As mentioned above, of all the border markets, the Comendador market is the only one that has been privatized; this model creates the conditions and interests in which the collectors can extract exorbitant fees from the people who sell their products there, above all from Haitian vendors.

Under this arrangement, the market administrator manages the market as if it were a private company, with the objective of extracting the maximum possible profit during the twelve months it is under his management,⁸⁰ until the next municipal auction. According to the information he shared in his interview, itinerant vendors are charged 50 pesos, stationary vendors

⁸⁰ Murray 2010: 6



The most humble Haitian vendors in the Comendador market sell their wares while walking around or kneeling on the pavement under the sun. Photo credit: Hillary Petrozziello

are charged 100 for a “normal” table up to a maximum of 200 (and higher in the peak season around the Christmas holidays), depending on the space occupied by the merchandise for sale.⁸¹ This differs from the information obtained from other sources in this study, which indicates that the fees collected from Haitians in the Comendador market can be up to 300, 500 and in the most extreme cases, up to 1000 pesos per stand per market day.⁸²

Benita, for example, is an itinerant vendor of panties and plastic sandals who says that they charge her double the fee reported by the market administrator: *“I pay 100 pesos for the card, so that I can walk through the market and sell, but if you sit down, they don’t give you a card (but rather) you have to pay according to your merchandise. Those who have large (quantities of) merchandise pay 1000, 500, depending on what they have.”*

Merina offers an example of yet another abuse of the fee

collector mentioned previously: *“There was a poor woman selling panties, it was very little what that woman was selling just to get by, and he made her pay 300 pesos.”*

In order to gain a sense of just how excessive these fees are, let us take as a reference the other border markets, as described by Murray in his profile of sources of conflict in the border re-

⁸¹ Interview with the market administrator, 26 May 2011.

⁸² This last quantity was reported by Murray (2010: 6), and confirmed by some of the vendors who were interviewed, as well as by the GARR representative interviewed on 26 May 2011.

gion.⁸³ In Pedernales, the vendors – both Dominican and Haitian – pay a fixed fee of 10 pesos per day per stand, regardless of the type or quantity of merchandise for sale. In Dajabón, the Dominican and Haitian vendors pay, according to the same study, 20 pesos per square meter. In Comendador, Dominican vendors are charged approximately 50 pesos, or slightly more depending on the space s/he occupies, compared with the 200, 500 or 1000 that Haitian vendors are charged.

It is clear that these exorbitant fees are charged only to Haitian merchants, since no Dominican merchant would put up with this kind of extortion. In his interview, the market administrator confirmed this practice:

Now the Dominicans feel that they have all the right in the world to say that this market is theirs (following the cholera outbreak during which Haitian vendors were segregated from Dominicans). Oye! So that you can see how complicated it is... Dominicans are harder to charge, they only calm down when we intervene. They want to eat the fee collectors alive; they even pull knives on them. That is why Dominicans pay less. This is a reality, because we cannot live with constant conflicts.

So, in order to avoid problems, as well as potentially negative political consequences for the mayor, the market administrator limits the extraction of his profit to the Haitian vendors, of whom 90% are women.⁸⁴

This extortion, together with the “toll” that the soldiers charge in the checkpoints on the way into town, makes this business considerably less profitable for the Haitian women who make their living in the market, leading many of them to abandon their stand in lieu of more gainful activities. Chantal is one such woman who has found herself in this situation:

If one day you put a half gallon of oil on the table, they will charge you 50 pesos. If you put a bag of Maggie bouillon cubes that you sell for 60 or 65 pesos, you have to pay 50 pesos for having it on the table. The next day, if you have something else on the table, they make you pay up to 100 pesos. And on and on like this until the money disappears from your hands.

This finding coincides with that of Murray, who interviewed many Haitians who no longer come to sell in the Dominican border markets due to the economic loss they have incurred from this extortion as well as the personal humiliation they feel from how they are treated in the border crossing or in the market itself.⁸⁵ Other motives for not returning include the risk of being attacked, robbed, and raped to which many market vendors have been subjected while crossing the border.

⁸³ Murray 2010: 6

⁸⁴ Murray 2010: 7

⁸⁵ Murray 2010: 8

6.5. Violence in Domestic Work

Domestic work is a very common sector of labor insertion for migrant women, whether in Elías Piña, the Dominican Republic or in the world. It is not a coincidence that migrant women readily find work in family homes; it is a highly feminized sector, since it is still considered “women’s work” and it is poorly regulated, since it is performed within the private space of the home. The lack of social value assigned to this work, the private sphere in which it is carried out, and its informality create conditions that are propitious to all sorts of labor violations and forms of abuse.⁸⁶

According to the International Labor Organization, working conditions of domestic workers vary enormously, ranging from being treated as “one of the family” to conditions approximating slavery or forced labor:

Commonly, the work day of domestic service personnel is long and even excessive (15 or 16 hours a day, on average), without days of rest or compensation for overtime hours; their salary tends to be very low and they have insufficient coverage in terms of health insurance. They are also subject to physical and sexual harassment, to violence and other abuses and, in some cases, they prohibit them physically or legally from leaving the employer’s house by resorting to threats or violence, or to withholding pay or identity documents.⁸⁷

Even in cases in which the domestic worker is taken in as “another member of the family,” the informality and pseudo-affective relations, especially with the female employer, can inhibit the worker from claiming her labor rights or denouncing any kind of abuse. In the case of Haitian domestic workers, the invisibility of their work, together with their migratory status, language difference, and prejudice against them, make them especially vulnerable within their work space (Wooding y Sangro 2008).

In Elías Piña, domestic work is one of the primary labor options available for migrant women, especially young women. According to an explanation offered by the Public Prosecutor of that province:

In domestic service, costs have gone up. Now a Dominican won’t work so easily for 4000 or 5000 pesos (per month). On the contrary, a person who is in transit, or is here illegally, tends to be more vulnerable in terms of their requirements as an employee. That is why many people prefer the illegal immigrant labor force because they understand that, for example, an illegal woman will not demand that they pay her benefits.⁸⁸

As a result, the extra-legality, both of domestic work as a sector and of the employee herself, creates conditions in which migrants can suffer multiple forms of abuse. It is not surprising, then, that the domestic workers interviewed in this study, similar to their counterparts in other parts of

⁸⁶ Petrozziello 2012

⁸⁷ OIT 2004: 68 (our translation)

⁸⁸ Interview with the Public Prosecutor of Elías Piña, 18 May 2011.

the world, report various types of abuse, such as unfair dismissal, withholding pay, salary well below minimum wage, extended work days, accusations of robbery, and most of all, sexual violence.

Chantal used to work in a family home, but she had to miss a few days in order to accompany her sister to the hospital. When she offered to make up the missing days in order to complete the month and receive the 2000 pesos that she had been promised, her employers refused to pay her and she left. She says that she could not do anything to recover the wages owed her, because “*he (the male employer) is a lawyer who works in the court house...I could not register a complaint because he is an authority and going to denounce him would be a waste of time.*”

Bibine, who alternates between working in the market and family homes, had a similar experience in which her employer did not pay her for the work performed:

When the situation is bad in the market I go to do laundry at a family home. Sometimes while I am there, the señora tells me to do this and that, this and that, up to five things at a time she tells you to do because you are working there. Sometimes the person goes to the capital and stays there for some days and when she returns, she doesn't want to pay you for those days, but she was the one who said she wouldn't be here. This happened to me in a job I had and I said, 'But if I had money, I would not come to work in your house' and I left that job and went to sell at the market.

Bibine did not file a claim for labor rights violation either, because, according to her, “*I am Haitian and she is Dominican.*” This type of statement illustrates that, similar to the finding in another study on the presence of Haitian women in domestic work in the Dominican Republic (Wooding y Sangro 2008), she has little knowledge of her labor rights.

Salaries of the domestic workers who participated in this study range from DOP 500 (US\$ 13) for live-in service to DOP 2,000 (US\$ 52) monthly, with the average being DOP 1,500 (US\$ 39). Those who are most vulnerable to labor exploitation appear to be the recent arrivals, who have yet to develop their social networks and are unfamiliar with how the labor system works or what rights they have in this new country. Micheline, for example, is a 16-year-old girl who arrived only two months ago, and whose family lost everything in the earthquake. She does not consider domestic work a good option due to the abuses one suffers and the salary: “*I was working in a house here, and there was a girl who was abusing me. I never told the señora of the house and instead left the job. Here what they offer you are little jobs for 500 pesos and when you live there you have to wash, mop, everything. I think that is worth more than 500 pesos.*” Mirlande, the woman who migrated to escape 30 years of violence at the hands of her ex-husband, also complains of the schedule and the pay: “*I start at 7 in the morning and finish at 6 in the evening. They barely pay anything, but I can't stand to be sitting around. They pay me 1,500 pesos – that is not money.*”

Marielyne's cousin found her work in a Haitian woman's home, but that employer accused her of stealing money and so she had to leave that job. According to her account:

She lost 250 pesos and a skirt and she says it was me, but I never used to go into her room to clean. I only cleaned the children's room. She and her husband are the ones who know what

goes on with the money. That's why I left that job five days ago. I had been working in her house for 8 days and she gave me 200 pesos, but those 200 pesos disappeared. She must have taken it back because I had it in my pocket and when I got to the market it disappeared. It did not fall out, she must have pulled it back again (recovered it through witchcraft)... Today I might be working in a family home, but tomorrow I might be in my house. I am not going to spend all my time being yelled at.

The most common type of violence that the domestic workers report in this study is sexual violence, including sexual harassment, offers of money to have sexual relations, and rape, usually by the male employer or another male member of the employer's family.

Jorelyne is a 16-year-old domestic worker, who earns 1,000 pesos per month. She says that when she arrived in the country last year (displaced by the earthquake) she found a job right away working in a family home. There she had problems because she did not speak Spanish and another woman had to translate for her; soon, her employer fired her for no cause. When she found another job as a live-in domestic, she also had to leave, this time because when the wife would go to work, the husband would sexually harass her. She narrates her experience as follows:

He would always tell me that he was in love with me, that he loved me, and he would touch my waist, behind, and breasts. He would tell me that I have a big ass and would offer me money to sleep with him. I told him that his wife would kill me if I did something like that, so he told me to go and I left. I didn't tell his wife, she is Dominican and I didn't trust enough to tell her because I was afraid she would hit me and that she would think that I had agreed to it. I had already been on the job for 4 days. If it had been the first day I would have told her, but if I told her then she would think that when she goes to work I sleep with her husband. That is why I did not tell her. I kept it in my heart and when she arrived I told her that I was leaving and she gave me 100 pesos for the 4 days that I worked there.

Jorelyne says that this kind of situation happens quite frequently to young domestic workers, and advises her peers to leave the job that same day if this happens to them.

Atalie is another young woman who had enough confidence and knowledge of her environs to reject the sexual advances of her employer's husband, even though it cost her her job: *"I used to work in a house and had to leave that job because the husband was offering me money to sleep with him. He said he would give me 500 pesos. I told his wife's sister that I was leaving that job, and I left and found another job."*

Something similar happened to Cassandra's friend, who *"was working in the house of a Dominican man and he abused her and threw her out of her job. That girl got pregnant and he refused to pay support for the child."*

This vulnerability to sexual violence derives from the unequal power relations between man and woman, employer – employee, Dominican – Haitian, middle class – poor, etc. According to Quiroga *et al*, these inequalities, *"together with conditions of class, gender, age, and migration,*

and lack of state protection, situate domestic workers in conditions of major economic exploitation and high vulnerability to sexual violence: their bodies drawn as an exploitable labor force and source of masculine pleasure”.⁸⁹ In addition to this perception, there is a myth surrounding Haitian women’s sexuality, the *cocomordan*,⁹⁰ which holds that they are capable of doing strong vaginal contractions that are quite pleasurable to the male sex. The fetishism that some Dominican aggressors have toward Afro-descendent women who work in their homes, turning them into sexual objects, together with the abovementioned unequal power relations, end up creating situations in which sexual violence is likely to be more common than any statistic might capture.

6.6. Smuggling and Trafficking of Women

Elías Piña is an important transit point through which many migrants are smuggled on their way to Santo Domingo. There are various actors involved in smuggling activities, ranging from *buscones* (scouts) and bus and taxi drivers to other migrants to the son of a local authority, some of them with better intentions than others. The dream of many migrant women and girls to make it to Santo Domingo is what we call in this study the “*sueño capitalero*” or “dream of the capital.” To realize this dream, they place their trust in persons involved in the illicit smuggling of goods and persons, which puts them at risk for suffering other types of violence and/or becoming trafficking victims.

Before presenting the research findings, it is important to recall the difference between human smuggling and trafficking. According to article 1 of Law 137-03, the illicit smuggling of migrants is defined as “*the facilitation of the entrance, exit, transit, or illegal crossing of a person within the country or abroad, without fulfilling the legal requirements, in order to obtain, directly or indirectly, a financial gain or other such gain*” (our translation). Although smuggling is a serious crime, it is done with the consent of the person being smuggled and ends with her arrival at the point of destination. However, smuggling can lead to the violation of various human rights of the migrant women being smuggled. Specifically, it can lead to trafficking, in which criminal acts are perpetrated such as “*confiscation of legal identity, withholding documents, physical confinement or captivity, labor rights violations, forced labor, forced sexual exploitation, sexual harassment, kidnapping, torture, sale, and murder.*”⁹¹ According to the Global Program against Trafficking in Human Beings of the United Nations Office on Drugs and Crime (UNODC), trafficking victims have never given their consent, or if they did so initially, that consent has lost its validity due to coercion, deception, or abuse at the hands of traffickers.⁹²

⁸⁹ Quiroga et al 2009: 87, our translation.

⁹⁰ The origin of this word comes from the Haitian Creole term *cocomordan*, which means “biting vagina.”

⁹¹ Quiroga et al 2009: 146 (our translation)

⁹² UNODC 2007: xv, summarized in Wooding et al 2010.

6.6.1. “Sueño Capitaleño” or Dream of Going to the Capital

A large proportion of the women interviewed for this study mentioned that when they were on their way to Elías Piña, they had been promised that they would be brought to the capital. Others continue dreaming of ways to get there and are willing to take great risks to do so. During the field work, we found out that Cassandra, an 18-year-old domestic worker who arrived at Elías Piña after being displaced by the earthquake, had plans to go to the capital to work in a family home. Her uncle was going to make arrangements for her transport and employment in the capital, but plans fell through at the last minute when she had to return to Haiti to care for some of her siblings who had fallen ill.

Marielyne, 19, also a domestic worker, says that there are young men who take advantage of this dream as a strategy to enamor the object of their affection: *“There was a boy who was courting me and he told me that he would take me to the capital, and there he would work and I would stay at home washing.”*

The girls who were interviewed also dream of going to Santo Domingo to study and work. Adline, the 14-year-old who was taken in by a Dominican family, shares that she would like to go to the capital to live with relatives of her foster family. She says that this is what she imagines for herself in the future because the capital *“is beautiful and everyone wants to live there, because it is a pretty city.”* Similarly, Wilda, another foster child in a Dominican family, is in her last year of high school, and has future plans of going to the capital to study at university.

6.6.2. Illicit Smuggling of Haitians to Santo Domingo

In the Belladère-Comendador corridor, there are networks of different actors which facilitate the illicit smuggling of persons and contraband. Migrant women regularly come into contact with these agents, primarily when seeking assistance to cross the border.

Marielyne, for example, is a native of La Kas en the Central Plateau of Haiti who decided to migrate when she left her husband due to his infidelity. According to her, the easiest option was to hire the services of a person who smuggles goods and people:

I paid 200 pesos to a man who is always making trips; he takes merchandise back and forth on market days, Mondays and Fridays. They give something to CESFRONT, about 250 pesos in each checkpoint so that they can cross. When I was on my way here, he was bringing 20 people. Some pay 100 pesos or 200 pesos, depending on the person, because he brings some people on credit and when they are done selling for the day they pay him.

The arrangements become slightly more complicated when the final destination is the capital. According to a key informant of the study, this is how it is done:

The scout goes to Belladère to the bus stop for Port-au-Prince or another strategic location next to the hospital in Belladère which is also a negotiation point. There they make their plans. On the other side of the Haitian customs, there is the airport. There they sit down and do the

final negotiation; many times there they hand over half the money. It can cost (DOP) 3000, 4000, 5000 (US\$ 78-130)...it depends...If you are a little bit whiter (lighter skinned) and can pass for Dominican, they will even take you to the salon, but they charge you for that too. They are professional, very organized. There they make the deal, pass behind the customs point and a driver will take you to the stop or a little further on, they put you in a vehicle and off you go.

In other cases, migrants stop over in clandestine locations, primarily private homes, for several days while waiting for transport or while they gather enough money to continue their journey. During the field work for this study, we were told of at least two houses which serve as transit points: one house run by a Haitian migrant couple from La Kas who has lived in Comendador for 13 years, and another of the son of a local Dominican authority. In the first, the migrant woman is an accomplice, who is in charge of preparing food and giving shelter to the people in transit, while her husband makes arrangements with the scouts who bring them and the drivers who take them onward. During the interview, which took place in her house, she described the flow of people as follows:

You see those people who are in the patio? They are people on their way to the capital. They come through here and sleep here. They are on their way to seek a living in the capital because the situation is not good in Haiti. They come from Thomassique, Lascahobas, Port-au-Prince, Belladère – you know that sometimes they cannot get through and so they sleep here and later they go to the capital to work. Other people who have come through here tell others who are coming that they can pass through So-and-So's house and he will give you a place to stay. Sometimes they get in touch with my husband and they inform him that a person will arrive on such-and-such day from such-and-such place. That person arrives, s/he is given food, arrangements are made to go to the capital, and if s/he doesn't have enough money they turn back. When the situation is difficult and they are barely letting people get through, they stay longer, two days or so, because now they are not letting many people through due to the cholera situation. For example, on market days there are many checkpoints and they have to pay a lot of money... The soldiers think that they are going to the market, but if they are carrying children, the soldiers charge them 100 pesos because when they see a person with children and a suitcase, they will notice that they are on their way to the capital, and they will go and charge them money. Some arrive and are turned back. The house has 4 rooms, but if it shields you from the sun, it does not protect you from the rain because when it rains, it becomes a river inside... They give my husband his little share of the money, but sometimes the people who come are acquaintances, they are his people. Sometimes they only give him money to cover the food, because they have to pay a lot on the way. It has been a long time since he had been doing this but I told him not to get involved in these things... I have been here for a long time and I don't want any problems.

Some bus drivers and individuals make their living transporting undocumented migrants to the capital for between DOP 3000-7000 (US\$ 78-182) per person per trip. The researchers witnessed human smuggling on one of our trips from Elías Piña to the capital, during which the driver openly announced that he was “*bringing a black guy in the back,*” and the fare collec-

tor stepped off the bus in each checkpoint to “warmly greet” the soldier on watch, who waited with his hand open and then sent us on our way. Upon arriving to the Duarte terminal in Santo Domingo, the driver called the Haitian woman who had arranged for this service, who came to pay him DOP 5,000 (US\$ 130) for having transported her husband.

While human smuggling is a punishable crime, it does not necessarily constitute a human rights violation or violence against women *per se*, given that many women choose to hire the services of smugglers in the absence of knowledge of or access to legal options for migration. However, the profit motive and clandestine conditions in which smugglers operate are propitious to other types of violence such as deception of scouts and drivers, sexual violence on the migratory route,⁹³ and human trafficking. This contradicts Dilla’s observation, in which he states that “*for these types of smuggling, the border is only a transit point with no further implications beyond the police and military tension that they generate.*”⁹⁴ If we take into account the risks and lack of protection that human smuggling involves for migrant women, the border is indeed a place where an array of human rights violations occurs, including human trafficking.⁹⁵

6.6.3. Trafficking of Haitian Women and Girls to Santo Domingo

Given that Comendador is a transit point and not necessarily migrants’ final destination, it is difficult to determine from the border whether human smuggling ends up turning into trafficking. None of the local authorities interviewed had knowledge of a single case of trafficking.

