

SECURITY SECTOR REFORM MONITOR



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Cover Photo: Haitians set up makeshift tent cities throughout Port-au-Prince after a powerful earthquake on January 12 severely damaged the capital. UN Photo/Logan Abassi.

INTRODUCTION

On January 12, 2010, Haiti experienced a magnitude-seven earthquake that leveled much of the capital, Port-au-Prince, and left more than 200,000 people dead. The natural disaster was a cruel and devastating blow not only because of the immediate suffering that it caused, but because Haiti had seemed to turn a corner in political, economic and security terms. Even the 2009 hurricane season did not have an overly harsh impact on Haiti. The country did experience regular flooding in the peri-urban zones of the capital and slums surrounding medium size cities, but not the large-scale damage wrought by the 2008 hurricane season.

The 2008 hurricane season coincided with a new prime minister taking office, who after one year had stabilized the office and facilitated renewed international interest and support (Staboek News, 2009). This boost in interest and investment can also be attributed to the appointment of former US president Bill Clinton as UN special envoy for Haiti.

The efficiency of the process by which Prime Minister Jean-Max Bellerive was selected, the coherence of the government's political plan (*Déclaration de Politique Générale*) and the endorsement of the ministerial cabinet demonstrates that the President had anticipated and prepared for the political shift (Roc, 2009). The high profile of President Préval's prime ministerial choice, a man who piloted the DSNCRP¹ for several years and who has served all administrations over the

¹ Document de Stratégie Nationale pour la Croissance et pour la Réduction de la Pauvreté (DSNCRP) [English: The National Growth and Poverty Reduction Strategy Paper] (2007).

ABOUT THE SSR MONITOR

The *Security Sector Reform Monitor* is a quarterly publication that tracks developments and trends in the ongoing security sector reform (SSR) processes of five countries: Afghanistan, Burundi, Timor-Leste, Haiti and Southern Sudan. Every quarter, there will be separate editions for each case study country. Adopting a holistic definition of the security sector, the *Monitor* will cover a wide range of actors, topics and themes, from reforms in the rule of law institutions and armed forces to demilitarization activities and the role of non-statutory security and justice actors.

Research for the *Monitor* is field-based: a resident researcher in each case study country leads data collection and analysis, with support from desk-based analysts at The Centre for International Governance Innovation (CIGI). The same research guidelines are employed for each country. All editions of the *Monitor* are subjected to an external peer review process in addition to our internal editorial review.

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past 15, made the acceptance of his nomination easy.² Tensions between former Prime Minister Pierre-Louis and President Préval were well known and the subject of many rumors. Nonetheless, the swift replacement of the Prime Minister created political waves to which the international community had to adapt quickly.

Among Haitians, the change of prime ministers was cynically perceived as a part of the seemingly endless partisan political game. Eighteen of the 29 senators who voted to oust Pierre-Louis were members of the Lespwa Platform—Préval's party—and alleged that Pierre-Louis was guilty of mismanaging US\$197 million of emergency relief aid provided by the Venezuelan firm Petro-Caribe in response to the devastating hurricane season of 2008.³ Observers report disagreement between Préval and Pierre-Louis over whether to include the aid in the national budget. As it stands, a foundation-like body with a board of directors, in which the President has an important voice, administers the funds.⁴

With an election set for 2010, many suspect that Préval's maneuvering is intended to maximize the chance that an anointed successor will be elected to office. Who that successor will be remains unknown. Fortunately this political shift was swift and caused relatively little instability, occurring shortly after the parliament approved the 2009-10 national budget and only days after the adoption of UN Security Council Resolution 1892. In recognition of the interconnected nature of the challenges facing Haiti, the UN resolution renewing MINUSTAH's mandate—the ninth in six years—called for the expansion of the mission's

² Jean Max Bellerive collaborated with the military junta's government in 1991, as well as with Jean-Marie Cherestal and Yvon Neptune when they were prime ministers during Aristide's second term as president. He was a favourite of the international community as the planning minister in charge of piloting the DSNCRP after the election of Préval, in 2006.

³ In the end, amid opposition from other senators, the Lespwa block removed the Prime Minister in a vote of non-confidence. It is interesting to note that 11 of the ministers she took office with who were appointed during the previous administration of Prime Minister Alexis (2006, 2008) remained in Prime Minister Bellerive's administration.

