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Haiti

After a difficult year that saw significant reversal in Haiti's postconflict recovery in 2008, the country regained in 2009 a degree of forward momentum with the continued support of the UN Stabilization Mission in Haiti (MINUSTAH) and an influx of assistance from the broader international community. Progress made during 2009 is reason for optimism, but this should be tempered by a realistic assessment of the challenges facing Haiti's still-developing institutions. Partial senatorial elections held during the year are indicative of the task ahead. While the polls presented a significant step in reconstituting Haitian democratic governance, the voter turnout was alarmingly low and the elections themselves would not have been possible without the logistical, technical, and security support provided by MINUSTAH.

Overall, Haiti remained stable throughout the year, a situation that allowed for the reorientation of MINUSTAH's composition to address threats outside the capital city center and a heightened focus on core activities such as building Haitian police and justice sector capacity. An international donor conference in April yielded over \$350 million in pledges for development aid to Haiti, and the appointment of former US president Bill Clinton as UN Special Envoy helped bring the plight of the Haitian people to a broader international audience. Nevertheless, five years after MINUSTAH's deployment and with 80 percent of Haiti's population living in poverty with limited access to education, medical attention, and justice, the triggers for renewed instability remain present. The risk of future reversals will be mitigated only through the continued development of an equitable system of government and the sustained support of the international community.



Background

The complex situation in Haiti stems from the 1991 military coup that overthrew former president Jean Bertrand Aristide. The coup precipitated years of political upheaval, violence, economic breakdown, and massive international intervention. As a response to persistent unrest and the incapacity of Haitian security institutions to provide an adequate response, the UN Security Council authorized a succession of peacekeeping operations for Haiti between 1993 and 2004.¹

Presidential and parliamentary elections in 2000 saw President Aristide and his Fanmi Lavalas party victorious despite low voter turnout; the opposition protested the results, called for President Aristide's resignation, and largely

UN Stabilization Mission in Haiti (MINUSTAH)

• Authorization Date	30 April 2004 (UNSC Res. 1542)
• Start Date	1 June 2004
• SRSG	Hédi Annabi (Tunisia)
• Force Commander	Major-General Floriano Peizoto Vieira Neto (Brazil)
• Police Commissioner	Mamadou Mountaga Diallo (Guinea)
• Budget	\$611.7 million (1 July 2009–30 June 2010)
• Strength as of 31 October 2009	Troops: 7,041 Police: 2,032 International Civilian Staff: 482 Local Civilian Staff: 1,228 UN Volunteers: 211

For detailed mission information see p. 223

refused to recognize the government. Widespread violence and more sporadic armed conflict broke out during 2004, with opposition forces quickly taking control of the northern part of the country, forcing Aristide to flee once again. In response the Security Council authorized the deployment of a US-led multinational interim force (MIF) to support local police, facilitate humanitarian aid, and promote the protection of human rights and rule of law. During June 2004, the MIF handed over to MINUSTAH, which was mandated to maintain security, facilitate the creation of a stable government, disarm, demobilize, and reintegrate all armed groups, and assist in the reform of the police and judiciary.

Addressing the security situation in Haiti was the overriding preoccupation of MINUSTAH during its first three years of deployment. This required the augmentation and reorientation of the mission's military and police components to address spoilers on several occasions. Despite steady gang violence, MINUSTAH oversaw presidential elections in February 2006, which brought former prime minister and Aristide ally René Préval to office.

Shortly after his election and in the face of rampant gang violence in and around the

capital, Port-au-Prince, President Préval asked MINUSTAH to deploy alongside the developing Haitian National Police (HNP) to counter the gangs in the slums directly. Joint MINUSTAH-HNP operations throughout 2006 and 2007 effectively removed gang leadership and any influence the gangs had across Port-au-Prince. The semblances of stability began to emerge in the second half of 2007, allowing MINUSTAH to gradually switch focus from purely security operations to assisting Haitian authorities in building the components of a resilient peace, and in particular the justice and security sectors.