Despite this lack of detection and registry, during the study at least two cases of trafficking of minors were reported to us through an interview and institutional contact with the Colectiva and IOM, respectively.

The first case involved a 15-year-old Haitian girl, who was in custody of CONANI (Dominican child services agency) in Santo Domingo during our field work, but could not be reached for interview and whose parents were in Comendador. Subsequently, information on the case was obtained from the trafficking specialist at the IOM in Santo Domingo, who assisted the victim to reunite with her family. According to IOM records, the victim, M.C., is from an area called Les Abeilles in Haiti, near the Artibonite River by Macacia. She was brought to Dominican territory through Elías Piña to work as a domestic servant for a family. Then the same family sent her to live with their daughter in Santo Domingo, where her daily work consisted of

⁹³ Cassandra, the young woman who canceled her plans to follow her dream of going to the capital, told us about the abuses of a smuggler who lived in her neighborhood: “*There is a man who was taking a woman to the capital and when they were halfway there he raped her and abandoned her there. This happened a lot because he made a business of taking people to the capital. That man lived down there by the Barraco neighborhood, but now I don’t know where he lives. He is Haitian, about 25 years old.*”

⁹⁴ Dilla 2008: 31

⁹⁵ For a more detailed discussion of the factors contributing to the trafficking of Haitian women, see the OBMICA study *Mujeres en el camino* (Wooding, et al 2011).

caring for a child. Since she arrived in the Dominican Republic, she has worked as a domestic in three different houses within one family and friend group. In her last experience in Haina, she washed dishes and prepared breakfast and dinner, and sometimes received 5 or 10 pesos (US\$ 0.13 or \$ 0.26) as a gift from the owner of the house on school days.

One day the child had an accidental fall, and his mother hit M.C. so many times that she went to explain her situation to a neighbor who, in turn, advised her to seek assistance with the school guidance counselor. After speaking with the adolescent, the school psychologist called the Public Prosecutor to intervene as a mediator. The Prosecutor sent the case to CONANI, which sought the help of IOM/Dominican Republic. The IOM worked with its office in Haiti to locate family members; when they were located and determined to be capable of receiving the girl, the IOM assisted with her return and initiated the process of reintegration including assistance in education, health, and strengthening the income generating capacity of the family for a better guarantee of the sustainability of the presence of the minor within the family.

The other case of trafficking identified through this research involved a Haitian teenage girl who escaped from a family that had her locked inside working without pay in their home in Santo Domingo in conditions similar to the practice of *restavèk* in Haiti.⁹⁶ According to the account of the migrant interviewee who had knowledge of this case:

There is a señorita who was living with her aunt, and they had her doing all the chores. One day some people who came from the capital saw the girl, liked her, and took her with them. They would only give her food that had been in the refrigerator for various days, and since she wasn't used to it, she wasn't eating anything. They would leave her in the house with the door locked when they went out to work. That girl spied on the people in that house, took a perfume, and gave it to a bus driver so they would take her back here (to Elías Piña). Before she arrived at the house of the people back here, the owner of the house there (in the capital) came to look for her. The aunt asked him, 'What has this girl done?' That little girl did that because she was going hungry and those people would leave her in the house alone and wanted to give her food that had been in the refrigerator for two weeks. The girl went to her family begging (for them to take her back in).

Although the details of this case are unknown (age of the girl, nationality of the family, etc.), what is important to point out is that trafficking of women and girls is happening not only for purposes of sexual exploitation as is commonly thought. Girls and women are also being trafficked for purposes of forced domestic labor in private homes within Dominican territory. The invisibility of the labor conditions of domestic work (and sex work) where they are suspected

⁹⁶ In Haití, *restavèk* is a practice in which poor families send their children to live with better-off families, where they are to carry out domestic work in exchange for education and food. In effect, the boys and girls who are relocated are often exploited as unpaid servants, and treated differently from the *pitit kay*, or children of the home (Smucker y Murray 2004; Cader 1998 citados en Kulstad 2007).

cases of trafficking – makes detection even more difficult,⁹⁷ in addition to the fact that many authorities do not recognize non-sexual forced labor as trafficking.

Finally, according to the OBMICA study *Mujeres en el camino*, it appears that there is an *increased risk* for Haitian women to be trafficked following the Haiti earthquake, although it is impossible to verify whether there has been an actual *numeric increase* in cases.⁹⁸

6.7. Sex Work

In Comendador, many migrant women practice sex work. Some work independently in the park or in one of the cabarets, others are affiliated with brothels. According to the interviewee who is involved with human smuggling, “*There are plenty of Haitian women who live that life, to make ends meet. There are people who come here only for that.*” The information gathered on this topic indicates that there are cabarets by the cockfighting ring, in the center of town where the market is held, on the road toward Santo Domingo, and in the border crossing at El Carrizal. Those who work in the brothel in Carrizal are women in transit from Belladère, whose clients are mainly truck drivers who are now passing through Comendador instead of Jimaní due to the flooding there.⁹⁹ There are several motels in the center of town and on the outskirts where sex workers go with their clients – Dominicans and Haitians; truck drivers, merchants, and other persons in transit; local “bums” and well-to-do men – for a going price of DOP 50 to DOP 400 (US\$ 1.30 to 10.44).¹⁰⁰

Before presenting the study findings, we should clarify that we do not consider sex work as violence against women in and of itself (unless involving a minor), since there are women who choose to sell their sexual services. Likewise, some women decide to migrate in order to work as sex workers without necessarily being trafficked.¹⁰¹ However, if we examine the structural violence¹⁰² to which the Haitian migrant women in this study are subject – extreme poverty, displacement from the earthquake, few employment options, economic violence, etc. – it is evident that the decision to prostitute oneself is rarely made in conditions that can be considered free.

None of the women who participated in this study admitted to having worked in this sector. However, none of them condemned the decision of her peers who do, since they understand that they do this work, in their words, “to save their lives.” Jorelyne, a 16-year-old girl who was displaced by the earthquake, explains, “*There are women who do that because they need to*

⁹⁷ Wooding et al 2011

⁹⁸ Wooding et al 2011

⁹⁹ Interview with key informant, 24 May 2011.

¹⁰⁰ Focus group, 19 May 2011

¹⁰¹ See, for example, Kempadoo, Kamala, ed. 2005. *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work, and Human Rights*. Paradigm Publishers.

¹⁰² Farmer 2003

buy some clothes or sandals, and if they are hungry and they come across some money they will find themselves in the obligation of having to take it, because going hungry is not pleasant.” Others see it as a preferable option when compared with robbery: “*There are people who cannot put the idea of stealing in their head, and in any case, stealing is shameful. If you are going to steal and then you are walking in the street, people will point you out.*”¹⁰³ Jesula explains that some women do it to be able to provide for their children: “*Because if they do something like that, it is their living situation that obligates them to. If they do that, it is because they have children they have to feed. Those people would do that to save their lives.*”

In one of the focus groups, Chantal defended sex workers with such fervor, and described their labor in such detail, that we suspect she might have found herself in the obligation of doing this work, though she never admitted to it openly:

I don't talk badly about those women because if they have children to feed and dress and rent to pay, they aren't going to lie down and die. There are many motels here. Once you change your clothes, put on a little perfume, bathe, put on a little lotion, YA! Any man will want you. If you accept, just like that you can earn your 50 pesos or 200 pesos and you save your life. I tell you like it is, if I am in a situation like that, I am not going to lie down and die because you have to use what God gave you. No, no, no – that's not being a 'cuero' (prostitute). Because if I have a business in my hands (market stall) and these people (market fee collectors) are sending it to ruin, what am I going to do with my children? Am I going to steal? Nooo, I can't do that. I don't steal because stealing is worse because they will catch you, beat you, and take you to the police.

The interviewees' accounts suggest that there is a high risk of their being forced into sex work, especially for young women who have been displaced by the earthquake. Adolescent girls and women go to live in the homes of distant family members or friends who, in turn, sometimes pressure them to contribute money toward the household economy. Given the lack of available employment options, some of these relatives and acquaintances go to the extreme of making arrangements for the young woman to be forced into sex work. For example, the female cousin who took in Marielyne, a 19-year-old woman displaced by the earthquake, is pressuring her to contribute more money for food. According to Marielyne:

My cousin has practically sent me off to sleep with men so I can give her money for food, because I am not working and she is always arguing with me... That is why I am looking for work as a live-in domestic. I am not going to do the bad thing (prostitute herself) because if I were to do that it would be because I had it in my blood, but nobody can make me do something I don't want to do.

Similarly, Daphnee, the young woman who is suffering from verbal and economic violence at the hands of her Dominican partner, prefers to stay with him rather than return to the house where she lived when she first arrived at Elías Piña. There, she says, some people attempted to sell her into forced sexual labor.

¹⁰³ Focus group, 26 May 2011

While Marielyne and Daphnee were able to avoid being forced into sex work, others have not been so lucky. In Belladère, many of the displaced women¹⁰⁴ “*have serious (economic) problems, and have to sell their body in order to earn enough to eat and feed their children.*”¹⁰⁵ Some of these young women fall into the hands of *buscones* – both Haitian and Dominican – who take them to a brothel in Carrizal located beyond the customs point, where they are sexually exploited. According to the explanation of a human rights activist from the area, sex workers in the border region are exposed to all sorts of abuse:

*Many women serve as sex workers here on the border, and then after they have their sexual relations they are abused by the vehicle owners, and by their own buscón as well. Both Haitian and Dominican buscones take women from the other side (of the border) and then when the women finish the job, they have to turn the money over to them. In Belladère this has been very common following the earthquake. There are brothels where the women leave there beaten and sick from so much abuse. It is very difficult to approach these women in order to help them. The workers are very young women, some of them minors, who come from other towns, displaced following the earthquake. Those who work in Carrizal are women from Belladère who are in transit. This is a business just like smuggling and trafficking.*¹⁰⁶

The migrant women interviewees are well aware of the dangers associated with sex work, such as the risk of contracting sexually transmitted infections or being raped. Nicole, the migrant who was abandoned by her Haitian partner in her fifth month of pregnancy, has been offered money by both Haitian and Dominican men for her to have sexual relations with them:

They tell me that they are going to marry me and put me up in a house. But I don't believe them. I will not get together with them because I am afraid of diseases. There are a lot of diseases out there like AIDS. I don't want to get sick, die, and leave my children destitute because I don't have any family in Elías Piña. I won't put my body just anywhere with any man. If I were living that life, I wouldn't be working in a family home.

In the second focus group, several women discussed the risk of being raped,¹⁰⁷ beaten, robbed, and drugged by clients and their friends. One of the women explained these types of violence as follows:

Sometimes a woman will be walking down the street, and will come across a delinquent with a hot head, who will say, 'Hop on back'. She gets on, they go somewhere, and they put

¹⁰⁴ In the months following the earthquake, an increase of almost 10% of the population was recorded in Belladère, a municipality of 65,000, most of whom were staying in relatives' and friends' homes (Naciones Unidas 2010). In mid-2011, the GARR representative interviewed for this study says that aid is no longer arriving for the displaced population, and there are women who have no other choice but to walk the streets with their children and to sell their bodies to be able to support them.

¹⁰⁵ Interview with GARR representative, 26 May 2011.

¹⁰⁶ Interview with key informant, 24 May 2011.

¹⁰⁷ According to the Public Prosecutor of Elías Piña, “*The aggression could be that a woman goes to a hotel with someone and he doesn't pay her. There might be an act of violence if they do not agree, or he might rape her*” (Interview 18 May 2011).

something in her drink to make her dizzy. Various men grab her and pass on top of her (rape her)...If you know the person, the next day you go to the police and at the police they issue an order to go and look for that person. But if you do not know the person, you can't go to complain to the police because they would never put the brothel owner in prison.

This comment demonstrates how difficult it is for migrant women who find themselves in the obligation of entering sex work, to defend themselves against their clients' abuses and to find justice in cases of assault or rape. The situation is exacerbated by at least three factors: 1) the erroneous social perception that the sex worker "was looking for it" and therefore is not rape-able; 2) many fear being deported due to their irregular migratory status; and 3) it would appear that many of the police and military authorities are clients and/or "in cahoots" with the brothel owners, which leaves the survivor even less protected when registering a complaint.

6.8. Repatriations

La *Dirección General de Migración* (DGM, or General Directorate of Migration), in coordination with CESFRONT and other branches of the Armed Forces, is carrying out repatriations of Haitian migrants with irregular migratory status from Elías Piña as well as many other regions of the country. According to the DGM supervisor in Comendador, the repatriations are carried out there once a week, normally on Thursdays.¹⁰⁸ The police captain who was interviewed in Comendador calculates that at least three buses of deportees come from Santo Domingo each week. The DGM supervisor confirmed the national trend in which repatriations have been ramped up as of the beginning of 2011 due to the cholera outbreak. This measure has been much criticized for its arbitrariness, by both national and international organizations,¹⁰⁹ since no evidence has been produced to demonstrate any sort of formal coordination with the Ministry of Public Health. Months later, the special border controls, put in place to control the spread of cholera, were lifted arbitrarily without having controlled the disease. In June 2011, the United Nations high commissioners for refugees and human rights, UNHCR and OHCHR respectively, issued a call for a moratorium on all repatriations of Haitian migrants, on humanitarian grounds.¹¹⁰ To date, repatriations continue to be carried out in the Dominican Republic, which further demonstrates the country's lack of a functioning system by which to regulate migratory flows effectively and humanely.

¹⁰⁸ Interview with DGM supervisor in Comendador, 27 May 2011.

¹⁰⁹ The Jacques Viau Dominican-Haitian Network (*Red Jacques Viau de Encuentro Dominicano-haitiano*) and the National Migration Roundtable (*Mesa Nacional para las Migraciones*) issued a press release on January 11, 2011, "calling for the authorities to suspend the massive and arbitrary repatriations which are violating the human rights of Haitian migrants, and to adhere to the international and binational norms that govern this matter." Amnesty International has also criticized the arbitrary manner in which repatriations are carried out.

¹¹⁰ Thompson, Taneka. 23 June 2011. "UN urges halt to Haitian deportation", *The Tribune*. http://www.tribune242.com/06232011_tt-UNhaitians_news_pg1LEAD2011-06-23T09-51-58

Some attempts to establish formal procedures for repatriations have been made, such as the signing of the 1999 Protocol of Understanding between the Dominican Republic and the Republic of Haiti on the Procedures for Repatriation. In that agreement, the government of the Dominican Republic agrees to:

- a) Not deport Haitians at night, on Saturday afternoons, or during holidays
- b) Avoid separating nuclear families (fathers/mothers and small children)
- c) Deport Haitians only through the border crossing points at Jimaní, Dajabón, Elías Piña and Pedernales, rather than through other less accessible crossing points
- d) Allow deportees to gather their belongings and to keep their identity documents
- e) Give each deportee a copy of his/her deportation order
- f) Notify the Haitian authorities of the repatriation being conducted

The relevant authorities in Comendador – DGM and CESFRONT – maintain that the repatriations are conducted in a peaceful and organized fashion. According to the DGM supervisor in Comendador, what she calls “returns” are carried out as follows: “*When a person goes beyond the border region they are repatriated, but when they are within the border region they are simply returned. They don’t have homes, they are just wandering about, and so they themselves meekly climb into the truck and leave.*” She adds that, depending on the time of day in which they are caught, they are given lunch or dinner, and repatriated the next day. Regarding the opportunity to gather their belongings, the CESFRONT coronel interviewed for the study explains, “*We have had to do evictions where we collect all of their belongings, chairs and all. One doesn’t achieve anything just taking the person and leaving behind chairs, bed, everything.*” What is more difficult for them is notifying and turning over the deportees to Haitian authorities; given the absence or weakness of State institutions in Haiti, many times there is no one to receive them on the other side.

As far as this study is concerned, we should clarify that we do not consider repatriations of migrant women as violence against women *per se*. However, the accounts of those migrant women who have been repatriated indicate that the way in which the repatriations are conducted does not necessarily correspond with the authorities’ descriptions of the process. It appears that their right to circulate freely is being violated as they are subjected to arbitrary round-ups and deportations, with no respect for due process and without taking into account women’s specific needs.

In the focus groups, participants emphasized the arbitrariness with which the round-ups are conducted, and the additional risks involved if they must return to their home in Dominican territory “through the bush”:

The CESFRONT people create a lot of problems for us because when they catch you, they send you to Carrizal (they are deported). You cannot return through the bush because you

might be killed. When you are walking on the street and they cross your path, they ask for your papers. If you don't have papers, they say, 'Get in the truck, Haitian lady.' If you don't want to get in, they grab you and throw you in the truck and take you to Carrizal anyway.

Kathia, a 19-year-old woman who was displaced by the earthquake, describes the violence with which she was repatriated, especially regarding the loss of her only belongings:

Last January they took me and when I arrived at Carrizal all of my things were lost. People stole my clothing and my son's too. When I arrived at Carrizal I didn't have enough money to make it to my country and so I came back here. When Migration comes, they enter your house and throw your things outside. If you have children, they take your children and tell you to get in the truck, and when they arrive at Carrizal, they throw your things on the ground and leave you there.

While Kathia was given the opportunity to gather her children, Darline did not have such luck. She says that the separation of nuclear families (mothers and small children) is particularly painful: “*Sometimes we will go out to buy some food for our children, and the CESFRONT general grabs you and sends you to Carrizal, and you have no choice but to get in the truck even when your children are left on the ground crying. They are not moved by seeing children crying behind you; they won't let you go.*”

Lastly, none of the interviewees who had been repatriated had been given a copy of her deportation order. Not having this document can make it more difficult for them to access services for deportees once they arrive on Haitian territory, thus increasing their vulnerability.

We were not able to ascertain through this study whether women are experiencing other types of violence throughout the repatriation process, beyond the rights violations described above. This confirms the need for further research on their specific experiences, as detected through the 2008 GARR study *República Dominicana/Haití: Tendencias en la prensa sobre temáticas de la isla (Dominican Republic/Haiti: Tendencias in the press on island-wide issues)*. Through analysis of news coverage on both sides of the island during a three-year period, in which only one article employed a gender perspective, the authors pose the questions: “*Should we assume that Haitian women are exempt from all forms of violence perpetrated during repatriation? Or is it that these particular types of violence have yet to be denounced or reported by the media?*”¹¹¹ This is clearly a topic that warrants further attention and research in the future.

6.9. Vulnerabilities of Girls and Adolescents

Two phenomena were observed in Elías Piña that may pose risks of violence for girls and adolescents: the practice of taking in foster children and the temporary living arrangements of teenage girls who were displaced by the earthquake in host family homes. These situations,

¹¹¹ GARR 2008: 114, our translation.

like sex work or repatriations, are not to be considered violence in and of themselves; however, we single them out as situations which can create the conditions in which those involved may perpetrate violence against them.

The informal practice of taking in foster children known in Haiti as *restavèk*, in which poor families take their children to live with better-off families in an extra-legal arrangement, is fairly common both there and in the Dominican Republic. In this arrangement, the “adoptive” parents assume the provision of food, clothing, shelter, and education,¹¹² normally in exchange for their carrying out household chores. This comes to pass for different reasons – death of biological parents, poverty, migration, divorce – and tends to happen within existing social networks that include both the biological and adoptive families.¹¹³ In the border region, where there is a long history of co-existence and *mestizaje*, these social networks are commonly transnational, involving both Dominican and Haitian nationals.

The literature on the subject indicates that the risk of abuse and exploitation is higher for foster children than biological children. This was confirmed by focus group participants. Chantal, for example, explained why some women take their children to live with another family, and the risks that she associates with it:

There are lots of women who can't keep their children because you have to give them food, clothing, and put them in school. All of that requires money, and they don't have enough for that, so they take them to live with someone else. And when she thinks that that child is eating and sleeping well, the kid is actually living in poverty and she



Girl of Haitian origin, in Comendador.
Photo credit: Hillary Petrozziello

¹¹² Smucker y Murray 2004

¹¹³ Kulstad 2007

doesn't realize it. When the mother is there with him, they treat him like a god, but when she turns her back, they treat him like a demon. They abuse him.