⁴ Interview with senior Ministry of Finance official, Port-au-Prince, November 19, 2009.

policing unit, a reduction of its military component, more support for border control and greater coordination among UN agencies to better integrate security and development programming.

Two presidential commissions have published influential reports that include key recommendations on the security architecture of the state. With a presidential election approaching, these recommendations are expected to stimulate national debate.

Despite improving security conditions and a stable political environment, threats remain ever-present due to persistent frustrations among Haiti's shanty-town dwellers and unemployed youth, who are prone to manipulation "by spoilers who seek to undermine the stabilization process in order to protect personal interests" (United Nations, 2009).

This edition of the *Security Sector Reform Monitor: Haiti*, written before the January 12 earthquake, will examine issues surrounding the renewal of the UN mission, the recommendations on the security apparatus put forth by the two presidential commissions and existing security threats. While some priorities of the SSR process will change dramatically in the wake of the earthquake—with a significant portion of the security infrastructure devastated and the police thrust into the role of relief facilitators—many of the existing challenges will remain the same, only amplified. One thing that is clear is that this disaster should serve to galvanize the international community into action, both to relieve the suffering of the traumatized population and to place the country back on track toward long-term security and stability.

THE RENEWAL OF MINUSTAH'S MANDATE

The international community's efforts to advance security

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and stability in Haiti through programs to reform and strengthen the country's rule of law institutions, such as the Haitian National Police (HNP), have achieved visible results. The latest UN Resolution calls on the government of Haiti to coordinate with the international community to further

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On April 28th the Centre for International Governance Innovation (CIGI) will launch an exciting new initiative, the **SSR Resource Centre**. The Resource Centre is a website intended to serve as a hub and meeting place for SSR practitioners, analysts, policy-makers and interested observers from across the world. It will feature:

- A blog highlighting recent developments in the SSR field;
- A calendar listing SSR-related events across the world;
- Country profiles for countries/regions undergoing SSR;
- Multimedia content, including video and audio interviews of SSR experts;
- Access to CIGI's SSR research, including the quarterly *SSR Monitor*.

The site will be dynamic – updated daily – and interactive – with all blog pages comment-enabled and external contributions welcomed.

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decrease the level of crime and violence and concentrate on the implementation of the HNP reform plan. The plan prioritizes the HNP's vetting and certification programs.

One of the main challenges to police reform is that reforms

in other rule of law institutions, namely the justice system, have not proceeded at the same pace. The HNP and DAP (*Direction de l'Administration Pénitentiaire*) reform plans are progressing but the justice reform process has stalled.

Although UNPOL and MINUSTAH have expressed satisfaction with the results of the HNP vetting and certification process, national authorities have yet to explain how the judicial system will treat expelled police. By late 2009, vetting files for over 6,500 HNP officers had been opened, with almost 3,000 having completed the process.⁵ The vetting process has been plagued by a lack of political will at the national level, tepid institutional will within the HNP, complacency from the international community, and limited competence and collaboration among key stakeholders. The process is largely driven by the international community—primarily MINUSTAH—with HNP authorities and the Secretary of State for Public Security playing a secondary role, if not sidelined completely.⁶ The HNP Inspection Générale, responsible for internal investigations and vetting, remains weak even after two years of reform.⁷

Coordination is still lacking among donors despite the creation of formal coordination mechanisms.⁸ Improving coordination has been identified by the UN Secretary General, MINUSTAH and many donors as a key priority,⁹ particularly as new stakeholders expand their roles.¹⁰ While international support is welcomed by Haitian authorities, it must be guided to meet existing needs, such as the training of HNP managers and senior officers, the expansion of crime scene investigation capacity, instruction on tactics for urban warfare and the development of procedures for explosives management. Resources remain a major

⁵ Interview with Richard Warren, deputy UNPOL commissioner, Port-au-Prince, September 23, 2009.

⁶ Interview with Richard Warren, deputy UNPOL commissioner, Port-au-Prince, September 23, 2009.

