Securing Peace in Haiti:

An assessment of the United Nations Stabilization Mission in Haiti

(MINUSTAH)

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Acknowledgements

To my wife Ingvill

Without you this study would not have been possible.

Presidential palace – and statue of slave with machete representing the freedom fight

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List of abbreviations

CARICOM	Caribbean Community (and Common Market)
CEP	Provisional Electoral Committee (Haiti)
CNG	Conseil National du Gouvernment (National Governing Council)
DDR	Disarmament, Demobilization, and Reinsertion
DPKO	Department of Peacekeeping Operations (UN)
Fad'H	Forces Armees d'Haiti
FNCD	Front National pour le Changement et la Democratie
FRAPH	Revolutionary Front for Haitian Advancement and Progress
HDI	Human Development Index
PNH	Haitian National Police
IDB	Inter American Development Bank
IMF	International Monetary Fund
MERCOSUR	Mercado Comun del Cono Sur (Southern Cone Common Market)
MICIVIH	International Civilian Mission in Haiti
MIFH	Multi National Interim Force- Haiti
MINUSTAH	United Nation Stabilization Mission in Haiti
MIPONUH	United Nations Civilian Police in Haiti
MNF	Multinational peacekeeping force
NGO	Non-governmental organizations
OAS	Organization of Americas States
ODA	Official Development Assistance
OECD	Economic Co-operation Development
OHCR	High Commissioner for Human Rights
OPL	Lavalas Political Organization (Organization Politique Lavalas)
TOURISTA	Local nickname of the peacekeepers
UNDP	United Nations Development Program
UNSCR	United Nations Security Council Resolution
UNSCR 940	(September 1994) authorized all means necessary to restore Democracy in Haiti under Chapter VII of the UN Charter
UNSCR 944	(September 29, 1994) set the stage for eventual mission handover From the Multinational peacekeeping force to the United Nations Nations Mission in Haiti

UNSCR 1063	(June 28, 1996) United Nations Support Mission in Haiti was established to operate under Chapter VI
UNSCR 1086	(December 5, 1996) established a mandate extension with a new mission termination date of May 31, 1997
UNSCR 1123	(July 30, 1997) established the United Nations Transition Mission in Haiti.
UNSCR 1141	(November 28, 1997) created the UN Civilian Police Mission in Haiti
UNSCR 1277	(November 30, 1999) extended UNSCR 1141 until March 15, 2000, to ensure a phased transition to another organization, the International Civilian Support in Haiti
UNSCR 1529	(February 29, 2004) UN authorized the deployment of a Chapter VII Multinational Interim Force
UNSCR 1542	(June 1, 2004) Multinational Interim Force transitioned to United Nations Stabilization Mission in Haiti
USAID	U.S. Agency for International Development

HAITI

Caribbean, western one-third of the island of Hispaniola, between the Caribbean Sea and the North Atlantic Ocean, west of the Dominican Republic.

Capital:	Port-au-Prince
Official languages:	French and Creole
Ethnic groups:	95 % Black, 5 % Mulatto, French, Italian.

Population:

2007 (estimate)	8,706,497 million
Density	335/km2

GDP

	2007 estimate	
Total	$ 16.51 billion	
Per capita	$ 1,913	**(From CIA World Fact book)**

Chapter 1: General Introduction

1.1 Introduction

This paper focuses on assessing the role of the United Nations Stabilization Mission (MINUSTAH) in providing stability, security and respect for human rights and the rule of law in Haiti. The proposition is that the efforts have been ineffective and goes on to ask the question whether such an outsider-initiative intervention really advances political order and stability. The study also attempts to illustrate Haitian society's perception of the peace keeping operations in Haiti thus far. The goal of this study is to illustrate how MINUSTAH may achieve a better success rate for its peace keeping operations with an increased understanding of Haiti's specific culture and history, especially Haiti's previous interaction with the international community and colonial history.

A peace keeping operation's purpose, in the medium to long tem aspect, is to address the root causes of the conflict and to lay the foundations for social justice and sustainable peace. However, peace operations need to be understood as an integral part of a larger peace building system that consist of security; political, governance and participation; humanitarian; socio-economic; and justice and reconciliation dimensions (Aoi, de Coning and Thakur, 2007).

Undoubtedly peace operations are not only generating positive outcomes in a country where they take place. They also come with negative consequences such as increase in corruption, sexual violence against women and children, and can distort the host economy. Aoi, de Coning and Thakur argue that any intervention in a society can have different effects, positive and negative. When trying to assess the peace keeping mission in Haiti, it is of great importance to look both at whether one has achieved the mandate given, and look at the unintended consequences such as sexual abuse, corruption, people's perceptions and (lack of) acceptance of the mission' agenda . That is, by understanding how these unintended consequences come about one may improve the tasks involved in such peace keeping missions (Aoi, de Coning and Thakur, 2007).

An extreme example of such negative consequences may be found as recently as May 2008 in a new report by Save the Children, 'No one to turn to'. The report shows how there has been an under-reporting of child sexual exploitation and abuse by aid workers and peace keepers in Haiti, Sudan and the Ivory Coast. The reasons for the under- reporting are complex and relates to fear of being stigmatised and 'ruining your name', a lack of response, the threat of retaliation, lack of awareness of rights or they do not know how and where to report such abuse (Save the Children, 2008).

In the report, many research participants referred to unwillingness to act on the part of the local authorities and the international organization concerned because they have other interests in common that could be affected. *"The people who are raping us and the people in the office are the same people."* (Young girl, Haiti) A few research participants in Haiti, including people from international organizations themselves, also referred to corruption between the international community and local authorities: *"Whether or not the government takes action against a person from a humanitarian or security organization depends on who you are, where you work and whether or not the government is getting a cut."* (Aid worker, Haiti). This has resulted in a chronic absence of accountability and a culture of impunity. (Save the Children, 2008).

In 2007, 100 Sri Lankan peacekeepers in Haiti were sent home after being accused of sexual exploitation and abuse, including of minors. Clearly such reports on sexual exploitation and abuse bring about strong reactions from the local people, and potentially they have very damaging consequences for the continued peacekeeping activities in the country. From Haitian people's perspective the peace keeping mission in Haiti has not been convincing enough with regards to its capability of securing peace. There are many obstacles facing the complex tasks of creating a larger peace building system. However, without the collaboration and goodwill of the local recipients of such efforts the mission cannot succeed.

1.2 Research Problem

This study examines the role of the United Nations Stabilization Mission in Haiti in providing stability, security and respect for human rights and the rule of law. It looks at the major obstacles for MINUSTAH in the Haitian context and the results so far. Peacekeeping

operations are necessarily complex—consequently, the reasons for a lack of success are also complex. In recent years, a critical part of peacekeeping operations has been to focus on 'local ownership', meaning the involvement of governments, local civil society groups, women's groups and so on, as a necessary component in order to build sustainable peace. However, Haiti is considered by many of being particularly difficult because of the dysfunctional nature of its political culture and institutions. Indeed it is being argued that the only hope for Haiti is a decade or more of international trusteeship, implying that the solution to Haiti's problems is even less local ownership (Donais, 2008).

There are two major issues that must be taken into consideration when the international community gets involved in Haiti: culture and history. Lee Chance argues; ''It is difficult for experts and donors to use the cultural framework to define policy and strategy, but culture matters and to some extent it influences capabilities of certain actors to deal with certain situations. History matters as well because Haiti has experienced …decades if not centuries of institutional abandonment" (Chance, 2007).

It is this very history of 'institutional abandonment' that the Haitian society knows and identifies with, that today influences their perception about international interventions and the Haitian State itself. In general there is high skepticism towards both the UN and the Haitian government and politicians. I believe UN experts and donors are making a fundamental mistake when choosing to undermine or ignore culture and history in Haiti precisely because these issues are so fundamentally important for Haitians today – and are shaping ways of thinking and feelings of abandonment and subordination. Large-scale social forces, such as class inequalities, racism, sexism, political violence, poverty and other social inequalities, are undoubtedly rooted in historical processes.

''One should admit that history constitutes with the present, a continuum of experiences and choices that were taken and that impact the current situation. History has a certain level of determinism in shaping the situation and characteristic of the both the State and the Haitian society'' (Chance, 2007).

Hypothesis:

The study revolves around the following hypotheses:

1) That it is impossible to build peace in a society without good knowledge of the local history and culture.

2) *That peace keeping strategies must reflect local culture and decision- making processes to generate efficient outcomes.*

1.3 Establishment of MINUSTAH in Haiti

The United Nations Stabilization Mission in Haiti (MINUSTAH) was established in June 2004 by the U.N Security Council Resolution 1542 and its principal focus areas are disarmament, demobilisation, and reintegration (DDR), police, judicial and correctional reform in Haiti.

MINUSTAH initially came with a mandate in three principal areas: Providing a secure and stable environment, particularly through disarmament; supporting the political process and good governance in preparation for upcoming elections; and monitoring and reporting on human rights (Resolution 1542, UN Security Council).

Mandate:

1. Human Rights and Civilian Protection

This includes the investigation of, and reporting on, the human rights situation and to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, without prejudice to the responsibilities of the government and of police authorities. It involves the interaction with Human Rights organisations and to support the efforts to promote and protect the rights of women and children, individual accountability for abuses and redress for victims.

2. Secure and Stable Environment

This is to be done in two phases. To assist the government in monitoring, restructuring and reforming the Haitian National Police, consistent with democratic policing standards, including through the vetting and certification of its personnel, advising on its reorganisation

and training, including gender training. Next, assist with the restoration and maintenance of the rule of law, public safety and public order in Haiti trough the provision inter alia of operational support to the Haitian National Police and the Haitian Cost Guard, as well as with their institutional strengthening, including the reestablishment of the correction systems.

3. Disarmament, demobilization and reintegration

Lastly, to assist the government, particularly the Haitian National Police, with comprehensive and sustainable disarmament, demobilization and reintegration (DDR) programmes for all armed groups, including women and children associated with such groups, as well as weapons control and public security measures.

Initial challenges for MINUSTAH

To achieve the objectives in the mandate, the integrated mission must work closely with the UN agencies that are already established in Haiti. This approach tries to give "one" consistent response from the UN system as a whole in order to re-establish lasting peace in the country. Unfortunately, integration on the ground is complicated and many obstacles, both administrative and structural ones, make this "single" strategic response difficult to achieve.

Seven United Missions have passed through Port au Prince since 1991. This last time, Latin America has taken command of the operations, unlike previous missions where the US and France played leading roles. Three Latin American countries – Chile, Argentina, and Brazil – are supplying more than half of the troops, and other Latin American countries are also contributing military personnel or police officers.

There is an element of Latin American solidarity behind this effort. Beyond this, domestic and foreign interests have motivated this strong regional participation. Gauthier argues that the armed forces of the three lead countries, whose regimes were still recently associated with military putsches, want to improve their image. Moreover, the rapprochement of their troops on Haitian soil fosters the development of closer regional security ties. The integrated mission also enables them to increase their influence in international forums (Gauthier, 2006).

The force of more than 9000 soldiers has met with many difficulties and the level of insecurity and violence has remained at a high level since their arrival. It took over 6 months from its establishment before MINUSTAH was operating at full mandated strength, which

undermined its ability to quickly deal with the armed gangs. The conflict between the armed pro-Aristide gangs, who were extremely violent and politicised, and those in support of his ouster, therefore continued to escalate in the presence of MINUSTAH.

Many of Aristide's supporters argued that their president had been kidnapped from Haiti in February 2004, and as a revenge armed gangs started kidnapping civilians. The national police, which was under-equipped, under-staffed and in need of reform was not able to solve the many cases of kidnappings. It was not until early 2005 that MINUSTAH was fully deployed throughout the country. The overall security situation in the capital, Port-au-Prince, however, continued to deteriorate throughout the year 2005. Moreover, human rights abuses worsened and included summary executions, arbitrary arrests, mob violence and torture.

Since the first period of the intervention the face of violence in Haiti has changed. One cannot say that the wave of political violence was simply a reflection of the pro- and anti-Aristide factions fighting for power. That would be too simplistic. It is argued that from the beginning Haiti needed an alternative approach to conflict management other than the one applied in post-conflict peace operations, particularly since its situation was one of continued violence – especially urban gang violence (Action Aid, 2006). It is true that the gang violence that resulted in a range of kidnappings in Port au Prince has its origins in politics –as revenge for the alleged 'kidnapping' of Aristide – it has since become a way to make money.

Today's violence is a mixture of politics and economics, and is growing in scope thanks to the absence of state authority and the lack of socio-economic development. For example armed gangs in certain slum areas in Port-au-Prince look after their districts by offering protection and distributing money, hence it becomes even more difficult to stop the violence.
These communities will protect the armed gangs because they believe they have no other options, they are afraid or because they benefit financially from their crimes. There is an unmistakable link between poverty, lack of development and violence.

The general opinion in Haiti is that MINUSTAH has done little to establish stability, protect the population, or curb human rights violations. MINUSTAH is strongly criticised for its failure to effectuate the terms of its mandate, thereby also creating doubts among the population about its agenda in Haiti. MINUSTAH has not been able to stem the flow of illegal arms in the country, and specifically in the slum areas, nor have there been fewer

reports of kidnappings and rapes. Indeed, some Haitian activists have called for the troop's withdrawal and accused them of human rights abuses. Recent reports claim that numerous Haitian women have been raped by UN troops over the past years. MINUSTAH's response to these allegations is that a misinformation campaign has been orchestrated both inside and outside Haiti by supporters of former president Jean-Bertrand Aristide. UN peacekeepers have been accused of deliberately targeting civilians and of firing from helicopters during operations, both of which MINUSTAH claim is untrue.

MINUSTAH head quarters in Cite Soleil

Chapter 2: Understanding the Haitian context

Haiti is ranked 146th on the Human Development Index (HDI). Poverty in Haiti is three times higher than in other Latin American countries. It is estimated that two thirds of the 8 million Haitians live under the poverty threshold. The UNDP development report 2005 concludes that Haiti combines catastrophic economic, social and political conditions with high natural risks caused by its geographic location and poor governance practices. Underlying socio-economic problems are the prevalence of small arms and the threats posed by violent gangs, together with the lack of infrastructure are major challenges (UNDP Development Report 2005).

The election of Rene Preval as president in May 2006 was seen as a new hope for Haiti, after a successful election accepted by international observers as free and democratic. The issue of security is the core challenge for President Préval and the international community pledged to help Haiti. The country is ridden with violence, impunity and corruption following years of political instability and a general weakness of the state, including a weak and corrupt National Police Force (PNH). The current administration acknowledges that a prerequisite to create development in any section of the country is to confront and solve the security problems, including illegal armed gangs, drug trafficking and kidnapping. Reforming the PNH is an important element in this strategy. The national police force in Haiti is currently considered one of the weakest police forces in the world, with 63 police officers for 100,000 inhabitants, in comparison to the regional average which is 283 per 100,000 inhabitants (UN, 2005).

2.1 Historical background

Haiti's first inhabitants called their land Ayiti. In 1492, Christopher Columbus arrived, claimed the island and named it Hispaniola. By 1510, the indigenous population had largely succumbed to death from diseases, slavery and slaughter. Hispaniola remained a Spanish colony for more than two hundred years, until the French gained control of its western half in 1697 and renamed it Saint-Dominguez. Slaves imported from Africa drove the colony's economy, producing sugar, cotton, coffee and other plantations crops. The island's population consisted of 450 000 black slaves, 40 000 white colonists and 30 000 mulattoes.

