

REFORMING HAITI'S SECURITY SECTOR

Latin America/Caribbean Report N°28 – 18 September 2008

TABLE OF CONTENTS

EXECUTIVE SUMMARY AND RECOMMENDATIONS	i
I. INTRODUCTION	1
II. SECURITY IN HAITI TODAY	2
III. POLICE REFORM	7
A. VETTING AND TRAINING	9
B. BORDER INITIATIVES	11
C. REESTABLISHING THE ARMY?.....	13
D. COMMUNITY VIOLENCE REDUCTION	14
IV. JUSTICE REFORM	16
A. INDEPENDENCE AND STRENGTHENING OF THE JUDICIARY	16
B. PRISON REFORM	17
1. Conditions of imprisonment	17
2. Reducing overcrowding	19
V. THE WAY FORWARD	20
A. REMOVING OBSTACLES TO SUCCESSFUL SSR.....	20
B. ADDRESSING JUSTICE SECTOR REFORM CHALLENGES	22
C. SWIFTLY ALLEVIATING SOCIO-ECONOMIC HARDSHIP TO PREVENT VIOLENT PROTEST	23
VI. CONCLUSION	24
APPENDICES	
A. MAP OF HAITI.....	26
B. GLOSSARY	27
C. REPORTED KIDNAPPINGS, 2006-2008	30
D. ABOUT THE INTERNATIONAL CRISIS GROUP	32
E. CRISIS GROUP REPORTS AND BRIEFINGS ON LATIN AMERICA/CARIBBEAN	33
F. CRISIS GROUP BOARD OF TRUSTEES	34

REFORMING HAITI'S SECURITY SECTOR

EXECUTIVE SUMMARY AND RECOMMENDATIONS

Operations led by the UN peacekeeping mission (MINUSTAH) largely disbanded armed gangs in the slums of Haiti's cities in early 2007, but security and stability are far from consolidated. The failure to provide an immediate, visible peace dividend once the gangs' hold was broken was a lost opportunity the still fragile country could ill afford. Now new threats are appearing. Serious crime persists, especially kidnapping and drug trafficking, and in the absence of a sufficiently large and fully operational police force and functioning justice and penitentiary systems, it threatens to undermine political progress. This was evidenced by the fall of Prime Minister Jacques-Edouard Alexis's government following April 2008 protests and riots against high living costs. Security sector reform (SSR) is essential to stabilisation but has been plagued by serious institutional weaknesses.

The new prime minister, Michèle Pierre-Louis, who was confirmed by parliament only in August and inaugurated in September, and President René Préal need to act immediately and decisively, with MINUSTAH and donor help, to conclude police and justice reform. These challenges are all the more urgent, as they come at a time when Haiti is struggling with severe hurricane devastation, and quick disbursement of international emergency and recovery assistance is of crucial importance for the new government.

The process to create a modestly sized 14,000-strong Haitian National Police (HNP) by 2011 – a pivotal element of SSR – must be speeded up. The vetting of the approximately 9,000 active duty HNP officers has been much too slow and insufficiently transparent to address concerns that individuals responsible for human rights violations and corruption remain in the force. Administrative difficulties have limited recruitment and training. The intake of qualified personnel, with special emphasis on more female cadets, has to be increased or the 2011 goal will be impossible to reach. A graduate-level police academy is needed in which commanders can acquire specific skills, including riot and border control, intelligence gathering and analysis, forensics and expertise in fighting drug trafficking. Building a professional HNP is the

best way to preempt dangerous, politically motivated pressures to reconstitute the notorious army.

Strengthening the justice sector, including the dysfunctional penitentiary system, is another key part of SSR. Haiti still lacks the basic capacity to detain, prosecute and sentence offenders, especially those responsible for serious crimes. To strengthen the rule of law, it is crucial that the new government speed implementation of the justice legislation parliament passed in late 2007, conclude vetting of the members of the Superior Judicial Council and establish special chambers to bring cases of serious crime to trial. Haitian authorities, with donor help, must also swiftly improve correction facilities, which remain in awful shape, vulnerable to prison breaks and filled with suspects who have never seen a judge.