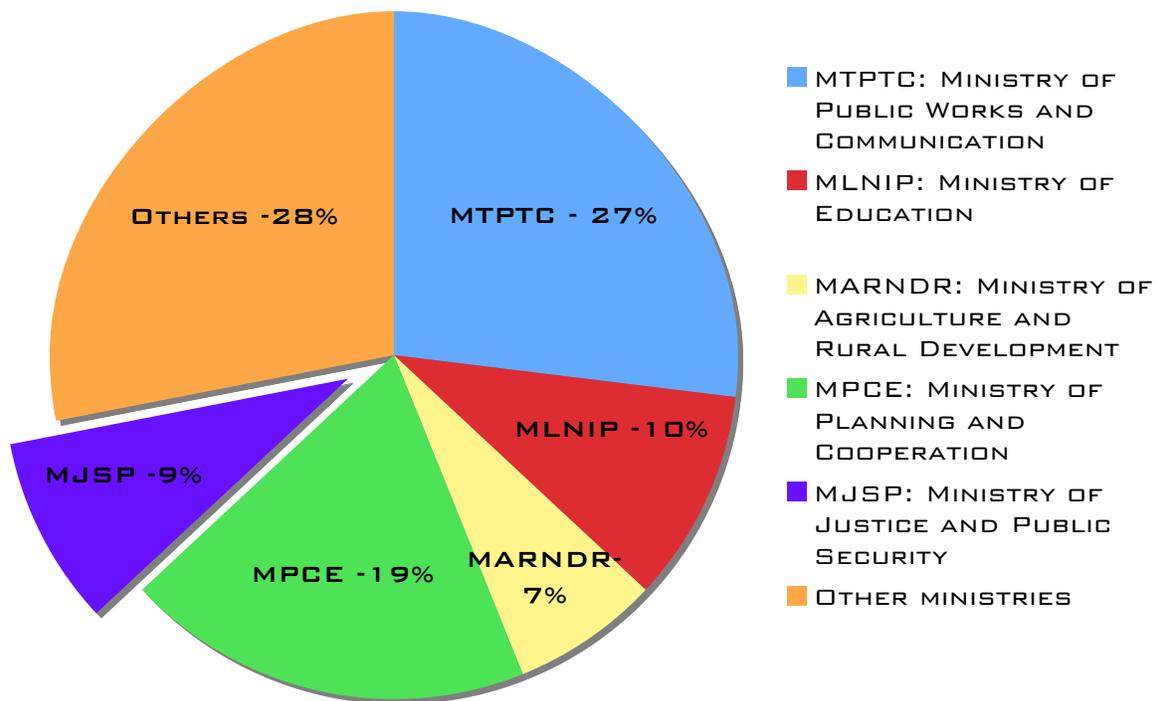
⁷ Interview with Haitian Justice Minister, Port-au-Prince, June 25, 2009.

⁸ Interview with Haitian Justice Minister, Port-au-Prince, June 25, 2009.

⁹ The ABC Countries (Argentina, Brazil, Chile), supported by the OAS, signed a cooperation agreement in January 2009.

¹⁰ Interview with senior Canadian official, Port-au-Prince, September 30, 2009.

FIGURE 1: 2009 NATIONAL BUDGET: DIVISION OF FUNDS WITHIN THE EXECUTIVE BRANCH (US\$2.076 BILLION)*



Source: République d'Haïti, National budget, 2009. Conversion at HTG41 to US\$1.

*Total Budget: US\$2.17 billion. This diagram illustrates the distribution of funds within the Executive Branch

problem; the last two cohorts of HNP recruits promoted to regular duty could not be trained to fire weapons due to a lack of available ammunition.¹¹ Current plans call for the HNP's staff ceiling, fixed at 14,000, to be reached by 2011. However, it seems unrealistic that this force goal will be met considering that as of November 2009 the HNP had only reached a size of 10,000. Moreover, training is rendered somewhat meaningless if officers do not have the basic equipment to do their jobs.¹²

According to the international community, the most prominent threat to Haiti's growing stability is the illicit economy—marked by the trafficking of drugs, humans and commercial goods—as well as large-scale civil

unrest, spurred by anything from political tensions to environmental disasters like the January 12 earthquake.