The French controlled Saint-Domingue until August 1791, when a large rebellion spread throughout the colony. Toussaint L'Ouverture emerged as its leader and slavery was abolished in 1793. On January 1st 1804, Jean-Jacques Dessalines proclaimed Haiti a new, independent nation, making it the world's first independent black republic and the second independent republic in the Western Hemisphere. However, the large western powers refused to recognise Haiti as an independent republic, perceiving it as a threat to the slave-based economies and motivated, in part, by racial prejudice. Power struggles characterized much of the second half of the nineteenth century in Haiti. During the 1870s and 1880s the predominantly mulatto Liberal Party battled continuously against the predominantly black National Party, for government and military control.

In the early Twentieth century, the United States began to take a real interest in Haitian affairs, hoping to diminish European influence in the Americas. In 1915, a contingent of US Marines landed in Haiti, launching a nineteen year long occupation. The United States recognised Haiti's independence in 1934. Until the rise of the Duvalier dictatorship in 1957, Haiti was relatively independent and calm, notwithstanding a power struggle between mulatto elites and 'Noiristes', or black nationalists. François Duvalier, also known as Papa Doc, was elected president in 1957 by a significant margin over his closest contender (Nicholls, 1996).

By 1957 Haiti's economy, infrastructure, and political institutions were ineffective. Duvalier's initial targets were the army and the labour unions; the latter which he crushed quickly. He replaced and diminished the power of the army with his own private security group; the Tontons Macoutes, which became the enduring symbol of his dictatorship. The Tonton Macoutes were about 300,000 in comparison to the small number of the 7000 military personnel; it was called the VSN (Voluntary National Security). At Duvalier's command, the Tontons Macoutes terrorised and intimidated the citizens and repressed all interests considered adverse to him. The Macoutes acted with severity and engaged in harsh and frequently lethal tactics with complete impunity. In October 1961, Duvalier held impromptu elections to extend his term in office and solidify his power. By 1964, Duvalier had effectively eliminated any meaningful opposition within Haiti (Ferguson 1987).

The United States initially held a favourable view of Duvalier but relations between the two countries deteriorated as Duvalier increasingly adopted harsh policies. Duvalier played on American fears that Haiti would turn to communism and thereby garnered significant US

foreign aid. He diverted much of the money for his own private use and implemented a system of widespread extortion of the Haitian people. By the time Duvalier died in 1971, state-sanctioned terrorism had killed an estimated 30 000 to 60 000 Haitian citizens, and it was responsible for the torture of many others. Before his death, Papa Doc had appointed his son, Jean Claude Duvalier, who took over the presidency in 1971 at the age of 19. Jean Claude, or Baby Doc, continued his father's work. Like his father, Baby Doc made overtures to the US government by denouncing communism early in his reign. In response the United States sent increasing amounts of monetary and food aid to Haiti during the 1970s. But Baby Doc, like his father before him, co-opted much of the aid for his own private use, leading to widespread famine among Haitian peasants (Ferguson, 1987).

US policy continued to influence Baby Doc's actions throughout his regime. When Jimmy Carter was elected president in 1976, he refocused international attention on respect for human rights and liberalisation generally. Under this policy, President Carter demanded that Baby Doc improve his records on human rights. Baby Doc, subsequently made token attempts at compliance by changing his rhetoric on human rights and by freeing some political prisoners. With the election of Ronald Reagan in 1980, however, Baby Doc no longer felt the same pressure to improve human rights conditions. US support, accordingly, increased (Ferguson, 1987).

Throughout the early 1980s a number of insurrectionist groups attempted to topple the Baby Doc government. As each attempt failed, Baby Doc responded viciously to oppress all forms of opposition. In early 1986, however, what started as a protest in the city of Gonaives, grew into a series of revolts throughout the Haitian countryside. Within a matter of days, the revolt had greatly magnified in intensity and reached Port au Prince. In February 1986, Baby Doc and his family fled Haiti, leaving behind a country that in 1985 was the poorest nation in the western hemisphere and that had one secondary school for every thirty five prisons. With this flight, the bloody twenty eight years Duvalier's dictatorship finally ended (Ferguson 1987).

2.2 The post - Baby Doc era

With the active involvement of the Reagan administration, a National Governing Council (Conseil National de Gouvernement, CNG) was formed shortly after Jean Claude Duvalier's

flight from Haiti in 1986. The Haitian Army controlled the CNG, with Lieutenant General Henry Namphy as its leader. The CNG wrote a new constitution for Haiti in 1987 and Lieutenant Namphy assumed full control in 1988. Another military official, General Prosper Avril, succeeded Namphy later that same year. Ertha Pascal Trouillot, a civilian, assumed power upon Avril's flight from Haiti in 1990. Throughout the period immediately following the fall of the Duvaliers, the CNG did almost nothing to hold members of the Baby Doc regime or the Tontons Macoutes responsible for their repressive tactics and violence (Human Rights Watch Report, 1996).

The Trouillot government's attempts at re-establishing the rule of law where further undermined by the return of Roger Lafontant in July 1990. Lafontant, former head of the Tontons Macoutes and a former Duvalier minister of defence and the interior, held a series of rallies for right-wing forces in the six months preceding the presidential elections. On October 18, 1990, Jean Bertrand Aristide announced his candidacy for president in Haiti, under the banner of the National Front for Change and Democracy (FNCD) and Lavalas, a party named after the Creole word referring to the "gully-washing torrents that sweep all before them". In December 16, election that observers from the UN, the Organisation of American States (OAS) and the United States declared to be free and fair, Aristide won 67% of the votes.
One month before Aristide's February 7, 1991 inauguration, Lafontant seized the palace, took President Trouillot hostage, and took over the broadcast facilities, apparently expecting support from the army. After tens of thousands of Haitians demonstrated against the coup, however, the army arrested Lafontant and aborted the coup attempt (Human Rights Watch Report 1996).

After Trouillot transferred power to Aristide, the new President nominated René Préval as his prime minister. When, in August 1991, the legislature attempted to pass a no confidence measure on Prime Minister Préval, two thousand Lavalas supporters gathered outside the assembly building to protest the move by the opposition in Parliament. Early in his presidency, Aristide moved swiftly to dismantle the Army by passing legislation to separate the police from the army and by retiring six of the seven high ranking members of the military. This was seen as symbolic efforts to address past atrocities and investigate past crimes, in part by creating a commission, which actually never began work.

On September 29, 1991, Aristide was taken hostage in a military coup. After negotiations with the international community the Army allowed him to leave the country. A Venezuelan Air Force plane arrived in Port au Prince to bring Aristide to Caracas and subsequently to Washington DC, where Aristide spent the next two years negotiating his return to power. The US state department estimated that several thousand Haitians may have been killed during the de facto military rule that followed Aristide's ouster. The International Crisis Group estimated that between 3 000 and 5 000 people were killed in the two years of military rule. Human Rights Watch reported that thousands more suffered disappearance, torture, beatings, rape, threats, arbitrary detention, and extortion. In addition, an estimated 100 000 Haitians fled the country and another 300 000 were forced into internal exile. Washington typically returned indicted Haitian refugees to Haiti under the 1981 agreement between the Reagan and the Duvalier administrations (Hallward 2007).

Shortly after the coup, the United States froze access to all Haitian government assets in the United States for anyone except Aristide in an attempt to allow him access to financial support while in exile. The coup leaders, General Cedras, General Biamby, and Major Michel François, declared the presidency vacant and offered it to the Supreme Court Justice, Joseph Nerette, who in turn nominated Jean-Jacques Honorat as Prime Minister. In October 1991, the OAS imposed an oil and trade embargo, in which US President Bush ordered compliance. Due to the conservative anti-Aristide atmosphere in the Dominican Republic as well as the disinterest of many UN members in accepting, the embargo proved ineffective despite that it was technically imposed for the entire three years of military rule (Human Watch Report, 1996).

2.3 Involvement of the International Community

At the end of June 1993, UN diplomat Dante Caputo arrived in New York to broker an agreement between General Cedras and President Aristide. After days of negotiations, the parties agreed to the Governor's Island Accord. Its terms included commitments to the effects that: Aristide would name a new Prime Minister; the sanctions would be lifted; reforms would be made in the Army; amnesty would be granted for political offences but not for common crimes and Aristide would be returned to power. Following the signing of the accord, UN peace keepers landed in Haiti. Aristide, however, would not return until 1994.

Violence reigned in the years between the coup and Aristide's return to power. The second and third groups of Macoutes had organised themselves into the paramilitary organisation known as the Front for Advancement and Progress of Haiti (FRAPH). Lead by Emmanuel Toto Constant, the FRAPH employed violence throughout Haiti and supported the military government. In 1992 and 1993, murders and rapes in Haiti increased dramatically. Michel François, one of the coup leaders, was the police chief of Port au Prince at the time; Emile Jonaissaint was named de facto President by the administration. In a poor area of Gonaives called Raboteau, a charismatic organiser named Amiot Métayer led a community based group that was repeatedly targeted by the Army and military between 1991 and 1994. In a particularly bloody moment on April 22, 1994, FRAPH affiliates killed 15 people in Métayer's group. The incident came to be known as the Raboteau massacre, which was finally prosecuted in the year 2000 where a jury convicted sixteen former soldiers and paramilitaries in 37 defendants in absentia (Human Rights Watch Report, 2004).

2.3.1 The US Involvement

By July 29, 1994, the United States had decided that a military intervention was necessary to restore Aristide to power. The UN Security Council Resolution 940 authorised the United States to intervene on behalf of the UN. The Clinton administration prepared for an invasion but simultaneously sent former President Carter, Senator Sam Nunn, and retired Joint Chiefs of Staff chairman Colin Powell to negotiate with General Cedras. On September 18, Cedras signed an agreement to stay in command until October 15, when Aristide would be restored to power, nearly one year after the terms outlined by the Governor Island Accord. The price for Aristide's restoration was an agreement by the Clinton administration to grant and honour an amnesty for a wide range of human rights violations, far broader than the agreement at Governor's Island.

2.3.2 The 1st UN Involvement

On September 19, 1994, the day after the agreement was signed, US troops; the first contingent of what would become a 21 000 member international force, landed in Port au Prince. These troops raided FRAPH headquarters, seized 160 000 pages of documentary

evidence, and arrested several individuals, including paramilitary leader Constant. The three coup leaders and their families left Haiti as President Aristide was restored to power, along with other elected officials in exile.

One month later, Aristide dissolved the rest of the Haitians Armed Forces. Security Council Resolution 940 mandated the United Nations Mission in Haiti (UNMIH) to maintain a stable environment in Haiti and to assist on the creation of a new police force (UNMIH Resolution 940). Despite the UN presence, however, few human rights crimes were prosecuted; the amnesty remained in place, and many ex-FADH members retained their weapons illegally and joined criminal organisations or private security details. In December 1994, Aristide's government formed the National Commission for Truth and Justice, charged with recommending reparations and rehabilitation measures for victims as well as with documenting the violations committed during the two years military rule. On March 31, 1995, the United States turned over its command to UNMIH.

Although Aristide had been absent for the majority of his presidency, the 1987 Haitian Constitution stated that the President could serve for only one five year term, thus, in December 1995, national elections were held. Although only 28 % of the population turned out, 88 % voted for René Préval, the Lavalas candidate and the man that Aristide originally appointed Prime Minister in 1991. After the local elections in June 1995, which some international monitors' criticized for electoral fraud, a pro-Aristide coalition led by Struggling People's Organisations (OPL) won a number of significant seats in many provinces. When division emerged between OPL and Aristide's followers in late 1996, Aristide formed the Fanmi Lavalas (FL) Party. Cementing the division, the new FL Party ran candidates against OPL in the 1997 elections. The first round of the elections was disputed, stalling the government for a year. Fanmi Lavalas refused to hold a second round. At the beginning of 1999, unable to organise local elections, President Préval dismissed those legislators whose terms had expired, and established a new cabinet which, according to US State Department, comprised almost entirely of FL partisans. The delayed elections finally occurred in May 2000, with a 60 % turnout. FL candidates were proclaimed winners of approximately half the contested seats.

2.3.3 The Involvement of the Organization of American States (OAS)

The OAS certified the first round of the elections in 2000 but discovered irregularities later. When the Provisional Electoral Council (PEC) refused to correct the problematic method of percentage calculation noted by the OAS, the latter refused to observe the second round of elections. The opposition, renamed the Democratic Convergence, including other opposition parties, ex-Lavalas supporters and former soldiers, called for the elections to be annulled, but the Parliament met in spite of the protest (ICG Haiti Report). During this period, US troops had been withdrawn from Haiti. In March 2000, the UN force was changed into a peace building mission; the International Civilian Support in Haiti (MICAH), which consisted of some 80 non-uniformed UN technical advisers, providing advice and material assistance in policing, justice, and human rights to the Haitian Government.

Despite accusations of election irregularities; continued protest by the Democratic Convergence; relatively low voter turnout; an election boycott, which the OAS refused to monitor, Aristide won the presidential election in November 2000 and was inaugurated on February 7, 2001. Months after his inauguration, violence between Lavalas and opposition again erupted in Port au Prince and throughout Haiti. Human Rights Watch reported that the opposition was "the target of violent attacks, notably in December 2001 during which buildings associated with the opposition were burnt down by government gangs" (Human Rights Watch 2004).

The violence provoked OAS Permanent Council Resolution 806; "urging the Government of Haiti, all political parties, civil society and other relevant institutions of Haitian society to condemn and work towards ending all forms of political violence"(OAS resolution 806). Continuing violence between the government and the opposition culminated in a public call by the opposition for Aristide's removal from office in late 2002. In January 2004, at the Summit of the Americas, a joint delegation of OAS and the Caribbean Community (CARICOM) presented a set of demands to Aristide regarding the restoration of public order, new leadership for the police, and disarmament of government security forces (OAS, 2004).

2.3.4 The Insurgence

In February 2004, Haitian rebels from the Dominican Republic began to take over towns and recruit supporters throughout Haiti. In Artibonite, the centre north of the country, the FRAP (the Front de Resistance de L'Artibonite pour le Renversement) was formed to oust Jean-Bertrand Aristide. This group had previously worked with Aristide but fell out with him when Amiot Metayer was killed. Metayer had been arrested in 2002 and released by his own supporters a month later. In September 2003, he was found murdered and the Metayer groups blamed Aristide for his death. With Metayer's brother at the helm, the Artibonite groups seized Gonaïves on 5 February 2004 and proceeded toward Port au Prince. As Human Rights Watch reports; "with a small and demoralized police force plagued by desertions, the government largely placed its defence in the hands of armed civilian supporters, many of whom were criminals known for violence and abuses" (Human Rights Watch, 2004). Rebel leader Guy Philippe, former police chief of Delmas and Cap Haitian, and Louis Jodel Chamblain, acquitted in a sham trial of the 1993 murder of businessman Antoine Izmery and implicated in the assassination of Justice Minister Guy Malary in 1993, gained control on the disparate armed uprisings. On February 22, Haiti's second largest city, Cap Haitian, fell to the insurgents (OAS, 2004).