Likewise, border control and economic development along the border with the Dominican Republic (D.R.) is vital to security and the economy. The new government should define a strategy and reach out to recently re-elected Dominican President Leonel Fernández with the aim of concluding agreements on border development and security. These should cover migration, economic and environmental issues, as well as transborder organised crime and law enforcement. Without such a strategy and improved cooperation between the neighbours, Haiti's Border Development Commission and MINUSTAH's expanded role along the frontier will be empty shells. Finally, the government and donors need to put in place comprehensive violence reduction programs that recognise the linkages between severe poverty, social deprivation and crime, particularly in the rural communities, where 70 per cent of Haitians live, and the high density urban neighbourhoods.

RECOMMENDATIONS

To the Government of Haiti:

1. Strengthen reform of the Haitian National Police (HNP) by:
 - (a) expediting the vetting of all active duty officers;
 - (b) bringing enrolment at the police academy to full capacity (1,300), recruiting in particular more female cadets with good academic records and making learning materials and equipment available to all cadets;
 - (c) establishing an academy for advanced training of mid- and senior-level commanding officers;
 - (d) expanding exchange programs for training abroad of HNP officers in counter-drugs, anti-kidnapping, riot control, forensics and intelligence gathering and analysis;
 - (e) implementing a more efficient human resources, equipment maintenance and management system to deploy personnel based on skills and training, monitor performance and ensure more adequate control and use of equipment; and
 - (f) establishing the more muscular elements of the force (border police, coast guard and riot control), publicising their capabilities and reaffirming the lack of need for an army.
2. Strengthen justice sector reform (JSR) by:
 - (a) establishing two special chambers, with vetted judges, prosecutors and defence counsels and assisted by international advisers, to try serious crimes, especially those involving drug trafficking, kidnapping and human rights abuses;
 - (b) expanding the presence of the judicial police (DCPJ) in major cities, with priority for Cap Haïtien, Gonaïves and Les Cayes;
 - (c) concluding the vetting of members of the Superior Judicial Council (CSPJ), appointing its president and directing it as a priority to establish standards and vet existing judges against those standards;
 - (d) supporting the efforts of the Organisation internationale de la Francophonie (OIF) and the Haitian bar association to establish an exam to certify lawyers; and
 - (e) cooperating with the bar association to establish a national network of lawyers to assure legal representation in all criminal cases and justice centres that provide free legal aid to the poor.
3. Improve the inhumane conditions in prisons by:
 - (a) reviving the Detention Commission (CCDPP) to review cases of prisoners detained for minor crimes, especially those not charged for an extended period of time, broadening its mandate to the entire country and requiring that any recommendations for release are reviewed by a justice ministry working group to ensure that dangerous criminals are not released;
 - (b) establishing, with international humanitarian agencies such as the International Committee of the Red Cross (ICRC), regular visits to all detention centres to monitor the health and conditions of prisoners; and assisting the Prisons Administration Directorate (DAP) to set up and maintain a health records system for inmates; and
 - (c) moving more rapidly to implement, with donor support, the national prison reform plan's commitments for new construction and guard training, including refurbishing the Delmas 75 former psychiatric hospital to house inmates, finalising plans for the new national prison at Morne Cabrit and improving detention conditions for female inmates and minors and providing them with schooling and vocational training.
4. Deal more assertively and effectively with land and sea border issues by:
 - (a) reinvigorating the Border Development Commission and deepening cooperation on border issues with donors;
 - (b) defining a strategy with representatives of border communities to expand agricultural development, strengthen institutions and local governance programs; and encourage local government and civil society representatives to create cooperation and twinning schemes with Dominican towns and cities; and
 - (c) organising a summit with the Dominican Republic (D.R.) to reach agreements on law enforcement regarding organised crime and on migration, customs and border economic and environmental development.

5. Increase efforts to prevent crime by:
 - (a) supporting community-led security projects to improve cooperation in preventing crime at the local level;
 - (b) increasing transparency of National Commission for Disarmament, Demobilisation and Reintegration (CNDDR) projects, so donors and civil society can better evaluate their results;
 - (c) taking into account the data produced by the crime and violence monitoring centre set up by the Haiti State University (UEH) and the International Centre for Crime Prevention and supporting its activities by helping to circulate its findings broadly among civil society; and
 - (d) targeting high crime areas with community infrastructure projects using local labour; expanding highly visible municipal and national public services; and instituting special programs, such as conditional cash transfer (CCT) initiatives, to offset family school and food costs in those communities.