In early 2008 and at the request of the Security Council, the Secretary-General, in consultation with Haitian authorities, laid out a consolidation plan with five benchmarks that would allow for the tracking of Haiti's progress, with an ultimate goal of MINUSTAH's drawdown. The Secretary-General's five benchmarks are the resolution of political differences through non-violent means and completion of the elections; extension of state authority; establishment of reliable security structures; development of credible judicial and penal institutions; and improvement in socioeconomic conditions.

While work progressed toward the benchmark goals in the first half of 2008, the combined effects of a political stalemate, the global food and financial crises, and the devastating impact of three successive hurricanes all but obviated any gains made. Ultimately, the experience underscored a lack of resilience in Haiti's governing structures and their relative inability to address any threats to the peace, whether human-made or natural. At the end of 2008, MINUSTAH and the support of the international community appeared as critical as ever.

Key Developments

Recognizing the humanitarian emergency confronting the Haitian people, in April 2009 international donors pledged \$350 million in aid toward Haiti's economic recovery. The funds are designed to develop 150,000 new jobs. While their pledging and subsequent debt relief boosted

optimism in the possibility of progress, a positive impact will be realized only if the funds are properly coordinated and equitably and transparently distributed, a task that currently lies beyond the capacity of Haiti's governing structures. In follow-up to the April conference the UN Secretary-General appointed former US president Bill Clinton as his Special Envoy to assist Haiti in its efforts to create jobs, improve service delivery, attract private sector investment, and foster greater international support. In an effort to attract investment, a trade mission of private investors was organized in October.

The political situation in Haiti remained tenuous and prone to conflict. Progress in implementing the legislative agenda was slow, with only nine of the thirty-one laws in the pipeline being passed by parliament. While important pieces of legislation were passed, including the law on public procurement and amendments to the electoral code, which extended the mandate of the "collectivites territoriales," progress in implementing the legislative agenda was limited. The annual budget was passed only after considerable delays and prolonged debates, and critical laws, such as those concerning the customs code and financing of political parties, have yet to be approved by both chambers. Amid this situation, in October the Senate voted out Prime Minister Pierre-Louis on account of her inability to ease economic hardship. President Préval quickly chose economist Jean-Max Bellerive as a replacement.

Elections

The election process to fill twelve Senate seats began in April 2009. No clear winner emerged from the April poll, which led to a runoff on 21 June. In the runoff, the Lespwa party, affiliated with President Préval, won six of the eleven Senate seats, with individual parties and an independent candidate winning the remainder. While largely peaceful, protests and violent incidents around the April elections elicited joint MINUSTAH-HNP operations to return order. The experience proved useful in preparing MINUSTAH and the HNP to take preventive

measures prior to the runoff in June. Despite the low levels of election-related violence, Haiti's chronic low voter turnout reflects a disassociation from the political process among much of the Haitian population, a situation that has been a major factor in Haiti's troubles in the past. The barring of candidates from the Fanmi Lavalas party—the party of former president Aristide—from running in the elections, caused some to question the legitimacy of the process.

Security

The security situation in Haiti has considerably improved over the course of the past two years. Violent gangs no longer control any part of the Port-au-Prince capital, as joint MINUSTAH-HNP operations continue to target the remnants of gang leadership. Similarly, kidnappings—once a major factor in the country's insecurity—decreased from thirty per month in the first half of 2008 to eight per month in the first half of 2009 as a consequence of MINUSTAH and HNP operations. Nevertheless, the potential for renewed gang activity and associated criminal activities of corruption, kidnapping, and drug trafficking continues to represent a considerable risk to the fragile stability.

While gang violence represents a diminished threat to Haiti in the short term, disquiet among the population rooted in concerns regarding living conditions and equitable representation issues has resulted in an increase in the frequency and intensity of civil unrest. These protests frequently emerge out of a conflation of unrelated grievances, yet are subject to infiltration by manipulative and violent elements with ulterior political objectives. Throughout the year, MINUSTAH supported the HNP in addressing these threats to the peace. Their joint activities once again served to demonstrate the HNP's limited ability to address situations demanding large-scale crowd control without UN support.