Numerous violent incidents occurred along the border with the Dominican Republic in 2009. For instance, Haitians allegedly burning Dominican trees to produce charcoal were killed by Dominican Security Forces; GARR (Groupe d'Appui au Rapatriés et Réfugiés), a Haitian organization working with refugees, has given numerous accounts of such incidents in their 2009 annual report.¹³ Accordingly, the UN has identified border control and security as a priority. MINUSTAH is enhancing its operational ability to “deploy rapidly and to monitor remote locations, including border areas and the country's coastline” (United Nations,

¹¹ Interview with senior UNPOL officer, Port-au-Prince, October 23, 2009.

¹² Interview with senior UNPOL officer, Port-au-Prince, October 23, 2009

¹³ GARR (2009). *Rapport annuel sur la situation des droits humains des Haïtiens-haïtiennes dans la migration à la frontière haïtiano-dominicaine en 2008.*

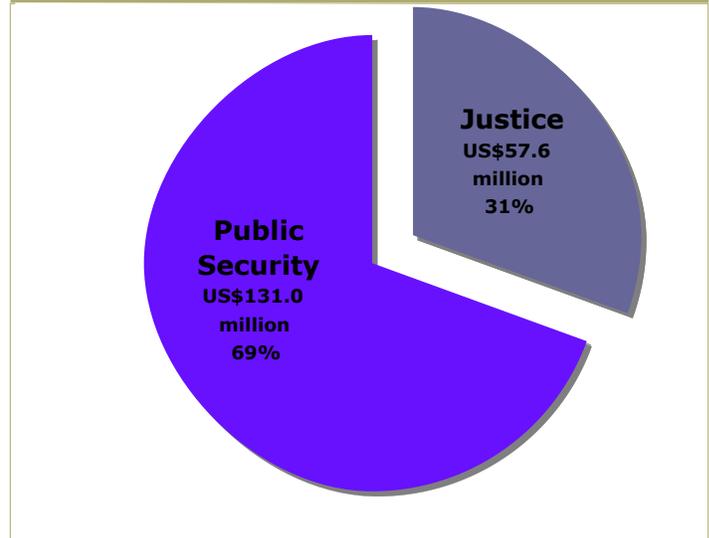
2009: 5). The International Organization for Migration (IOM), with funding from Canada's Stabilization and Reconstruction Task Force (START), is training border and immigration officers and has renovated 14 commissariats along the border with the Dominican Republic. The border has always been very porous, with 25 official road crossings and numerous unofficial pedestrian transit routes. For its part, the Haitian government has expanded border facilities, upgraded and computerized the customs data system, and intensified patrols.

In what could be construed as the first steps towards an exit strategy for MINUSTAH, or, as written in UN Resolution 1892, an adjustment of "its force configuration to better meet current requirements on the ground...until the planned substantial increase of the Haitian National Police capacity allows for a reassessment of the situation," the mission's military component has been scaled down in favour of a more robust police presence. More than half of UNPOL (1,133 out of the total of 2,048) are Formed Police Units (FPUs)¹⁴, which are mandated to carry out policing duties rather than build the capacity of the national security forces (MINSTAH, 2009).

Student protests, some of which became violent, were a frequent occurrence in 2009. The students have been protesting against both their educational conditions and their economic situation. On September 17, the HNP violently broke up a protest at the École Normale Supérieure with trucks, billy clubs and tear gas (Pierre-Louis, 2009). With 2010 an election year, clashes between members of opposing parties are bound to occur as is regularly the case during election periods in Haiti. Deploying foreign FPUs rather than the HNP to contain such politically-motivated unrest may serve to exacerbate tensions. Foreshadowing such problems, many national actors have denounced MINUSTAH's role in quelling student demonstrations,

¹⁴ FPUs are deployed to field missions with appropriate crowd and riot control equipment and training in order to deal with threats to the peace and situations that are beyond the control of the local police.

FIGURE 2: SECURITY SECTOR BUDGET: THE DIVISION OF FUNDS BETWEEN THE JUSTICE AND PUBLIC SECURITY MINISTRIES



Note: The total budget was US\$188.5 million. The calculation of budget lines was based on security spending figures from the Unit to Combat Financial Crimes (UCREF) and the Office of the Secretary of State for Public Security.

arguing that it is not in the mandate of international peacekeepers to intervene in national social and political debates.