To the United Nations:

6. MINUSTAH should improve implementation of its mandate on border control by:
 - (a) deploying permanently UN civil affairs personnel and UN police (UNPOL) units with special experience in border control to assist the HNP border units;
 - (b) urging Uruguay to deliver the promised sixteen coast patrol boats on time; and
 - (c) concluding cooperation agreements with the Anti-drugs Office (BLTS) and the U.S. Drug Enforcement Administration (DEA) on operations along Haiti's land and sea borders, including air interdiction.
7. Finalise the UNDP trust fund to improve donor coordination and allocate funds efficiently and rapidly.
8. Expand UNPOL, especially Formed Police Units (FPUs), beyond its 2,091 cap and maintain the military troop level.
9. Work closely with the Haitian authorities and donors to provide immediate emergency and recovery relief to hurricane victims and other affected communities, establish a joint recovery and infrastructure reconstruction program and organise a

donors conference to finance that program within the next few months.

To the Governments of the Americas:

10. Support assignment to UNPOL of additional experienced and vetted police, if possible with Creole and French language skills, but also with specific skills for dealing with the crimes Haiti faces today.
 11. The U.S. should assign DEA helicopters much more frequently, if not permanently, to work closely with specialised BLTS, UNPOL and MINUSTAH units on interdiction of drug trafficking.
 12. Reinforce MINUSTAH's critical role by continuing to contribute experienced police, military and civilian professionals.
 13. The U.S., Canada and others should suspend deportation for six months of illegal Haitian immigrants and Haitians who have committed crimes and have been sentenced abroad, and be prepared to renew this suspension if the post-conflict and post-hurricane conditions necessitate.
 14. Provide immediate emergency assistance in the wake of hurricane devastation and commit to helping the Haitian authorities in a major recovery and reconstruction program, without undercutting current efforts at supporting stabilisation and development measures.
- #### **To Bilateral and Multilateral Donors:**
15. Reschedule the delayed donors conference to be held as soon as possible and set priorities for supporting:
 - (a) the government's police, justice and prison reform plans; and
 - (b) comprehensive violence reduction efforts directed at poverty reduction, job creation, education and infrastructure, particularly in high crime communities, and otherwise reducing rural to urban migration, including by aid to small farmers to expand food production.
 16. Implement urgently special programs that relieve high education and food costs for poor families, so as to contribute to preventing further social unrest and violence when the school year, which was scheduled to begin on 1 September but owing to the hurricanes has been pushed back, even-

tually starts, and to help the new government gain political credibility.

17. Provide emergency funding for hurricane relief, help conduct rapid assessments of infrastructure destruction and damage to economic sectors, including the informal sector, and support recovery and reconstruction efforts.

Port-au-Prince/Brussels, 18 September 2008

REFORMING HAITI'S SECURITY SECTOR

I. INTRODUCTION

The violent April 2008 protests against the high cost of living, during which six people died, underscored the continued fragility of Haiti's security situation and the need for rapid progress in security sector reform (SSR). They also enabled political opponents to bring about a no-confidence vote in parliament and the fall of the government of Prime Minister Jacques-Edouard Alexis on 12 April 2008.

The fall of Alexis, the drawn-out negotiations between President René Préal and parliament over his successor and – following her August confirmation as new prime minister and September swearing-in – the political difficulties Michèle Pierre-Louis has experienced in forming a new cabinet and government program are damaging the country's already precarious governance.¹ Spoilers, including drug traffickers, organised criminals, gang remnants, corrupt politicians and a few members of the business class, are seeking to mobilise the population for their own political and economic benefit. Former members of the old and widely discredited Haitian Armed Forces (FAD'H) have increased their pressure for reconstituting the army and continue to demand, with little justification, a dozen years of salary arrears.²

While the Haitian National Police (HNP) and the UN mission (MINUSTAH) were successful at controlling the armed gangs in the large cities in the first half of 2007, police and justice sector reforms are now stuck in administrative bottlenecks. Lagging police reform and failure to stem kidnappings and violent crimes

contribute to growing popular disapproval of the government's and MINUSTAH's performance. The HNP and MINUSTAH military elements initially stood back during the April food riots in major cities, in part because they were insufficiently trained in non-lethal crowd control. Ultimately, they were able to block attempts to take over state offices, protect officials and disperse the crowds.

