

Haiti

In 2006 the UN Stabilization Mission in Haiti (MINUSTAH) oversaw the delayed elections of a new president and parliament, ending a two-year period of transitional government initiated by the overthrow of Jean-Bertrand Aristide in February 2004. While the count following the presidential poll sparked public disorder, it was followed by a period of tenuous calm in the slums of the capital, Port-au-Prince. But the third quarter of the year saw a renewal of violence and kidnappings in the city. MINUSTAH responded through direct police and military action, while assisting the new government to plan reforms of the dysfunctional national law and order apparatus.

The Haitian state remains extremely weak, and the UN's activities have evolved to compensate for the absence of local capacity to develop policy and legislation, although the mission has no executive mandate for policy implementation. Yet the chances for stability are inhibited by the fragility of Haiti's political system, its status as a conduit for drug smuggling and the fact that four-fifths of the population lives on \$2 a day or less.

MINUSTAH: Mandate and Functions

MINUSTAH began operations in June 2004, replacing and incorporating elements of a US-led multinational interim force that had deployed that March after an insurgency in the north of the country spread into the capital, culminating in the resignation and exile of President Aristide. A transitional government was established under the premiership of Gérard Latortue, largely consisting of opponents of Aristide's Fanmi Lavalas party, which

had held power since 1996. Security Council Resolution 1542 mandated MINUSTAH to support the government through direct security operations, to assist in vetting and reforming the national police, and to help the Haitian authorities conduct DDR programs for all armed groups. It also authorized the mission to monitor human rights and to "develop a strategy" to reform the judiciary.

In addition to security and justice issues, the mandate directed MINUSTAH to help the government develop a national political dialogue and organize presidential, parliamentary, and municipal elections. In June 2005, Security Council Resolution 1608 authorized a temporary expansion of the mission to secure the first polls, but also requested the Secretary-General to devise "a progressive drawdown strategy of the MINUSTAH force levels for the postelection period, in accordance with the situation on the ground."

However, 2006 has seen MINUSTAH reinforce rather than reduce its role. Resolution 1658, of February 2006, directed the Secretary-General to consult with the incoming government on the mission's future role. In August the Security Council passed Resolution 1702, which only marginally reduced MINUSTAH's mandated military presence and kept its police strength level, instructed the mission to continue pursuing police reform and DDR, and expanded its responsibilities for "monitoring, restructuring, reforming, and strengthening the justice system," in part through "the provision of experts to serve as professional resources." The mission has transitioned from assisting the political process necessary to establish a democratically elected

government, to helping that government stabilize and reform the Haitian state.

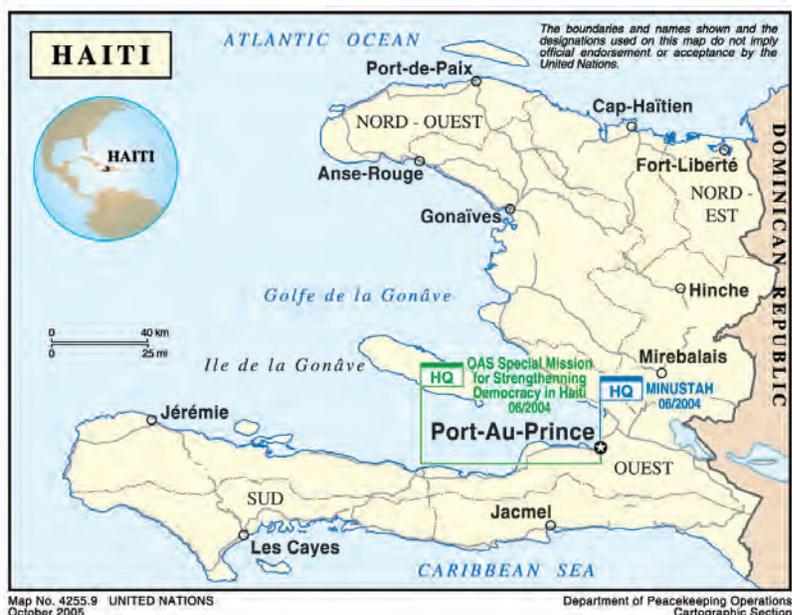
Background

Prior to 2006, MINUSTAH was confronted by interlinked political and security challenges arising from the fall of Aristide. Any legitimate political process toward elections required the participation of Lavalas—which maintained a significant following among the urban poor—but the transitional government did not wish to create any political space for the former president’s followers. It excluded Lavalas members from the interim administration as well as from an agreement on the political process that led to the elections of late 2005. The government and the UN faced violent opposition from gangs, many ostensibly loyal to Aristide, in the slums of northern and central Port-au-Prince.