Bibine added that some families exploit the foster children's labor: "*They send them to carry large buckets of water and other heavy things, they make them do any kind of work and they barely give them anything to eat. They don't buy them clothing, and they walk around dirty.*"

To combat this kind of exploitation, as well as trafficking of children, UNICEF/Haiti has been carrying out an awareness and prevention campaign aimed toward Haitian families. Among other actions, they designed a yellow t-shirt which can be seen on many people in the marketplace of Comendador, with the image of a family together and the message "*Malgre mizè, m'ap kenbe pitit mwen*" ("Despite poverty, I can keep my child").

In spite of the risk of being exploited, the testimonies of the girls interviewed for this study indicate that some of the foster children are in better conditions now than they were previously in Haiti. Tamara is a 10-year-old girl who was sent to Comendador to live with a Haitian family (of her female cousin) when both her parents died in the earthquake. In Haiti she did not live with them, but rather with another woman, apparently in a situation of *restavèk*. Her mother had taken her to live with that woman because, according to Tamara, "*She didn't have enough money to buy me clothes or put me in school.*" She reports that the woman used to beat and abuse her, but she never told anyone. Currently, in her foster family, she also does chores – washing dishes, sweeping, cleaning – with the difference that she is going to school and engages with the family in a positive and welcoming environment.

Wilda is a 21-year-old youth from Thomassique, Haiti who has lived with multiple families from the time she was a girl. With two sons and seven daughters, her parents could not afford to buy her books for school, so they decided to send her to live with a Haitian woman in their town, where she carried out domestic chores in a *restavèk* arrangement. Wilda did not like how her employer treated her because she would scold her, but sometimes she felt better because her boss's husband would defend her. When she was 9 years old, her parents decided to send her to live with another family in Comendador. According to Wilda, "*I only know that I came with my friend's mother and that was it. We knew each other since before coming here, because the parents of the woman I live with were born in Haiti and she would visit them.*" This arrangement is typical: she would be given the opportunity to continue her education in exchange for carrying out the household chores. The woman, a Dominican national, was interested in taking her in because, according to Wilda, "*Well, all her children were grown up and she was alone. She told my papa that she wanted a house girl and they sent me there.*" Currently, Wilda is completing her final year of secondary school; she studies and does domestic work, and says that they treat her very well and are even helping her to file paperwork in order to regularize her migration status. The family used to pay her 1000 pesos (US\$ 26.11) for her work, and she would send what she could to her family in Haiti, but now they no longer pay her since they are paying for her secondary schooling and in the future, her university studies in psychology or medicine.

These findings confirm Kulstad's observation,¹¹⁴ which indicates that the attention paid to trafficking of minors for forced domestic work overshadows the fact that there are indeed arrangements that are mutually beneficial, in which the foster daughters live in healthy, non-abusive conditions.

Apparently, the risk of VAW is greater in the second phenomenon identified in this study: adolescent girls displaced by the earthquake who are given shelter in host family homes. Young women who arrive in Comendador are temporarily housed mostly in small cinder block or wooden houses with corrugated tin roofs, which are rented by cousins or uncles/aunts or other, somewhat distant acquaintances. After escaping her second abusive relationship, Kathia went to live in her male cousin's house with seven people in a single room. She does not feel comfortable there because she "is in someone else's house," but she does not have the means to rent her own room, given that her salary from domestic work (DOP 1000 or \$26.11) barely covers food for her and her three children. Living conditions are quite precarious for displaced girls, as in the case of Micheline, who lives with a female cousin in a house that an older man has lent to them. She sleeps on top of a sack on the ground, with a "scrap of a sheet," and does not even have enough money to buy detergent to wash her clothes. However, she feels so grateful to the man for giving them somewhere to live that she does everything she can in the house (washing, cooking, sweeping, etc.).

In such conditions of dependency, the young women are highly vulnerable to sexual violence – both forced sex work as mentioned in the previous section, and being raped by male members of the household, neighbors, or landlords. In the first instance, the perpetrators of proxenetism (pimping) might well be members of the host family household, male or female, their motive being to use the young woman to bring more money into the household economy, with no regard for her security or health. Regarding the risk of rape, the perpetrators are almost always men (other members of the household, neighbors, and landlords) who take advantage of the intimacy of small living quarters to sexually abuse the girls and/or wield their economic power to pressure or threaten them with being kicked out should they refuse to have relations with them.

Over the previous year, Jorelyne, a 16-year-old girl who was displaced by the earthquake, has had to move from house to house to house in order to protect herself. First, she had to move to escape the jealous accusations of her cousin, whose partner is a Dominican soldier who may have taken an interest in her. She defends her intentions ardently:

My cousin says that I was sleeping with her husband. She lives with a soldier, and if you are my cousin, I can't do anything bad to you, right? Because you are my cousin. Plus her husband didn't want Haitians living in his house because, you know, he is Dominican. Besides, he is a soldier and is never at home and didn't have time to talk to me. When I get up, I do my chores, and I don't sit down to talk to him, and besides, I don't know Spanish, so whatever he could say to me I wouldn't understand. He doesn't talk to me. If he needs water, he asks me

¹¹⁴ Kulstad 2007

for it, and if he says, 'Get me that,' I go and get it. But him being in love with me? He has never said such a thing. Even so, she (her cousin) was jealous, so I left her house.

Next, Jorelyne went to live with a female friend, who turned out not to be looking out for her best interest either. According to her account, the friend gave access to a male neighbor to where Jorelyne was sleeping so he could have sex with her. She narrates her experiences soberly:

(Then) I used to live with a (female) friend of mine because I had nowhere else to go. One time I was asleep in her house and she sent a man to rape me. It was 10 o'clock at night and the door was locked, I don't know how he got into the room where I was, but he started to put his hands on me. I knew him, he was interested in me, but I didn't want to do it. I told him to let me go, that I didn't want to. I grabbed a knife and he took it from my hand. He is a big man, so I started to scream and he ran away. That happened 4 months ago, down there (in Barrio Mingo). From that very day, I left that house.

Unfortunately, her third living arrangement did not work out either, this time due to the sexual harassment of her host: *"There was another man who gave me a place to sleep, but he wanted me to sleep with him, and I left that house after 3 months."* Now, Jorelyne lives alone; she managed to rent her own room in the Barrio Mingo for DOP 500 (US\$ 13) per month – half of her salary as a domestic worker.

Rape and sexual abuse of women and girls who have been displaced by the Haiti earthquake has drawn the attention of the international community, especially regarding the situation in the camps for internally displaced persons within Haiti. Less attention has been paid to sexual violence against women and girls who are staying with host families in the interior of the country, and even less when they leave the national territory where the natural disaster occurred. The OCHA *Guiding Principles on Internal Displacement* – though non-binding – delineate protection needs for women and girls who have been internally displaced. However, if the displaced person crosses the border following a natural disaster, there is no corresponding normative framework of protection. Therefore, "internationally" displaced girls and teenagers in Elías Piña are even more vulnerable to abuse and in need of protection.

7. INSTITUTIONAL RESPONSE

This chapter seeks to answer the second set of research questions: “Who are the governmental and non-governmental entities and service providers with the mandate to intervene in cases of violence against Haitian migrant, in-transit and displaced women? What is their level of comprehension of the issue? What is their institutional response?” It is divided into two sections. The first section describes the current functioning of the referral system in cases of violence against women, and gaps that have been identified. The second focuses on the market and border crossing, in order to examine who is involved in improving the situation in these two places and what their proposals are.

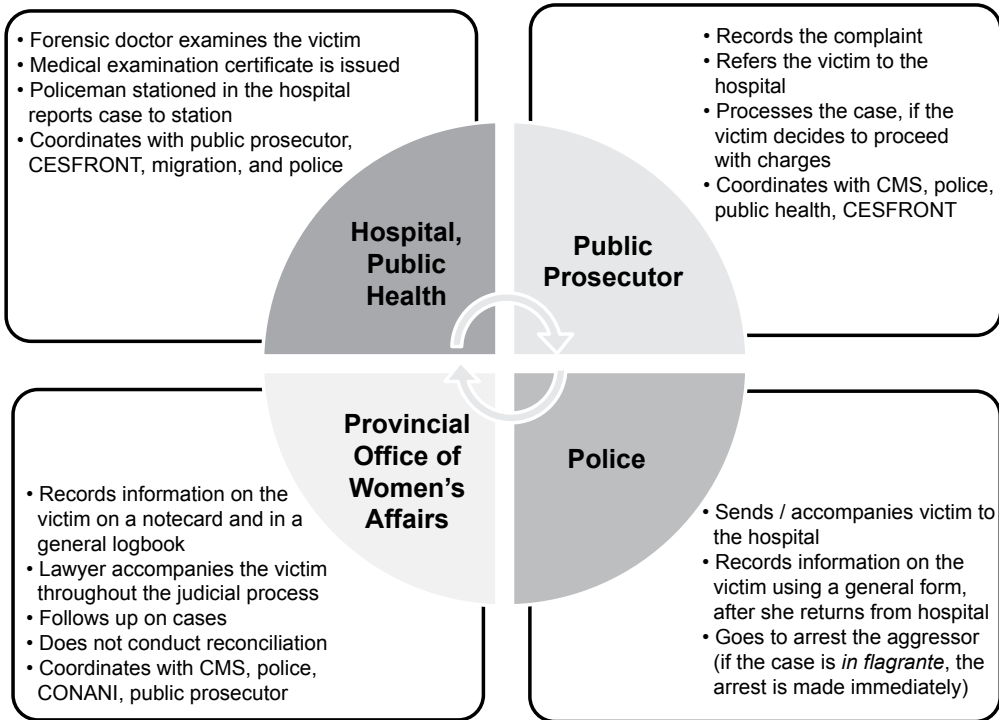
7.1 The Referral System in Cases of Violence against Women

The referral system – which is also known as the “critical route” – is comprised of all institutions and organizations with the mandate to prevent and/or intervene in cases of intrafamily violence and violence against women. It establishes the steps that a woman who has experienced violence should follow in order to seek services, as well as the institutional response that she should receive.¹¹⁵ According to Law 24-97, this route starts at the Police, and then proceeds to the Public Prosecutor and forensic doctors in order for the case to be heard in court. Later, this route was modified in a reform to the Penal Procedure Code.

In Elías Piña, the referral system encompasses various state institutions – Police, Public Prosecutor, Hospital, Provincial Health Directorate, and the Provincial Office of Women’s Affairs – as well as non-governmental organizations such as the CMS, Jano Siksè Border Network, and Plan International. The following graphic summarizes the information gathered through interviews and working meetings carried out as part of this study, on the current functioning of the referral system in Elías Piña.

¹¹⁵ Shader 1998

Current Functioning of the Referral System in Elías Piña



In addition, the *Colectiva Mujer y Salud* offers legal accompaniment and emotional support to survivors who seek their services. The Border Network Jano Siksè monitors human rights violations and accompanies victims in seeking a resolution to the conflict at hand. Also, Plan International is implementing a family violence prevention project, in which they conduct awareness workshops in various neighborhoods around Comendador and in other municipalities of Elías Piña (for a more complete description of their work, see Appendix 2 Stakeholder Mapping).

7.1.1. Police

According to the policemen who were interviewed, when a woman who has suffered violence arrives at their headquarters, regardless of whether she is Haitian or Dominican, the procedure is as follows:

Mostly, when they come in presenting symptoms of being beaten or abused, we tell them to enter and to feel calm and reassured. Then, if she presents symptoms of being beaten, we take her in the police vehicle, accompany her to the doctor, and treat her like the client of our service. Then we go to the Public Prosecutor so that they explain the process, if

*it is an old (offense), or if it is momentary, and (the survivor) explains how long he has been doing it.*¹¹⁶

If the incident is *in flagrante delicto* – that is, if it is underway or has just occurred – then the police can proceed to arrest the aggressor without having to wait for the Public Prosecutor to issue an order of arrest. The police do not keep any specific registry of cases of violence against women, but instead record the survivor's details using a general police form, normally after she returns from the hospital. The police station of Comendador has both Creole-speaking personnel and a private space in which to interview the survivor. At the time of fieldwork for this study, there were 103 active policemen, 14 of whom were women. Many have received training on violence offered through the CMS and the Provincial Office of Women's Affairs; however, the interviewees solicited more training, especially for female police officers, in order to strengthen their role in the referral system.

According to the policemen interviewed, Haitian women are treated exactly the same way as Dominican women: *"We treat them the same way. We offer them the same assistance as we offer Dominican women."* They add that the majority of complaints are registered by Haitian women – *"If we had to say, it would be that they are the ones who come in the most. Of 20 cases that occur, 14 or 15 are of Haitian women"* – although this statement would have to be cross-checked through analysis of the police registry. They claim that it is not necessary for the survivor to have Dominican identity documents in order for them to follow through on the case: *"Consider this – if today we look for So-and-So who was beaten in such-and-such a place. She only needs to say that she was beaten and where, and we will go. She does not need any document."*

The greatest difficulty that the policemen interviewees report when assisting Haitian migrant women is following through on their cases, given the informality of their living conditions and the constant flow of persons (both survivors and aggressors) between Dominican and Haitian territory. In particular, they point out that:

- Haitians tend to use many different names and nicknames, which makes it difficult to locate the aggressor and to follow up on assistance to the survivor;
- The informality of living conditions, including lack of established physical addresses, also hinders their ability to locate the aggressor and follow up with the survivor; and
- Sometimes the aggressors "take to the hills," hiding or returning to Haiti in order to avoid arrest and subsequent deportation.

Gaps and Challenges

Despite prior attempts to sensitize the police and to improve the treatment given to female survivors, the policemen's account is far from the experiences of migrant women interviewed

¹¹⁶ Interview with First Lieutenant, Captain and Sergeant Major in the Police Department of Comendador, 19 May 2011.

for this study. None of the interviewees reported having been well attended; several used the Haitian Creole phrase “*lave me siye a tè*” to express that for them, going to the police is like “*washing your hands and drying them on the ground*,”¹¹⁷ meaning they consider it an exercise in futility. They report having received discriminatory treatment, in which the policemen either refuse to assist them or simply do not follow through on the case because there are Haitian.

Bibine says that it is particularly difficult to obtain protection and follow-up on the case from the police when the aggressor is Dominican: “*There are women who go to the police to register a complaint that their husband is abusing them. When a Haitian woman is married to a Dominican, and the Dominican beats her, if she goes to the police, they don't do anything because she is Haitian and he is Dominican.*”

Sonia's experience confirms the difficult mentioned by the police of the aggressor “taking to the hills”: “*I had a 'vye neg' ('old good-for-nothing') who would beat me and didn't give me any food and that is why I left him. Sometimes he hit me on my head or my ass.*” She went to the police several times. She says that they would give her a paper for her to take to the “mayor” but the aggressor would “*take to the hills*” (hide). On another occasion, she says that the police asked her for Dominican identity documents. Between the frustration of their not being able to locate her abuser and her lack of documentation, she no longer trusts that the police will be able to resolve her problem, and has given up seeking their protection. In her words, “*So I just left it like that, in God's hands.*”¹¹⁸

During the fieldwork, the research team observed firsthand how some policemen discriminate against Haitian nationals and require that they present identity documents in order to assist the survivor. On Saturday, May 21, 2011, a representative of the *Colectiva Mujer y Salud* accompanied a migrant woman to the police, after she arrived at their office, recently beaten by her husband and crying tears of frustration, because the police would not help her. According to the survivor, who speaks conversational Spanish and completely understood the exchange:

When I went to the police I was crying and the policeman said to me, 'Never mind, it was her husband who hit her' and all of them were laughing and no one listened to me. Does that mean that because it was my husband who hit me, that he can even kill me just because he is my husband? I felt bad then because I am a person. Then the policeman said, 'I don't know. The Haitians never have an ID, no document to identify them, so I can't do anything.'

When the *Colectiva* staff accompanied her during a second visit to the police station, the officer on duty said that he had not mocked the survivor, but rather had sent her to the Public Prosecutor – despite the fact that the incident was *in flagrante* and happened after hours on a Saturday, when the Public Prosecutor's office was no longer open. The CMS staff member explained that they had come to register a complaint, and would like to know the procedure to follow. The policeman grew angry and told them to sit and wait for the patrol car. He

¹¹⁷ Focus group with Haitian migrant women violence survivors, 19 May 2011.

¹¹⁸ Focus group with Haitian migrant women violence survivors, 26 May 2011.

raised his voice, insisting again that “*she is not Dominican and since she doesn’t have any identity documents we cannot take down her address because at any time she might go back to Haiti.*” He did not offer to call the officers on patrol by radio, and instead sent both women to the hospital to seek a diagnosis. This episode makes clear that the assistance offered to Haitian violence survivors is not always adequate, and that sometimes officers’ treatment of victims is not only indifferent but can also be aggressive.¹¹⁹

7.1.2. Public Prosecutor

The role of the Public Prosecutor is to represent the State in the prosecution of crime in all phases and forms, including domestic and intrafamily violence against women, as sanctioned by Law 24-97. Since 2005, there has been a shift in which the majority of these types of complaints are no longer registered with the Police but rather with the Public Prosecutor. In Elías Piña, the Public Prosecutor estimates that about 95% of all complaints are registered there instead of at the police station.

According to the magistrates interviewed, the procedure is as follows: first, the survivor arrives at the Office of the Public Prosecutor to register her complaint; there they interview her and fill out the “Evaluation questionnaire for victims of intrafamily violence” (official form of the Ministry of Women and the General Public Prosecutor of the Republic).¹²⁰ In cases of physical violence, the victim is referred to the forensic doctor at the Provincial Directorate of Health, who examines the victim and issues a medical certificate. When she returns with her diagnosis, the Public Prosecutor issues an “order of arrest and admissibility” against the aggressor. Next, the police go to make the arrest, and within a 48-hour period the Prosecutor requests the “coercive measure supported by evidence” (*medida de coerción sustentada en pruebas*). The Deputy Public Prosecutor of Elías Piña emphasizes that the Police do not need an order of arrest in order to detain the aggressor if the incident is *in flagrante delicto* (underway).

Following these steps, the Public Prosecutor opens an investigation, during which the alleged aggressor may be held for up to three months in prison, or up to six months if another coercive order is issued. The Ministry of the Public Prosecutor investigates the case in order to file a summons (formal accusation or another alternative means) with the Examining Magistrate. When the case enters the accusation phase, this Magistrate examines the evidence and determines if it warrants going to trial. When the case does proceed, the guilt or innocence of the accused is debated during the trial.

¹¹⁹ Deficiencies in the behavior of the National Police extend beyond indifferent or aggressive treatment toward Haitian nationals. According to the Global Competitiveness Report 2011-2012 of the World Economic Forum, published in September 2011, the Dominican Republic ranks in last place out of 142 countries in terms of credibility of its police force. See Mejía, Odalis, “RD saca malas notas en informe Competitividad” in *Hoy Digital*, 8 September 2011, available at: <http://www.hoy.com.do/el-pais/2011/9/8/392406/RD-saca-malas-notas-en-informe-Competitividad>. The report itself can be downloaded at <http://www.weforum.org/reports/global-competitiveness-report-2011-2012>.

¹²⁰ The Public Prosecutor of Elías Piña says that they use two forms: one to register the complaint and another which is given to the victim. It remains to be investigated which form is given to the victim.

A secretary at the Elías Piña Public Prosecutor's Office keeps a separate registry of cases of intrafamily violence and violence against women, in addition to the general registry in Excel of all of the cases being handled by the institution. In addition to coordinating with the police, CESFRONT (in case the aggressor is to be deported), and Public Health, the Public Prosecutor also works with the attorney from the Provincial Office of Women's Affairs (OPM) and the attorney and psychologist at the CMS when the survivor requires legal assistance or emotional support.