Four days later, the OAS Permanent Council called on the UN Security Council to "take all the necessary and appropriate urgent measures to address the deteriorating situation in Haiti". (OAS, 2004).On February 29, 2004, Aristide left the country on a US chartered airplane destined for the Central African Republic. There has been heated debate over whether Aristide resigned freely or was forced from office with the assistance of the US military. The UN Secretary-General, for instance, has stated that he believes the constitution was followed, while CARICOM has accused the United States of failing to satisfy its obligations under the Inter-American Democratic Charter by allowing a democratically elected leader to be forced from office.

2.3.5 The 2nd UN Involvement 2004

After Aristide left the country, Boniface Alexandre, President of the Haitian Supreme Court, assumed office as interim president in accordance with the Haitian Constitution. In

consultation with the Council of Elders, President Alexandre appointed Gerard Latortue as interim Prime Minister on March 9, 2004. Alexandre at once requested international assistance; the UN Security Council authorized immediate deployment of a Multinational Interims Force (MIF) for three months and mandated MIF, pursuant to Chapter VII powers as provided under the UN Charter, specifically:

- to contribute to a secure and stable environment in the Haitian capital and elsewhere in the country, as appropriate and as circumstances permit, in order to support international assistance to support the constitutional political process under way in Haiti;

- to facilitate the provision of humanitarian assistance and the access of international humanitarian workers to the Haitian people in need;

- to facilitate the provision of international assistance to the Haitian police and the Haitian Coast Guard in order to establish and maintain public safety and law and order and to promote and protect human rights.

The deployment of MIF was followed by the Security Council's authorization under Chapter VII of the UN Charter, the United Nations Stabilization Mission in Haiti (MINUSTAH) was mandated to include 6700 troops and 1622 civilian police and staff. Despite a lag in the deployment of its forces, MINUSTAH reached ninety percent of its mandated staffing levels by December 2004. Set forth in Security Council Resolution 1542, the mandate of the Brazilian-led force was initially established for a period of only six months; however, the MINUSTAH mandate received a six-month extension through June 1, 2005, with the passage of Security Council Resolution 1576 on November 29, 2004 (Security Council Resolution 1576).

Despite the presence of UN troops, the security situation in Haiti remained a matter of great concern as the political situation had failed to stabilize since Aristide's departure. Armed attacks increased and Ex-Fad'H members became increasingly visible, occupying several police stations and acting as security forces throughout many of the provinces. An ad-hoc commission established by the minister of the interior counted approximately 5,700 ex-Fad'H members stepping into the security vacuum (ICG Haiti Report). In mid-December 2004, members of the former military occupied Aristide's former residence in Tabarre and left only after a stand-off with UN peacekeepers.

On September 30, 2004, the anniversary of the 1991 coup, at least eighty people were killed, including eleven police officers. Most of the deaths occurred in the poorest neighbourhoods of Port au Prince, where battles erupted between Aristide supporters and the Haitian National Police (PNH). The killings on September 30 marked merely the beginning of a period of ongoing violence in Haitian slums. Since then, according to newspaper sources, hundreds, if not thousands, have been killed, mostly in slums. Credible reports indicate that summary executions by the PNH and violence against women continue to be a serious problem.

On October 28, 2004, the Inter-American Commission on Human Rights expressed its concern over the unfettered violence in Haiti, particularly between illegal armed gangs and the police. The Commission also urged investigation into reports of arbitrary arrests and detentions as well as attacks against human rights defenders and journalists in Haiti. In addition to the increasing violence, prosecutions have been imbalanced and impunity continues to reign.

The National Penitentiary in Port au Prince is a potent symbol of the effects of the absence of rule of law in Haiti. Only an estimated two percent of its more than 1000 incarcerates have been convicted of any crime. On December 1, 2004, ten prisoners were killed in a massacre; less than three months later, on February 19, 2005, approximately 480 escaped after armed assailants broke through barricades and attacked the facilities (NHCR, 2005).

During fall 2005 and early 2006 municipal and presidential elections were organised. Rene Preval won the presidential election with 51 % of the votes and started his term in May 2006.

With a solid understanding of Haitian history it will be easier to understand the current conflict and challenges. The old system of exploitation continues in Haiti. Real change lies in changing the institutions, the people and their mentality. Haiti needs political determination and strong political will for real change.

Chapter 3: Methodological framework

3.1 The study area

3.1.1 Geography

Haiti is situated on the western part of the second largest island in the Greater Antilles, Hispaniola. It is the third largest country in the Caribbean behind Cuba and the Dominican Republic respectively in which the later shares a 360 kilometre border with Haiti. It is only 80 kilometres away from Cuba. Its terrain consists mainly of mountains interspersed with small coastal plains and river valleys.

3.1.2 Ecology / Environmental issues

In 1925, more than 60 % of Haiti's original forest covered the land and mountainous regions. Since then, the population has cut down all but an estimated 2 % of its original forest cover, and in the process has destroyed fertile farmland soils, contributing to desertification. Erosion has been severe in the mountainous areas. Most logging is done to produce charcoal, the country's main source of fuel. The plight of Haiti's forests has attracted international attention and has led to numerous reforestation efforts, but these have met with little success to date. Despite the large environmental crises, Haiti retains a very high amount of biodiversity in proportion to its small size.

In addition to soil erosion, the deforestation has also caused periodic flooding, as seen in September, 2004. Tropical storm Jeanne skimmed the north coast of Haiti, leaving 3,006 people dead in flooding and mudslides, mostly in the city of Gonaives. Earlier that year in May, floods killed over 3,000 people on Haiti's southern border with the Dominican Republic.

3.1.3 Economy

Haiti remains the least-developed country in the Americas, largely due to political instability and repeated episodes of violence. Comparative social and economic indicators show Haiti falling behind other low-income developing countries, particularly since the 1980s. Haiti ranks 146th of 177 countries in the United Nations Human Development Index 2006. About

80 % of the population was estimated to be living in poverty in 2006. Haiti is the only country in the Americas on the United Nations list of Least Developed Countries. About 66 % of all Haitians work in the agricultural sector, which consists mainly of small-scale subsistence farming, but this activity makes up only 30 % of the GDP. The country has experienced little formal job creation over the past decade, although the informal economy is growing. Mangoes and coffee are two of Haiti's most important exports.

All significant social and economic power in Haiti has, historically and still, been concentrated in the hands of a tiny elite. No other country in the western hemisphere is structured along such dramatically polarized lines (Hallward, 2007). Haiti's distribution of wealth is the most unequal in the region. Just 1 % of the population control half of its wealth with the majority living in dire poverty. The elite and its well-connected families dominate the economy, the media, the universities and business. They speak French and often English, in a country where the majority speak only Kreyol. These are also the people who interact with, and are working for, the UN, the International NGOs and foreign embassies. As Robert Fatton points out; ''it is almost impossible to exaggerate the dominant class's utterly reactionary contempt for the masses, in their private as well as public utterances, members of the dominant class hold *le people* in nothing but disdain, scorn and ridicule'' (Hallward, 2007). The human rights advocate Ronald Saint-Jean agrees;' although it is more carefully hidden from public view, there is a more cruel system of apartheid in Haiti than there was in South Africa'' (Hallward, 2007).

Haiti has consistently ranked among the most corrupt countries in the world on the Corruption Perceptions Index. Foreign aid makes up approximately 30 % - 40 % of the national budget. The largest donor is the United States followed by Canada, and the European Union. Venezuela and Cuba also make various contributions to Haiti's economy, especially after alliances were renewed in 2006 and 2007.

3.1.4 Education

Of Haiti's 8.7 million inhabitants, just below half are illiterate. The literacy rate is the lowest in the region with 52.9 %. Haiti counts 15, 200 primary schools, of which 90 % are non-public and managed by local communities, religious organizations or NGOs. The enrolment rate for primary school is 67 %, of which less than 30 % reach 6th grade, and for secondary

school the enrolment rate is 20 %. The educational system of Haiti is based on the French system. Higher education is provided by universities and other public and private institutions and is under the responsibility of the Ministry of Education.

3.1.5 Selection of the study area Cite-Soleil

Cite Soleil (Sun City) is the very representation of the failure of the Haitian state. Despite its name, the area is generally regarded as one of the nation's poorest, roughest and most dangerous areas; it is one of the biggest slums in the Northern Hemisphere. There are limited police, and no social service. The neighbourhood, originally designated to house manual labourers for a local export processing zone, quickly became home to squatters from around the countryside looking for work in the newly constructed factories. After the 1991 coup d'etat that deposed President Jean Bertrand Aristide, the United States led a boycott of Haitian products, which closed the export processing zone. Cite Soleil was soon thrust into extreme poverty, persistent unemployment, with high rates of illiteracy. It has become a microcosm of Haiti's endemic problems. Of the estimated 200,000 to 300,000 people living in Cite Soleil the great majority live in extreme poverty (HaitiAction.net).

3.2 Introduction methodological methods

The study relies on qualitative methods, interviews and focus groups discussions in Haiti. I have talked with leaders of MINUSTAH, members of the national police force and people representing the civil society from the slum 'Cite Soleil'.

The motivation for relying on qualitative research come from the observation that qualitative research is designed to help researchers understand people and the social and cultural contexts within which they live (Kaplan and Maxwell, 1994).

My fieldwork was not intended to be a detailed empirical study, but rather a snapshot of how Haitian people, as the recipients of international efforts to restore security and peace, perceive the peace keeping mission and its results.

3.3 Data sources

In order to build a well-informed picture of the situation in Haiti I used different data sources:

> 1. Documents such as media reports, internet sources, NGO reports, books, articles, as well as film documentaries.
>
> 2. Interviews and focus group discussions:

- Focus group discussions with people living in Cite Soleil, including community leaders. I also conducted individual in-depth interviews with some of these people, including two community leaders (one man and one woman).

- Focus group discussion with a youth club in Cite Soleil with two in- depth interviews of one young man and one young woman.

- Focus group discussion with members of the national police force, including in-depth interview with one police chief and two police officers.

- Meeting and interview with the Deputy Special Representative for United Nations Stabilization Mission in Haiti

3.3.1 Documentary sources

The process of gathering information was done through documentary sources such as books, journals, newspapers, film documentaries, articles, web articles and research reports related to this study. The different literature studied introduced me to a broad theoretical basis for my study, as well as supplementing information gathered during my own fieldwork.

3.3.2 Fieldwork

Field work was mostly conducted in Haiti in June/July 2007, with a follow- up in June/July 2008; all involved semi- structured interviews, focus group discussions and meetings. My decision to do interviews in a semi-structured way had to do with two factors, illiteracy and mistrust. The people I wanted to interview would not necessary be able to fill out questionnaires due to illiteracy. The mistrust factor has to do with a general mistrust of an outsider. Some interviews were done without voice recorder or photos because the informants preferred to be anonymous. Every effort was taken to protect the identity and security of the research participants who asked to be anonymous.

The three focus group discussions were led by me using prepared questions as a basis for discussion, while keeping it an open forum for the different opinions to come forward. Being a Haitian man myself it was not necessary to use interpreters which I consider a great advantage in such groups. I made it clear to the participants that the discussions were for research purposes only and that I would not use anybody's name unless they gave me permission to do so. It was important for all participants that we kept a high level of confidentiality.

The answers gathered from the different groups informed the data discussions. I discovered that all groups identified the most important factors for peace building as security, education, health and respect for human rights. In a country with huge social differences, everybody suffers from the same 'sicknesses' of a fragile state, across class, race and gender differences.

3.3.3 Focus group discussion questions and interviews

The main questions discussed in the focus groups included:
1. Do you know what the mandate of MINUSTAH is?
2. How do you perceive the capability of MINUSTAH to secure peace in Haiti?
3. What are the main difficulties and obstacles for MINUSTAH to succeed in Haiti?
4. Is it important or necessary for the peace keeping mission to have knowledge about Haitian history and culture, and if so, why?
5. What would be your advice to MINUSTAH to succeed with its mandate in Haiti?

The interview questionnaires included the same questions as well as more in- depth questions about the informants social status, family background etc. (see appendix 1 interview questionnaire)

3.3.4 Personal observations

Haiti is where I was born and raised and where I lived until I was 23 years old, and later from the age of 27 until 31. From an early age, I was concerned about Haiti's problems and possible solutions. Throughout these years, various studies and experiences have given me a different view of the situation. I worked as police chief in Haiti from 1997-1998 and from

this period, I experienced personally how the United Nations operated with regards to reforming the police and trying to stabilize the country at the time. In October 2000, I founded the organization 'Project Haiti', together with my wife, and we opened a primary school for poor children in Port au Prince. (www.prosjekthaiti.no) I believe my own experiences, and the contacts and network that I have in Haiti have greatly facilitated the work with this study project.

During my fieldwork I discovered how Cite-Soleil in particular made a strong impact on my perception of the situation in Haiti. Cite Soleil is the very example of what may happen when a state is failing its citizens. Interestingly, Cite Soleil is not a cliché of a slum where people are but poor, desperate or dangerous. It is more than that; it is a place where people even with lack of basic needs are still proud, courageous and have integrity. Cite Soleil should be a school for all Haitian and international leaders to go to study and to learn about people's will to survive under extreme circumstances.

3.4 Relevance to peace studies

Through this project, I hope to identify local capacities for peace building in Haiti. When the international community gets involved in countries such as Haiti there is not enough emphasis on local ownership of the process itself. Strategies are planned and implemented 'from top down'. When the framework of violence reduction strategy is not related to the local context, it will not sustain. Experiences from Somalia might not necessarily work in Haiti. The approach from the method 'Do no Harm' might have a greater chance of success because it is based on a belief that each situation, in each country, region or city, must be considered from its own context. Also, early involvement of Haitian people, be it community leaders, women's groups, youth clubs, schools, universities etc, as the end recipients or 'end users' of the peace keepers mission's activities must be considered a priority for MINUSTAH. These identified groups of people might function both as agents for change in the communities as well as teachers for MINUSTAH to understand and appreciate the Haitian complex situation, historically and culturally. It is through such interaction one might see local ownership of the process from an early stage and the chances of sustainable peace building as opposed to a short term fix.

Chapter 4: Theoretical Framework

4.1 Conceptual discussion

This study draws upon the conceptual discussions about 'failed', 'failing' and 'collapsed' states. The reasons why nation states fail are that when facing serious internal violence it becomes impossible to deliver positive political goods to its habitants. Therefore, their governments lose legitimacy, and the very nature of the particular Nation State itself becomes illegitimate in the eyes and in the hearts of a growing majority of its citizens (Shamsie, 2006).

Some states considered weak and so- called stronger states in the developing world fail with increasing frequency. Since the Cold War a number of states are failing, more so in Africa but also in Asia and Latin America. In addition, more and more states find themselves at risk, showing signs of weakness and outright failure (Rotberg 2005). The international community finds itself incapable to confront these grave problems. Political stability and predictability become difficult to achieve when many of the world's nation-states are floating between weakness and failure.

Functions of States

One should see the role of a nation state as a provider of goods to the people living within its territory or borders. Different from monarchies, modern states are more focused on the demands of its citizens. Modern nation states organize and channel the interests of their people in accordance with national goals and values. Their role is to control and manipulate external forces, champion the particular concern of their citizens, and mediate between the challenges of the international arena and the dynamism of their own international economic, political and social realities (Rotberg, 2005).