PUBLIC SECURITY POLICY

President Préval has always been clear on his opposition to reinstating the army, which was disbanded following Jean-Bertrand Aristide's return to power in 1994. Although still authorized by an article in Haiti's Constitution, the army no longer exists in practice. In 2007, the Presidential Commission for Reflection on National Security was established to help political leaders, in consultation with the general population, to develop a new national defence and public security policy. A second commission, the Presidential Commission on the Constitution, was established in 2009. The two commissions found, through public consultations, that the majority of the population believed a second armed force or military was needed to complete the security architecture of the state. The general

belief was that the HNP could not respond properly to all internal and external security threats and most importantly, that there was a need to reinforce the security apparatus to facilitate the withdrawal of MINUSTAH.¹⁵ A member of the security commission went as far as to say that if the international community did not take advantage of the presence of MINUSTAH to help rebuild an army, it would be forced to return to the country within two years of leaving to address another crisis.¹⁶

Contrary to Haitian public opinion, the international community is not keen to finance the creation of a new Haitian armed forces. It believes one security force is sufficient to meet Haiti's needs.¹⁷ However, the Haitian response to the January 12 earthquake may cause donors to revisit this issue, as the HNP was ill-equipped to handle the aftermath of the disaster. The security apparatus appears now more than ever to require a civilian protection force whose primary mandate is the protection of the civilian population following natural disasters.

The cost of establishing a military is certainly prohibitive. The Haitian security budget is already quite high relative to the state's revenue-generating capacity and is largely absorbed by the HNP, leaving meager resources for justice reform.

SMALL ARMS TRAFFICKING

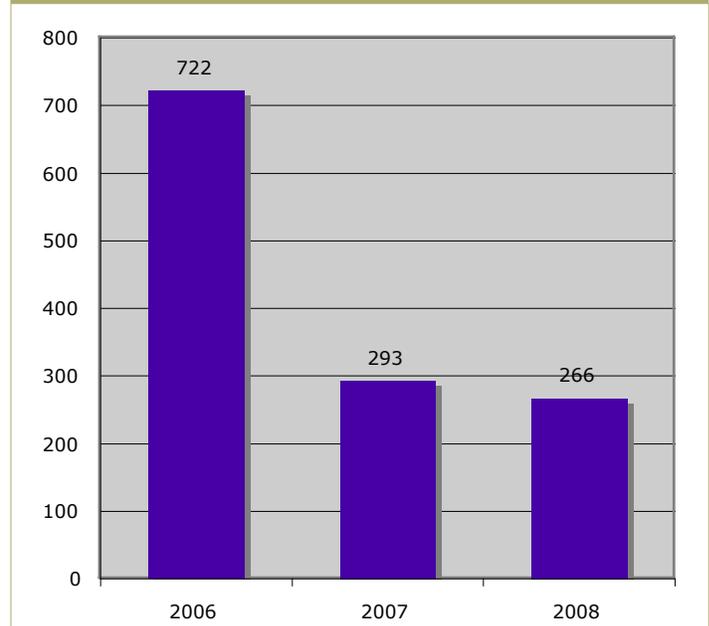
Small arms trafficking is not frequently cited as a major problem in Haiti anymore; however, as stated in previous editions of the *Security Sector Reform Monitor: Haiti*, disarmament programs were by no means successful, with a significant number of guns still circulating in private

¹⁵ Interview with member of the Presidential Commission on Security, Port-au-Prince, October 2, 2009.

¹⁶ Interview with member of the Presidential Commission on Security, Port-au-Prince, October 2, 2009.

¹⁷ A member of the Presidential Commission on Constitutional Reform said: "At the beginning of our work as a Commission, we received an emissary speaking on behalf of both the US and Canada. He told us that they would not fund a reinstated military" (October 14, 2009).

FIGURE 3: KIDNAPPINGS, 2006-2008



Source: UNPOL statistics, HNP statistics, 2009.