Both of the magistrates interviewed – Public Prosecutor and Deputy Public Prosecutor – appear to be quite sensitized on the topic of violence against women. The Public Prosecutor recognizes that attitudes which used to prevent people from reporting violence are changing:

A good brother, a good son, a good father, or a good husband does not abuse any woman, because he will think, 'And if she were my sister? Or my wife? Or my mother?' It is very difficult for an educated man to abuse a woman... Not so many years ago, they used to say, 'In a fight between man and wife, no one should meddle.' Now it is no longer like that. Any neighbor who hears his neighbor beating his wife can go and report it, because violence (against women) is not a problem of the couple but of society at large. (This attitude) still exists, but it is being dismantled little by little. Changing people's attitude is not a task that can be completed in just a day. It has to be a reiterative matter.

Likewise, the Deputy Public Prosecutor, who participated in CMS's diploma course on violence against women and the link with HIV/AIDS in 2010,¹²¹ seems highly sensitized, knowledgeable on the subject, and dedicated to the cause of increasing access to justice for women who have suffered violence at the hands of their partners.

The Public Prosecutor says that treatment of Haitians and Dominicans is the same. The Public Prosecutor himself speaks Haitian Creole; when he is not available, an interpreter is located to assist with translation during procedures and consultations.

Gaps and Challenges

In general, the experiences of the migrant women interviewed regarding assistance received at the Office of the Public Prosecutor have been positive. In addition to having personnel trained in the subject, they also guarantee Haitian Creole interpretation, and maintain a registry of cases of violence against women.

However, the Public Prosecutor of Elías Piña faces several difficulties when it comes to ensuring the accessibility and follow-through on cases. For example, if the crime occurs at night or on the weekend, the court is closed (24/7 service is no longer available at their office). Therefore, the Public Prosecutor recommends that victims go directly to the police to solicit immediate arrest if it is *in flagrante delicto* and/or when the incident occurs after 5pm on weekdays on

¹²¹ Diploma course organized by the Colectiva Mujer y Salud, sponsored by the Embassy of Canada and UNIFEM, offered in Elías Piña from January to June 2010, with the participation of approximately 60 people.

anytime on the weekend. Nor does the office have a specialized assistance unit or shelter where they might offer temporary housing and protection to victims. According to the Deputy Public Prosecutor, “Sometimes we have to place the victim in her mother or aunt’s house in order to separate her from the aggressor.”¹²²

Notwithstanding the relatively satisfactory service offered, the magistrates interviewed state that Haitian women seldom report the violence they are suffering, with the exceptions of claims regarding child support or excessive fee collection in the market. The Public Prosecutor attributes their lack of reporting to the normalization of violence against women within Haitian culture, the weak institutional context in neighboring Haiti, and the erroneous fear that they will be repatriated for not having proper documents:

*Generally the women who might be (victims of violence) are illegal immigrants. So, with their interest in going to the capital, they might – we do not have concrete cases, but this is the impression that we have – understand that by pressing charges against any violence against them would bring about their repatriation. She could be assaulted, but might prefer to seek out another person to offer her service. If they are abused by someone, maybe their interest is not to report it because maybe they think, erroneously, that they could be repatriated.*¹²³



Working meeting with local authorities and civil society organizations to discuss the referral system in cases of domestic violence and efforts to improve the situation in the market and border crossing, Comendador, August 2011. Photo credit: Hillary Petrozziello

¹²² Interview with the Deputy Public Prosecutor of Elías Piña, 27 May 2011.

¹²³ Interview with the Public Prosecutor of Elías Piña, 18 May 2011.

When a Haitian victim does decide to file a complaint, the magistrates interviewed say that they encounter the same difficulties as the police when it comes to following up on the cases (informality of living conditions, porosity of the border, etc.); in addition, they say that the women themselves allow the cases to drop, because they do not show up when summoned or decide not to proceed with the case. According to the same magistrate:

*The Haitian nationals (women), in their transient condition, do it (press charges) when coming or going. Here, when they report a crime, for example that of physical aggression, the case might drop because they do not come back again. Unless she is a trader who comes here regularly, it will drop because there is no victim. With the exception of grave cases, such as death, homicide, including in cases of rape for which there is a series of procedures...*¹²⁴

One measure the Public Prosecutor has taken is to put the victim down as both victim and witness simultaneously, in order to obligate her to give testimony even when she no longer wishes to proceed with the case.¹²⁵ Further research must be carried out on the implications of this measure, since it would appear that it could increase possibilities of the victim suffering further or more severe violence, in the absence of effective protection services. It is worth recalling that the purpose of the protection and referral system is to protect people's basic human rights, including the right to live a life free of violence. When understood in this way, it becomes clear that criminal punishment is a means, not an end in and of itself. Thus, the purpose of the referral system is to guarantee effective protection for the survivor, while offering the necessary support through different duty bearer institutions so that she can leave the violent situation and rebuild her life.

Regarding other types of violence against migrant women in Elías Piña, the Public Prosecutor adds that he has extra-official knowledge of the existence of abuse on the part of *buscones* and drivers, as well as rapes on the way to the capital and some other forms of abuse on the part of military personnel along the border crossing, but he says that the Office of the Public Prosecutor cannot intervene if the victim does not file a complaint.¹²⁶ The Public Prosecutor in Elías Piña has coordinated with that of Belladère in some cases, but it appears that such coordination is sporadic and somewhat fragile, likely due to the institutional weaknesses of the Office of the Public Prosecutor in the neighboring commune, which were surely aggravated by the recent violence (arson of the facility) which resulted in its temporary closing as well as the loss of many records.

7.1.3. Do Haitian Survivors of Violence against Women Report It?

The testimonies of survivors interviewed for this study confirm that many indeed decide not to report the violent acts perpetrated against them. Their motives include those identified by

¹²⁴ Interview with the Public Prosecutor of Elías Piña, 18 May 2011.

¹²⁵ Comment of Public Prosecutor in a working meeting with local authorities in OTIMER, 10 August 2011.

¹²⁶ Interview with the Public Prosecutor of Elías Piña, 18 May 2011.

the Public Prosecutor – they come from a context of extremely weak institutions, and fear repatriation both of themselves (which, according to the Public Prosecutor, is not carried out) and of the aggressor (which is done, in coordination with Migration and CESFRONT) – but they also include other factors and considerations, some of which derive from their migratory condition, and others of which are similar to those of survivors of Dominican, or other, nationality.

Some motives deriving from their migratory condition which lead Haitian women not to report violence include the following:

- Not knowing Spanish (especially among recent arrivals)
- Not knowing where to go; being unfamiliar with the system
- Believing that they have no rights because they are Haitian (foreigners)
- Fearing repatriation
- Coming from an extremely weak institutional context

For example, Nicole, the 25-year-old migrant who suffered domestic violence at the hands of her Haitian partner when she arrived at Elías Piña, never reported it because she had arrived recently and did not know how to speak Spanish. In addition, she says that she did not know where to go, and did not have any family members who could support her there.

In the case of domestic workers, many are unaware of their labor rights, or do not believe that they have the right to claim them due to their migratory status, which confirms Bridget Wooding and Alicia Sangro's finding in the study "Advancing the rights of migrant women: The case of Haitian migrant women in the Dominican Republic."¹²⁷ Sixteen-year-old domestic worker Jorelyne, for instance, has reported neither the labor abuses nor the sexual harassment she has suffered from her employer because she does not speak Spanish and is unaware of her labor rights. Nor has Bibine reported her employer's non-payment of wages because she believes she does not have rights because she is Haitian. According to Bibine, "*I did not go to the police, because I am Haitian and she is Dominican.*" They simply change employers, in the hope of receiving better treatment in their new employer's home.

Regarding the fear of repatriation, the violence survivors seem to fear not only their own but also the deportation of their abuser whom, once sent back to Haiti, could very well be allowed to go free. In the first focus group, Kettia raised this question: "*I would like to know... why it is that when a Haitian man does something here, they don't take him to prison, but instead send him*

¹²⁷ In the study, they found that instead of being familiar with the concept of labor rights, Haitian migrant women are more likely to employ the concept of human dignity, which they express through the Haitian Creole phrase "*tout moun se moun*" (every person is a person). Wooding, B. and Sangro Blasco, A. 2011. "Avanzando en los derechos de la mujer migrante: caso mujeres migrantes haitianas en República Dominicana". PowerPoint Presentation, FLACSO/RD, 18 February 2011.

to *Mibalén*.” If we take into account the difficulty expressed by the CESFRONT coronel, that sometimes there are no Haitian authorities available to receive persons upon their repatriation (illustrating the previously mentioned institutional weakness in neighboring Haiti), it could be the case that deportation is equivalent to the unconditional liberation of the aggressor. Furthermore, given the porosity of the Dominican-Haitian border and the corresponding ease with which people from both countries enter and exit, it is very probable that the aggressor could return to Dominican territory, frustrated by having been deported, and with greater intentions of seeking revenge upon his victim, leaving her unprotected from possible future attacks.

Other migrant women opt not to report violence for reasons similar to those of Dominican survivors:

- Family and/or social pressure
- Religious beliefs
- “Learned helplessness”¹²⁸
- Fear of the abuser
- Economic dependence
- Lack of confidence in the capacity of institutions to protect them or resolve their situation

Mirlande, the migrant¹²⁹ who survived 30 years of sexual, verbal, economic, and physical violence, as well as an attempted femicide, never filed any charges against her husband. She decided not to primarily due to fear of her abuser. She also felt pressured by her children, until finally she accepted their proposal to go live with one of them instead of reporting the extreme abuse she experienced to the authorities. According to her account:

I never reported it because my children did not want me to. They told me that if I put him in jail, “The burden would be on us, since he has no one else and his family is from the hills. Leave him. When you can no longer live with him, take your body away from him. When you pick yourself up you will feel sorry for him, and we will have to bring him food. If you see that you can’t live with Dad, leave him and come live in one of your daughter’s houses’... You know that when you have children with someone you can’t run to the police, because there is a series of things that that person can do to you, so you think about it and you don’t go to the justice system with that person... There is a whole bunch of things that you see you could do

¹²⁸ According to Quiroga et al (2009: 83), “learned helplessness” is a state of resignation in which women who have been victims of violence “give up” and come to see aggression toward them as an unavoidable punishment and fate.

¹²⁹ In Mirlande’s case of such extreme and prolonged abuse, it is worth questioning whether she should be considered a migrant or a refugee. In some countries, Mirlande could seek asylum on the grounds of continuous persecution and threats to her life together with the absence of State protection.

to him... But you don't do those bad things because of your children, because come tomorrow your children will see what Mom did.

In other cases, the survivor decided not to report the abuse due to her religious beliefs, in addition to family pressure. Benita, who was raped by a member of her church in Haiti and bore a daughter from that rape, did not report it out of respect for the religious beliefs of her parents: “*I was going to press charges, but my parents are (Evangelical) Christians and they told me not to. ‘When the baby girl is bigger, he will meet his daughter, and you can’t hurt him like that because he is a son of God,’ (her father told her) and so I left it like that.*” (When her family pressured her to marry her attacker, however, she refused).

Similarly, when Kettia, a migrant girl originally from Belladère, was beaten by a man on the streets of Comendador following a heated exchange, instead of reporting it, she decided to tell her mother, who turned to God: “*I went home and told my mother, but since she is Evangelical (Christian), she took up a Bible and read various psalms. Then she turned the Bible over and said, ‘My God, you know that I have done no harm to that man. If I have done any harm, then do justice, and if not, also do justice.’*” According to her account, two days later, “*The man was stoned to the point that they broke his leg, and to this day he walks with a limp on that leg.*” In other words, for Kettia and her mother, God provided justice.

Dayana, the woman in transit who survived an attack when crossing through the bush, shared the story of a neighbor of hers in Belladère who suffered both physical and economic violence, but never filed any charges against her husband. In her account, it is worth noting her knowledge of women’s rights despite ongoing social pressure and inappropriate treatment by the police:

She did not go to the police, because you know, the rights we have now didn’t used to exist. She could go to report it, but many people go to the police to report their husbands and when they arrive, the police ask them, ‘Was it your husband?’ Yes. ‘Do you have children?’ Yes. ‘Ah! Then go home to take care of your children and let it be.’ That is why some women don’t go to the police.

Like their Dominican counterparts, many Haitian violence survivors decide not to report it because they do not trust that the system will be able to guarantee their safety, “*whether due to shortages of personnel or other resources (vehicle, fuel), lack of trained and sensitized personnel, and/or lack of effective inter-institutional coordination.*”¹³⁰ This is even more so in the case of Haitian women, who come from a weak institutional context (they are not accustomed to reporting to institutions or trusting them to resolve their situation in their own country), and on top of that, they feel discriminated against and distrustful in the capacity of institutions in the host country to respond to their protection needs (they say that, as mentioned previously, seeking help at some institutions is like “*lave me siye a tè*” or “washing your hands and drying them on the ground”).

¹³⁰ Quiroga et al 2009: 58

Lastly, a major challenge is the situation of economic dependence in which many of the survivors find themselves, within a context of extreme poverty, which leads them to endure the violence instead of reporting it or ending the relationship. Daphnee, who suffers verbal and economic, but not physical violence, explains the decision of other women in her community as follows:

I have seen many women whose husbands hit them down there where I live, Haitians and Dominicans, but the problem that they have is that they say they can't go to the police to report them because if their husbands are in jail they will have nothing to eat. I have seen this, but it is the woman who knows, if she says she will protect her husband from the police, I can't tell her not to... I used to live in a place down there and a young woman was living in the same compound (patio) as me. Her husband was always beating her and pulling a knife on her, but she would never agree to go and report it. (Another) Haitian woman who was living with a Dominican soldier who was beating her, she would never report it because she was afraid that the soldier would be fired from his job.

Even when the survivor does decide to file a complaint, sometimes the very situation of economic dependence leads her to drop the charges she has filed. One of the policemen interviewed explained his perception of this phenomenon as follows:

She says, 'Let him go because who is going to support me? Look, I am pregnant, I have two children. Who is going to work?' If she comes in having been beaten, they will go arrest him (the aggressor). But 10 minutes later she doesn't want her husband to be imprisoned. One does it because those are the legal procedures, but as soon as the case goes to the Public Prosecutor it is dropped.¹³¹

This could very well be a lived reality for many violence survivors: if and when they gather enough courage to file a complaint at a time of crisis, they might return later when they have considered the implications of doing so for the family economy. In this situation, it is common for them to place a higher priority on the food security of their family than their own physical security, which illustrates how poverty makes it even more difficult for poor women to report and/or leave a violent relationship. What remains unclear is whether they are always the ones who decide to withdraw the complaint, or if some authorities encourage them to consider how they will support their family if the aggressor is imprisoned, unintentionally causing them to drop charges.

In Kathia's experience, she went to the police and they put the aggressor in jail, but they released him four days later and told him to give her money. According to her account, "*When I was at the Office of the Public Prosecutor, the judge asked me, 'Who will support you (financially)?' I told him that I did not have anyone because my mother was not here, and I had a child, and could not lower my head in order to work (due to the physical injuries she had sustained), and he told me that if my ex-husband did not give me money that I should go to the police to report him.*" Kathia

¹³¹ Interview in the Police Station of Comendador, 19 May 2011.

feared for her life, but could not count on the protection of the police or the judicial system, who were only concerned with who would support her financially. Instead, she fled to her cousin's house. *"I was at home and while he was in jail, I packed all my things and left the house for my (male) cousin's house. I was afraid and decided not to go back with him because one day he might kill me. He found me and said he wouldn't hit me anymore, but I told him that I would not go back with him."* This shows how, when facing threats or violence, it is common for migrant women survivors to rely more on their social networks than on institutional protection.

When analyzing the reasons for not reporting violence mentioned by the survivors, together with the observations of the local authorities interviewed, we can see that the women's motives merge with the authorities' expectations of them, thus perpetuating a culture in which Haitian women tend not to report the violence they suffer. Are they the ones who withdraw charges, or are they subtly encouraged to do so by the police who assist them? Is the problem that they are not aware of their rights or how to exercise them, or is it that the authorities are not fulfilling their role as guarantor of their rights? Do the women decide not to report it due to their experiences with ineffectual institutions in their country of origin, or because they cannot trust the institutions in the host country to guarantee their safety? Whatever their motives may be, Haitian migrants who have survived violence against women are thrust into a vicious cycle in which they neither expect to find justice, nor do they seek it. At the same time, those with the mandate of guaranteeing their access to justice anticipate that the women will not follow through on the case, and may become apathetic when it comes to attending to the claims filed by Haitian survivors, placing State protection even further out of reach for women who have suffered violence within its jurisdiction.

7.1.4. Hospital and Provincial Directorate of Health

The Rosa Duarte Hospital is a public hospital located on the road into Comendador, which services the entire population of the province of Elías Piña, or approximately 68,000 inhabitants. It has a staff of 18 doctors, a majority of which are women, and 4 of which speak Haitian Creole. In May 2011, the hospital staff was caring for a relatively high number of cholera cases – between 7 and 10 patients daily – in addition to numerous childbirths and cases of the most common ailments in the poorest province of the Dominican Republic: acute respiratory infections and acute diarrheal diseases.¹³²

The hospital is one of several hospitals in the border region which faces the challenge of using the modest resources it receives from the Dominican State to attend the entire population that arrives at its facilities, both Haitians and Dominicans. In addition, there has been a perceived increase in demand for services following the incident in which the residence adjacent to the Belladère hospital was burned,¹³³ resulting in the withdrawal of

¹³² PNUD 2010: 123

¹³³ Interview with Rosa Duarte Hospital Director, 23 May 2011

the NGO Partners in Health and the temporary closure of the hospital there. Benita, a cross-border trader from Belladère, confirmed this trend: “*Now there is not a (working) hospital in Belladère and the people come here, because they burned the hospital¹³⁴ and the doctors left the country. I have a neighbor who came to the hospital here and died, and they took her back across the border.*”

The Provincial Directorate of Health (DPS, in Spanish), on the other hand, is in charge of overseeing the operations of all hospitals and health centers that pertain to the Public Health system within the province of Elías Piña. The DPS manages vaccination campaigns, nutrition and environmental health programs, and plans for epidemiological outbreaks; it also sets up new health facilities and lobbies the Ministry of Health. Its role in attending violence victims is currently quite limited, since victims go directly to the hospital instead of DPS. The Directorate does not keep any statistics on the incidence of VAW.

In terms of the assistance offered in the hospital in cases of violence against women, the hospital director reports that there they do not treat violence directly but rather the injuries that the patient presents. Some of their personnel participated in the diploma course that CMS offered in 2010, as well as in other trainings on violence offered through Profamilia, CONANI and other institutions. Training notwithstanding, the hospital has yet to establish a protocol that delineates the steps to follow when assisting patients who present symptoms of having been abused. Currently, their intervention is limited to facilitating a referral to the police or Public Prosecutor through a policeman who remains on watch in the hospital, but only when the patient specifically requests this. The hospital also coordinates with the forensic doctor who works at DPS, in case the patient requires a medical certificate to determine the gravity of injury caused by domestic violence, which is key evidence for the court and affects the sentence issued.

Of all of the governmental institutions that make up the referral system in Elías Piña, the hospital is the institution with which the Haitian women interviewed have had the most experience, since many of them have given birth there. According to the Hospital Director, 7 of every 10 women who arrive at the hospital to give birth are Haitian; according to the Provincial Health Director, that figure is closer to 6 out of 10.¹³⁵ Hospital staff ask them to present some form of identification (identity card, birth certificate or passport), but they seldom carry such documentation.¹³⁶ The hospital keeps a statistical record of all cases attended for purposes of justifying its budget allocation to the central government.

In this study, all of the Haitian women who had used hospital services for childbirth or surgery felt that they had been well attended. Daphnee, a hospital user who was interviewed at the Rosa Duarte Hospital, says that she felt satisfied with the service she received:

¹³⁴ Apparently, the doctors' home adjacent to the hospital was burnt, and only minimal damage was sustained at the hospital facilities. However, the incident did cause hospital personnel to flee and the facility to close temporarily, in the midst of the cholera outbreak.