In 2005, MINUSTAH was also concerned about the danger from former members of the Haitian military (the ex-FAD’H), which had been disbanded in 1995. These former members had seized police stations outside Port-au-Prince, but their purported leader, Ravix Remissainthe, was killed during a joint operation by Haitian police and UN forces in April 2005. While demonstrations by ex-FAD’H in 2006 were ill-attended, UN officials believe that the demobilized soldiers still represent a potential if diminished threat.

Another significant challenge to law and order came from the Haitian National Police (HNP) itself. Its members are known to play a major role in drug trafficking, and to conduct summary executions. The force’s director has stated in public that he believes that 25 percent of his officers are seriously corrupt. MINUSTAH thus aimed to take on the gangs alongside the HNP, while trying to reform the latter. Plans to vet police officers moved slowly prior to 2006, not least because the HNP lacked clear staff records, necessitating a new registration process.

Anti-gang operations had troubling consequences: in July 2005, UN military and police



UN Stabilization Mission in Haiti (MINUSTAH)

• Authorization date	30 April 2004 (UNSC Res. 1542)
• Start date	1 June 2004
• SRSG	Edmond Mulet (Guatemala)
• Force commander	Lieutenant-General José Elito Siqueira Carvalho (Brazil)
• Police commissioner	TBA
• Budget	\$489.2 million (1 July 2006–30 June 2007)
• Strength as of 30 September 2006	Troops: 6,642 Civilian police: 1,700 International civilian staff: 417 Local civilian staff: 529 UN volunteers: 165

For detailed mission information see p. 213.

forces mounted a large-scale operation in the Cité Soleil slum district, which appeared to result in a number of civilian deaths, as a result of either crossfire or revenge attacks. Although operations in two other slum areas met with some success, the gang threat mounted in late 2005, as MINUSTAH faced well-targeted assaults on its positions. More destabilizing still was a spike in kidnappings of Haitian civilians: there were 241

cases in December 2005, compared to 193 in the previous three months combined.

If the rise in violence in late 2005 was in part motivated by the approach of the presidential elections, originally planned for October, the polls also faced severe political obstacles. MINUSTAH prioritized ensuring the participation of Lavalas, despite the government's disapproval, and finally persuaded the party to put forward a presidential candidate, Marc Bazin, in August 2005. But political calculations were altered by the decision of René Préval, a former ally of Jean-Bertrand Aristide and president from 1996 to 2001, to enter the race as the candidate of a loose political coalition, Lespwa. Préval was soon recognized as the leader in a race that involved thirty-three candidates. But the transitional government and its allies on the Provisional Election Commission (CEP) remained keen to maintain power by minimizing progress toward an election. Voting was postponed four times, before finally being scheduled for 7 February 2006.

MINUSTAH had difficult relations with the transitional authorities across a number of other areas. Reform of the justice sector proved problematic, with the government instituting legislation that appeared to solidify rather than prevent political control of the judiciary. On disarmament, demobilization, and reintegration (DDR), MINUSTAH struggled to engage the gangs: while it was estimated that there were 13,000 guns in the hands of illegally armed groups, MINUSTAH had collected fewer than a hundred by mid-2006.¹ On economic issues, an interim cooperation framework had been agreed by the government, MINUSTAH, and donors, but its implementation was undermined by a lack of strategic coordination, the slow disbursement of pledged funds, and the agreement's excessively complex structure (involving twenty-two specific-issue working groups). The February elections thus came after a period of limited progress toward lasting stability in Haiti. The mission had also been shaken by the death by suicide of its force commander,

General Urano Teixeira da Matta Bacellar, in early January.