The HNP needs to be vetted to purge corrupt elements and improve its human rights record. Yet, questions have been raised as to the speed and depth of the vetting process and the force's willingness to fully investigate possible human rights abuses. Meanwhile, recruitment is insufficient to reach the goal of 14,000 by 2011 as specified in the 2006 Haitian National Police reform plan.³ Officers need further training in specific skills, such as anti-kidnapping, riot control, counter-drug, border control, forensics and intelligence gathering and analysis. HNP leaders need to remove administrative bottlenecks and allocate and supervise adequate budgets for police units in the departments to accomplish their increasingly complex duties. Community policing and violence reduction programs are important and must be improved. The same goes for the work of the National Commission on Demobilisation, Disarmament and Reintegration (CNDDR).

Strengthening the justice sector remains a challenge despite passage in November 2007 of three laws establishing the Superior Judicial Council (CSPJ), defining the status of magistrates and setting up the Magistrates School (EMA). The creation of special chambers for serious crimes, such as drug trafficking, kidnapping and major human rights abuse, is still pending and should be moved forward; the vetting of judges and the elimination of political influence on the judiciary are also crucial to consolidate government institutions and the separation of powers. Alternative sentencing for minor offenders ought to be considered seriously so as to address overcrowding in prisons, where inhumane conditions have been wors-

¹After Alexis's fall, parliament rejected two successors, Ericq Pierre and Robert Manuel, confirming Michèle Pierre-Louis only in August; both houses have approved her government program. The battle over cabinet posts is ongoing.

²Jonathan Dworken, Jonathan Moore and Adam Siegel, "Haiti Demobilization and Reintegration Program", Institute for Public Research, March 1997. 88 per cent received severance pay, subsidised job training and education support when the army was demobilised in 1994; others were included in the HNP; all were amnestied in agreements resulting in President Aristide's return.

³Crisis Group Latin America/Caribbean Briefing N°12, *Haiti: Security and the Reintegration of the State*, 30 October 2006, p. 8.

ened by lack of political will and red tape which hampers purchase of land, buildings and the refurbishment of old facilities.

SSR has a regional dimension: the country needs to reach out to its Caribbean neighbours, especially the Dominican Republic (D.R.), and seek bilateral agreements on crosscutting issues such as border control, drug trafficking, transnational organised crime and migration.

The devastation left by the procession of tropical storms and hurricanes – Fay, Gustav, Hanna and Ike – in August and September 2008 has compounded an already difficult situation for the new government and further demonstrated the fragility of Haiti's physical and social infrastructure. The rains and flooding have drowned crops and livestock, weakening agriculture in a year when food shortages play centre stage in politics. Police stations, courts and jails, especially in Gonaïves, were also damaged. The reopening of schools has been pushed back for several weeks on account of damages and their use as shelters. All ten departments of the country were touched by the extreme weather conditions that washed away roads and bridges, virtually isolating some areas and leaving more than 300 people dead and an estimated 800,000 in dire need.

II. SECURITY IN HAITI TODAY

The most notorious current security spoilers fall into the often overlapping categories of drug traffickers, gang remnants and corrupt politicians, as well as a small segment of the oligopolistic entrepreneurs and business owners whose affairs continue to thrive under insecurity and a weak government.⁴ There are also factions of the Fanmi Lavalas political party actively interested in increasing political instability in the hope of paving the way for former President Jean-Bertrand Aristide to return from South African exile.⁵ In the context of acute deprivation, spoilers are able to buy the loyalty of social and political leaders who can readily mobilise the population to protest.⁶

The April 2008 riots, reported by the international media as “hunger protests”, were stimulated by sudden price increases, chronic malnutrition and the fear of widespread famine, but also by protracted political crisis. Though minor demonstrations against high living costs had already taken place across the country earlier in the year,⁷ the government and MINUSTAH did not react in time to prevent the April riots and the fall of Prime Minister Alexis. The demonstrations that began in Les Cayes on 3 April were quickly exploited by local drug traffickers seeking the release of six of their men detained in the local police station.⁸ The ini-

⁴ Crisis Group interviews, international analyst, Latin American ambassador, UN senior officials, Pétionville, 27 May, Port-au-Prince, 3 June, New York, 7-8 July 2008.

⁵ Crisis Group interview, European diplomat, Pétionville, 27 May 2008. Fanmi Lavalas is believed divided into at least four main factions, of which some are engaged in organising popular support for Aristide's return. Others appear to be more engaged in self-promotion within the organisation. Crisis Group interview, political observer, Port-au-Prince, 28 January 2008.