¹³⁵ Interview with Provincial Director of Health, Elías Piña, 24 May 2011

¹³⁶ Interview with Rosa Duarte Hospital Director, 23 May 2011

I have felt good because since November when I was pregnant, I have been coming in for consultation and each time that they have admitted me, and I have stayed up to 8 days in the hospital, they have given me good service, plus he (her husband) is a doorman in the hospital. They didn't ask me for anything, just the card, then after I filled it out they didn't ask me for anything else. When I gave birth they asked me for my identity card and I told them I didn't have one. When I gave birth they attended me well. Here they attend all women because I came here a lot when I was pregnant and I have seen that they treat Haitians and Dominicans the same. A woman came to give birth and she didn't have any family and they treated her well.

Daphnee's experience affirms the observations of Erica Ann Felker-Kantor, who carried out her doctoral thesis on perceptions of maternal health services among Haitian migrant women in Elías Piña.¹³⁷ In her thesis, Felker-Kantor discovers that the Haitian women interviewed find the service at the Rosa Duarte Hospital much better than the service available at public hospitals in their country of origin. She also finds that although service is always offered to migrant women, the quality of such service is sometimes discriminatory, and the payment system is ambiguous at best.

Gaps and Challenges

The hospital director reports that the hospital has enough personnel to attend all patients who arrive, but that the resources sent by the central government only take into account the Dominican population that it is supposed to cover in the province of Elías Piña. According to the hospital director, "*When they add more people, the resources run out. The problem that we are presenting to the State is that we do not have enough resources here to attend this population. We need economic resources to supply them with medicine, transportation, blood, assistance in general.*"¹³⁸ He went on to list a number of difficulties that the hospital faces in terms of extending their services to undocumented migrants:

1. They sometimes give a name "that is not real."
2. They do not carry identity documents.
3. They come in alone, and do not have anyone to take responsibility for them or accompany them.
4. When they do come in with a companion, sometimes that person abandons them.
5. They come in without resources, and are unable to pay the cost recovery fee that they are charged.

Regarding the last point, it appears that the hospital is now charging patients who do not have medical insurance in order to recover some of the hospital's operation costs. However,

¹³⁷ Felker-Kantor, E.A. 2011. *Perceptions of Maternal Health Care Among Haitian Women in the Dominican Republic: Do Race and Ethnicity Matter?* Doctoral thesis, University of Florida.

¹³⁸ Interview with Rosa Duarte Hospital Director, 23 May 2011

the system by which patients are charged remains unclear, including whether there are established fees and how payment can be made. In effect, many of the people who go to the hospital for consultation later do not have the necessary means to complete treatment, which is an obstacle that seriously impedes access to health services for migrant women.

In terms of assistance offered in cases of VAW, the greatest gap identified is that the hospital has an incomplete understanding of its role in the referral system. Currently, it limits its intervention to examining the patient for purposes of issuing a medical certificate (in coordination with the forensic doctor at the DPS). They ask no further questions of the victim even when she clearly presents symptoms of having suffered physical abuse. According to the director of the Rosa Duarte Hospital:

*Here we do not treat that part directly, because the majority of Haitians come here because of a pathological condition. They do not come here to present their cases of violence. If they feel abused they do not come to present a case of abuse here. If some patients come in with injuries, traumas, here we treat the trauma, because here we do not have a unit to treat those cases directly. We treat injuries. And then, if she says that she was abused by someone, the police or Public Prosecutor deal with that.*¹³⁹



In Comendador, pregnant Haitian migrant women like “Bijou” (pictured above) usually give birth in the Rosa Duarte Hospital, where the study participants report they have been well-attended. However, when a violence survivor arrives presenting symptoms of abuse, this same hospital neither inquires further into her situation, nor informs her of her rights. Photo credit: Hillary Petrozziello

¹³⁹ Interview with Rosa Duarte Hospital Director, 23 May 2011

The Provincial Director of Health coincides with the Hospital Director in his understanding of the role of Public Health which, according to them, is limited to medical diagnosis since, in his words, “*aggression against women is not a diagnosis.*”¹⁴⁰

This limited conception demonstrates that the Public Health personnel interviewed – Hospital Director, Epidemiologist, and Provincial Health Director – were familiar with neither the 2002 “National Norms for Comprehensive Treatment of Intrafamily Violence and Violence against Women” nor the recently published “Guide and Protocol for Comprehensive Health Treatment in cases of Intrafamily Violence and Violence against Women,” both of which were issued by the Ministry of Public Health. The latter document clearly establishes the integral role of the Public Health system not only in diagnosis, but also in ensuring coordination with other entities of the referral system in order to guarantee comprehensive service to the survivor so that she can leave the violent situation and rebuild her life. In the working meetings that followed the field work for this study, both the Deputy Director of the hospital and the Provincial Health Director were given a copy of the Guide and Protocol document, so that both institutions can begin to study and implement the established protocols in their respective areas of work.

The hospital does not have a psychologist on staff, which makes it difficult for them to evaluate psychological trauma, nor does it maintain a registry of patients who have suffered violence against women, which presents a major obstacle to keeping statistical records of VAW at provincial or other levels.

Lastly, it appears that the health personnel could benefit from additional training in order to improve the quality of service offered to violence survivors who go to the hospital. According to one of the magistrates interviewed, “*There are many doctors at the hospital who are not sensitized on the issue. They need to learn how to put themselves in the other person’s shoes.*” She recommends offering additional training to doctors because she recognizes that “*if they don’t interview the person who comes in, many times the case drops there and then and cannot proceed.*”¹⁴¹ Since the hospital is often the first and only point of entry into the referral system for many migrants who have suffered violence, it is essential that their capacity to respond and coordination with other institutions of the referral system be strengthened.

One possibility, which the Hospital Director shared, would be to generate a cooperation agreement between CMS, the Public Prosecutor, the National Police and other institutions that are interested in participating, in order to create a specialized assistance unit in cases of intrafamily violence and violence against women. The Provincial Health Director suggested that his office could carry out a detailed review of the “shift turn-over” registry (“*entrega de guardia*”) in order to analyze how many patients’ injuries could have been caused by domestic violence, in order to justify the creation of this unit. He proposes classifying the most frequent causes of women’s emergency visits – wounds, births, etc. – and cross-tabulating the results with age and trauma

¹⁴⁰ Interview with Provincial Director of Health, Elías Piña, 24 May 2011

¹⁴¹ Interview with the Deputy Public Prosecutor of Elías Piña, 27 May 2011

suffered, in order to arrive at an estimate of the incidence of violence against women among current hospital patients.¹⁴² This task could constitute a first step that the CMS takes toward the creation of an Observatory on Gender-Based Violence in Elías Piña.

7.1.5. Provincial Office of Women's Affairs

The *Oficina Provincial de la Mujer* (OPM, or Provincial Office of Women's Affairs), which is the local representation of the Ministry of Women's Affairs, was established in Elías Piña in 2002. Currently, three people work there (coordinator, attorney, and secretary), offering services such as sensitization campaigns and training courses for women, and accompaniment of VAW survivors who come to their office throughout the legal process.

In cases of violence, the OPM's procedure is as follows: the woman's contact information and details of the case are recorded on a note card and in a registry; the attorney accompanies her to the Office of the Public Prosecutor; and she follows up on all cases as they proceed. The coordinator of the OPM insists that her office doors are open to all, whether Dominican or Haitian, and that her office never attempts to reconcile survivor and aggressor. The OPM keeps a registry of all cases that come to their office.

Gaps and Challenges

The majority of the survivors who go to the OPM office are Dominican; only four Haitian women had visited the OPM between January and May 2011. None of the Haitian migrant women who participated in the study was aware that the office exists.

The OPM coordinator showed very little sensitization toward the situation of VAW that Haitian women face; she erroneously attributes violence to "their culture" as if it were not also a grave problem within Dominican culture as well. According to her viewpoint: "*You know that those people have a different culture from ours and they are used to hitting their women. They are a people who will even take off their belt to beat the women.*"¹⁴³

The coordinator was not familiar with the concept of the "critical route," or what is more commonly referred to as the referral system, which could explain the little inter-institutional coordination evident between her office and other entities within the system beyond the Public Prosecutor. The OPM conducts little to no outreach toward the general population, and even less toward Haitian women; its intervention is limited to attending only those women who visit their office. Neither the hospital nor the police refer survivors that visit them to the OPM. In the opposite direction, nor does the OPM gather statistics from other institutions or carry out coordination efforts beyond the attorney's follow-up on cases with the Public Prosecutor.

¹⁴² Interview with Provincial Director of Health, Elías Piña, 24 May 2011

¹⁴³ Interview with the coordinator of the Provincial Office of Women's Affairs, Elías Piña, 24 May 2011

7.2 Coordination Efforts toward Improving the Situation in the Market and Border Crossing

7.2.1. Market

The mayor of Comendador, market administrator and several market vendors interviewed have all expressed that the situation in the market has improved considerably in comparison with how it was before. Some measures that have been taken to cut down abuse on the part of fee collectors include:

- Hiring a supervisor for the market fee collectors, who is “*well paid, so he doesn’t become corrupt*”¹⁴⁴
- Implementation of a system in which fee collectors give the merchant a receipt establishing the amount of merchandise seized when she or he cannot pay the fee

The mayor of Comendador explained these measures as follows:

*I tried to find a solution and that was that when they (fee collectors) seize the merchandise, they give them a receipt for the quantity of merchandise taken and then when the women (merchants) bring the money they hand over the receipt. So, we are making progress, but it is not enough. There are fewer cases in comparison with 2006. We have managed to start charging Dominicans and to bring down the fees for Haitians. We have made substantial progress.*¹⁴⁵

Despite these efforts, this study has found that Haitian vendors are still being charged random and unequal fees, and the fee collectors continue to commit violent acts against the women vendors (verbal violence, sexual harassment, physical violence, and even rape).

One civil society organization that arose out of the need to address this kind of abuse is the Jano Siksè Border Network (RFJS, in Spanish). The Network, which is known in Comendador as *Derechos Humanos* (Human Rights), began operating in the early 2000s, and covers the entire border region, from Montecristi in the north to Pedernales in the south, and on the Haitian side, from Ouanaminthe in the north to Anse-a-Pitre in the south. The Network has trained and placed observers in the markets and border crossing points, who monitor authorities’ treatment of Haitian nationals and cross-border traders and document any abuses they witness, in addition to complaints of other human rights violations filed with their organization.

At the beginning of August 2011, the RFJS organized a meeting with local authorities, both military and civil, as well as the market administrator, with the objective of working with the

¹⁴⁴ Interview with the Comendador market administrator, 26 May 2011

¹⁴⁵ Interview with the mayor of Comendador, 25 May 2011

authorities to deal with the issue of trade in Comendador, Elías Piña and the excessive military checkpoints and inappropriate fee collection. Some of the action points that emerged from that meeting include:

- Reducing the number of military checkpoints, and taking up complaints with superiors (CESFRONT Coronel)
- Clean up the bad reputation surrounding the perceived excessive charging of tax fees at customs (Customs Administrator)
- Take the complaints about the decline in market sales to government to seek out possible solutions (Provincial Governor)
- Request certificate from Doctor Bautista Roja Gómez to certify that the number of cholera infections has decreased and that there is no longer any threat to free trade (Mayor, Trader, and Provincial Representative)
- Hire female market fee collectors instead of males (Market Administrator)
- Supervise the office where seized merchandise is kept by the market fee collectors (Human Rights Committee)

The penultimate measure – hiring women instead of men to collect market fees – might provide an opportunity to correct the abuses against female merchants that go beyond excessive fee collection. Apart from this, however, little attention has been paid to other types of violence against female market vendors. Efforts must be made so that the market vendors themselves, alongside the organizations that are working to protect their rights like the CMS, are included in these types of dialogues in the future to ensure that such initiatives take into account their security and interests.

Many of the stakeholders interviewed for this study expressed hope that some of the recurring problems will be resolved through the construction of the new market. According to the mayor:

The construction of the new market will allow us to resolve many things. We have thought about building housing for workers in the border region, and then providing identity cards to those workers that allow them to enter the commercial center, and (establishing space) so that the Haitians who are spread here and there can have a fixed space in the market. These are project ideas that we have. Migration would be in charge of providing identity cards, identifying persons who enter and leave – this is what we have been talking about, but there is nothing concrete yet. The new market project is underway, with some resources, and it is hoped that sometime next year the new market will be functioning.¹⁴⁶

The market vendors who belong to the Women's Network organized by the CMS are also hopeful that changes will be made to improve their situation. In a series of meetings in July

¹⁴⁶ Interview with the mayor of Comendador, 25 May 2011

and August 2011, they compiled a document with a set of proposals (see Appendix 3). They are asking for the following:

1. Changes in the administrative model: setting a fixed fee; giving them sufficient time to sell their wares before collecting fees; giving them a ticket with the amount due for them to pay at the end of the day, but not seizing merchandise; etc.
2. Creation of a space for conflict resolution within the provincial government office or another such office where they can seek support as needed when they have any difficulties in the market.
3. Changing fee collectors upon receiving any complaint about their behavior, and having the fee collectors and supervisors treat them with due respect.
4. Creation of an identity card that identifies them as market vendors.
5. In terms of the physical structure of the market, they request that it have:
 - Several entrance and exit doors (at least 4)
 - At least 10 bathrooms, separated for men and women
 - Wide spaces that facilitate access and movement
 - Tables with chairs inside the market for the vendor women
 - Merchandise storage area with a responsible person to supervise and watch over the merchandise so nothing is lost
6. Access to microcredit at an accessible interest rate with monthly payments.

These proposals were presented by a representative of the Haitian market vendor women in a public meeting with authorities, local stakeholders from Comendador and Belladère, and Haitian women, on 11 August 2011. Additional efforts must be made to ensure that the market vendors are invited to participate in the upcoming consultations with civil society that the Comendador municipal government plans to hold in the near future, so that they can present their proposals to a broader public. This type of civic participation is a historic opportunity for trader women to be consulted and included in a public project that directly affects their work, security, and living conditions.

7.2.2. Border Crossing

In terms of the violence against Haitian women on the border crossing, a system has yet to be established to facilitate communication and conflict resolution with CESFRONT and other Armed Forces when complaints arise.

Similarly, clear procedures and institutional competencies should be outlined in order to investigate cases of abuse – especially rape and murder of women – along non-official border crossing points. CESFRONT, for example, reports having knowledge of both of the murders of Haitian women that took place at the end of April 2011, but clarifies that “*when someone turns up dead, if it is a Haitian national, the Haitian authorities are called and the (cadaver) is turned over to them.*” The CESFRONT Coronel went on to explain that it cannot be determined whether those murders were indeed femicides because “*we would have to know who killed her, or if she took her own life, because there (in Haiti) they don’t carry out any type of forensic pathology, nor will they do any type of investigation.*”¹⁴⁷ Within this system, when a Haitian migrant woman is killed on the border, even when it occurs within Dominican territory, no record is made of this crime nor is any investigation opened.

¹⁴⁷ Interview with CESFRONT Coronel in Elías Piña, 26 May 2011.

8. CONCLUSIONS

For more than a decade, researchers of migrations in Latin America and the Caribbean have signaled a new turn in cross-border relations, toward international land borders as spaces of co-existence and cooperation, giving way to less conflict than in the past. Nevertheless, the Dominican-Haitian border, which is in flux, still exhibits violence in a more subtle fashion, which is directed toward particularly vulnerable groups and erodes citizen security. This study has analyzed the specific situation of violence against Haitian women who are migrants, in transit, or who have been displaced along the Dominican-Haitian border.

While a more favorable legislative framework is certainly necessary in both origin and destination countries, as is a more sensitized public opinion on related topics, the emphasis of this study has been on the roles and responsibilities of two key actors in the region: the migrant women themselves as rights holders with remarkable resilience; and the relevant authorities as duty bearer institutions.

Since the end of the last century, the so-called new vision of the border¹⁴⁸ holds that the border is characterized by cooperation, rather than prior conceptualizations of frontiers as traditional areas of conflict throughout Latin America and the Caribbean.¹⁴⁹ However, this rhetoric (which was previously revisionist but is now widely accepted) does not necessarily reflect reality on the ground, leading some researchers to refer to borders as transition zones¹⁵⁰ or areas with low-intensity conflicts,¹⁵¹ as in the case of the Dominican-Haitian border.

In contrast with other borders in the region, the Dominican-Haitian border officially opened only twenty-five years ago, following the fall of the Duvalier dictatorship in Haiti in 1986.¹⁵² Nevertheless, the official opening and closing of different points along the border tends to be

¹⁴⁸ FLACSO RD 2002; Lozano y Wooding 2008

¹⁴⁹ Castor 1988, Lozano 1992

¹⁵⁰ Dilla 2007

¹⁵¹ Murray 2010

¹⁵² FLACSO/INESA 2003

used as a leverage point during times of political tension or other types of crisis. For example, in 2010 and 2011 the co-existence of border residents and migrants in transit along the border has been shaken up by at least three phenomena. The most severe was the 2010 Haiti earthquake, followed by the cholera outbreak which has been ongoing on the island since October 2010. In addition, the repercussions following the presidential and legislative elections of 2010-2011 were particularly troublesome in the border context of Comendador-Belladère.

Borders are complex places in which a variety of different actors operate, with multiple interests at play. On the Dominican-Haitian border, migrant women navigate their way among traders and fee collectors, soldiers, smugglers, human traffickers, pimps, government bureaucrats, host families, employer families, and their own partners and transnational families. In this variety of contexts, migrant, in-transit, and displaced women are exposed to various forms of violence. They come from a country marked by extreme poverty, which exposes them to structural violence, which in turn, leads to other types of violence in their lives, such as domestic violence, physical and sexual assault, among others. When women migrate, they are exposed to other types of violence according to the context in which they move, whether in the bush, the marketplace, or in the *kay madam*.¹⁵³ The migrant women in this study come from a fragile culture in terms of being able to claim their rights in Haiti. The difficulties they encounter along their migratory trajectory can make exercising their rights in the destination country an even more remote possibility, in part due to lack of knowledge of their rights but also due in part to the weak rule of law in the Dominican Republic.

The table on the following page provides a summary of the typologies of violence facing migrant women in the border context of Comendador-Belladère that were identified in this study.

¹⁵³ The Haitian Creole term “*kay madam*” refers to a family home, or literally “house of the madame,” which is where many migrant women find work upon arriving to Dominican territory.

Typologies of Violence against Migrant, In-transit and Displaced Women

Context	Types	Perpetrators	Survivors
Home	Physical violence Sexual violence Verbal violence Economic violence	Intimate partner (Haitian or Dominican)	Haitian women (migrants, in-transit and displaced)
Official Border Crossing Point: El Carrizal	Improper charging of "toll" Physical and verbal violence Sexual harassment	CESFRONT and soldiers/policemen	Women in transit
Unofficial Border Crossings: "In the Bush"	Robbery Assault Sexual violence Homicide	Scouts Travel companion (family member) Delinquents (Dominicans and Haitians "in the bush") Motorbike drivers	Haitian women (migrants, in-transit and displaced)
Street	Sexual harassment Sexual violence	Dominican and Haitian men (known persons and strangers)	Migrant women Displaced women
Market	Verbal violence Physical violence Sexual violence "Macuteo" ("Shaking down" for money)	Fee collectors (all four types) Sellers and clients (only physical and verbal)	Haitian market sellers
Domestic Work	Violation of labor rights (non-payment, unfair termination, excessive hours, payment of less than minimum wage) Sexual harassment Rape	Employers Males of the household Males of the household	Domestic workers (migrants and displaced women and girls)
Trafficking and Smuggling	Fraud/deception Sexual violence Human trafficking	Scouts Bus drivers Complicit authorities	Haitian women (migrants, in-transit and displaced)
Sex Work	Forced sex work Rape Physical violence Robbery	Haitian and Dominican scouts Clients (Dominican and Haitian men) Complicit authorities	Haitian women (migrants, in-transit and displaced), especially young women
Repatriations	Violation of rights recognized in the 1999 Bi-national Protocol of Understanding Robbery of belongings	CESFRONT Migration (DGM)	Haitian women (migrants, in-transit and displaced), suspected of having irregular migratory status
Girls and Adolescents	Domestic abuse Risk of abuse and exploitation Sexual violence	Host family members Males of host family household	Foster daughters <i>Restavék</i> Displaced girls

Following the Haiti earthquake of January 2010, greater attention has been paid to the problem of violence against Haitian women who have been forcibly displaced. Initially, the focus has been mostly on the sexual violence perpetrated against internally displaced women in the camps in Haiti, with secondary attention paid to other contexts such as the Dominican-Haitian border. The complexities of the border context have been aggravated by the cholera outbreak since October 2010, which has triggered the periodic closing of the border, leading the women in transit to cross over using unofficial border crossing routes. In addition, at the time of the study, the dust had barely settled following civil unrest in Belladère due to disputed electoral results in Haiti, which then led to an increase in demand for health services in Comendador (following the hospital closure in Belladère). These three phenomena – earthquake, cholera, and post-electoral violence – complicate the situation even further for the migrant women trying to maintain their dignity and physical integrity while navigating international borders.