MINUSTAH: Key Developments and Challenges

Electoral Process and Outcomes

That the February 2006 elections took place at all reflected a shift in the international community's policy. Resolution 1608, of June 2005, mandated temporary increases in MINUSTAH's military and police strength to secure the polls. In September, MINUSTAH and concerned governments concluded that voting would only occur if the UN were to not merely assist the process, but take full de facto responsibility for it. The international community persuaded the government to appoint a new executive director of the CEP to work with MINUSTAH, which allowed voter registration to be coordinated with the Organization of American States (OAS) Special Mission for Strengthening Democracy in Haiti.

MINUSTAH reoriented its operational structure to facilitate the vote. An election task force was created, which allowed coordination between the work of elements of MINUSTAH to develop security and logistics for the polls, overseen by a joint electoral support center—similar operational centers were set up in all ten of Haiti's departments. Military attention was focused not only on the capital's slums, but also on logistical efforts such as transporting ballots throughout the countryside, while the mission's civil affairs officers were tasked with new electoral responsibilities. Polling-time security was a primary concern, and MINUSTAH trained 3,600 electoral guards (technically government employees, but paid through the UN Development Programme [UNDP]) to reinforce national and UN forces, although the latter took the lead in securing the highest-risk departments. Nonetheless, a sudden improvement in security in Port-au-Prince in the days immediately before the vote may have been largely attributable to the influence of René Préval.

Polling day was largely calm, with a turnout of 60 percent, but the ensuing vote-counting proved tense, as it first appeared that Préval had, and then had not, passed the 50 percent mark—necessary to avoid a run-off vote. As his share of the vote fell and claims mounted that the CEP was rigging the count against the ex-president, Préval's supporters in Port-au-Prince grew increasingly agitated. Protesters invaded the Montana Hotel, which was acting as a media center for the CEP and a haunt of the international community. Two days of protests later, the CEP decided to pro-rate all blank ballots, giving Préval a majority of 51.21 percent.

Calm was restored in Port-au-Prince, and was sustained during the parliamentary elections of 21 April 2006. The results demonstrated that while Préval's personal popularity might be high, Lespwa's was weaker. Lespwa won eleven of thirty senatorial seats, but only twenty of the ninety-nine places in the lower House of Deputies. This limited legislative base was worrying, given that Préval's first presidency had been afflicted by conflicts with parliament. Nonetheless, both he and his cabinet (which included a number of ministers who had spent recent years outside Haiti) won parliamentary approval in May 2006.

Postelectoral Security and Justice

Five days before the presidential vote, Kofi Annan informed the Security Council that, given the “difficult” security situation in Port-au-Prince and lack of public confidence in the HNP, MINUSTAH still had a “pivotal” security role. UN officials soon found the incoming government much easier to work with on security issues, compared to its predecessor. Nonetheless, the exact balance of duties between national and international authorities remained complex.

Port-au-Prince remained relatively stable until June 2006, when violence began to re-emerge with the massacre of at least twenty-two people in the Martissant slum area. In contrast to the transitional government, the Préval government maintained a dialogue with

OAS Special Mission for Strengthening Democracy in Haiti	
• Authorization date	OAS Permanent Council Decision CP/RES.806 taken on 16 January 2002. In June 2004, OAS General Assembly amended the mandate through A/RES.2058.
• Head of mission	Denneth Modeste (Grenada)
• Budget	\$13 million (October 2005 to September 2006)
• Strength as of 30 September 2006	Civilian police: 2 International civilian staff: 18 Local civilian staff: 103



Brazilian members of MINUSTAH guard a Port-au-Prince polling center, 7 February 2006.

(Joe Raedle/Getty Images)

the gang leaders, while UN forces gradually increased their presence in the most at-risk areas. In spite of rumors that Aristide loyalists attempted to assert control over the gangs in Cité Soleil, the leaders preferred to keep talking to the government. Protests calling for Aristide's return occurred, but with little momentum.