States are judged as succeeding or failing according to their performances and according to how effective they deliver the most crucial political goods. This is a method to distinguish between strong, weak, failed or collapses states. For centuries political goods have been the essential element which decides the faith of the rulers. Such goods include indigenous expectations, conceivably obligations, informing the local political culture, and together give

content to the social contract between rulers and ruled, therefore the core of regime between government and citizenry interactions (Rotberg, 2005).

According to Rotberg there is a hierarchy of political goods that define the priority of every State. One of the most important goods is security, especially human security. Individuals alone can attempt to secure themselves, but when it comes to matters of national security, border invasions, loss of territory, only States have the capacity and the authority to provide the necessary protection. This is the State's prime function. State's capacities goes further when it comes to matters of eliminating domestic threats or attacks on the national order and social structure, to prevent crime and related dangers to domestic human security, and to enable citizens to resolve their differences with the State and with their fellow inhabitants without recourse to arms or other forms of physical coercion.

A good atmosphere of security makes it easier to delivery political goods. Therefore modern states thrive to provide predictable and systematized methods of regulating the norms of a particular society of polity. The essence of political goods usually implies codes and procedures that together comprise and enforces a body of law, security of property and inviolable contracts, an effective judicial system, and a set of norms that legitimatize and validate the values embodied in a local version of the rule of law (Shamsie and Thompson, 2006).

Another key political goods enables citizens to participate freely, openly and fully in politics and the political process. This goods encompasses the essential freedoms which are the right to participate in politics and compete for office; respect and support for national and regional political institutions, such as legislatures and courts; tolerance of dissent and difference; and fundamental civil and human rights.

Other political goods typically supplied by states include medical and health care, schools and educational institutions; roads, railways and other physical infrastructures, commerce; communications networks; a money and banking system, usually presided over by a central bank and lubricated by a nationally created currency; a beneficent fiscal and institutional context within which citizens can pursue personal entrepreneurial goals; space for civil society; and methods of regulating the sharing of the environmental commons .

Together, this group of political goods, roughly rank ordered, establishes a set of criteria according to which modern nation states may be judged strong, weak, or failed. Strong states have the reputation to satisfy their people with all the goods, by performing well across these categories and with respect to each separately. Contrarily to strong states, weak states show a mixed profile, fulfilling expectations in some areas and performing poorly in others. The more poorly weak states act, the poorer they become, therefore this weakness drive them to the edge of failure. One factor indicating failure is high level of violence within a territory. Violence alone is not a condition of failure and its absence does not necessary mean that the state is not failing (Rotberg 2005).

One should notice that the consequences are huge and anytime a nation state has descended into failure it poses humanitarian and possible relief issues. It may also become a breading ground for terror: The more anarchic the nation-state, the more no-state actors and forces of terror can take opportunistic advantage of a deteriorating internal security situation to mobilize adherents, train insurgents, gain control of resources, purchase arms and ready themselves for assault on world order. The Iraq and Afghanistan cases are such examples.

Strong states
A strong state controls its territory and delivers a full range of political goods to its citizens. It will perform well according to indicators such as GDP per capita, the UNDP Human Development Index and the Transparency International's Corruption Perception Index. Strong states offer high levels of security against political and criminal violence, ensures political freedom and civil liberties, and creates opportunities for economic growth. The rule of law prevails and judges are independent. Road networks are well maintained and schools, universities, and students are able to flourish. Hospitals and clinics serve patients effectively. Overall, strong states are places of enviable peace and order (Rotberg 2005).

Weak states
States may be inherently weak due to geographical, physical or fundamental economic constraints; or are situational weak because of internal antagonism, greed or despotism. Weak states are typically involved with tensions involving ethnics, religious, linguistics elements that may become conflicts or in some cases civil wars. The ability to provide goods will be reduced. Physical networks have deteriorated, schools and hospitals show signs of neglect. GDP per capita and similar indicators have fallen or are falling, sometimes dramatically. The

level of corruption is high and escalating (Rotberg 2005). There is a special category of weak states, the seemingly strong state which is a political autocracy, secured but at the same time provides few other political goods. Examples of such states are Cambodia under Pol Pot, Iraq under Saddam and today's Belarus, Turkmenistan, Libya and North Korea (Rotberg 2005).

Failed States

Failed states provide very limited political goods. A failed state will abandon its role as a good provider due to the situation. One priority of its leaders is to stay as long as possible in power regardless of the people's situation. A failed state is no longer willing or able to perform the fundamental task of a nation state in the modern world (Rotberg 2005). Its institutions are flawed. All forms of democratic debate are absent. Instead of being independent, the judiciary only depends of the executive. Citizens know that they cannot rely on the court system for redress or remedy, especially against the state. In this case, the state after loosing all its legal authority over its citizens tends to oppress the citizens and looses its sense of legal and professional responsibility (Rotberg 2005). Indications of a failed state will be the deteriorating infrastructure, water supplies dry up, power falters, and other normal services vanish. Educational and medical facilities fall apart. Literacy rates fall and infant mortality rates rise. In such a situation, the poor became poorer and the rich become richer. This system gives all the privilege and benefit to the rich and nothing to the poor. Corruption is high. The GDP per capita decline and food shortages, even hunger, may follow.

One of the main problem of a failed state is its incapacity to control its territory. A failed state is so insecure that it cannot project power much beyond the capital city. It will be incapable of controlling its peripheries and crime rates are rising. The result of not being able to establish an atmosphere of security throughout the nation will demonstrate the state's failure. As a result one may see rebel groups and other contenders arm themselves and threaten the residents of the country. Examples are the Democratic Republic of Congo, Sierra Leone, Nepal and the Ivory Coast (Rotberg 2005).

Collapsed States

Collapsed states are the extreme version of a failed state, exhibiting a vacuum of authority. They are mere geographical expressions and represent the ultimate failure of policy (Rotberg 2005). Some states are so far named into the classification of collapses states; Afghanistan, Angola, Burundi, The Democratic Republic of Congo, (DRC), Sierra Leone and the Sudan.

Political goods in such settings are obtained through private or ad-hoc means. Security is the rule of the strong. Parts of the state apparatus may function but in a disordered manner. War lords or other actors may take political power in their own hands.

Collapsed states may return to the category of failed state, and then gradually to weak state, if sufficient security is restored to rebuild the institutions and strengthen the legitimacy of the state. Some examples of such states are Lebanon, with the help of Syria, Tajikistan due to Russia and Sierra Leone due to the British intervention (Rotberg 2005).

Most of today's failed states are in Africa. There are more than three dozen states in the developing world which can be characterized as weak. Some states like Haiti and Niger are endemically weak. Another category of weak states such as Chad and Papua- New Guinea often appears on the brink of failure. During civil wars such states may fail. A third category may contain ethnic, religious or linguistic divisions sufficiently strong to cause the kind of element which is needed to develop a failure. Nigeria is one of the examples which are waiting for such a result (Rotberg 2005).

4.2 Fragile or failed state?

Haiti is ranked 11 out of the 60 countries that are considered failed or vulnerable states by the Failed State Index 2007, because,"...Haiti is wracked by extreme poverty, lawlessness, and urban violence." For Transparency International, Haiti is the most corrupt country in the world, just before Burma and Iraq (Transparency International, 2007).

Failed states are countries in which the central government does not exert effective control over, or is unable to deliver vital services to, significant parts of its own territory due to conflict, ineffective governance, or state collapse (Fargo, 2004). The rationale behind the Security Council's establishment of MINUSTASH in 2004 was that Haiti fits the failed state category. With the fall of the Aristide government and even before that, the central Haitian government had been unable to provide such vital services as food, water, disease control, education, and security to the majority of the populace. When a state fails due to serious internal violence it loses legitimacy, and the very nature of the particular nation state itself

becomes illegitimate in the eyes and in the hearts of a growing majority of its citizens (Shamsie, 2006).

However, the concept of a "failed state" is controversial, not least because its defining characteristics are open to interpretation, and because questions of who have the authority to label countries as "failed" are not addressed. Faiz Ahmed argues that ''the utility of a 'failed or failing' state is that it provides a justification for "pre-emptive warfare" and America, it seems, "is now threatened less by conquering states than by failing ones" (Faiz Ahmed, 2004). Ahmed suggests that the international intervention in Haiti is symptomatic of the re-ordering of global politics since the American led invasion of Iraq in 2003. The author explains this by pointing to the fact that when the U.S. administration had to admit that Iraq posed no threat, it was also forced to change their rationale for waging the war from something tangible, i.e. finding "weapons of mass destruction," to something theoretical, 'promoting democracy'. As a result, the concept of the "failed and failing state" has been (re)introduced into the lexicon of global politics (Ahmed, 2004).
It is argued that the establishment of an international peace keeping mission in Haiti provided a venue for France, Canada, and the United States to reconcile their differences over Iraq. Further, public criticism of the American occupation of Iraq ceased from the governments of France and Canada and the Secretary General's office with the involvement in Haiti in 2004.

The real reason for the US involvement in Haiti is, and has always been, its perceived threats to U.S. national security interests. Haiti is considered by the US to be a safe haven for transnational threats, encouraging mass migration, destabilizing the region, spreading infectious disease, and bearing the unexpected costs of humanitarian assistance and peacekeeping operations and the opportunity costs of lost investment and trade (Fargo, 2004).

Using a categorization of a 'failed state' as the rational for an international intervention facilitates the US agenda for any country that it sees as a threat to its own security, economy and power. As such, the concept of ''pre-emptive warfare'' is an important feature of American foreign policy. ''It allows for the removal of those governments and societies that pose a "threat" to the United States, the nature of that threat being undefined''(Ahmed, 2004).

Political analyst Yasmine Shamsie define Haiti as a fragile state but also see hope for this nation. Her definition of the country is, "Haiti is a divided country in the midst of a political, economic, ecological, and social crisis. HIV/AIDS rates are among the highest in the Western hemisphere. Violence, bolstered by the prevalence of thousands of small arms in the hands of both state and non-state actors, has sabotaged attempts to establish the rule of law, leading to an overall climate of insecurity. State infrastructure is notably absent in much of the country, particularly in the rural areas. In sum, Haiti is by most measures a fragile state" (Shamsie, Thompson, 2006).

In September 2007, President Preval asked the Security Council to consider that Haiti no longer should be categorized as a failed state due to the government's progress on state building in the country. Considering the enormous challenges facing the Haitian government and its continued lack of security and even more poverty due to the increase of food prices, this would be considered a controversial wish from President Preval.

The Haitian state does not fully control the use of violence, gang violence and crime. Scholars and international organisations sees Haiti's problem as a security issue, and to some extent ignoring the roots or causes of these problems. A state that is incapable of providing basic political goods to its citizens loose legitimacy. Haiti is currently a country whose government cannot provide basics political goods or security and is depending upon foreign troops to protect the country. As Haitians have expressed during my field work; *"foreign troops gives the leadership protection and adequate time for them to be able to strangle the nation"*. (Man, 40 years old, Cite Soleil) The result of a non functioning state is that people feel forced to take security and justice into their own hands or seek protection from gangs, as such accepting and legalizing criminal activities.

Shamsie argues that "the so-called international community" does not have the appetite for long-term ventures in state-building. The costs are simply too high, especially when one considers that Haiti has no strategic value and no significant natural resources. If the foreign community is really interested in improving conditions in Haiti, it should enter into a long-lasting partnership with a government committed to alleviating poverty. At the moment, however, the record of international financial institutions and the governments they support bode poorly for such an outcome" (Shamsie, 2006).

Fragile states are generally referred to countries that are not able or willing to provide basic services to their citizens, particularly the poor (ODI 2007). The focus service delivery in fragile states tends to be on the delivery of essential services, i.e. health, water and sanitation, and education. Differently to Somalia as a collapsed state, by proving to be experimental inefficient, corrupt and incapable of creating any kind of political culture, Haiti is condemned to remain weak but without failing (Rotberg, 2005). Partly explaining this is that Haiti has no ethnic or religious rivalries and no insurgent movements.

In Haiti, poverty is among the main factors leading to violence, insecurity and political instability, making its reduction crucial to long-term peace, development and democratic governance (Shamsie, 2006). For that matter, any other approach different to this will give nothing but a constant escalation of violence.

There is a range of factors contributing to Haiti's failure and an important one relates to the international community's involvement. Haiti has suffered from economic embargoes, dependence on foreign aid and constant invasion of its internal affairs by foreign countries. Today there are more than 20 000 NGOs in Haiti. The USAID, one of largest aid donors in the country, use 84 cents to each dollar on administration of aid that they give to the country. Is that really aid or is it maintaining the status quo? (Hallward 2007)

4.3 Structural violence

Large-scale social forces, such as racism, sexism, political violence, poverty and other social inequalities, are rooted in historical and economic processes. Such social forces are referred to as 'structural violence'.

The term structural violence may be explored as part of the Haitian context when trying to understand its context. Structural violence or indirect violence is defined as; 'built into the person, social and world spaces and is unintended' (Galtung, 1996). In addition 'structural violence divides into *political, repressive and economic, exploitative*; supported by structural *penetration, segmentation, fragmentation and marginalization* (Galtung, 1996).

Paul Farmer demonstrates how the social structures in Haiti are characterized by poverty and steep grades of social inequality. He describes Haiti's structural violence as: "the experience

of people who live in poverty or are marginalized by racism, gender inequality or a noxious mix of all of the above" (Farmer 2004). Farmer is observed to comment more than once on "the massive accumulation of wealth in one part of the world and abject misery in another." When Farmer compares the economic conditions of Haiti and the United States, he is not just emphasizing the extreme difference between the two, he is also hinting at a possible causal connection (Sparke, 2004).

The recent food riots in Haiti in April 2008 came partly a result of policies and actions of the international community. Haiti has lost its food sovereignty as a result of decades of foreign-imposed neoliberal measures. This is a concrete example of what Farmer calls "structural violence"—the long-term underdevelopment and inequalities in the world system (Farmer, 2004).

In the 1990's, responding to humanitarian crises following the violent 1991-1994 coup period, USAID gave millions of dollars in direct food aid to Haiti. The implementation of this aid weakened Haiti's economy, with free or heavily subsidized United States rice underselling the local peasantry; with the grains and the food-for-work programs arriving during the peak of harvest season, when farmers sold their crops and needed hired help the most; and with conditionality such as still lower tariffs and further trade advantages for United States businesses (Richardson 1997).

While it can be argued that Haitian governments can choose to refuse this aid, the majority of their funding comes from international institutions. People in Haiti call this dependency on foreign aid a "politics of the stomach" (Fatton 2004). Not surprisingly, United States assistance to Haiti is still filled with conditionality that benefits United States corporate interests. For example, the HOPE Act passed in December 2006 was designed to create jobs and cut tariffs on sub-contracted textile productions. Nonetheless, the strings attached to HOPE give even more benefits to United States business. HOPE contains a condition that Haiti must not "engage in activities that undermine United States national security or foreign policy interests" In order for private, often foreign, companies to receive tax benefits in the bill, the Haitian government must establish or make progress toward "elimination of barriers to United States trade and investment " (Schuller, 2008.)

Today Haiti is almost entirely dependent on foreign food production. Once an exporter of rice, now Haiti imports an estimated 82 % of total consumption. Haiti has lost its food security and food sovereignty. As President Préval recently stated in his effort to calm the populace: *"In 1987, when rice began being imported at a cheap price, many people applauded. But cheap imported rice destroyed locally grown rice. Today, imported rice has become expensive, and our national production is in ruins. That's why subsidizing imported food is not the answer"* (Schuller, 2008).