In terms of the institutional response, Elías Piña has a referral system comprised of the following governmental institutions: National Police, Office of the Public Prosecutor, Hospital, and Provincial Office of Women's Affairs. Three civil society organizations offer complementary services to those offered by the State institutions: *Colectiva Mujer y Salud*, the Jano Siksè Border Network, and Plan International. Various gaps and challenges have been identified in terms of the operation of the referral system, especially regarding inter-institutional coordination, discriminatory treatment on the part of the police, and the limited role of Public Health in making inter-institutional referrals.

Some attempts have been made to improve the situation in the market and border crossing, but these have been limited mostly to the subject of extortion/improper fee collection, detracting attention from other types of abuse perpetrated by fee collectors in the market and military men on the border against Haitian migrant women.

There is a notable lack of organizations and inter-institutional coordination surrounding the other types of violence identified, such as rape and murder on the border, abuses of domestic workers, and forced sex work, among others, which certainly warrant greater attention in the future.

During the working meetings with local authorities and stakeholders, participants shared many creative ideas and manifestations of political will to address the problems of domestic violence and violence against migrant women in the market and in the border crossing. Parallel to these developments, the migrant women have begun to get organized through the Women's Network, which has enabled them to begin articulating their situation and actively identifying possible solutions.

Taking into account the experiences of organizations in other parts of the country, including other areas of the border, to end violence, especially violence against migrant women, the Women's Network in Elías Piña could consider carrying out some horizontal learning exchanges with organizations such as the *Red contra la violencia* based in Dajabón and covering

the northern section of the border, or with the well-known *Núcleo de Apoyo a la Mujer* (NAM) in Santiago de los Caballeros.

This study emphasizes the urgent need for a radical change in current practices which tolerate violence against migrant women, with little public outcry on the island or beyond. It is our hope that this report will point out possible courses of action for key stakeholders, including accompanying organizations who support these women along their migratory trajectory. What follows is a series of recommendations for different sets of key actors in this context: the *Colectiva Mujer y Salud*, Haitian migrant women themselves, relevant authorities, civil society organizations, international organizations, and bi-national governmental representatives.

9. RECOMMENDATIONS

9.1. Colectiva Mujer y Salud

- When launching the database with indices on violence for the Observatory on Violence against Migrant Women (OBVIO), the following recommendations are offered:
 - Support and follow up with the Rosa Duarte Hospital in Comendador in order to begin using the new diagnostic form which has been published in the *Guía y Protocolo del Ministerio de Salud Pública*, and subsequently in order to establish a data collection system of information gathered through the use of this new form, in order to begin generating reliable statistics on the number of domestic violence cases attended at the hospital. Building upon the ground work initiated through the working meetings, CMS could act as a liaison between the hospital and the DPS to ensure that statistical information is shared on a weekly basis. Also, building upon the work of the Statistics Coordinator at the DPS, the CMS can assist in the dissemination of the statistics generated. As a point of departure, and in accordance with the suggestion of the DPS Director, the CMS can lobby for detailed re-examination of the current registries to classify which women's injuries treated in the hospital could have been caused by domestic violence.
 - Coordinate with the secretary at the Office of the Public Prosecutor, and with the Deputy Public Prosecutor, to compile data from their registry of cases of intrafamily violence and violence against women.
 - Coordinate with the secretary at the Provincial Office of Women's Affairs to compile data from their registry of cases of intrafamily violence and violence against women.
 - Collaborate and exchange information on other types of violence against migrant women with GARR and the Jano Siksè Border Network.
 - Contact the NAM / UNFPA / Ministry of Women's Affairs regarding the Diagnostic of the Assistance System for Violence against Women that they were carrying out between April and June 2011. The diagnostic focuses upon the four border provinces

and six provinces in the rest of the country, and is based upon focus groups with governmental and municipal institutions and civil society organizations. The information gathered through this diagnostic could serve as a baseline to begin collecting data for the Observatory.

- Consider the possibility of learning from the model of the Observatory of Gender-Based Violence against Women of the Organization of Salvadoran Women for Peace (ORMUSA), El Salvador: <http://observatoriodeviolencia.ormusa.org>.
- Coordinate with the Ministry of Women's Affairs to obtain results of the 2011 assessment of the system of assistance in cases of violence against women. Work with the Hospital and the Provincial Directorate of Health to improve the collection of statistics.
- Consider carrying out horizontal learning exchanges between women of the Elías Piña Women's Network and their counterparts in Dajabón or Santiago de los Caballeros, in order to encourage the transfer of good practices.
- Recognize the importance of the Intermunicipal Cross-Border Committee (CIT), which is coordinated by OTIMEP, and brings together the six municipal mayors of the province of Elías Piña and the six mayors of the Central Plateau of Haiti, in order to coordinate cross-border development initiatives and to resolve border-related conflicts. Recently, the CIT formed a civil society committee, which will be participating in a diploma course to strengthen civil society coordinated by Progressio. Efforts could be made for this entity to include in its agenda migrant women's issues of interest, such as conflict resolution in the market, the elimination of bribes, or the creation of a cross-border identity card, as political advocacy issues.
- Support the creation of a conflict resolution mechanism. Currently, there is a Municipal Management Commission in Comendador, made up of the mayor, market administrator, coronels of the police, armed forces, and CESFRONT, and representatives of the vendors' associations. The Commission meets sporadically to resolve conflicts, but only when, for example, the market administrator resorts to having his friends at the local radio stations call for a meeting. In coordination with RFJS, the CMS can support Haitian women vendors in order to negotiate their access to this space, in order to turn it into an active conflict resolution mechanism. The objective would be to establish clear channels through which parties can file a complaint and seek a resolution of their problem (in cases of merchandise disputes, for example, but never in cases of domestic violence).
- When creating the security unit in the marketplace, as planned within the "Women in Transit" project, collaborate with the human rights observers of the RFJS, so that those receiving training can report abuses to the Network. Involve the market administrator, to the extent possible, since he recognizes that there have been problems in the past with market fee collectors and his interest is that those who come to sell in the market do not suffer abuse.

- Accompany the institutions that participated in the working meetings in July and August 2011 in the implementation of the agreed-upon actions (documented in separate report).
- Continue distributing the stickers with telephone numbers of the institutions that belong to the referral system, as a means to encourage the practice of inter-institutional notification and coordination.
- Contact Plan International in San Juan de la Maguana to learn from their experiences activating the referral system there.
- Support the migrant women in their organizing efforts, using the proposals that they have generated as a base document (see appendix 3), so that they can participate in decision-making processes regarding the new market.

9.2. Migrant Women

- Participate in training activities on the right to live a life free of violence; human rights; labor rights; women's rights; rights in case of repatriation; etc. as well as training on the channels through which to present complaints in case of violation of these rights.
- Organize an association of Haitian merchants in order to represent their interests collectively, especially during the consultation process and construction of the new border market.
- Travel in groups, during daylight hours, to the extent possible. Learn self-defense techniques and the Spanish language.

9.3. Relevant Authorities

- Create a system in order to ensure that the survivor is accompanied between institutions. Never send her alone to the hospital or elsewhere; always accompany her.
- Strengthen coordination between institutions, in order to improve the quality of assistance in cases of violence against women. In order to maximize synergies, establish effective communication system between the different institutions belonging to the referral system: Public Prosecutor, Hospital, Provincial Directorate of Health, National Police, *Colectiva Mujer y Salud*.
- Strengthen the institutional response of Public Health in cases of violence against women, given that the health system is the first and sometimes only point of contact between Haitian women and public institutions, where they apparently feel well-attended. It is imperative that the Public Health sector go beyond its peripheral treatment of the problem. Strengthen the response of the hospital and other health centers to diagnose symp-

toms of declining health that occur as a result of violence: restructure the medical history chart, follow medical instructions related to immediate treatment, follow through on notification procedures for the existing record-keeping system, and make the corresponding and necessary referrals for the patient to access psychological, emotional, and legal support. Fully implement the national-level guidelines *Normas Nacionales para la Atención Integral en Salud de la VIF y VCM*, and its respective implementation protocol *Guía y Protocolo para la Atención Integral en Salud de la Violencia Intrafamiliar y Contra La Mujer*.

- Establish an office or other entity (e.g. ombudsman) where Haitians who have suffered violence at the hands of authorities can register a complaint and receive a response.
- Identify which factors may be blocking access to services and justice for migrant women from a linguistic and cultural perspective, and take appropriate measures in order to make these services more user-friendly. Involve the human resources trained by CMS as intercultural mediators as well as backing courses on Haitian Creole language and culture.
- Expand the functions of the recently-created Gender Unit in the municipality of Comendador in order to include violence prevention as one of the competencies coordinated within the municipal government. According to article 19 of the municipal law 176-07 (2007), the municipal government has the obligation of being knowledgeable of and attending to the problem of gender-based violence within its territory and assigning funds from its budget for education, gender, and health.
- Organize meetings with high-level officials of CESFRONT and the national army, in order to arrange trainings for their personnel on appropriate treatment of Haitian women, within the framework of their ongoing training in topics of human rights.

9.4. Civil Society Organizations

- Negotiate a space for the participation/representation of the interests of the migrant women market sellers in the new market. Contribute, from civil society, in the design of the project and definition of operational procedures, while learning from the challenges in the construction of other border markets, notably in Dajabón and Pedernales. Ensure the full participation of the Women's Network, which CMS coordinates, in this process.
- Designate a coalition of organizations to oversee the functioning of the referral system in cases of VAW. Involve other community stakeholders, such as NGOs, in combating the problem. They can make referrals, accompany the survivor, and carry out social oversight of the fulfillment of the respective roles of each institution.
- Strengthen the use of television programs: the Provincial Directorate of Health, in collaboration with CMS and the Provincial Office of Women's Affairs, could produce an episode of the existing program "Health on the Border" focusing on the topic.

- Train migrant women, in their language, on where to go in cases of abuse. Educate survivors that they will not be deported for registering a complaint of violence. Design outreach materials in two languages, to raise public awareness that violence affects families and the entire community, making it everyone's responsibility to work towards its eradication.
- Organize follow-on trainings for men in the topic of new masculinities, in order to alter violent behavior patterns associated with dominant forms of masculinity.
- Call attention to new areas of concern in which migrant women are at risk, but where more data is needed so that the State can fully assume its protection responsibilities, with the support of civil society. Such areas of concern include forced prostitution, domestic work, and cross-border fosterage arrangements for Haitian girls. Take note of lessons learned in current work with market seller women.

9.5 International Organizations

- Continue building the capacity of civil society organizations to dialogue with authorities regarding issues of violence against migrant women.
- Continue to support training activities for relevant authorities to improve their awareness, knowledge, and skills to duly confront the problem of violence against migrant women.
- Make use of international networks to draw media attention to the situation of Haitian migrant women on the Dominican-Haitian border, in order to promote a more favorable environment for them to exercise their rights vis-à-vis the wide array of violence against them.

9.6. Bi-National Response

- Border municipalities: Implement regulation of border markets, which currently operate extra-legally.
- General Directorate of Migration: Establish an identity card or special entrance permit for cross-border market sellers.
- Inter-institutional Committee for the Protection of Migrant Women (CIPROM) and Inter-institutional Commission against Human Trafficking and Illicit Smuggling of Migrants (CITIM): Make effort to scale up protection of Haitian migrant women in work plans.
- Monitor the application of the rules established in the new Migration Rules of Procedure (*Reglamento*), especially regarding clauses related to the guarantee of rights of cross-border workers.
- Take advantage of the re-establishment of the Mixed Bilateral Commission (CMB) in order to include violence against migrant women in its agenda.

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APPENDICES

Appendix 1: Stakeholders Interviewed

Authorities and Government Institutions, Elías Piña (and San Juan)	Position
Municipal Government of Comendador	Mayor
Office of the Public Prosecutor (<i>Palacio de Justicia</i>)	Public Prosecutor Deputy Public Prosecutor
Police	First Lieutenant Captain Sergeant Major
Rosa Duarte Hospital	Director Epidemiologist
<i>Dirección Provincial de Salud</i> (Provincial Health Directorate)	Director
<i>Dirección General de Desarrollo Fronterizo</i> (governmental development program focused on the border area)	Coordinator
Customs Office, El Carrizal	Administrator
Provincial Office of Women's Affairs	Coordinator
CONANI - CEANI (<i>Centro de Atención Integral a Niños/as</i>)	Director
CONANI Regional Office in San Juan	Regional Coordinator
CESFRONT	Coronel
<i>Dirección General de Migración</i> (General Directorate of Migration)	Coordinator
Private Sector, Elías Piña	Position
Border Market of Comendador	Administrator

NGOs and Civil Society, Elías Piña (and Jimaní)	Position
Progressio / Jimaní	Aid worker
Progressio / Elías Piña	Aid worker
Colectiva Mujer y Salud	Director of Elías Piña office
Plan International	Coordinator, Border Region
Jano Siksè Border Network	National Coordinator
Human rights activist (independent)	Key informant
Dominican Red Cross	President
NGOs and Civil Society, Belladère	Position
Organizasyon de fanm Belladère (OFECBEL, Organization of Women of Belladère)	Member
Mouvman Famm Devlopman Belladère (MFDB, Movement of Women for the Development of Belladère)	Secretary
Comité dua moun Belladère (KDMB, Committee for People's Rights of Belladère)	
GARR (Human Rights Committee)	Treasurer
Organisation de Developpement pour la Suivir de Belladère Cachiman (ODSBC, Organization for the Development of Cachiman)	
Asosyasyon Peyzan Loba (Loba Peasants' Association)	Coordinator/Founder

Appendix 2: Stakeholder Mapping

Institutions and Organizations in Comendador					
	Organization	Telephone	Address	Representative	Functions
1	Municipal Government	8098789868	Center, Comendador	Luis Minier, Mayor; Maritza Valdéz, Coordinator of Gender Unit	Seat of municipal government; leader of OTIMEP (see description below); auctions off market administration annually; recently created Gender Unit.
2	Clínica Dra. Cabrera	8095270356	Barrio Militar # 15		Clinic offering medical attention.
3	Colectiva Mujer y Salud	8095270145 8092000235	Calle María T. Sanchez, Esq. C/ Sto. Dgo.	Teodora Martínez, Coordinator of the CMS office in Elías Piña	Feminist NGO with operations in Santo Domingo, Monte Plata and Elías Piña. Opened office in Elías Piña in 2006, where it offers services and training in sexual and reproductive health and HIV/AIDS. Offers legal assistance and emotional support to VAW survivors, and has collaborated with various organizations to extend support to Haitian women who were displaced by the earthquake in Haiti. Currently implementing the project "Women in Transit," financed by AECID, together with Spanish NGO <i>Mujeres de Mundo</i> .
4	National Council for Children and Adolescents (CONANI) Regional Office (San Juan and Elías Piña)	8095579464 8095579466	San Juan de la Maguana	Marleis Labul, Regional Coordinator	In Elías Piña there is a <i>Centro de Atención Integral a Niños/as</i> (CEANI), where full services are offered to vulnerable children from 45 days up to 6 years of age, only 4 of which are children of Haitian origin. The Center does not conduct any community outreach or offer child protective services beyond those offered to the children enrolled in their programs. The regional CONANI office in San Juan is in charge of investigating cases of child abuse and protection of minors. It also conducts trainings for street children, adolescents, and parents. However, it exhibits very little sensitization regarding issues of violence against Haitian women and girls, and demonstrates strong anti-Haitian sentiment.
5	Dominican Red Cross	8092560454	Calle Santa Teresa # 29	Dr. Fello Pérez, President	NGO dedicated to the prevention and mitigation of human suffering, such as cholera prevention and direct assistance in emergency situations. Covers the entire province of Elías Piña. Coordinates with Red Cross and evangelical church in Haiti. Conducts activities with Haitians who have been displaced post-earthquake, but does not directly intervene in cases of VAW. Demonstrates very little sensitization regarding issue of violence against Haitian women.

Institutions and Organizations in Comendador						
	Organization	Telephone	Address	Representative	Functions	
6	<i>Desarrollo Fronterizo</i>	8095270099	Calle Santa Teresa # 60	Rodolfo de León Ramírez, Coordinator	Dominican governmental program that carries out infrastructure projects in the border region (roads, housing, etc.).	
7	General Directorate of Migration (<i>Dirección Provincial de Migración</i>) Eliás Piña	8095279682	Carrizal	Cruz Dalis ("Nana") Ramón Merián, Supervisor and Coordinator of Border Crossing	Provincial representative of the General Directorate of Migration. Processes migrants' documents at border crossing (15-20 people cross over legally daily). Coordinates with armed forces to regulate transnational flow of persons at Carrizal. Organizes repatriations of undocumented migrants together with CESFRONT.	
8	Provincial Health Directorate (<i>Dirección Provincial de Salud</i>)	8095270247	Calle Duarte # 38	Dr. Albert Méndez, Provincial Health Director	Provincial representative of Ministry of Health, in charge of overseeing the functioning of hospitals and health centers; setting up new health facilities; lobbying the Ministry of Health; implementing vaccination campaigns, nutrition and environmental health programs; and planning for epidemiological outbreaks. Has a forensic doctor on staff that examines VAW survivors and issues a medical certificate. Currently does not keep any statistics on the incidence of VAW.	
9	Provincial Office of the Public Prosecutor, Eliás Piña	8095270114	Center, Comendador	Juan Bautista Rosario Díaz, Public Prosecutor; Mercedes Lebrón, Deputy Public Prosecutor; Lic. Valdez, Coordinator of cases of intrafamily violence	Provincial office of the General Public Prosecutor of the Republic. Represents the State in the prosecution of crime, including violence against women, domestic and intrafamily violence as sanctioned in Law 24-97. This Office takes down the victim's complaint, refers her to the hospital when necessary, and processes the case as stipulated by law. It coordinates with CWS, the Provincial Office of Women's Affairs, Police, Public Health, and CESFRONT. Maintains a special registry of all cases of intrafamily violence and violence against women. The magistrates report that very few Haitian women bring complaints of VAW.	
10	Food for the Hungry	8095270394	Calle Colón # 55	Fiordaliza	International charity organization of Christian faith.	
11	Rosa Duarte Hospital	8095270116 8297602084	Carretera Sanchez Km 1	Dr. Freddy Cuello, Director	Public hospital located at the entrance to Comendador, providing services to the entire province. Has 18 doctors, the majority of whom are women, and 4 of whom speak Haitian Creole. In cases of VAW, currently its role is limited to examining the patient for the purpose of treating injuries and issuing a medical certificate (in coordination with the forensic doctor of the Provincial Health Directorate), and in some cases, when the victim requests it, referring her to the Police.	