In late July, the authorities made a further gesture to Lavalas supporters by releasing Aristide's former prime minister, Yvon Neptune (who had been imprisoned without charge by the transitional administration and had been on a hunger strike), on humanitarian grounds. But a fight between gangs over an electricity generator for a television during the World Cup precipitated far broader violence, much of it aimed at MINUSTAH. There was a new outbreak of kidnappings, although these did not reach the levels of December 2005.

MINUSTAH moderated its initial response in line with specific requests from Préval and his advisers to avoid upsetting negotiations with the gangs. But in August 2006, with violence rising, the president stated that those who did not disarm voluntarily would have their weapons confiscated "in a violent manner." His prime minister amplified this message by stating that the gangs should accept DDR, and "if you refuse, you'll be killed."

MINUSTAH was simultaneously reexamining its force posture. Since late 2005, members of the mission had been asking for enhanced police and SWAT teams to avoid collateral damage. Resolution 1702 of 15 August 2006, set force levels of 7,200 troops and 1,915 police for MINUSTAH and called on states "to provide specific expertise in anti-gang operations" to help retrain the HNP. But with the government advocating action, the mission had to make use of its existing resources to restore stability.

On 11 September 2006, MINUSTAH began temporarily redeploying troops from outside Port-au-Prince into Cité Soleil, while setting up vehicle checkpoints along Route Nationale 1, a major artery through the capital's northern slums on which kidnapping was rife. This deployment was supplemented by formed police units under temporary military command. These moves were intended to restrict the gangs' freedom of movement rather than target their leaders. The approach reaped early successes, with a number of gang leaders renewing negotiations with the government or trying to move out of Port-au-

Prince. Traffic began to move along Route Nationale 1. UN officials predicted that this phase of operations could be completed in four months. But two Jordanian peacekeepers were killed in November, and the rate of kidnappings intensified that month.

The short-term success pointed to three longer-term challenges. The first was MINUSTAH's cooperation with the HNP. Having expanded its own presence in Port-au-Prince, MINUSTAH aimed to increase the presence of national police at checkpoints and on patrols in the slums. This built on a broader policy of coordination, by which MINUSTAH police have been co-located at HNP stations (many of them retaken from militias by UN forces) and have routinely accompanied HNP personnel on operations. Yet a high level of mutual mistrust remained, with UN officials wary of passing information to the HNP, and HNP officers complaining that calls for backup were frequently ignored.

These frictions have complicated efforts toward institutional reform of the HNP. Progress has been made on planning the vetting and certification process. Completion of the initial registration of HNP staff is expected by the first quarter of 2007, and new recruits are already the subject of de facto vetting. But concerns have mounted that elements in the HNP may attempt to derail the process, which may undercut morale throughout the force and may result in the sacking of up to 2,000 armed and angry police officers. While members of the government declare themselves committed to certification, they complain that MINUSTAH is too narrowly focused on the issue, and is ignoring the HNP's limited resources.

The second challenge highlighted by operations in Port-au-Prince was that of DDR, as the promise of reintegration was held out as an incentive to the gangs. After the earlier slow progress on DDR, MINUSTAH and UNDP officials had argued for a new approach emphasizing grassroots conflict management. Resolution 1702 called for a "comprehensive community violence reduction programme,"

Box 3.4.1 Civilian Police Capacity

The growing number, scale, and scope of police functions in peace operations has meant that demand has vastly outstripped supply. A number of states and organizations have taken steps to increase global civilian police capacity, including the UN, the Group of Eight (G8), and a consortium of European governments.

At the World Summit of September 2005, the heads of state and government endorsed creation of the Standing Police Capacity (SPC) in the United Nations, which had earlier been requested by the Special Committee on Peacekeeping. A “standing” capacity of experienced officers and advisers on the UN payroll was seen as a necessary next step beyond the existing “standby” system of 100 on-call officers, because few experienced law enforcement personnel are readily available for rapid deployment.

The SPC will serve as a vanguard in starting new operations, and provide expert advice to existing operations. The startup function includes planning for police operations, setting up the headquarters, developing detailed implementation plans, assessing the existing capacity of local law enforcement agencies, and advising them on reform and restructuring.

The SPC would remain in the mission area for about 120 days, until the UN police component is fully staffed and operationally effective. When not required to start up new operations, the SPC would provide targeted and time-limited advisory services to existing operations, with a focus on enhancing indigenous law enforcement institutions.