Food security in Haiti was a prioritized issue discussed and initiated by the General Secretary of the UN, Mr. Ban ki Moon, in June 2008 at the World Summit in Rome on the global food crisis. Mr. Ban addressed the meeting on food security in Haiti, noting that for the past few weeks he has been urging the international community to address the situation in the country. *"The island's fragile governance and deteriorating living conditions have created a volatile and potentially dangerous atmosphere"* (UN News Centre, June 2008).

Mr. Ban said the recent price rises had compounded the suffering of Haitians and that popular frustration had boiled over into massive and sometimes violent demonstrations.
"The current political turmoil has complicated joint efforts by national authorities and the international community to restore the country on the path toward stability, recovery and development. If we allow this crisis to go unchecked, much of what has been achieved over the past four years in Haiti could easily unravel" (UN News Centre, June 2008).
To tackle the situation in Haiti, the poorest country in the Western Hemisphere, the Secretary-General called for immediate humanitarian aid as well as steps to boost agricultural production.

4.4 The 'Do No Harm' approach

The ''do no harm'' approach to international humanitarian and development assistance has come about as a result of the work of the Local Capacities for Peace Project, which is aimed at improving the ability of humanitarian or development assistance programmes to operate in conflict situations in ways that assist local people without feeding into or exacerbating the conflict. The 'do no harm' initiative argues that 'when international assistance is given in the context of a violent conflict, it becomes part of that context and thus also of the conflict'

(Anderson, 1999). Anderson argues that, when one can start to anticipate aid's impact, it becomes possible to avoid negative effects and enhance positive ones (Anderson, 1999).

The Do No Harm concept talks about how aid and international interventions can have negative impacts on fragile situations, even though their intentions are good. The international community should strive to become a connector not a divider; the service that they provide and the missions they do should connect people not divide them. MINUSTAH in some ways has become a divider in the Haitian context. According to many Haitians, the presence of the international community is to protect the interest of the elite, not to help the poor majority, and every intervention has profited the elites; from the 1st American intervention in 1915 to the present international intervention. The elite own all the hotels, villas, shopping centres and the installations that the UN members use. The arrival of MINUSTAH has led to a high increase in the cost of products, rents and other facilities that the local population or middle class workers need, but can no longer afford. Another one of its institutions, the Disarmament, Demobilisation and Reintegration programme (DDR) has been criticized because it is perceived as supporting the perpetrators of violence rather than the victims. (Action Aid, 2006).

Recently there have been more and more people in Haiti demonstrating against the UN intervention and the government. In Port-au-Prince large groups of people have been demonstrating their desperate situation, walking with a plate and a spoon to symbolise hunger. The Haitian people are demanding that the 9000 UN troops leave the country (CNN April 8, 2008). While the peacekeepers spend more than $500 million a year in Haiti, the World Food Program has collected less than 15 percent of the $96 million it says Haiti needs in donations this year. The World Food Programme has issued an emergency appeal for more ('Haitian rioters storm Presidential Palace' CNN, April 2008).

The 'do no harm' project might be a useful tool for international interventions, as the case in Haiti, in order to; '' figure out how to do the good that they mean to do without inadvertently undermining local strengths, promoting dependency and allowing aid resources to be misused'' (Anderson, 1999).

4.5 Race, class, voodoo and culture

Haiti has always struggled with race issues within the Haitian society between the minority light skin elite 'mulattos' and the majority black population. The mulattoes were sons and daughters of slaves and white slave owners. This is a conflict which has been a persisting theme in Haitian history.

Historically internal tensions have always produced instability in Haiti. From 1804 to 1867 Haiti had only ten chief executives. From 1867 to 1915 there were sixteen presidents, with an average term of only three years. And from 1911 to 1915 Haiti faced one of its most chaotic periods, during which time six presidents met violent deaths. In 1915, encouraged by the elite, the mulattos and the Syrian traders, the United States invaded Haiti. The light skin elite were afraid to loose their long time privilege over the black majority. As history repeats itself, the same happened in 1994, when they encouraged once again the invasion of Haiti by the US Marines. The 'excuse' was to restore democracy. The price of food and other costs rose because of the embargo, which was very good for the light skin elite because they were the ones which had the monopoly of businesses (Nicholls, 1996).

Voodoo is the religion of the vast majority of Haitians. Voodoo survived the long trip from Africa to the Caribbean during the slave trade. According to Milo Rigaud, the harsh consequences of the deportation made the African belief much stronger. The veneration of ancestors and death became more flagrant in the religion. This extended itself in the whole America, Brazil, Cuba and the Caribbean islands (Rigaud, 1950).

Haiti as a nation has been given many definitions throughout history, such as a slave republic and a voodoo nation with a dictatorship tradition. The legacy of the slave republic can partly explain the roots of many problems that Haiti has experienced. Voodoo and dictatorship are connected in some ways, from the first president of Haiti, Dessalines, to Francois Duvalier and the current exiled president Jean Bertrand Aristide. These Haitians leaders reportedly used voodoo as a tool to gain power, to suppress people and to exploit Haitian's beliefs.

To understand Haiti, one most understand the importance of religion, particularly the voodoo religion. In Haiti, faith is a powerful cultural force, and its appeal as a medium through which

life is understood should not be underestimated" (Shamsie & Thomson, 2006). It therefore follows that any development process must be embedded in local culture, or development simply will not take place. In fact, de-development often occurs in the absence of cultural sensitivity (Shamsie and Thomson, 2006).

Culture is the complex whole of knowledge, wisdom, values, attitudes, customs and multiple resources which a community has inherited, adopted or created in order to flourish in the context of its social and natural environment. A given culture has three dimensions, the symbolic (such as values, symbols, archetypes, myths, spirituality, and religion); the societal is about community, family, political systems and conflict resolutions. The technological dimension embraces the technology, agriculture etc. Often these dimensions overlap, for example in the field of art, law and language (Tyndale, 2002).

The Creole language of Haiti is a mixture of French and African languages. Haitians today are proud to have fought for and won their freedom from the French oppressors and to become the first Black Independent Republic in the World. This freedom was won partly due to the use of voodoo in the mobilization of Haiti's ancestors, and this is the most important struggle in their history. To ignore this fact, is for Haitians not only an insult but it is a signal of the lack of respect they experience. When 'top-down' development practices and interventions are hostile to the values of the people affected, local cultures may resist modernity and development (Tyndale, 2002).

Culture matters and it can be a source of dynamism and creativity, because what matters in a culture is its capacity to generate self -respect, the ability to resist exploitation and domination and the ability to offer meaning to what people produce and consume, to land, liberty, life and death, pain and joy. Culture is about meaning, which is why it is so closely related to spirituality (Tyndale, 2002).

Chapter 5: Securing Peace

5.1 Disarmament, demobilisation, and reintegration (DDR)

DDR is an applied strategy for executing successful peace keeping operations, generally employed by all UN Peace Missions. Disarmament entails the physical removal of the means of combat from ex-belligerents (weapons, ammunition, etc.). Demobilization entails the disbanding of armed groups while reintegration describes the process of reintegrating former combatants into civil society, ensuring against the possibility of a resurgence of armed conflict (Action Aid, 2006).

MINUSTAH estimates that there are 13,000 to 18,000 illegal weapons in Haiti and about 20,000 potential participants in a disarmament program (MINUSTAH, 2006).

In August 2006 the UN adopted a new and relatively radical plan for demobilization, disarmament and reintegration operation (DDR) through the Security Council 1702. The main elements of this new community-based DDR strategy are the following:

- Establishment of Committees for the Prevention of Violence and Disarmament (CPVDs) in communities affected by armed violence
- Training and follow-up of the CPVDs in peaceful conflict management
- Supporting the CPVDs through the initiation of quick impact development projects
- Improvement and modernization of national gun laws and strengthening of the Haitian National Police (PNH)'s Arms Permit Bureau
- Monitoring and evaluation of results

(Government of Haiti and UNDP, 2006).

The new plan has been met with considerable skepticism from many civil society organizations in Haiti. A recent independent assessment of the DDR program in Haiti (Miller and Mondésir, 2006) claims that the contact between the DDR section and civil society organizations is too much ad hoc. It also states that 'UN operations in the field have a tendency to severely under-appreciate the local, cultural context in which they operate. Haitian society itself – not to mention its relations with foreigners – is complicated. What

appear to be sudden outbursts of unexpected violence from the viewpoint of MINUSTAH may well be highly patterned, organized and explicable on the part of the Haitians. The DDR Section's special relationship to security concerns requires them to consult with *cultural* experts on Haiti, not merely people who have served in the country before or are thematic specialists on matters like DDR, SSR, and small arms or legislation' (Miller , Mondésir, 2006).

DDR is the process which has been most criticised by civil society in Haiti as not having reached the objectives set out in the mandate. More than 300 gang members, most from the gang-stronghold area of Cite Soleil, have signed up for the DDR programme. Most of these 'demobilized' are under 23 years of age. If they are not wanted by the authorities they receive an allowance in exchange for joining a reintegration programme and can get professional training and psychological counselling. Pierre Esperance from the Haitian Coalition for Human Rights is claiming that many who take part in this programme keep up with their criminal activities on the side and that the programme is ineffective because it is not done transparently.

There have been several problems undermining the implementation of DDR. Action Aid reports the following:

- Primarily there never existed a situation in which the classic approach to DDR could be implemented. There was never a situation where two or more factions with established political end-goals were fighting for a cause and/or political power, and there was no overview of all the armed groups;
- There was never a peace agreement where the parties to the conflict agreed upon a process of DDR. It can be questioned whether a post-conflict situation in the common peacekeeping understanding of the term existed upon intervention. Certainly at this stage it has changed, in Port-au-Prince, to one of urban gang violence rooted in a mixture of economic and political motives and causes;
- The insistence in the MINUSTAH mandate on co-operation with the Haitian National Police force to conduct such a process – a police force that needs extensive reform and is unable to conduct any DDR process.

- The extensive communication gap between MINUSTAH'S DDR unit and the Haitian civil society, which still exists, and has served to exacerbate the hostile and critical feelings towards MINUSTAH in this area (Action Aid Report July 2006).

MINUSTAH's programmes are being criticised because they are perceived as ignoring the victims of violence and supporting the perpetrators. This is the main reason why civil society in Haiti has been so negative about MINUSTAH's DDR programme. There is little understanding by both members of the national police force and the civil society of why the DDR unit is working with the perpetrators rather than arresting them. There has been limited information, communication and understanding both of a DDR process and the mandate during the process. As a result participants in the programme have been experiencing harassment both from the PNH and local communities.

These findings are compounded by a wealth of anecdotal evidence from Haitians participating in the focus group discussions and interviews during my fieldwork:

"This is Haiti my friend. The gangs only understand the notion of power. How can you pay them to deliver their weapons? This will never end. They have been killing people and police officers openly and now the UN gives them redemption" (police officer).

"My frustration in this matter is to see the police becoming a joke and gang members have more rights than they used to before the arrival of the UN. They have been promoted from killers to work with the DDR programme" (police officer).

"Believe me brother, the TOURISTA* loves this country, they are having a good time here, and therefore they are taking their time and staying as long as possible. If they really wanted this to end, they could use our intelligence and sources to help solve the situation" (police officer) * local 'nickname' for MINUSTAH.

"This is not about searching for weapons. MINUSTAH and the police are working for the bourgeoisie to control us. They are afraid of us, of our anger now. Before, during the Coup d'Etat in 1991, the army and para-militaries and the bourgeoisie used to come to Cite Soleil at any time during the day and the night to kill and rape. Their excuse was to eliminate President Aristide supporters. Now we have learned how to arm and defend ourselves so they

can no longer do this. So they have nostalgia and send the UN troops to do the job. Don't worry my friend it will not happen again'' (Man, 40 years old, Cite Soleil).

Focus group participants, who had been directly involved in the DDR programme identified the same type of frustrations.

' 'When I signed for this programme, I believed in it but after a short while I realized that it was only promises. We had workshops in nice places like the Montana Hotel. They kept asking us what we need. And as always with big enthusiasm we say peace! But the next meetings it was more of the same. It looks like they have money to wash. This is a big bluff!'' (member of DDR programme, Cite Soleil, 25 years old).

' 'You do take a risk to go there. Your friends think that you let them down, local people think that you went to give information about them and sell them. At the end nothing happens and the DDR chiefs just disappears, you just never hear from them'' (member of DDR programme, Cite Soleil, 32 years old).

' 'They always claim that everything remains confidential but after a meeting with them the gang chief knows everything about what you have been saying.'' (Member of DDR programme, Cite Soleil, 40 years old).

' 'The reintegration programme is not for the big chief of gangs but for the small ones because the big ones find better positions in the government. This program at the end creates more conflict than good. This is big business for the UN'' (Member of DDR programme, Cite Soleil, 33 years old).

MINUSTAH's prolonged failure to disarm has resulted in ongoing violence in poor neighbourhoods. The violence is further compounded by the fact that most Haitians especially the urban poor lack access to safe medical treatment. A bullet wound in a poor country makes much more damage than in a developed country. There are many reasons for that, sometimes the victim are the only economic provider of the family, or its wound treatment cost more than the family earns. In some areas showing up with a bullet wound at a hospital leaves patients vulnerable to police abuses. Haiti does not have the legal infrastructure to prosecute

crimes committed by illegal guns. The National Penitentiary is notoriously overcrowded and an enormous judicial backlog means that prisoners never come to trial (Molly, 2005).

The Haitian people perceive this as a failure on the part of MINUSTAH to disarm the population effectively, leaving civilians under constant threat and, accordingly, more inclined to support the former military. Though illegally armed, counter-democratic, and historically prone to commit human rights abuses, the former military has gained support from a big part of the Haitian population, who reason that the military at least provides security to civilians in some Haitian cities.

The international community should be more closely involved in the DDR programme, first by closely monitoring the role of the National Commission for Disarmament, Dismantlement and Reinsertion and tracking the operation of the DDR programme in terms of their effects on security and justice. Another important task that MINUSTAH should do is to ensure that the overall development strategy for Haiti includes more local development projects, not confined to the former armed groups but including all members of the community, women, children and the victims. To avoid the continuity of dissatisfaction among people and impunity, MINUSTAH must oppose any amnesty for well known criminals, members of armed gangs and other criminal groups.

In Haiti, because of the specific context, it is critical that any form of reinsertion or reintegration of gang members/ex-rebels happen alongside victim reparation. If not, the chances of failure will be high. There must be a parallel process of job creation and education for other groups in society also. Without this the DDR programme can lead to polarisation and continued conflict, not reintegration.

5.3 Police Reforms

Assistance to the Haitian National Police (PNH) is an integral part of MINUSTAH's mandate and a focus for international donors. Yet progress has been slow so far. A police reform is crucial to the current stabilization process in Haiti because PNH represents the main security sector institution in the country. In 1994 President Aristide abolished the armed forces after his return to power. An effective national police force is therefore not only a fundamental precondition for the restoration of the rule of law and of public security, but is also crucial to

the broader process of restoring state legitimacy and a state-held monopoly on the legitimate use of force (Donais, 2005). Haiti must focus on building up domestic capacities for managing public security and PNH plays an important part in this. Traditionally police forces in Haiti have served the ruling political elite rather than the public. Police reform in a post-conflict context is highly political, not least in Haiti where security forces have served as tools for repression.