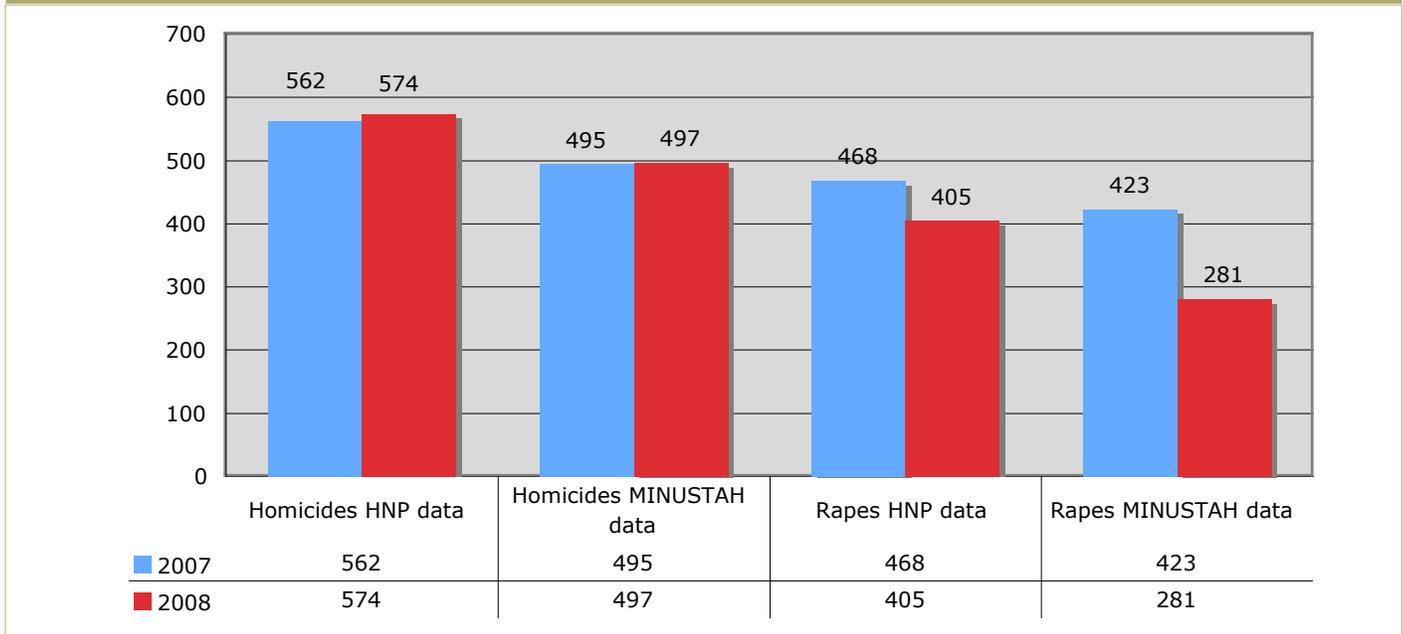
hands. Weapons are traded on Haiti's black market, but the numbers are no longer perceived as a threat.¹⁸ According to Deputy SRSG, M. da Costa, who died during the earthquake, the number of weapons in the hands of private individuals and organizations has been overstated: "I've seen more wine in their cellars than weapons."¹⁹ Not all observers share the view that the threat of small arms proliferation has been exaggerated. Several civil society groups and community organizations have expressed concern over the ready availability of arms that could be quickly employed in the event of a crisis.²⁰ In the absence of reliable survey data accepted by all stakeholders, it is difficult to assess the scale of the small arms problem or devise effective programs to address it.

¹⁸ According to a senior UNPOL official, during the first six months of 2009, UNPOL and neighbourhood sources reported that guns were traded for Jamaican marijuana (Interview with senior UNPOL official, Port-au-Prince, October 23, 2009).

¹⁹ Interview with senior MINUSTAH official, Port-au-Prince, September 23, 2009.

²⁰ Interviews with senior civil society organisation, July 2; local community members, St-Martin and Martissant, October 12 and 14; senior HNP member, October 28, Port-au-Prince, 2009.