The Department of Peacekeeping Operations issued a policy directive on 1 May 2006, setting out the functions and organization of the SPC for an initial twelve-month period. Twenty-five professional staff are being recruited, plus two support personnel. It will be based at UN headquarters in New York initially, but move outside North America after the first year. An evaluation of the SPC will be conducted at the end of the year to consider its performance and determine whether it should be expanded to 100 personnel.

By contrast, the Center on Excellence for Stability Police Units (CoESPU) is not an operational entity, but a training center established in March 2005 as the Italian government’s contribution to the G8’s 2004 action plan for building global peacekeeping capacities. This envisaged training some 7,500 gen-

darmerie by 2010. CoESPU’s role is to “train the trainers” and develop doctrine and disseminate lessons learned through liaising with states and international organizations. It is expected that some 3,000 students will have passed through CoESPU by 2010.

There is also a separate operational cell in Vicenza. In January 2006, five European governments (Italy, Spain, France, the Netherlands, and Portugal) inaugurated a thirty-officer headquarters located in the same barracks as CoESPU. This is the standing element of the European Gendarmerie Force (EGF), which is intended to deploy up to 800 personnel in thirty days. It had been first proposed in 2004 by the Dutch presidency of the EU, but it is not a formal EU body. Decisions regarding its deployment will be taken by a high-level committee of representatives of the states involved, and the EGF is potentially available not only for EU missions, but also for those of NATO, the UN, the Organization for Security and Cooperation in Europe (OSCE), and ad hoc coalitions. Its costs are borne by the states involved. The EGF headquarters undertook a number of exercises in 2006, but has not directed an actual deployment.

including efforts to employ ex-gang members. While the government had set up a new national disarmament commission by September 2006, MINUSTAH had no time to implement its plans for community dialogues before the authorities delivered a number of gang members to the UN for reintegration training. MINUSTAH had an eight-day package ready, but encountered difficulties with the authorities in identifying participants and cataloging their weapons.

Finally, the September operations and negotiations pointed toward broader problems

with the Haitian justice system. While it was widely speculated that the government offered gang leaders amnesty, the judiciary would have been hard-pressed to handle their cases. Nine-tenths of those in Haiti’s overcrowded prisons have yet to reach trial, and the legal system is weakened by corruption and a shortage of trained magistrates and prosecutors. After Resolution 1702 authorized MINUSTAH to take a more proactive approach to judicial reform, the government presented draft legislation on the independence and training of the judiciary in September. But it

was unclear how quickly this could be enacted, and MINUSTAH's ability to expedite other reform initiatives was even less clear than in the case of the HNP, especially given the time necessary for legal training.

Postelectoral Economics and Politics

In confronting these extensive security and institutional challenges, MINUSTAH and the government also faced the question of how long Préval could maintain public support for difficult reforms. Despite the violence in Port-au-Prince, the president's popularity appeared to hold up, and it was hoped that a pacification of the slums would increase his standing. Ministers emphasized the need to communicate the reasoning behind police and justice reform through the media. Yet it was widely predicted that unless the government could demonstrate tangible economic improvements within one to two years of its election, it would face increasing popular opposition.

In July 2006, the new government presented a social appeasement program of job-creating public projects. Rapid job creation had been a neglected feature of the 2004 interim cooperation framework (receiving as little as 13 percent of its intended funding), and in September 2005 MINUSTAH had identified it as a priority for the immediate post-electoral period. But while some donors, including the US Agency for International Development (USAID), did undertake job-creating projects, information-sharing remained poor and MINUSTAH failed to carry through plans to coordinate a package of projects to follow the polls. Although the mission's own financial resources were limited, it emphasized the use of quick-impact projects during and after the elections. Lacking funds for the social appeasement program, the government adopted a longer-term plan. Resolution 1702 attempted to compensate for earlier confusion by requesting MINUSTAH to improve its coordination with the UN country team and donors to address "urgent" development needs. Its budget for quick-impact projects was duly raised from \$1.5 million to \$2 million for

the new financial year, and in December, MINUSTAH appealed for \$98 million of new aid to Haiti.