Efforts to transform policing institutions in post- conflict situations must take into account that changes are often promoted by outsiders who have insufficient knowledge about the domestic political context or to the complexity of the links between politics and policing, and who typically exert only limited leverage over local actors. Timothy Donais has argued that police reform is difficult to impose from the outside and even more difficult to impose against the wishes of those being reformed (Donais, 2005). MINUSTAH has been mandated to assist in the process of police reform, including bringing about a process of national dialogue and reconciliation. To date, little has been achieved with this regard.

There is little doubt that restoring public security is a prerequisite to successful peace building. As Annika Hansen has suggested, security is the key to a 'new social contract' between the population and its government or society in which the population is willing to surrender the responsibility for its physical safety into government hands (Hansen, 2000).

MINUSTAH is conducting military-style operations because the National Police Force does not have enough qualified officers to carry out operations or to prepare files against suspects that can be brought before a court. The situation is made worse by the state of the Haitian judiciary and penal system. Corruption is widespread among judges, who are paid about $200 a month, jails are overcrowded and individuals are often detained for months without charge. Criticism has also been directed at the poor quality of UN Police officers who lack language skills in French and Creole. Currently only 38 % of UNPOL officers speak French.

The Haitian National Police normally is driven by divisions of social- economic status, language, political affiliation and geography. There is general distrust and disapproval of the PNH by the Haitian population. Its members are perceived, variously, as crooked, politicized, ineffective and violators of human rights. Even after the purge of 500 officers following President Aristide's removal in February 2004, the police remain very corrupt, according to

PNH Director Leon Charles. Indeed, many contend that these officers were removed for their political affiliation, not their petty corruption or ineffectiveness.

The civilian police component of the mission (CIVPOL) has neglected to implement systematic training programmes and its attempts at monitoring and mentoring has been inadequate. Indeed, it is by no means clear that MINUSTAH's presence has curtailed PNH abuses. To the contrary, the police continue to violate human rights through intimidation and harassment of the civilian population, arbitrary arrest and detention, and frequent, unjustified use of deadly force (ICG Haiti Report 2006). Some reports claim that human rights abuses have even escalated under MINUSTAH's watch. Far from preventing human rights abuses, MINUSTAH has at best turned a blind eye to them; at worst it has facilitated them. The case of the two people killed by the PNH officers under the watch of the MINUSTAH, monitoring a demonstration in Bel- Air on the February 28, 2005 is one example (Mozingo, 2005).

The Haitian National Police is the only law enforcement agency in Haiti. There is no army, nor are there independent municipal or provincial police forces. Reforming the PNH is a major challenge and will take many years. In the meantime, the only existing law enforcement entity in the country has very serious deficiencies and is unable to maintain law and order on its own (Shamsie, Mornau 2005). Badly equipped, underpaid, poorly trained, politicized, overwhelmed by work and mostly demoralized, the PNH members are most inefficient.

There is growing frustration amongst the two groups MINUSTAH and PNH, and a lack of trust between them. MINUSTAH blames PNH for the continued problems with the security and vice versa, however, the population see only two groups working for the elites. Other critics accuse MINUSTAH of not being able to distinguish between the criminal gangs and the rest of the population.

The following is a description and the opinion of a high rang UN officer about the Haitian National Police. According to Colonel Jacques Mornau, "the existing PNH is plagued by corruption, with a number of its members associated with illegal groups. Many were either accomplices or have committed illegal activities themselves such as kidnapping, extortion, and drug trafficking, or have been associated with the gangs like the 'chimeres', and with criminal elements of the ex-military. Also problematic is the fact that some PNH have employed excessive violence during crowd control operations or have been responsible for

human rights abuses. Granted, the PNH has had to operate in a country that suffers from chronic political instability; nonetheless, at the times, the force has been politicized. Due to these realities, it has been difficult for MINUSTAH to work with PNH officers, many of whom are uncooperative and unreliable. On many occasions MINUSTAH was forced to abort planned joint operations with the police because some of its elements had leaked operational information. Perhaps more troubling is that the PNH has lost the confidence of the general population; it is not an exaggeration to say that it is hated by some sectors of the society" (Shamsie, Mornau, 2006).

The message from the focus group discussions and the people I interviewed concerning the issues of police reform was one of great concern. There is scepticism whether Haiti will ever see positive changes on security matters. The participants representing the police expressed their frustrations:

''*Collaborating with the UN is one of the biggest humiliations I ever had in my life. Imagine you are a higher rang than a UN soldier, but because of the fact that he is an occupation force, (I say occupation force because they act like that), he does not show any respect to you. Any low rang UN soldier think that he knows better than you or his UN position put him higher rang that even the president of this country. How would you will feel in front of your troops when a low rang foreign soldier screams at you, or make you look stupid? The result of that is that you loose your authority in front of your men.* '' (Police officer,)

' '*I do hear that they call us corrupt. Did they ever make any exceptions? Who really is more corrupt? Us with a miserable salary doing this job or them with ten to twenty more times of our salary and doing nothing. You just can't collaborate with people who don't have any respect for you, for your people or your culture. You should see them laugh sometimes about how stupid Haitian people are. Criticize our food, music and habits. So this shows you that they are really here for the money. As far as I know, they are not better than us, just better paid!* '' *(Police officer)*

' '*My concern is how the UN soldier's words are more important than ours. If we go to an operation and some of them make a mistake they cover it and they blame it on us. It is always PNH's fault. They own the media and the government. My biggest frustration is that when we*

go in some slum areas and make big arrests after a long journey of fighting, the UN just take the criminal from us, goes to the press and take all the glory.'' (Police officer)

' 'Yes we do learn from them. We could learn more if they would see us not like a threat but like colleagues. They have a lot of techniques and approaches that are new and efficient. But collaboration should be about learning from each other and not about putting one side down. '' (Police officer)

' 'Their presence and materials are very important morally and logistically. Most of our material and even the commissariat were in a big part destroyed. Their techniques and support are still much needed to us, for our learning process and confidence. But if they do learn from what we have to tell them, it will be much better for every one.'' (Police officer)

The focus group represented by the civilian population in Cite Soleil was also frank and direct in their opinions about the situation thus far:

' 'The police should be here to protect us. We feel fear not trust when we see them around here because every time they come around here, we have funerals of innocent people. At least the Haitian people understand when we say something. Those 'Tourista' only shoot at us. '' (Man, 38, Cite Soleil)

' 'Yes the place is much safer now. Minustah really did a good job. But we only want to tell them that all of us are not members of gangs. MINUSTAH and PNH should create a community police that would be more familiar with the population and not always see all of us as the enemy. I wish they would have a more civilian approach to us.'' (Man, 35, Cite Soleil)

''They are really making security in the area. Our biggest problem is when accidents happen in an operation. Also to report cases is difficult. For example rape cases. If there is a place which we could report that and they give us justice, it would be good. At least for cases involving PNH, we can go to the police head quarters or to the radio, but for MINUSTAH we feel that they are above the law. That is why we have this sensation of an occupation force instead of a force which is coming to help us.'' (Woman, 40, Cite Soleil).

The police are trying to work under impossible conditions and for that they deserve some credit. It is a young and inexperienced institution, and poorly equipped in a country strongly driven by divisions of socio-economic status, language, political affiliation and geography. The majority of the police officers on the ground come from the poor population. My fieldwork on the ground shows that it is not uncommon that police officers are related to gang members. One can find one brother involved in gangs and the other in the police force.

Some people in Cite-Soleil acknowledge that the UN is trying hard to secure peace, but claims that ''peace without food means nothing''. Some said they miss the gangs because some of them were considered like Robin Hood, taking from the rich to give to the poor. Clearly it is not enough to make security work, it is important to make a structure which provide for social goods to avoid a comeback to illegal activities.

PNH is not satisfied with the UN collaboration. According to PNH Director Leon Charles, MINUSTAH is not delivering the support the police need; "we are not satisfied with the CIVPOL approach ". (CIVPOL is a section of the civilian police in MINUSTAH). Its task is to be closer to the police officers in the commissariats and to supervise and train PNH officers. The Director of PNH, Leon Charles explains that to reduce the rampant corruption among his officers, CIVPOL need to have a permanent presence in police stations. CIVPOL only appear during working hours from 8 am to 4:00 pm, its support in police operations in Port-au-Prince slums is infrequent and superficial; and it delivers little assistance in post-operation investigations, including registering and screening detainees (Chagas, 2005).

According to witnesses, human rights organisations, journalists and Amnesty International, human rights abuses committed by the Haitian police happen on a large scale. Abuses include arbitrary arrest and detention; indiscriminate firing, disappearances and extra judicial killings. Worse is it that these practices have escalated under MINUSTAH watch (Amnesty International, 2004). Amnesty reports in November 2004 of incidents in which individuals dressed in black, wearing balaclavas and travelling in cars with Haitian National Police markings have cost the lives of at least 11 people. Other reports from international papers show accounts of people in police uniforms executing political opponents, kidnapping and terrorizing neighbourhoods loyal to Aristide's Lavalas Family Party and gunfights between pro-Aristide gangs and Haitian police backed by the UN (Marx, 2004).

A direct result of the UN collaboration is that with the support of superior firepower and protection, including armoured vehicles, bullet-proof vests and helmets, PNH has been more aggressive in the slum areas than before MINUSTAH's arrival. Before MINUSTAH's arrival, Haitian police refused to operate in certain areas. Now with MINUSTAH troops, they feel more confident. In effect, MINUSTAH has provided cover for abuses committed by PNH during operations in poor and tense areas such as Bel-Air, La Saline and lower Delmas. Rather than advising and instructing the police in best practices, and monitoring their missteps, MINUSTAH has been the cover and the backup of their abuses. As a result, MINUSTAH has provided to PNH the very implement of repression. (Regan, 2005).

Strong operations have won support from the Haitian authorities, who view them as demonstrations of force that restore much-needed order to poor neighbourhoods. Additionally, a broad section of the Haitian society, especially those in the upper class of Port-au-Prince also supports MINUSTAH's aggressive actions in the poor areas. Their sentiments are found in much of Haiti's media. However, the residents in the affected areas and human rights leaders take a dramatically different view. Several cases from one Port-au-Prince neighbourhood, Bel-Air, illustrate how MINUSTAH's presence functions as a cover for PNH abuses and also and instruments to fulfil the elites agenda (Lauria, Chery 2004).

As Mornau points out; ''The Haitian police is the only law enforcement agency in Haiti. There is no army, and there are also no independent municipal or provincial police forces. Reforming PNH is a major challenge, one that will take many years. In the meantime, the only existing law enforcement entity in the country has very serious deficiencies and is unable to maintain law and order and its own'' (Shamsie, Mornau 2006).

The challenges regarding reforming the police were discussed at length in the focus groups and during interviews. The general tone of the field returns, is as such:

' *'I really don't see the point of the UN being here, nothing has changed for us. Sometimes they give us some small courses about things that we already know. It is really a waste of time. Anyway they are here and they are well paid so they have to justify their privileges and the money. There is no reform work. The commissariats we had before the last events are completely destroyed or in really bad conditions. Until now, nothing has been fixed. And there*

are still some places that the police cannot control and places were we are completely absent'' (police officer, 26 years).

' 'Reform is just a nice word. Look at the commissariat, there are no cars, no logistics, no electricity. The "TOURISTAs" are on vacation. I wish that we could have their used material and vehicles that would be heaven for us. How could the UN talk about reform when we are more limited than before? Most of the time, the criminals are much better armed and equipped than us'' (Police officer, 29 years old).

''For me, they are doing well what they came to do, to observe and enjoy. Just imagine an operation with them. They are well armed and equipped with bullet proof vests and with full ammunitions. We are the ones which should be in the first line. Imagine a commissariat without sanitation and the roof leaking when it is raining. In some places police officers are just sitting under a shadow of a tree to work. What reform when we loose confidence, authority and respect among the population? Our incapacity has resulted in the population not calling us anymore'' (Police chief)

''Sometimes I feel sorry for the police officers and I wonder why they are still working for these miserable salaries. I don't see the point of this misery and humiliation. Just look at the difference between them and MINUSTAH. Sometimes if you need police assistance you are the one which provide vehicle or fuel for the police station '' (Woman, 40).

''I really don't understand what is happening. MINUSTAH and the police are brothers when it comes to kill us but very different in material and equipments. The police are unable to help us with anything. For me, the police do not exist. '' (Woman, 48)

From the beginning of the creation of the new civilian police force it was doomed to fail. President Aristide wanted to replace the army and young police officers had the responsibility to replace an experienced army in a country on the edge of political uprising. As a result of this, from the late 1990s, PNH became a force with high level of corruption, politicised with elements of criminal and abusive officers. At the time of international intervention in 2004, PNH was in a great need of reform and restructuring. The conflict in 2004 resulted in PNH's infrastructure being destroyed or vandalised. By June 2004 it was estimated that 125 commissariats needed to be rehabilitated and 75 needed to be rebuilt. The number of vehicles

and radio communication equipment had been much reduced and office supplies destroyed (Action aid 2006).

Assistance to PNH is a very important part of MINUSTAH's mandate but progress has been slow. Improving PNH's working conditions, particularly by rebuilding police facilities and improve their salaries must be prioritized. Further, adequate establishment of management structures and management of training need to be prioritised so that the PNH leadership can exert more control over the force and over the reform process. MINUSTAH should make a greater and constant contribution in the near future to establish a professional and depoliticized national police force.

5.4 MINUSTAH and correctional reform

Securing the prisons is part of the assistance that MINUSTAH should provide to Haiti, "to assist the restoration and maintenance of the rule of law, support of the Haitian National Police, the Coast Guard as well as with their institutional strengthening, including the re-establishment of the corrections systems" (Resolution 1542).

The correctional system in Haiti is in strong need of reform. There are presently 4 000 prisoners in 2,500 square meters of prison. During the conflicts in 2004 several of the prisons were destroyed. Currently 17 of 24 prisons are open and all are overcrowded. Prisoners have minimal access to medical care and abuse is common. The failure of the judicial system gives a constant growth in the prison population. The infrastructure and funding are inadequate. There have been prison riots in the past and there will probably be more in the future if the situation persists. Such riots are used to destabilize the governments. Continuous problems within the prison system could undermine belief in the government's ability to deal with the rule of law. Therefore reforms of the correctional system need to be a priority for MINUSTAH (Action Aid 2006).

MINUSTAH's explanation on this subject is that MINUSTAH's corrections unit has suffered from under-funding and under-staffing. Correctional reform has been given inadequate support by the UN system, by the government and by international donors. In addition, it is something that Haitian civil society also has failed to sufficiently address or discuss.

The National Penitentiary in Port-au-Prince is by critics considered the main sign of MINUSTAH's lack of success. Despite repeated warnings about inhumane prisons conditions and serious security risks, neither CIVPOL nor MINUSTAH has made substantial efforts to remedy the situation. The result of their neglect had as a consequence the escape of more than 1000 prisoners from the national penitentiary in 2004 (Lindsay, 2005). As human rights groups in Haiti have documented, the conditions at the National Penitentiary are considered inhumane, and have deteriorated further over the past few months. In Port au Prince alone, more than 1000 incarcerates have yet to be convicted of any crime. Cells are overcrowded; some contain three times as many prisoners as they were designed to support; mattresses are scarce, even for tuberculosis patients at the hospital. Sanitation and plumbing facilities are grossly insufficient. There is not enough food and whatever food exists is of low quality, which is the perfect environment for turbulence, uprising and chaos (Lindsay, 2005).