FIGURE 4: HOMICIDES AND RAPES, 2007-2008



INSECURITY AND CRIMINALITY TRENDS

UN Security Council Resolution 1892 reiterates “the need for security to be accompanied by social and economic development as a way for Haiti to achieve lasting stability.” Indeed the Haitian government has complied with international financial institution guidelines and has been relieved of its debt toward the Paris Club members and some multilateral agencies, amounting to US\$1.2 billion. This has freed some funds for initiatives of the DSNCRP. The government’s fiscal policies, despite the negative impact of the international financial crisis and the devastation caused by the 2008 hurricane season, have led to positive results. In the 2007-2008 fiscal year, national revenues increased by 16 percent and national spending by 13 percent. During the initial months of the 2008-2009 fiscal year, spending increased further, leading to an expansion of the government’s deficit (Ministère de l’économie et des finances, 2009). While the January 12 earthquake will likely reverse any economic progress made by Haiti in recent

years, its long-term ramifications for the economy remain unclear.

The stability or peace dividends that Haiti has enjoyed have mostly benefited the wealthy elites and private sector, which was able to resume business as usual. Some youth involved in dismantled gangs have received minor reinsertion assistance, but most have received no incentives at all and languish in poverty and marginalization. Growing frustration among unemployed and impoverished youth appears to be re-emerging as a serious threat.²¹

Verifiable data on crime is difficult to obtain and varies so greatly that it is not considered reliable. But there is no doubt that crime trends have changed in recent months; the incidence of kidnapping has drastically fallen²² while the number of armed robberies, particularly in the capital city

²¹ CIGI participated in meetings held in St-Martin, a popular neighbourhood still classified as a red zone by MINUSTAH, where many young men clearly expressed their disenchantment with the government’s many broken promises. The general message was that “violence might have been no good but peace is not helping us feed our families” (October 12, 14).

²² There was an average of 52 kidnapping victims per month in 2005, more than 60 per month in 2006, 24 per month in 2007, 22 per month in 2008 and 8 per month in the first nine months of 2009 (UNPOL, 2009).

and involving motorcycles, has risen significantly. UNPOL registered roughly 200 homicides in the first nine months of 2009 and the HNP approximately 400. The great majority of those crimes are committed in broad daylight in the lower commercial areas of Port-au-Prince and in the overpopulated shanty towns.²³

The number of rapes is equally high; UNPOL counted 100 and the HNP 134. Considering that a large number of rapes are not reported, these numbers are disquieting. The impact of the earthquake on crime rates has yet to be adequately assessed; however, there are indications that criminal activity has increased in many areas.

CONCLUSION

The January 12 earthquake fundamentally changed Haiti's security and development landscape, and will set back the Haitian state-building and development process in every sector for many years. Once the dust has settled from this tragedy and immediate humanitarian risks are addressed, the Haitian government and the international community must return to the task of state-building as the only enduring solution to Haiti's plight with poverty, insecurity and instability.

National debate on a governmental strategy for the security sector is urgently needed and should happen in 2010. It will then be up to the next parliament and government to define a public security policy according to national aspirations, external and internal threats, and actual financial capacities, even if this policy is not in line with the thinking of the international donor community.

While stability has benefited the economy, unemployment and high crime rates still characterize certain neighbourhoods. The high profile and clout of UN Special Envoy Bill Clinton is not enough to bring optimism to

these overpopulated, high-risk neighbourhoods where the stability dividend rarely trickles down. They must be an object of sustained development programming.

Will the political debates surrounding the presidential election address the frustrations of a majority of Haitians? One can only hope that the government and international community will address a few of these frustrations in order to preserve the country's recent and still-fragile stability. Perhaps the earthquake will galvanize Haitian elites and international donors to accelerate efforts to meet the needs of Haiti's most vulnerable before their anger once again boils over.

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²³ Interview with senior UNPOL officer, Port-au-Prince, October 23, 2009.



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CIGI was founded in 2002 by Jim Balsillie, co-CEO of RIM (Research In Motion) and collaborates with and gratefully acknowledges support from a number of strategic partners, in particular the Government of Canada and the Government of Ontario.

Le CIGI a été fondé en 2002 par Jim Balsillie, co-chef de la direction de RIM (Research In Motion). Il collabore avec de nombreux partenaires stratégiques et leur exprime toute sa reconnaissance pour leur soutien. Il remercie tout particulièrement le gouvernement du Canada, de même que le gouvernement de l'Ontario.

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