Unable to bolster his support through economic means, Préval was also facing political complications. Lespwa's weakness was compounded by growing divisions within the party, and the parliament sat for four months without passing one law. In September, with the approach of a recess that would last until 2007, the government announced a series of extraordinary sessions to pass a budget and make initial progress on judicial reform. Debates lacked focus, with members of the opposition (some known to be connected to the drug trade) attempting to carve money from the budget for the reestablishment of the army. MINUSTAH has not developed substantial links with much of the parliament.

The government and MINUSTAH are also faced with political difficulties arising from Haiti's constitutional requirement for frequent elections, originally an antidote to dictatorship. Resolution 1702 indicated that municipal elections should be held "as soon as feasible." On 3 December, balloting for some 11,000 positions in municipal and local government was carried off successfully. But the election problem will continue: seven further polls are scheduled for the next five years, at a combined cost of \$105 million—some for as few as ten senatorial seats. MINUSTAH officials have advocated constitutional reform to reduce this burden, but wonder if it can be pushed through a parliament that will not pass regular legislation.

Conclusion

A year after the spike in violence in Port-au-Prince at the end of 2005, MINUSTAH can claim a number of significant achievements in 2006: the logistical and political efforts that enabled the elections to take place with the participation of Lavalas and Préval, an overall (if variable) improvement in the capital's security situation, and a much-improved working relationship with the new govern-

Box 3.4.2 Colombia

While the Organization of American States (OAS) has maintained its mission in Haiti through 2006, it has also expanded the small Mission to Support the Peace Process in Colombia (known by its Spanish acronym, the MAPP). MAPP was mandated in 2004 to help verify the demobilization of the right-wing United Self-Defense Forces of Colombia (AUC). This process gathered pace in the first half of 2006, and by September a total of 30,915 paramilitaries had been demobilized. Nonetheless, MAPP has warned that the AUC seems to have concealed some arms. It has also noted the emerging threat of “a new generation of paramilitaries,” an amorphous collection of criminal gangs and militias. In September 2006 the Secretary-General of the OAS recom-

mended that the mission play a greater role in reintegration efforts to counter this new threat. The mission’s continuation was supported by the US State Department, which helps fund MAPP alongside a consortium of governments led by the Netherlands.

This funding has allowed for an expansion of the mission from 44 civilian personnel in late 2005 to 85 by the third quarter of 2006, comprising 34 full-time international staff, 17 local staff, and 34 consultants. This expansion followed a harsh appraisal by the OAS in late 2005 (spurred by mounting criticism from Colombian nongovernmental organizations) that MAPP had previously lacked the resources to go beyond basic demobilization verification. Having received new funding and staff, the

mission has increased its assistance to community efforts to help former combatants. In an unusual initiative, the authorities in Medellín, a significant center of violence and drug trafficking, have provided funding for an expansion of MAPP’s office there to engage in such projects.

Uncertainty remains over how these initiatives will influence the paramilitaries’ evolution. The Colombian government has also moved into negotiations with the left-wing Fuerzas Armadas Revolucionarias de Colombia (FARC); while MAPP has no direct involvement, it is possible that any demobilization might require some form of verification similar to that for the AUC.

ment. It has made progress—most obviously on police and justice reform—although the substantive implementation of many reforms still lies ahead.

Nonetheless, MINUSTAH and Haiti still face severe problems: endemic poverty and corruption, coupled with potential political deadlock. While the gang threat in Port-au-Prince may recede, the challenge of the drug trade remains. It is not clear that the government can develop its security or bureaucratic

capacities to handle these threats. This creates a new problem for MINUSTAH: its longevity. Rather than initiate a postelectoral drawdown of the mission, the UN Security Council has kept its police and military components almost level and widened its tasks. MINUSTAH is expanding, for the lack of a domestic alternative. It remains uncertain how long the Security Council will sustain this, and how it will affect Haiti’s political evolution.

Note

1. Robert Muggah, *Securing Haiti’s Transition: Reviewing Human Insecurity and the Prospects for Disarmament, Demobilization, and Reintegration* (Small Arms Survey, October 2005), p. xxiv.