It is important not to forget the incident on December 1, 2004, when ten prisoners were shot dead and dozens more injured in a massacre. Those responsible for these deaths were the prison guards who responded to the uprising with unjustified lethal force. It took one month before MINUSTAH decided to say something about the incident. Alarmingly, CIVPOL announced that it had opened an investigation into the prison deaths in mid-January 2005, more than six weeks after the incident. Until February 2005, MINUSTAH officers declared not to have been totally informed about the incident (IJDH Prison Report).

The prison escape of February 19, 2005, was described as astonishing and even more astonishing was the failure of MINUSTAH to prevent the outbreak. Although it was repeatedly warned of impending catastrophe by UN officers and by prisons officials of the horrific prison conditions, MINUSTAH failed to take minimal steps to avert disaster. Everybody declined responsibility and no investigation was made. MINUSTAH declared that they are not ready neither has the capacity or the personnel to investigate the incident (Lindsay, 2005).

According to Colonel Jacques Mornau, the penitentiary system is dysfunctional and in urgent need of reform. This reform should be carried out in concert with reform of the country's police force. Most of detainees in Haitian jails have neither been formally accused nor received due process. A large number have been in jail for long periods of time and have yet

to be tried. Moreover, many criminals arrested by MINUSTAH and turned over to the police and the justice systems are released without proper prosecution because judges are afraid to press charges and others are sympathetic to the detainees or simply bought. (Shamsie, Mornau 2005).

The correctional system was a theme discussed with the focus groups and in the interviews and many opinions and concern were raised throughout the discussions:

' 'When I hear about MINUSTAH's help, I thought something would change but nothing has. The jails have more people than before and we feel less secure. The situation makes people more desperate and they do whatever to escape. I don't intend to be killed for that because MINUSTAH's officers don't sleep here with us. '' (Police officer, 28 years old)

' 'MINUSTAH's presence outside the gates with tanks are very good but it is also represents a big problem, inside the jail we could be killed and people don't respect us anymore. It looks like we cannot handle it without help. Instead of helping us, the UN make us totally dependant on them. '' (police officer, 36 years old)

' 'Sometimes, they came with a lot of arrests after operations in the slum areas. And we realized that there are more and more prisoners without any place and the judicial system takes longer than before. No wonder the prisoners explode sometimes. ''
(police officer, 29 years old)

' 'The situation is difficult, we can be attacked from the inside of the prison and the outside. One time groups of assailants came heavily armed and took more than 1000 prisoners out. We also receive threats by family members of prisoners who could harm you outside. Sincerely I know why the MINUSTAH don't care, because they don't live into the slums like some of us and they never really spend time here to realize the difficulty of the situation.''
(police officer, 24 years old)

The main problem is that a big part of the judicial system is corrupt. The majority working in the system have been appointed as a result of political connections. There are concerns about the educational background of some of the judiciary.

According to Action Aid, 90 % of all inmates in prisons are currently in pre-trial detention, many of whom have been detained longer that they would have been sentenced for their alleged crimes. MINUSTAH should support and assist the creation of special tribunals consisting of Haitian judiciary, which would accelerate the hearing of pre-detention cases. (Action Aid 2006). The problem is so serious now that all sectors of the Haitian society point to the desperate need for judicial reform as something that MINUSTAH should do as soon as possible. An effective functioning judicial system is critical to PNH and the correctional system. But even if PNH achieves its objectives of reforming it will be severely damaged by the malfunction of the judicial system. Today the relations between PNH and the judiciary are tense and both parties accuse each other of incompetence and corruption.

Correctional reform is impossible without judicial reform. The prisons will always be overcrowded if the judiciary system is not correctly reformed. MINUSTAH accuse the Haitian judiciary system of unwillingness and no desire to conduct reforms of its institutions. Haitian judges answer that this is to avoid too much international involvement and the process of judicial reform is something strongly interconnected with the issue of sovereignty. The judicial system is afraid to loose its privileges. For the institutional and legal framework of the capacity building, there must be made legal and regulatory changes to enable organizations institutions and agencies at all levels and in all sectors to enhance their capacities (Shamsie, 2006).

MINUSTAH's mandate to assist with the reestablishment of the corrections system is a difficult task. MINUSTAH should work closely with Haitian authorities and the local communities to establish a national system of human rights protection in the training of judges and on the reform of the prison systems.

5.5 MINUSTAH and the protection of Human Rights

Contrarily to previous UN interventions, MINUSTAH's mandate represents a stronger commitment to Human Rights as a vital component of the peacekeeping process. The failures of previous UN missions in Haiti had taught the United Nations that any operation needed to emanate from a human rights core. Section III of MINUSTAH's mandate, accordingly, prescribes substantial responsibilities, specifically addressed to the maintenance of and

respect for Human Rights in Haiti. The mandate does not condition MINUSTAH's responsibility on a separate agreement, instead authorizing it directly and specifically "to monitor and report on the human rights situation" in Haiti (Resolution 1542). This time, the components of its mandate require that MINUSTAH's role is not only to match but to surpass all the previous missions in fulfilling its responsibilities face to the human rights situation in Haiti.

Paragraph 8 of the Resolution 1542 obligates MINUSTAH to participate especially "in the investigation of human rights violations and violations of international humanitarian law, in collaboration of the office of the High Commissioner for Human Rights (OHCR), to put end to impunity" (Resolution 1542). However, very few reports have been made thus far on concerns on the human rights situation in Haiti. This has raised questions about MINUSTAH's credibility on human rights.

There have been several cases of human rights abuse throughout the last 4 years indicating that MINUSTAH's priority increases when it comes to its own image and internal affairs.
In the case of the accusation of three Pakistani peacekeepers raping a 23 year old woman in the city of Gonaives, MINUSTAH officials promptly investigated within days, resolved the matters and cleared its soldiers of the charges. The example of the rape investigation suggests that MINUSTAH possesses both the personnel and the resources necessary to carry out its investigative duties but engages that capacity in only limited circumstances; thus effectively ignoring the overwhelming majority of human rights abuses (Warren Hoge, 2005).

According to human rights workers, MINUSTAH has done little so far to improve the situation or to support the human rights institutions in Haiti. Mr. Renan Hedouville of CARLI (Comité des Avocats pour le Respect des Libertés Individuelles) himself denounced it, when he said that MINUSTAH did nothing when he was persecuted by the government and the media. He has met with MINUSTAH on many occasions to notify them of reported human rights violations, but said that *'they do not help us at all'*. The failure of MINUSTAH to support such organizations has assumed more indirect forms as well, often resulting from its comparable failure to comply with other provisions of its mandate, notably calling for the implementation of disarmament strategies. The climate of violence that persists in the absence of disarmament has endangered the lives of many human rights activists frequently targeted for their perceived political agenda and affiliations (Gilles, 2005).

Even with the permanent presence on the territory of MINUSTAH, the human rights situation in Haiti has remained the same and in dire need of strengthening. This includes a deeply implanted culture of impunity, widespread police abuses, arbitrary arrests, torture and extrajudicial executions. A judicial system with a lack of independence, high level of criminality in general and the overall climate of insecurity is but a few of the immediate and long-term challenges that are in need of remedy. The prevalence and widespread access to small arms has also had tremendous implications for the human rights climate in Haiti. Many non-governmental institutions declare that the most pressing issue facing Haiti at the moment is the proliferation of approximately 170,000 small arms, many in the hands of non-state actors. Both the UN Security Council and the actual government recognize the urgency of this problem.

MINUSTAH is facing distrust among the population, not only for its collaboration with the police but also the fact that Haitians feel that the UN troops are above the law and therefore confirm a feeling that the UN is an occupation force at the service of the elites. To improve its image, the UN head quarters should give MINUSTAH a strong recommendation to investigate the allegations of human rights violations by members of MINUSTAH and, if the allegations prove to be true, ask the public be informed of the results of the investigations and the measures taken to hold the guilty person to account.

Chapter 6: Summary and recommendations

6.1 Introduction

This study has assessed the role of MINUSTAH in providing stability, security and respect for human rights and the rule of law in Haiti. The findings indicate that MINUSTAH is perceived by the Haitians as lacking knowledge of the local context. By ignoring the issues of history and culture, MINUSTAH face misunderstandings and it becomes even more difficult to succeed. UN troops were first and foremost perceived to protect the elite's interests and provide security to a corrupt government. In the eyes of poor Haitians, MINUSTAH was discredited after a number of negative episodes and was considered ineffective in building peace.

MINUSTAH was the outcome due to the failure of the Haitian nation to deal with the security situation itself. The Haitian government has failed to deliver goods to its population and indeed has a tradition of oppressing its own people. The Haitian problems are complex and difficult to solve. What is needed is a realistic understanding and assessment of Haiti and its challenges. The international community should have long term commitments in Haiti. MINUSTAH should initiate judicial and penal reforms in conjunction with police reforms. The UN must avoid actions which only fuel the fragile political climate, promote peaceful dialogue between factions and most of all, confront the problems associated with endemic poverty (Shamsie, 2006).

Haiti today is facing a social and economic catastrophe. More than half of the children do not attend school, hunger and diseases are widespread. There is no safe drinking water available from a public distribution system. The minimum wages for workers per day is 2 US dollars. But most of the people have not the chance of earning such salary. The unemployment rate is between 70 % and 80 %. The conditions in the countryside are much worst than the ones described in the cities. About 80 % of the Haitian population live in rural areas. The policies of forced importation of subsidised food from Europe and North America have completely destroyed the island's capacity to feed it. The deforestation of the country is extreme. The country's road network is almost destroyed which is making communication with the rural areas almost impossible (Hallward, 2007).

Haiti's needs are overwhelming. Schools, hospitals and other social development programmes are urgently needed. For this matter, the government and the International community must give immediate priority to the establishment of an economic plan, job creation and serious improvements in the living condition of the poor Haitians.

6.2 Summary of the principal findings

With a strong mandate, MINUSTAH has the power and the opportunity to help end the tradition of violence and impunity in Haiti. They also have the chance to help to develop fair and democratic institutions and promote human rights in the country. However in the years since the UN peacekeeping troops arrived in Haiti, they have failed to effectuate its obligations prescribed in the Security Council Resolution. Despite one of the strongest human rights mandates in the history of UN peacekeeping operations, MINUSTAH has not effectively investigated or reported human rights abuses; nor has it protected human rights advocates. Being responsible to train and reform the Haitian National Police, MINUSTAH instead has provided unquestioning support to police operations that have resulted in unfair, illegal and unjustified arrests and detentions, unintended civilian casualties and deliberate extrajudicial killings. The disarmament which is one of the main cores of MINUSTAH's security and stabilization duties is only active in theory.

It is a problem that MINUSTAH knows little about Haitian history, economics, politics or culture and are unaware about the factional conflict which exists in Haiti; such as the relations between the Roman Catholic Church and the Voodoo religions, the important history of internal conflict dating back to Haiti's independence, or the class conflict between a tine elite and the poor black majority. MINUSTAH ignore that the majority of Haitians speak Creole and only the elite speak French. Of the many countries participating in MINUSTAH, only Canada is French-speaking, and also the only one with a very important population of Creole speakers. The lack of the Creole language skills make the Latin American and Asian participant's dependant on interpreters who may or may not be trustworthy.

Throughout my data collection I discovered that there is an element of confusion about the Haitian current situation. The confusion can be explained on three levels; first the UN

understanding of its mandate, second, PNH knowledge about the UN mandate, and third the expectations of the Haitian people and how the elite and the government use the UN presence to their own advantage.

According to the UN officer Colonel Mornau, Haiti is referred to as a failing state. The key words of the UN mandate are "assist and support". This does not give MINUSTAH the authority to execute the necessary tasks on its own. Haiti is a sovereign state and MINUSTAH has a supportive role to play. The main challenges are the dysfunctional institutions that will take generations to improve. However, on many occasions MINUSTAH has had to take the lead or fill the vacuum for an absent functioning government especially in the domain of security and stability (Shamsie, Mornau 2006).

During my fieldwork I interviewed the Deputy Special Representative for MINUSTAH and he was clear in how he perceives the mandate. MINUSTAH plays a supportive role to the government and must adapt itself to the pace of the Haitian government. MINUSTAH's role is not development but to maintain order and give advice on police and judicial reform, and human rights issues. When I asked him if it is possible to build peace in Haiti without good knowledge about the local culture and history his answer was *"It is not MINUSTAH that is building peace in Haiti, it is the Haitians themselves. We are here to give political stability and Haitians must be in charge themselves."* (Mr. Boutroue)

Mr. Boutroue believes that MINUSTAH should not be too visible but be more discreet as advisers to, and supporters of the government. *" The UN soldiers are not really here to have contact with the people, however, it is always a help to have knowledge about the area. "* (Mr. Boutroue)

For my field work a high rang police officer explains that he has no idea what MINUSTAH's mandate is. Other lower rang police officers would say the same. If the high rang officer who is directly collaborating with MINUSTAH is unsure of the mandate it becomes clear that he will not be able to communicate the correct message to his police officers on the ground.

A situation where the mandate and distribution of responsibilities is not clearly explained to one of the parties makes it difficult to succeed. As a PNH officer told me; *"they are the new bosses so I should obey otherwise I loose my job".* (Police officer, 40 years old)

Participants in my fieldwork comment on their observations that MINUSTAH is protecting all important buildings like the White Palace and they serve as body guards to important people in the government and the elite. Quoting the words of Colonel Mornau of MINUSTAH; *"...the ever increasing demand and pressure associated with providing around-the-clock security for all types of UN, government, industrial, or electoral buildings. This demand consumes most of the troops, which consequently diminishes their ability to execute all the other security task* "(Shamsie, Mornau 2006).

The majority of poor Haitians have very limited information about the peace keeping mandate. The overall sentiment that I found in my fieldwork while talking to people is that many Haitians perceive MINUSTAH as an invader and an occupation force. They do not see how their lives have become better after MINUSTAH's presence and they question the millions spent on the peace keeping operation while people are starving to death. MINUSTAH's answer to those that see them as an occupational force is this; *"this is an idea from people that do not want change – it is a misunderstood nationalist sentiment"* (Mr. Boutroue).

6.3 What is needed?

The lacks of results are not from a weak mandate but from a weak political will. MINUSTAH's initial explanation was the slow deployment of its forces and for being unfamiliar with the country. However, after nearly four years in the country, the UN forces should have more experiences regarding the setting in which they operate. MINUSTAH now must adopt a more muscular stance towards its mandate obligations. The UN should stop to please the Haitian government and the elite and try to have better relations with the Haitian people. MINUSTAH should stop finding excuses for its disarmament failure by blaming the ex-militaries and armed groups and instead take a clear and strong stand to make it happen. MINUSTAH should take a strong stand to end the persecutions of political actors and the continuity of impunity. Finally, MINUSTAH most take seriously its obligations to reform the judicial and correctional system and stop providing blind support to PNH's abusive practices.

There is a saying in Creole which can sum up MINUSTAH in Haiti as such: *' ' ide a bon, aksyon pa bon ''* (Good intentions, bad actions). The intentions are well, with a budget and

materials that Haiti never had before, but the fact that all goes in the wrong directions give the impression of failure. This does not mean that MINUSTAH is unable to make it right. MINUSTAH came to make a difference in an already chaotic situation.