The improved security in Haiti led to the Secretary-General's suggestion to alter MINUSTAH's composition to reflect the changed situation. In October, the Security Council, while maintaining the mission's overall



REUTERS/St. Felix Evans

MINUSTAH peacekeepers fire tear gas during clashes with protesters, Port-au-Prince, Haiti, 4 June 2009.

strength, authorized the reconfiguration of MINUSTAH to allow the operational focus of the military and police components to move from the center of Port-au-Prince to address the increasing threats to peace emanating from Haiti's border and coastline. The mission would be endowed with the resources necessary for rapid reaction to developments throughout the country.

Establishing the rule of law through the reform of the judiciary, security, and corrections sectors is a central element of the Secretary-General's consolidation plan for MINUSTAH. While progress in these areas demonstrated measured forward movement throughout the year, Haitian capacity to arrest, prosecute, and imprison criminals remains limited.

Of the 14,000 HNP officers to be active by 2011, nearly 10,000 were deployed by the end of 2009 as a result of MINUSTAH's training programs. This included a group of 468 new officers, 121 of whom are women. Bilateral partners, working alongside MINUSTAH, continued to build important policing infrastructure. They provided thirty-two new police vehicles and supported the building, expansion, and renova-

tion of police stations throughout the country, significantly enhancing the HNP's operational capacity as well as its ability to train new recruits. The HNP has not yet been able to conduct autonomous operations to confront smuggling, drug trafficking, and mass violence, necessitating MINUSTAH's continuous presence and accompaniment. In the meantime, the role of the police relative to other security actors in Haiti has yet to be defined. Achieving such a definition would represent a milestone in Haiti's transition and eventual handover by MINUSTAH. Nevertheless, debate continues regarding the establishment of a military component within the security service.

Closely related to the development of the HNP is the state of Haiti's justice sector. Haiti's criminal laws are holdovers from the colonial period. They are wholly unsuited to address the criminal demands of twenty-first century Haiti and ignore the basic tenets of international human rights norms.² While the Haitian government's continued development of new criminal laws through its Working Group on the Modernization of the Criminal and Criminal Procedures Codes is a step in the right direction, this will be a long process. Until effective laws are adopted, the majority of Haiti's population will continue to approach legal institutions with circumspection. Progress was nevertheless made in training and vetting the judiciary. With only 135 out of a total of 470 judges active nationwide, the inauguration of a school for magistrates in March provided hope for expedited training, an essential prerequisite for the reform of the security sector overall (as well as for the trial of those arrested by MINUSTAH-HNP operations).

Finally, the state of the corrections system remained dire, with prison conditions falling well below international standards and more than three-quarters of detainees being held on pretrial detention. While the development of new jails and rehabilitation of standing facilities was under way with bilateral and MINUSTAH assistance, the limited progress in implementing the prison administration reform plan and the inhumane conditions of the corrections system

Box 3.6.1 China's Growing Involvement in Global Peacekeeping

*Courtney Richardson**

The People's Republic of China is an increasingly active contributor to United Nations peacekeeping operations. As of 31 October 2009, China had 2,148 military and police personnel participating in ten of the nineteen missions under the supervision of the UN Department of Peacekeeping Operations. Chinese participation is found across a variety of peacekeeping missions, including classical, multidimensional, and robust operations, with the Chinese ranking 15th out of the 116 troop-contributing countries. For much of 2008, China was the largest contributor among the permanent five members of the UN Security Council, with the majority of its peacekeepers sent to Africa-based missions.

These developments look more interesting when one understands that Chinese participation in the UN peacekeeping regime was minimal through the early 1990s, but has increased twentyfold since 2000 at a time when the overall UN peacekeeping system is severely overstretched.