Institutions and Organizations in Comendador					
	Organization	Telephone	Address	Representative	Functions
12	Provincial Office of Women's Affairs	8095279655	Calle Sanchez # 25	Altigracia ("Celeste") Rosario Ubrí , Coordinator	Provincial office of the Ministry of Women's Affairs, established in 2002. Has 3-person staff (coordinator, attorney, and secretary). Conducts awareness trainings and offers vocational courses for women, and accompanies VAW survivors who visit their office throughout the legal process. In cases of VAW, they record the victim's data on a note card; the attorney accompanies her to the Office of the Public Prosecutor; then they follow up on all cases.
13	Intermunicipal Technical Office for Elias Piña (<i>Oficina Técnica Inter-Municipal de Elias Piña, or OTIMEP</i>)	8095279011	Calle Duarte esquina Calle Santo Domingo, Edificio INDOTEL	Liliam Ogando	Association established in 2009, made up of the 6 mayors of municipalities pertaining to the province of Elias Piña, whose purpose is to carry out local development projects and resolve conflicts related to the border. It coordinates the Intermunicipal Cross-Border Committee (CIT, in Spanish) which, in addition to the 6 mayors of Elias Piña, also includes the 6 mayors of Haiti's Central Plateau, and whose purpose is to generate dialogue and increase coordination of development initiatives in border communities. OTIMEP has a cooperation agreement with the British NGO Progressio, which is working to strengthen OTIMEP's capacity to deliver technical assistance and to formulate local development projects. Website: http://oficinatecnica-intermunicipal.org
14	Plan International	8095270367	Galindo # 13	Pedro Made, Coordinator, Border Region	International NGO working on community development centered on children and youth. Works in Elias Piña and Belladère with both Haitian and Dominican children and families. Carries out cultural exchange activities with children from both sides of the border. Has been targeting some activities toward persons affected by the earthquake, especially in topics of prevention of intrafamily violence (including both violence against women and child abuse). Within the framework of this last project, Plan has been forming groups in several neighborhoods of Comendador (Los Corositos, La Gallera, Galindo) as well as in other municipalities such as Sabana Larga, to sensitize the population, especially women, children and youth who have been displaced. They also meet with Dominican and Haitian authorities to form alliances with these institutions and raise their awareness on issues related to human rights.
15	National Police	8095270290	Calle Santa Teresa # 45	Ramón Bienvenido, Captain	State institution in charge of preserving order and public safety. In cases of VAW, the Police sends, and sometimes accompanies the victim to the hospital, takes down her information using a general form, and goes to make the arrest.

Institutions and Organizations in Comendador					
	Organization	Telephone	Address	Representative	Functions
16	Jano Sikseé Border Network	8293457739		Abraham Nova Rosario	Known locally as "Derechos Humanos" or Human Rights, this civil society organization has been operating since the beginning of the 2000s, with geographic coverage all along the border, from Montecristi to Pedernales on the Dominican side and Ouanaminthe down to Anse-a-Pitre on the Haitian side. It has human rights observers in the markets and border crossing at Carrizal, who monitor the authorities' treatment of Haitian nationals and market vendors in general, and document abuses observed and other complaints received. Following several years of being relatively dormant due to lack of funding, in 2011 they began a new project, within the purview of which they have been organizing meetings with authorities to improve the situation in the market and border crossing. In cases of human rights violations, they accompany the victim in efforts to resolve the conflict. This network could be a key ally organization for future action, but would need to strengthen its gender perspective.
17	Partners in Health	8095270226	Calle 27 de Febrero # 62	Jeniffer Severe , Coordinator	NGO founded by Paul Farmer that works in partnership with its sister organization in Haiti, Zanmi Lasante, on health-related projects.
Organizations in Belladère					
18	Asosyasyon Peyzan Loba (Loba Peasants' Association)	(509) 3 775 4979	Belladère	Miguel St. Louis, Coordinator / Founder	Association made up of various grassroots organizations that work on diverse issues, such as education, agriculture, social awareness, and disease prevention. Does not directly work on VAW, though it does collaborate with the Jano Sikseé Network in the human rights monitoring in Carrizal.
19	Comité dua moun Belladère (KDMB, Committee for People's Rights of Belladère)	(509) 3 762 0153	Belladère	Yonel Soy	KDMB is a human rights committee in Belladère that promotes the rights of persons both in Belladère and Comendador as well as other points on the border, through collaboration with GARR and the Jano Sikseé Network. Offers assistance to victims throughout judicial process, assists persons who have been repatriated primarily through transport, food, and shelter (through GARR) on their way home. Regarding VAW, it has a representative on the border to monitor and report cases of violence, such as the seizing of market vendors' merchandise in the market and rape on the border crossing. They also intervene in cases of domestic violence to accompany the victim to the Ministry of Women in Haiti.

Organizations in Belladère					
20	GARR (Human Rights Committee)	(509) 3 677 0857	Belladère	Marie Yoleine Vertus, Treasurer	Civil society organization that works on human rights, prevention and eradication of violence against women and children, among other topics. Works in Belladère, Sabaneta, Ouanaminthe and along the entire border. For the last 3 years, it has had very little funding and has had to operate in a voluntary fashion as it is able. The Belladère committee has 22 active members.
21	<i>Mouvman Famm Developman Belladère</i> (MFDB, Movement of Women for the Development of Belladère)	(509)3 855 1903	Belladère	Roseline Apiègle, Secretary	Grassroots NGO founded in 2005 by Rose Marie Chachoutte, within OFECBEL. The MFDB supports women who have been victims of violence by providing psychosocial support and accompanying them to file a complaint. They also offer training for women in family planning, cholera prevention, and construction of latrines.
22	<i>Organisation de Développement pour la Survir de Belladère Cachiman</i> (ODSBC, Organization for Development of Cachiman)		Belladère	Jean Claude Salomon, Vice President	Grassroots organization that works on reforestation projects, road repair, and water projects. Belongs to the Human Rights Committee, through which they also participate in monitoring on the border and in the market. Also offers assistance to Haitian domestic workers.
23	<i>Organisation des Femmes Créoles de Belladère</i> (OFECBEL, Organization of women of Belladère)		Centre Ville, Local: Rue Saint Charles (rear part of former house of the Governor of Belladère)	Gladys Jean Batiste, Coordinator	Women's organization that has a home economics center in which they offer sewing classes, canoe construction, reading classes, and seminars on smuggling, human trafficking, and violence, in coordination with GARR. They participated in the training in information technologies held by CIPAF and CMS. Coordinates with the Human Rights Committee (supported by GARR) and the Network of Women in Transit made up of women's organizations from Belladère and Comendador.

Appendix 3: Proposals of Haitian Market Vendor Women for the Construction of the New Market in El Carrizal

Results of consultation process with the Women's Network, organized by the Colectiva Mujer y Salud

May-August 2011

The Haitian migrant women who sell in the bi-national market in Comendador have several proposals regarding the new market which will soon be built in El Carrizal. There will be a consultation process with civil society starting this summer, led by the municipal government of Comendador. The mayor, Luis Minier, has promised to create a space for women market vendors to participate, which would be an historic opportunity for them to take part in a civic process that directly affects their welfare, in order to improve the situation of violence that they face in their workplace over the longer term. In order to take advantage of this opportunity, the Colectiva Mujer y Salud has helped them to begin getting organized and to compile their ideas. This document summarizes the results of this consultation process and can be an input of civil society in the planning of this municipal project.

Specific proposals of the market seller women

Recognizing that the majority of the people who sell in the market are Haitian women and that we make a large economic contribution to the municipality of Comendador, through payment of market fees, we would like to ask the authorities: How will we be involved in the consultation process regarding the design and planning of the new market?

We are concerned about the location of the new market in Carrizal, based on our lived experiences at the end of 2010 and beginning of 2011 in which Haitian vendors were separated from Dominican vendors and forced to sell in a provisional market in El Carrizal instead of the town center.

During that time Haitian women experienced even more abuse in the form of extortion by CESFRONT soldiers, loss in sales, unhygienic conditions due to all the mud, and greater risk of assault and robbery due to the delinquency along that border crossing.

We recognize that the construction of the new market could present an opportunity to improve the security and working conditions in the market. Therefore, we request the following:

1. We request changes in the administrative model of the Comendador market for all, without discrimination. We would like the fee to be a fixed amount, of public knowledge, that is the same as that paid by vendors of Dominican nationality. We ask that we be given sufficient time to sell our wares before collectors make their rounds. In case we do not have money to pay at that time, we should be given a ticket with the amount

owed to be paid later, but merchandise should not be taken because when it is taken we do not have the chance to sell it. Or, if merchandise is taken, we should be given the opportunity to count the exact quantity retained.

2. Creation of a space for conflict resolution within the provincial government office or another such office where we can receive support as needed when we have any difficulties in the market. In this space, there should be a Dominican and a Haitian person who can hear our complaints and above all receive us with respect and dignity.
3. Changing fee collectors upon receiving any complaint about their behavior, ensuring that there is a supervisor when we are selling, and having the fee collectors and supervisors treat us with due respect, since we are working in order to be able to feed our children.
4. We need to be given an identity card that identifies us as market vendors, and for CESFRONT to recognize this identity card, so that we can return with ease to Elías Piña, since many of us live with our families in Dominican territory. With this permit, we would like to be able to cross the border without incident not only on market days, but also on other days when we go to purchase goods in Haiti and then bring the merchandise back here.
5. In the new market, we would like to have a space where we can sell in decent conditions. In terms of the physical structure of the market, we consider that it should have the following:
 - Several entrance and exit doors (at least 4)
 - At least 10 bathrooms, separated for men and women
 - Wide spaces that facilitate access and movement
 - Tables with chairs inside the market for the vendor women
 - Merchandise storage area with a responsible person to supervise and watch over the merchandise so nothing is lost
6. Negotiate through a cooperative or NGO to obtain access to microcredit for market vendor women at an accessible interest rate with monthly payments.

We urge the municipal government, independently from the construction of the new market, to create a conflict resolution mechanism, through which we can report abuses of military men in the border crossing and market fee collectors. We also ask that all the institutions take responsibility to end violence against us Haitian migrant women.

Red de Mujeres Migrantes (Migrant Women's Network)
Coordinated by the *Colectiva Mujer y Salud*

Elías Piña, 11 August 2011

Appendix 4: Interview Guide for Migrant Women

Introduction: We are carrying out a study on violence against Haitian migrant women in Elías Piña and Belladère in order to help improve the situation. We confirm that all data from this interview will remain confidential. We kindly ask your permission to proceed with the interview.

Entrodiksyon: Nou ap fe yon etid sou vyolans an kont fanm imigran ayisyen yo nan Elias Piña e Belladère. Finalite a se pou nou ede amelyore sitiyasyon an. Nou konfime ke tou enfòmasyon nan entèviou sa avek ou ap rete totalman konfidansyèl. Nou mande tout sa jès ou, e konpresyon ou, nou mande ou konfimasyon pou nou kapab kontinye ak entèviou a. Eske w dakò pou nou kontinye avek enteviw sa a ?

Kreyól	English
Patikilarite	Individual Characteristics
Kijan ou rele? (non ke nou ka itilize pou entèviou sa).	What is your name? (name you will use for this interview)
Ki laj ou genyen?	How old are you?
Ki kote ou fèt?	Where were you born?
Ki kote ou te rete etan Ayiti anvan ou te travese frontye a ?	Where did you live in Haiti before crossing the border?
Aktyelman w rete nan R.D. oubyen Ayiti ?	Do you currently live in the DR or in Haiti?
Ou te ale lekòl ? Nan ki klas ou te rive?	Did you attend school? What level did you complete?
Ou konn pale espagnol? Si se afimativ ¿ Eske ou kapab li, ekri ?	Do you speak Spanish? If so, can you read and write?
Ou konn li o ekri an kreyól oubyen nan lòt lang ?	Do you know how to read or write in Haitian Creole or any other language?
Eske ou te afekte a kòz de tranbleman de té a kek fason? Sondaj : Ou te oblije al rete yon lòt kote, chanje travay, rete avek lòt moun ect.	Were you affected by the earthquake in any way? (For example: had to move, change jobs, live with other people, etc.)
Eta sivil	Civil Status
Èske ou marye, oubyen ou plase, oubyen ou gen mennaj?	Are you married, in a relationship, or do you have a boyfriend?
Èske ou gen pitit?	Do you have children?
Konbyen pitit ou genyen?	How many children do you have?
Ki laj pitit ou yo genyen?	How old are your children?
Ki kondisyon legal a timoun ou yo ?	What is the legal status of your children?
Timoun ou yo ale lekòl?	Do your children attend school?

Kreyól	English
Kay	Housing
ki kote ou rete?	Where do you live?
Ou ap viv pou kont ou?	Do you live alone?
Kay la kote ou ap viv la se anfème ou anfème l, se kay ou? Oubyen a se prete yo prete w li pou rete?	Is the house where you live rented? Yours? Borrowed?
Kijan kay ou ye? ¿ Eske ou kapab dekri li?	What is your house like? Could you describe it to me?
¿konbyen moun ki rete nan kay la? ¿ Ki moun yo ye? (Pitit, parey , fanmin pi lwen, zanmi.)	How many people live in the house? Who are they? (Children, partner, extended family members, friends...)
¿Kijan relasyon ou gen avek lòt moun yo ki ap viv nan kay la? Eske ou santi ou an konfyans avék yo ? Eske ou santi ou asire kote ou rete a ?	Do you get along with the people who live there? Do you feel comfortable/do you trust them? Do you feel secure where you live?
Istwa migratwa	Migration Story
Kija out e fé pou traverse frontyé a ? Eske ou te gen kek pwoblem avek kek pase a, oubyen yon lòt moun nan chemen an? Eske w te soufri kek tip de vyolans? Konbyen tan ou genyen depi w ap viv nan Repiblik Dominiken? Depi ki lé w pa ale Ayiti? Chak konbyen tan w vwayaje Haitif? Pouki rezon? (komés, visite fanmin) Si li travese regileman, swit, eske w konn genyen kek pwoblem nan chemen an ?	How did you cross the border? Did you have any problems with any <i>buscones</i> (scouts) or other people along the way? Did you experience any type of violence? How long have you lived in the Dominican Republic? How long has it been since you visited Haiti? How often do you travel to Haiti? For what reasons do you travel there? (Commerce, visiting family...) If you cross the border regularly, have you ever had any problem along the way?
Kijan de papye (dokiman) ou genyen nan peyi a? èske ou gen rezidans? Èske ou gen sedola?(kat didantite) Èske ou gen paspò? Èske ou gen visa nan paspò a? (Eke ou gen lòt dokiman?)	What type of identity document do you have in this country? (residency, identity card, passport, visa, none)
Ekperyans vyolans an jeneral	Experience of Violence in General
Nou konnen ke fanm imigran yo kek fwa yo konn soufri vyolans a men parey li, mari, otorite, enpleaté, ect. Eske w kapab rakonte m si w, oubyen kek moun w rekonet te soufri kek tip de vyolans? Sondaj: - ¿Ki sa ki te pase? - Ki moun ki te fé w sa ? - Ki kote sa te pase ? - Sa te pase yon sel fwa, oubyen plizyé fwa ? - Ki sa w te fé, eske w te fe rapó, eske w te ale nan kek sant, si w pa te ale, kiyès moun te ba w api ? - Ki konsekans sa genyen nan lavi w ?	We know that sometimes migrant women suffer violence at the hands of their partners, authorities, employers, etc. Could you tell us if you or any woman you know has suffered any type of violence? Follow up: - What happened? - Who did this to you/her? (relationship to her, do not ask for names) - Where did it happen? - Did it happen only once or was it recurring? - What did you (or her) do? (Did she file a complaint? Visit any center? If not, who helped her?) - What impact has it had on your (her) life?

Kreyól	English
Vyolans entrafamiliye	Intrafamily Violence
<p>Eske kek fwa w konn santi w presyone, kek moun konn tante fe kadejak sou w, swa mari w, oubyen yon lòt gason? Eske w gen kek experians ke w kapab rankonte m?</p> <p>Nan ka afimativ: Kisa w te fé?</p> <p>¿Pouki w panse ke li te fé sa?</p> <p>Kijan w te santi w nan moman sa a ?</p> <p>-Kisa w te fé lé sa te pase ?</p> <p>- Ki kote w te ale nan moman sa a ?</p> <p>- Eske w te al pote plent, w te denose l ? Nan ka afimativ: Ki kote? ¿Koman yo te trate w? Eske w te santi w satisfé avek sevis la yo te ba w?</p> <p>¿Eske parey w konn enpeche w fé yon bagay ke w te vle fé? Eske w kapab rakonte nou? (Sondaj : travay, libété pou soti, zanmitaj, etidye, aprann lòt lang, ect.)</p> <p>- eske w te deside fé tout fason ? ? Pou ki, pouki non ?</p> <p>Ki konsekans w ka genyen si w pa obeyi l, si w pa fé sa li vle?</p>	<p>Have you ever felt controlled, pressured, harassed, or abused by your partner or another man? Have you had any experiences you wish to share?</p> <p>If yes:</p> <ul style="list-style-type: none"> - What did he do to you? - Why do you believe he did this? - How did you feel at that time? - What did you do when this happened? - Where did you go at that time? - Did you file a complaint? If yes: Where did you go? How were you treated? Did you feel satisfied with the treatment you were given? <p>Has your partner ever prohibited you from doing something that you wanted to do? Could you tell us about it? (Examples: work, leaving the house, friendships, family planning, study, learn a language, etc.)</p> <ul style="list-style-type: none"> - Did you decide to do it anyway? Why or why not? - What are the consequences if you do not obey?
<i>Selman si moun nan ki te maltrete li se te ansien mari li, parey li, poze l keksyon</i>	<i>Only in cases in which the aggressor is her partner or ex-partner, ask the following...</i>
<p>Fé yon ti pale sou parey w oubyen sa ki te parey w. Kómman relasyon an ye, oubyen li te ye ?</p> <p>Kijan len te rekonet lòt ?</p> <p>Nan ki parey w travay ?</p> <p>Eske li apote pou swenyaj timoun yo?</p> <p>Ki kote parey w rete?</p> <p>Li konn pase souvan pa bó isit ? (Nan ka ke li rete Ayiti)</p> <p>Chak konbyen tan?</p> <p>Ki kondyon legal parey w, oubyen sa ki te parey w?</p> <p>Eske parey ou , oubyen moun nan ki te parey w te ale lekól ?</p> <p>Nan ki klas li te rive ?</p> <p>Eske w konnen si parey w gen oubyen te gen lòt fi ?</p> <p>Ki lé w te konprann ke relaasyon sa pa t'ap fwksyone ?</p> <p>Ki sa li te espwa de w menm konm fi, kom madanm li ?</p>	<p>Tell us a little about your partner or ex-partner. What is/was your relationship like with your partner? How did you meet? What does he do for work? Does he contribute money to support your children? Where does your partner live? Does he always stay on this side of the border? (in case s/he lives in Haiti) How often does he come/go? What is the legal status of your partner / ex-partner? Has your partner / ex-partner gone to school? What level did he complete? Do you know if your partner has or has had other girlfriends? If referring to ex-partner: When did you realize that the relationship was not working? What does/did he expect from you as a woman or as a wife?</p>