MINUSTAH should consider organising information campaigns for the population via radio, television and newspapers to explain their mandate and reason for their presence. Further to invite the population to participate and collaborate in the enormous tasks ahead. It will be important for MINUSTAH to demonstrate that they have no tolerance for criminals from all social classes, including the elite. MINUSTAH should invest in community development projects and create areas for children and youth to play sports and get help with homework. They should take the time to visit schools and clinics in the slums. Learning Creole would be an important signal to the population that MINUSTAH is genuinely interested in interaction and collaboration. MINUSTAH's presence in poor areas should not be one of fear but a presence of safety and joy.

The police should be told that they play a crucial role in the peace building process of Haiti. By motivating the police officers it would show a real appreciation of their efforts. Ensure better mentoring and monitoring of the police by members of UNPOL. Rebuild police facilities to give officers work pride and give them the material and proper training. A well trained officer will have much more confidence and work morals.

The DDR programme has not been successful in Haiti. There has been a lack of information to the general population with regards to the DDR programmes and the reasons behind such a programme. In general there is a great deal of skepticism to these programmes and people perceive this as a way of rewarding perpetrators of violence. MINUSTAH's mandate should be redefined to better reflect Haitian realities and culture by placing it in the framework of a violence strategy based on a community process to achieve the success needed.

Creating and developing an honest and competent judiciary will be of the uppermost importance for the long term development of a democratic Haiti. Impunity is rampant in Haiti and must be dealt with properly. Accountability for politicians, bureaucrats and the government must become a priority.

It will be important to establish prison reforms to improve general conditions, prisoner's health and activities. Deploy international correctional officers to all Haitian prisons to mentor and monitor correctional officers. Rebuild or build new facilities and ensure that basic standards and the human rights of prisoners are respected. Finally coordinate the approach to prison reforms with the police and judiciary.

If MINUSTAH is able to change its image and change people's perception of their role and what they do, it will be possible to develop in a positive direction. The primordial role of the multinational forces in Haiti is stability and security. But their efforts have been focusing on the symptoms of social disorder not their causes. Law enforcement is necessary but so is cultural overhaul through education, a necessity for building legitimate institutions that care for the needs of the people. To have social order, people must believe in their system of government and society. And for the Haitian people that means confidence from results not promises. Until human rights are guaranteed and enforced by an incorruptible government dedicating to making life better for all, Haiti's stability will remain problematic no matter how many rotations of UN or other forces they send into the country.

In my quest to find answers for my hypothesis I found this; history and culture are not issues of yesterday for Haitians. Haiti has experienced decades, if not centuries, of '*institutional abandonment*' (Chance, 2007), and this determines the way Haitians perceive and conclude what is happening today. Political freedom and a culture of peace has been, and still is, limited in Haiti due to a number of reasons that are based on historical, cultural, political and economical processes. The root causes of the fragile security situation in Haiti has to do with a rigid and highly polarised social structure that isolates a small and powerful elite from the majority of the poor population. Development (socially, economically and politically) is limited due to an extremely fragile economy that is dependent on international support. These issues matter because, as Chance points out, "*they influence the capability of certain actors to deal with certain situations*" (Chance, 2007).

There is no doubt that peace operations are not only generating positive outcomes in a country where they are placed. When assessing MINUSTAH in Haiti it is not enough to look at whether its mandate has been achieved, but also at the 'unintended consequences' such as sexual abuse, corruption, people's perception and (lack of) acceptance of the mission's agenda. For MINUSTAH to succeed, and to be perceived as genuinely interested in helping

Haitians, they must show and demonstrate their willingness to analyse the 'unintended consequences' in an open and transparent way. MINUSTAH should accept that they have not succeeded in convincing the Haitian population that they are working for the poor majority. This is a challenge that MINUSTAH ought to take seriously. It does not necessarily mean that they have been unsuccessful in implementing their mandate, but they do not have popular support as I see it from my fieldwork and group discussions.

The do no harm method has a point that I would like to agree on and use as a final quote;

"when international assistance is given in the context of a violent conflict, it becomes part of that context and thus also of the conflict - when one can start to anticipate aid's impact, it becomes possible to avoid negative effects and enhance positive ones" (Anderson, 1999).

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Appendix 1.

Securing Peace:
An assessment of the United Nations Stabilization Mission in Haiti.

Interview Questionnaire for the participants.

A. Personal Information

1. Sex...Male ( )   Female ( )

2. Age...Male ( )   Female ( )

3. Marital status.........(a) married (b) single (c) widow (d) divorce

4. Educational level .... (a) non-formal (b) primary   (c) middle school

(d) secondary (e) others, (specify) ....

5. Religious affiliation ....Christian (specify) ....

. (b)Voodou................... (c) others   (specify)...........

B. Household Composition

6. Do you have children ? (a) yes (b) no. If yes, how many? male.......female........

7. Do you have other dependants ?

8. Do your children and other dependants go to school ?................. If yes, how many of them ?..........

C . Economic condition.

9. What economic activity are you engaged in ? ....

10. Since when did you start with this activity ? ....

10 Why did you choose this activity ?..

C. Peace Building.

View of the local People.

11. What do you expect from the State ?

....

....

12. What do you identify as a functional State?

....

13. Can you give me your view on the UN Security arrangement ?

....

14. Is security better with the United Nation's presence ?

    (yes)......... why? ....

    (no) ....why ?..

15. What is your opinion on the communication between you and the UN soldiers ?

....

D. View of the UN Members

a) Personal Information.

16. How long have you been in Haiti?

....

17. What is the current mandate of the UN mission in Haiti?

....

18. What are the main obstacles regarding the mission's work in Haiti ?

....

19. How do you propose to solve these obstacles ?

....

20. Are the UN soldiers given any specific training regarding the Haitian context before their deployment?

....

....

21. What is the content of this training scheme?

....

22. It is possible to build peace without good knowledge of the local culture?

....

....

E. Disarmament, demobilisation, and reintegration (DDR)

a) Personal information.

23. How long you have been working with the DDR project?

....

....

24. What are the main challenges you have been confronted with so far?

25. How do you suggest to solve these challenges ?
....

26. According to the definition of DDR, do you think that it fits to the Haitian reality?
....

27. Considering the context in Haiti; with no proper overview of existing armed groups and without a defined conflict between groups - how may a DDR programme in the classic sense succeed?
....
....

28. If there is a reason for investing in the DDR programme, do you think that the National Police (PNH) is able to carry it through?
....

29. Can you comment on the statement that people feel that the DDR is working with the perpetrators and ignoring the victims of violence?
....

F. Civil Society.
a) Personal Information.

The same questions to the local people:

F. Police Nationale d'Haiti

a) Personal Information
b) Rang

The same questions as the UN Members

30. How long you have been working in the Police?
....

Resolution 1780 (2007)

Adopted by the Security Council at its 5758th meeting on 15 October 2007

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular its resolutions 1743 (2007), 1702 (2006), 1658 (2006), 1608 (2005), 1576 (2004) and 1542 (2004),

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Welcoming recent steps towards achieving lasting stability and democracy in Haiti,

Welcoming the continuing achievements in Haiti's political process, including through the peaceful holding on 29 April 2007 of the final round of local and municipal elections, and noting with satisfaction the number of women and youth engaged in this process,

Recognizing the inter-connected nature of the challenges in Haiti, reaffirming that sustainable progress on security, rule of law and institutional reform, national reconciliation, and development are mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Recognizing that respect for human rights, due process and addressing the issue of criminality and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Acknowledging significant improvements in the security situation in recent months but noting that the security situation remains fragile,

Emphasizing the importance of cooperation between Haiti and neighboring and regional states in effectively managing and securing Haiti's borders, and in line with the shared interest to secure these borders,

Underscoring that international illicit trafficking of drugs and arms continues to affect the stability of Haiti,

Commending the United Nations Stabilization Mission in Haiti (MINUSTAH), for continuing to assist the Government of Haiti to ensure a secure and stable environment,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti and *calling on* MINUSTAH to continue to work closely with the Organization of the American States (OAS) and the Caribbean Community (CARICOM),

Stressing the importance of establishing credible, competent and transparent governance, and encouraging the Government of Haiti to further strengthen state institutions,

Welcoming the initial steps towards establishing a legislative framework for judicial reform through collaboration between the legislative and executive branches,

Commending the establishment of the Consultative Commission on Prolonged Pretrial Detention, and expressing its strong support for further efforts on this issue as well as in addressing prison overcrowding,

Calling on the Haitian government, in coordination with the international community, to advance security sector reform, in particular by continuing the implementation of the Haitian National Police (HNP) Reform Plan, as well as efforts to reform the critical judiciary and correctional systems,

Welcoming the support of OAS to update the Haitian voter registry and *calling on* the Haitian authorities, with the continued support of donors and regional organizations as well as MINUSTAH and the UN system, to establish permanent and effective electoral institutions, and to hold elections consistent with Haiti's constitutional requirements,

Underlining the need for the quick implementation of highly effective and visible labor intensive projects that help create jobs and deliver basic social services,

Acknowledging the laudable work done by Haitian authorities and MINUSTAH to respond to the needs of disaster-affected people, and welcoming future coordinated actions in this regard,

Expressing gratitude to the troops and police personnel of MINUSTAH and to their countries and paying tribute to those injured or killed in the line of duty,

Welcoming the Secretary-General's report S/2007/503 of 22 August 2007,

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section 1 of operative paragraph 7 of resolution 1542 (2004),

1.   *Decides* to extend the mandate of MINUSTAH as contained in its resolutions 1542 (2004), 1608 (2005), 1702 (2006) and 1743 (2007) until 15 October 2008, with the intention of further renewal;

2.   *Endorses* the Secretary General's recommendation for reconfiguring the Mission in line with the concepts outlined in paragraphs 28 and 29 of his report S/2007/503, taking into account the need to adjust MINUSTAH's composition and realign its activities to reflect the changing circumstances and priorities on the ground and *decides* that MINUSTAH will consist of a military component of up to 7,060 troops of all ranks and of a police component of a total of 2,091 police;

3. *Expresses* its full support for the Special Representative of the Secretary General, notably in his efforts to improve the security situation in close cooperation with the Government of Haiti, and reaffirms his authority in the coordination and conduct of all activities of United Nations agencies, funds, and programmes in Haiti;

4. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, *recognizes* the role of MINUSTAH in supporting the Government's efforts in this regard, and *encourages* the Government of Haiti to continue to take full advantage of international support to enhance its capacity, which is indispensable for the sustainable success of MINUSTAH;

5. *Reaffirms* its call upon MINUSTAH to support the constitutional and political process under way in Haiti, including through its good offices and, in cooperation with the Government of Haiti, to promote all-inclusive political dialogue and national reconciliation, and to provide logistical and security assistance for the upcoming electoral process;

6. *Welcomes* the continuing contribution of MINUSTAH to the Government of Haiti's efforts to build institutional capacity at all levels and *calls upon* MINUSTAH, consistent with its mandate, to expand such support to strengthen self-sustainable state institutions, especially outside Port-au-Prince, including through the provision of specialized expertise to key ministries and institutions, taking into account the ongoing efforts by the Haitian authorities to fight all forms of crime;

7. *Requests* that MINUSTAH continue its support of the HNP as deemed necessary to ensure security in Haiti, and encourages MINUSTAH and the Government of Haiti to continue to undertake coordinated deterrent actions to decrease the level of violence;

8. *Welcomes* progress in the implementation of the HNP Reform Plan and *requests* MINUSTAH to remain engaged in assisting the Government of Haiti to reform and restructure the HNP, consistent with its mandate, notably by supporting the monitoring, mentoring, training, vetting of police personnel and strengthening of institutional capacities, while working to recruit sufficient individual police officers to serve as instructors and mentors of the HNP, consistent with its overall strategy to progressively transfer geographic and functional responsibilities to its Haitian counterparts to facilitate HNP engagement in conventional law and order duties, in accordance with the HNP Reform Plan;

9. *Invites* member states, including neighboring and regional states, in coordination with MINUSTAH, to engage with the Government to address cross-border illicit trafficking of drugs, arms and other illegal activities, and to contribute to strengthening HNP capacity in these areas,

10. *Requests* MINUSTAH to provide technical expertise in support of the efforts of the Government to pursue a comprehensive border management approach, with emphasis on state capacity building, and *underlines* the need for coordinated international support for Government efforts in this area;

11. *Recognizes* the need for MINUSTAH to establish patrols along maritime and land border areas in support of border security activities by the HNP, and

encourages MINUSTAH to continue discussions with the Government of Haiti and member states to assess the threats along Haiti's land and maritime borders,

12. *Requests* the UN country team, and *calls upon* all relevant humanitarian and development actors, to complement security operations undertaken by the Government of Haiti with the support of MINUSTAH with activities aimed at effectively improving the living conditions of the concerned populations and *requests* MINUSTAH to continue to implement quick impact projects;

13. *Condemns* any attack against personnel from MINUSTAH and *demands* that no acts of intimidation or violence be directed against United Nations and associated personnel or other international and humanitarian organizations engaged in humanitarian, development or peacekeeping work;

14. *Welcomes* the steps taken towards the reform of rule of law institutions, requests MINUSTAH to continue to provide necessary support in this regard, and *encourages* the Haitian authorities to take full advantage of that support, notably in such areas as restructuring the Ministry of Justice and Public Security, certifying magistrates, providing legal aid to the most vulnerable, and modernizing key legislation;

15. *Requests* MINUSTAH to continue to pursue its community violence reduction approach, including through support to the National Commission on Disarmament, Dismantlement and Reintegration and concentrating its efforts on labor intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, and reform of the weapons permit system;

16. *Reaffirms* MINUSTAH's human rights mandate and calls on the Haitian authorities to continue their efforts to promote and protect human rights, and calls on MINUSTAH to continue to provide human rights training to the Haitian National Police and other relevant institutions, including the correctional services;

17. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of girls, and *requests* MINUSTAH to continue to promote and protect the rights of women and children as set out in Security Council resolutions 1325 (2000) and 1612 (2005);

18. *Encourages* MINUSTAH and the UN Country Team to enhance their coordination as well as with the various development actors in Haiti in order to ensure greater efficiency in development efforts and to address urgent development problems;

19. *Calls* on the UN system and the international community, in particular donor countries and institutions, in cooperation with the Haitian authorities, to devise and support a renewed aid coordination system, based on mutual responsibility, which would focus on immediate needs as well as on long-term reconstruction and poverty reduction, and *encourages* donors to accelerate the disbursement of their pledges as a contribution to development and stability in Haiti;

20. *Welcomes* progress made by MINUSTAH in communications and public outreach strategy and requests it to continue these activities;

21. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and *urges* troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

22. *Requests* the Secretary-General to report to the Council on the implementation of MINUSTAH's mandate semi-annually and not later than 45 days prior to its expiration, taking into account a review of the activities and composition of MINUSTAH, its coordination with the UN country team and other development actors, a comprehensive assessment of threats to security in Haiti, and the development during this mandate period of a consolidation plan with appropriate benchmarks to measure and track progress, in consultation with the Haitian government;

23. *Decides* to remain seized of the matter.

ANNEX 3

<u>**PHOTOS from Cite Soleil in Port au Prince July 2007 (all photos by Luc Edwin Ceide)**</u>

From focus group discussion at youth club in Cite Soleil

Snapshots from Cite Soleil:

Church with bullet holes