To some extent, Chinese participation in UN peacekeeping has remained consistent over the past decade. For example, the Chinese contribute military observers, police, and mission support units—specialists in medical care, transportation, and engineering. The Chinese have yet to send

“blue-helmeted” peacekeepers. These contributions are indicative of China's commitment to a traditional rather than a robust peacekeeping agenda and its focus on more development-oriented activities of paving roads, removing landmines, and treating patients. Moreover, Beijing will only participate in UN peacekeeping missions, and not in peacekeeping missions led by regional organizations or coalitions of the willing. For example, the Chinese Ministry of Foreign Affairs previously dismissed questions of Beijing's interest in participating in a coalition with the NATO-led International Security Assistance Force (ISAF) in Afghanistan as “groundless.”

However, there have been qualitative changes in Chinese engagement in UN peacekeeping missions. Beijing is increasingly willing to send its peacekeepers to missions that have more interventionist mandates—perhaps indicating more flexibility on China's long-standing opposition to external interference in the internal affairs of states, especially on the grounds of human rights or humanitarian concerns. For example, the deployment of formed police units to the UN Stabilization Mission in Haiti (MINUSTAH) perhaps signals a willingness to execute more robust

mandates. Moreover, Beijing also contributes peacekeepers to states that have diplomatic relations with Taiwan—a significant shift from Beijing's prior vetoing of such “Taiwan-related” missions. Furthermore, China is seeking more leadership positions within UN peacekeeping. Major-General Zhao Jingmin of the People's Liberation Army (PLA) was appointed force commander of the UN Mission for the Referendum in Western Sahara (MINURSO) in 2007; he is the first Chinese military official to serve in such a high-ranked capacity. China also remains active in offering candidates for openings at the UN Secretariat. At home, there is now a dedicated office for peacekeeping affairs within the PLA; and between the Ministry of Public Security and the PLA, China now maintains three regional peacekeeping training centers, having opened its third in June 2009.

These developments in Chinese participation in UN peacekeeping are indeed significant. Beijing's growing interest in understanding and shaping UN peacekeeping indicates the possibility of increased engagement in the near future. However, whether Beijing will continue to pursue a more conservative peacekeeping agenda remains to be seen.

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remained sources of much concern and potential flashpoints for violent outburst.

During October, MINUSTAH suffered a tragedy when eleven peacekeepers died in a plane crash while patrolling Haiti's border with the Dominican Republic. The Secretary-General expressed his condolences for the fallen peacekeepers while acknowledging the significant contributions they had made in Haiti over the course

of the past five years. Indeed, Haiti has reached a turning point in its slow process of peace consolidation—a reality that was reaffirmed by the international community's heightened engagement throughout 2009. Vast quantities of assistance likely to come online during 2010 will present managerial and coordination issues of their own. A significant effort of the international community will be required to ensure that

pledges made in good faith are first realized and then effectively channeled into implementation.

In the longer term, establishing an environment in which stability can be maintained through the autonomous actions of legitimate Haitian security and judicial sectors will be the main indicator for handover from MINUSTAH to other lighter peacebuilding presences. The outcome will remain dependent on the continued collaboration of Haitian authorities and the international community.

massive loss of life. While at the time of writing the extent of the impact was still unfolding, it is certain that this catastrophe will have tremendous impact on Haiti's future development and the international community's engagement. Already the international response has been robust, with the Security Council mandating increased MINUSTAH contingents. Sustained international attention on Haiti will be crucial in the coming year.

Conclusion

On 12 January 2010, as this edition went to press, Haiti was struck by a devastating earthquake, causing immense destruction and a

Notes

1. Between 1993 and 2004 the UN Security Council mandated the following missions in attempts to stabilize Haiti: UN Mission in Haiti (UNMIH), 1993; the UN Support Mission in Haiti (UNSMIH), 1996–1997; the UN Transition Mission in Haiti (UNTMIH), 1997; and the UN Civilian Police Mission in Haiti (MIPONUH), 1997–2000.

2. See, generally, Hans Jeorg Albrecht, Luis Aucoin, and Vivienne O'Connor, "Building the Rule of Law in Haiti: New Laws for a New Era," US Institute of Peace briefing, August 2009.