Kreyól	English
<p>Violans nan travay</p> <p>Nan dènye tan sa a, kijan de travay ou fè? Oubyen kijan de travay ou ap fè kounye a? Silvouplè èske ou kapab pale kijan yon jounen ou travay ye nòmalmman.(Kisa w fé, depi ki lpe w komanse travay, avek ki moun, e pou ki moun w travay ?) Kijan yo trate w la ? Eske w konn gen kek pwoblen nan travay la? Sondaj: eske yo konn maltrete w? kek fwa yo konn pa peye w? Nan ka afimativ: - ¿Kisa ki te pase? - ¿Kiyés moun ki te fé w sa ? (relasyon pa nonmen non) - Ki kote sa te pase ? - Kisa li te fé w - Sa te pase yon sel fwa, oubyen plizyé fwa ? - Ki sa w te fé, eske w te fe rapó, eske w te ale nan kek sant, si w pa te ale, kiyes moun te ba w api ? - Ki konsekans sa genyen nan lavi w ? Eske ou genyen kek ekperians kote yo te trate engeyen w ? Eske w konn nan sityasyon kote yo konn trate fé kadejak sou w sexyelman, fé abi sou w seksyelman? Kek fwa yo konn ba w obligasyon pou fé yon bagay w pa vle fé, oubyen ki pa fómé pati nan travay w ? Eske w genyen kek ekperians kote yo kon ofanse w velbalman, an pawól?</p>	<p>Violence in the Workplace</p> <p>Lately, what kind of work have you been doing? Or what type of job do you do currently? Please would you tell us what a normal day of work is like for you? (What do you do? What time do you start working? With whom and for whom do you work?) How do they treat you there? Have you ever had any problems at work? (Follow up: Have you suffered any abuse? Have they ever refused to pay you?) If yes: - What happened? - Who did this? (relationship, not name) - Where did it happen? - Did it happen only once or was it recurring? - What did you (or her) do? (Did you file a complaint? Visit any organization? If not, who helped you?) - What impact has this had on your life?</p> <p>Have you had any experience where they have tried to bribe you? Have you ever found yourself in a situation where you have been sexually harassed? Have you ever been forced to do something that you did not want to do or was not part of your job? Have you had any experience where you have been verbally offended?</p>
<p>Vyolans seksyel</p> <p>Eske kek fwa yon konn fosé w genyen sex, relasyon seksyel an kont volonte w? Nan ka afimativ: ¿ Eske w vle rakonte m ekperians sa? Sondaj: - ¿Ki relasyon w genyen avek moun sa? - Nan ki sikonstans sa te pasé ? (Ki kote) - Kisa w w fé ? W te denonse? Eske w te ale nan kek sant? Si se no, ¿Ki moun ki te vba w api? - Koman sa afekté lavi w? (Sondaj : soufrans emosyonel, relasyon fanmin yo, gwosez w pa vle, maladi)</p>	<p>Sexual Violence</p> <p>Have you ever been forced to have sex against your will? If yes, do you wish to share this experience? Follow up: - What kind of relationship did you have with that person? - In what circumstances did this happen? (Where?) - What did you do? (Did you file a complaint? Visit any organization? If not, who helped you?) - How has this affected your life? (Follow up: emotional suffering, family relationships, unwanted pregnancy, illness?)</p>
<p>Travay seksyel fósé</p> <p>¿Eske w konnen de kek fi ayisyen ki oblije fé travay seksyel/vann sévs seksyel? Nan ka afimativ: -¿Ki kote? ¿Nan ki sikonstans? -¿Kiyés moun ki peye l?(tip de kliyan) ¿Ki moun ki chef li?(ki tip de moun li ye ? pa nonmen non) Kijan sa afekte lavi li ? (Sondaj: soufrans emosyoel, relasyon fanmin yo, gwosez w pa vle, maladi)</p>	<p>Forced Sex Work</p> <p>Do you know any Haitian woman who has been forced into sex work / selling her sexual services? If yes: - Where? In what circumstances? - Who pays for her services? (type of clients) - Who is her boss? (profile, not name) - How has this work affected her life? (Follow up: emotional suffering, family relationships, unwanted pregnancy, illness?)</p>

Kreyól	English
<p>Diskriminasyon tret ke w resewva</p> <p>¿ Eske kek fwa w konn tante chaz denosye vyolans la? Nan ka afimativ: ¿ Ki kote w te ale?Kijan yo te trate w, ki repons w te resewva pou pati otorite yo? Nan ka negativ: ¿ Pouki w ponkò fé sa? Eske w konn ale lopital de pa fwa, oybyen nan yon sant sante pou cheche ed oubyen resewva tretman? Nan ka afimativ : ? Koman yo te prann swen w ?</p> <p>Eske w konn santi diskriminasyon de pati kek entitasyon leta?</p> <p>Eske w konn chehe kek ed de zanmi oubyen de kek manb fanmin ? Rakonte m kisa w te fé? Eske w konn visite kek oganisasyon pou kek ed, oubyen enfòmasyon? ¿Kiyès? Eske w konnen de kek oganisasyon ki konn ede fi ki souffri vyolans?</p>	<p>Discrimination / Treatment Received</p> <p>Have you ever attempted to file a complaint of violence? If yes: Where did you go? What kind of treatment or response did you receive from the authorities? If no: Why did you decide not to?</p> <p>Have you ever gone to the hospital or another health center to seek help or receive another kind of treatment? If yes: How did they assist you?</p> <p>Have you ever felt discriminated against by any State institution?</p> <p>Have you ever sought help from a friend or family member? Tell me what you did. Have you ever visited an organization to seek help or information? Which one? Do you know of any organization that helps women who have suffered violence?</p>
<p>Poze kekesyon sou chak ka vyolans ke li mansyone nan entrevw a</p> <p>Konya n'ap tounnen na ka ke w te rakonte m sou _____ nou te pale sou moun nan ki te fé w sa Ki relasyon w gen oubyen w te genyen ? (parey, mari, zanmi, chef travay w, patné, fanmin, moun w pa rekonet, otorite) Plizoumwèn ki laj moun nan te genyen ? Nan ki li travay? Ki kote li soti? Ki kote lii rete aktyelman? Eske w konnen si li konn bwé alkól, o dwogs ? Pouki w panse li matrete w ? Ki kreans li genyen sou w menm oubyen sou fi an jeneral? Eske w konnen si li konn maltrete kek lòt moun, an espesyal lòt fi ? Eske yo konn mete l nan prizon pou sa li te fé a ? Eske w te souffri lòt konsekans akoz de aksyon moun sa a ?</p>	<p>Profile of Perpetrators (Ask these questions for each of the cases of violence that she has mentioned in the interview)</p> <p>Now, returning to the case that you mentioned regarding _____, let's talk about the person who did this to you... What kind of relationship do/did you have with this person? (partner, ex-partner, friend, boss, co-worker, family member, stranger, authority) About how old is he? What kind of work does he do? Where is he from? Where does he live now? Do you know if he drinks alcohol or takes drugs? Why do you think he hurt you? What beliefs does he have about you or about women in general? Do you know if he has hurt other people, especially women? Has he ever been put in jail for his actions? Has he suffered any other consequences for his actions?</p>

Kreyól	English
<p>Eske sityasyon sa a komin avek fi yo nan kominote a? Ki istwa w konnen? Koman fi ayisyen yo fé lé yo ekperimante sityasyon sa yo? Eske w konnen, w konn tande pale de kek oganisasyon ki konn ede migran nan sityasyon vyolans? Ki tip de ed yo ofri, ki kalite ed yo ofri? Nan ekperians pa w, kisa ki kapab fét pou ede fi evite sityasyon vyolans sa yo? Kijan tan manman w te ye, kisa ki chanje? Kijan w vizwalize fiti pa w, e fiti pitit w yo?</p>	<p>Is this kind of situation common for women in your community? What other stories are you aware of? What do Haitian women do when they experience this kind of situation? Do you know of or have you heard of any organization or association that helps migrant women who have suffered violence? What type of assistance do they offer? In your experience, what can be done to help women avoid violence? What was it like in your mother's time? Has anything changed? How do you envision your future and that of your children?</p>

Thank you very much for your help. We confirm that all information shared in your interview will be kept confidential.

Mesi anpil pou ed w. Nou konfime ke tout enfòmasyon a nan entreviw sa ap rete konfidansyal.

Appendix 5: Interview Guide for Local Stakeholders

RESEARCH QUESTION: *Who are the governmental and non-governmental entities and service providers with the mandate to intervene in cases of violence against Haitian migrant, in-transit and displaced women? What is their level of comprehension of the issue? What is their institutional response?*

INTRODUCTION: My name is _____ and I am carrying out a consultancy for the Colectiva Mujer y Salud. We are doing a study on violence against women in Elías Piña, especially regarding Haitian women. We are interested in interviewing your institution/organization in order to learn more about the activities and services that you offer, as well as your perceptions of the issue. I assure you that all responses will be kept confidential.

WHO

Name of the organization _____

Governmental organization

Non-governmental organization

Name of interviewee _____

Position/Functions _____

Since when have you worked for this institution/organization (i/o)? _____

Did you participate in the diploma course organized by the CMS? Yes No

What is the mandate / primary functions of your i/o?

What relationship does the work of your organization have to women and/or violence against women? (services offered, activities, campaigns, prevention, etc.)

For non-governmental organizations:

What geographic area do your programs cover? (city, rural area, municipality, province, etc.)

Since when have you been working in this region?

Briefly describe the origin of your organization/institution.

What are the general goals and objectives of your i/o?

What are the primary activities carried out by your i/o?

What kind of activities does your i/o carry out to promote or defend the rights of migrants and in particular migrant women?

Do you have activities or offer services for violence against women, especially migrant women?

COMPREHENSION OF THE ISSUE

What do you understand for violence against women? In your opinion, what are the causes?

What types of violence against women are happening in Elías Piña? (Besides intrafamily violence, is there sexual violence? Physical? Economic? Discrimination? Forced sex work? Human smuggling/trafficking?)

In what circumstances does this violence occur? (When? Where? How frequently?)

In general (and without identifying the survivor), could you tell me about a case that you are familiar with or a recent case? (What happened? How did the woman respond? How did it end up?)

What attitudes predominate regarding violence against women, and especially violence against Haitian women? Is it tolerated? Is it considered 'normal' or 'natural'?

What is the situation of Haitian women in terms of violence? Are there certain types of violence that are more common for Haitian women?

Do you think that Haitian women are more vulnerable to violence? Why?

What do Haitian women do when they experience this kind of situation? (Do they file a complaint? Seek help? Where do they go?)

What are the primary problems that Haitian women have when filing a complaint of violence? Accessing health services? Leaving the violent situation?

Have there been any cases of femicide in Elías Piña or the region? Can you tell us about this? (Who was the victim? Perpetrator? In what context / where did it happen? What was the motive? Was the case taken to court?)

Have there been any cases of violence against women (especially Haitian women) in public spaces? (Market, street, etc.) Could you tell us what happened?

Do you know of any case of trafficking of Haitian women?

Who are the perpetrators of violence against Haitian women?

What other aggressors are there?

In general, is the perpetrator brought to trial? Or is there generally impunity in these cases? Why do you think it is that way? What are some of the difficulties in bringing these kinds of cases to justice?

RESPONSE

What do you consider the responsibility of your organization to respond to violence against Haitian women?

Who are the survivors of violence against women who have come here or have been assisted? (Age, civil status, origin, education level, work)

Could you tell me about the critical route or referral system between different actors that exists? (Who compiles data? Who offers support services? Who attends cases?)

Do you have any staff who speak Haitian Creole?

What successes have you had in your activities directed toward migrant women? Please explain.

What obstacles have you encountered when trying to reach migrant women? Please explain.

Has any of your activities failed? Which one? Why?

What have you done to overcome these obstacles or failures? Have you had to change strategies or tactics? Please explain.

Are you familiar with the National Model for Prevention and Assistance for Violence Against Women and Intrafamily Violence and its protocols?

FOR NON-GOVERNMENTAL ORGANIZATIONS:

What needs do women who are violence survivors have? What are the needs of Haitian women in particular?

Who are the perpetrators of violence against women? (Partner, host family, bosses, military, migrants, police)

What social or cultural factors are there, both in Haiti and in the DR, which allow for violence to happen without further repercussions?

Have you heard of any cases of threats, harassment, bribes, rape, or other violence committed by military men or migration authorities?

Have you heard of any cases of discrimination or indifferent treatment by any institution or authority when a Haitian woman has sought services (health services, legal assistance)?

What difficulties are there in preventing and/or attending cases of violence against migrant women?

What resources would you need in order to improve the existing assistance system, in terms of:

- Collaboration
- Training
- Information
- Leadership
- Political will
- Public policies

How do you identify or resolve deficiencies in service provision?

Are there follow-up mechanisms for the cases? What are they?

Are there any psychological support services for women? And for Haitian women in particular? (Who?)

Do you know of any program that provides socioeconomic alternatives for survivors? (What is it?)

Are there women's groups or support networks, whether formal or informal? (How many? What kind? What is their purpose?)

FOR HEALTH PERSONNEL:

Who are the survivors of violence against women who seek services? (Age, civil status, origin, education level, work)

Do you have any medical protocols to identify and treat different kinds of violence against women?

Do you have personnel who have been trained in assisting in cases of violence against women, especially sexual violence? (Which personnel?)

How many female doctors are on staff?

Do you have any staff that speak Haitian Creole?

Do you keep any registry of the cases attended in which the patient exhibits signs of violence against women? How many cases have there been in the last month? Year?

What kinds of cases have you seen of violence against Haitian women in particular?

Have you had any problems when assisting Haitian women who have suffered violence?

Does the patient have privacy in the consultation area? Can she be seen by others? Heard?

FOR AUTHORITIES (OFFICE OF THE PUBLIC PROSECUTOR, OFFICE OF WOMEN'S AFFAIRS, ETC.):

How many incidents of violence against women have been registered in the last month? The last year?

- Intrafamily violence
- Sexual
- Harassment
- Femicide
- Trafficking

What referrals are normally given to women who report violence? (Health services, police, NGO, shelter) How is information shared between different actors? Is there any gap in communication or coordination that could be improved?

How are the cases documented? (To whom are the cases reported first? Where is the information kept? Who has access to it?)

Of these cases, how many of the perpetrators have been brought to trial, declared guilty and sentenced? How many were declared not guilty? How many cases were dropped and for what reasons?

Do violence survivors always seek help? Why or why not? In the case of Haitian women, why or why not?

How are deficiencies in service provision identified or resolved?

Do you consider it necessary to train your personnel in violence against women / migrant women? In what topics in particular?

FOR POLICE:

How many cases of violence against women have been brought to the police in the last year? Of these, how many alleged perpetrators were detained and sent to the judicial system? In cases in which the perpetrator could not be arrested, why could the arrest not be made?

Who are the perpetrators, especially against Haitian women?

Have the police received training in the national laws on violence against women? Have they received training on how to interview survivors?

What is the police procedure to receive reports of violence against women? How do you follow up?

Is there space available to conduct private interviews in the police station?

Do you have personnel who speak Haitian Creole?

How many female police officers are there?

FOR EVERYONE:

Additional references: Do you know of any other organizations or institutions who work on this issue? Can you recommend anyone else who we should interview?

Thank you very much for your time and the information given.

Appendix 6: Focus Group Guide for Haitian Women Violence Survivors

Introduction: Good morning. We have invited you here today to participate in a group interview. This means that we would like to consult with you in order to learn more about your personal experiences. This is not a workshop or meeting in which we are going to present information to you, but rather a consultation in which we will ask questions in order to learn about your experiences and those of other Haitian women regarding the violence you have experienced or heard of. We would like this to be an open conversation in which everyone participates and speaks freely. Everything that we share here will be confidential and will help us for a project that the Colectiva is beginning now with the objective of helping Haitian women who suffer violence.

Explain agenda (presentation, rules/methodology, context, types of violence)

Presentation. First, we will introduce ourselves. Each person will share 6 things:

1. Name, or the name you would like to use for today
2. How long you have been in this country
3. Where you come from
4. Where you live now
5. What things you do to earn a living
6. What you like to do in your free time

Rules for the group interview. In order to facilitate the conversation, we would like to establish a few rules that we will all follow today.

- That everyone participates freely
- We will speak in confidence. Everything that we share will be kept here, out of respect for everyone's privacy
- If we share another person's experience, we will not mention names in order to protect her privacy
- Turn off all cell phones, or switch to silent mode
- We will speak one person at a time

Context. Today's topic of conversation, as I mentioned, is violence against Haitian women. Violence takes many forms, and can consist of any offense to our dignity, from shouting, deception, lies, bribes, labor rights violations, and discrimination to more severe forms such

as beatings, forced prostitution, and rape. Therefore, we would like to begin by talking about what kinds of violence you have seen in your own lives or those of your peers.

Before coming to the DR, when you were in Haiti, have you or someone you know ever suffered any type of situation or problem of the sort that I have mentioned?

If yes, always follow up:

- What happened?
- Who did this? (relationship to her, not name)
- Where did it happen?
- Did it happen only once or was it recurring?
- What did you (or her) do? (Did you file a complaint? Visit any organization? If not, who helped you?)
- What impact has this had on your life?

What can a woman do if something like this happens to her while in Haiti?

General opinion on violence against Haitian women in the DR

What kinds of violence are most common against Haitian women in the DR?

Who commits acts of violence against Haitian women?

Experiences (theirs or of women they know)

Examples

- On the **WAY FROM HAITI TO THE DR** or Santo Domingo, we know that many women suffer abuse in the form of deception, rape, etc. Have any of you or anyone you know had this kind of problem? For example, with *buscones* or bus fee collectors, or motorbike taxi drivers?
 - For example, we were told of some *buscones* who ask for sex as payment, but then never hand the money over to the bus fee collector and so he kicks her off the bus. Have you heard any such story?
- Have you or anyone you know been abused or disrespected by any **MEMBER OF THE MILITARY**, migration agent or border police?
- Tell me about the situation in the **MARKET**. Have you or anyone you know had any kind of problem in which you have been yelled at? Or had to pay extra? Or been hit?
 - For example, we were told that sometimes they have problems with fee collectors in the market, in which they seize merchandise, sometimes forcefully, or are blackmailed.

- We know that on market days there is a lot of **PROSTITUTION**. How does this work? Do the women themselves decide to sell their sexual services? Or do they work for someone? Where do they go? How much are they paid? Are they always paid? Are some raped?
- Have you or any woman you know been abused by your **PARTNER** or anyone in your family? What kinds of violence are most common among Haitian couples? (yelling, physical abuse)
- Have you or any woman you know been obligated to have **SEXUAL RELATIONS** against your will? (With your partner or another person)
- Have you ever gone to the **HOSPITAL** or another health center to seek help or receive treatment?
 - If yes: How were you treated?
- In **PUBLIC PLACES** (street, market, park), has anyone ever offended, abused or hit you or any woman you know?
- Have you ever found yourself in the obligation of sending your children to live with another family due to the economic situation? (**RESTAVÈK**).
 - If yes: How were your children treated there?
 - If no: Have you heard of any situations of children being abused when staying with another family?

For all cases of violence, always follow up:

- What happened?
- Who did this? (relationship to her, not name)
- Where did it happen?
- Did it happen only once or was it recurring?
- What did you (or her) do? (Did you file a complaint? Visit any organization? If not, who helped you?)
- What impact has this had on your life?

Have you ever attempted to file a complaint regarding violence?

If yes: Where did you go? What kind of treatment or response did you receive from the authorities?

If no: Why did you decide not to?

What do Haitian women usually do when they experience this kind of situation?

In your experience, what can be done to help women avoid violent situations?

What were things like in your mother's time? What has changed?

How do you envision your future and that of your children?

This edition of
*Fann nan fwontyè, fann toupatou: Making visible the violence
against Haitian migrant, in-transit and displaced women on the
Dominican-Haitian border*
of the authorship of Allison J. Petrozziello and Bridget Wooding
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Haitian women and girls experience multiple forms of violence on the Dominican-Haitian border, whether as migrants, cross-border traders, or displaced persons following the 2010 Haiti earthquake. International media have drawn attention to sexual violence against women in internal displacement camps in Haiti, unintentionally diverting the public gaze from other, equally grave scenarios, such as the situation of women and girls who cross the border into the Dominican Republic. This qualitative study places survivors' own accounts at the center of its analysis, in order to make visible the typologies of violence against them, as well as the perpetrators, institutional response, and existing gaps in protection and services. In addition to the serious problem of domestic violence, Haitian migrant women recount experiences of sexual harassment and abuse at official border crossing points, rape and murder "in the bush" along unofficial border crossing points, abuses in the marketplace and family homes where they work, repatriations without due process, forced prostitution and trafficking of women and girls. The authors offer a series of recommendations to the two governments, local authorities, civil society, international organizations, and migrant women themselves, with a view to ending violence against the *fanm nan fwontyè, fanm toupatou* (women on the border, women everywhere) in the Dominican Republic.



Observatorio
Migrantes del Caribe

Migración y Desarrollo en el Caribe del Siglo XXI



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CENTRO DE INVESTIGACIONES
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