⁶ During the April demonstrations, residents of St Martin, a troubled Port-au-Prince district, said they were offered incentives to create disturbances. Crisis Group interviews, St Martin residents, Port-au-Prince, 23 May 2008, senior MINUSTAH official, Delmas, 27 May 2008.

⁷ These protests were usually small (some 150 persons at any time) and peaceful and did not get international media attention. Crisis Group interviews, European embassy official, OAS official and diplomat, Port-au-Prince, 28 May, 2 June 2008.

⁸ Les Cayes, a small southern coastal town four hours from Port-au-Prince, is on a drug-trafficking route to the U.S. and Canada. It is the largest town near Ile-à-Vache Island, which is a well-known location often used by Jamaican traffickers. Guy Philippe, the ex-rebel leader of the Haitian Development and Progress Front (Front pour l'avancement et le progrès haïtien, FRAPH) wanted in the U.S. for drug trafficking and the target of at least two failed attempts by its Drug Enforcement Administration (DEA) and Haitian agents to capture him in July 2007 and March 2008, owns a home in Les Cayes. He

tial lack of police and MINUSTAH-trained personnel to face down the angry mob led to strong use of force subsequently by MINUSTAH, which in turn caused the protests to gain momentum and target the UN base.⁹ Buoyed by national and international attention, they spread to Port-au-Prince and beyond, where other spoilers used them for their own purposes.

In particular, there are mounting indications that the protests in Port-au-Prince, which began on 7 April, were politically motivated and well organised by local spoilers, who sought to bring down Prime Minister Alexis.¹⁰ Reportedly, many people were paid to join, while organised thugs, many of them youngsters, led the destruction and targeted looting of stores.¹¹ At first, no police or MINUSTAH troops were in the streets to prevent protests from becoming riots, except those protecting key government buildings such as the prime minister's offices.¹² By the time the Alexis government lost a vote of no confidence in the Senate and fell on 12 April, six persons had been killed in the streets of Port-au-Prince, Les Cayes and other major cities.¹³

Strikingly, there were few incidents in the Cité Soleil district of the capital and in Gonaïves, both infamous for violent social outbursts. Substantial international intervention over the past several years in Cité Soleil and internationally-funded community projects in the hilltops surrounding Gonaïves were central in keeping them calm, as the inhabitants were reluctant to put recently gained improvements and future programs at

risk.¹⁴ Despite the presence of agitators in Gonaïves, there were few incidents, as the HNP effectively deployed its scarce resources, with MINUSTAH help, to prevent the spread of violence.¹⁵

Though survey evidence is not available, it is believed that President Préval's popularity suffered as a consequence of his government's late reaction to the riots and has continued to decline due to the failure to reduce living costs and continuing security problems.¹⁶ The situation is calm for now but could easily erupt again.¹⁷ Even before the disastrous hurricane season, which is expected to continue until November, the government was unable to maintain fuel subsidies or cut inflation, unemployment and crime.¹⁸

Kidnapping continues to be a serious problem. Since 2004, it has been transformed from a quickly executed, crude source of finance for gangs into a more sophisticated operation involving improved communications and skilful deception of authorities. Though it is generally centred on Port-au-Prince, mid-sized cities such as Cap-Haïtien and Gonaïves are also affected.¹⁹ Likewise, the targets have broadened, with schoolchildren in particular and foreigners increasingly favoured.²⁰ Though the anti-kidnapping unit (CCE) of the judiciary police (DCPJ) has been praised for greater professionalism, it continues to struggle with limited modern equipment and a modest staff of eighteen, who are responsible not only for freeing victims but also for following up on cases and gathering information against the relatively professional gangs responsible.²¹ Sup-

recently announced his intention to stand election to the Senate. On 6 April, Senator Gabriel Fortuné's house and his wife's business were attacked after he denounced possible manipulation of the Les Cayes riots by drug traffickers and Fanmi Lavalas. Rébecca S. Cadeau and Jean Marc Artus, "Et d'autres villes s'enflamment...", *Le Nouvelliste*, 7 April 2008.

⁹ Crisis Group interviews, senior international sources, Port-au-Prince, April-May 2008.

¹⁰ There were several indications of possible manipulation: rioters chose Port-au-Prince targets (eg, mobile phone provider Voilà, but not Digicel); in Les Cayes, drug traffickers were involved. For days there were no police, easing entrance of drugs; Cap-Haïtien residents were driven to Port-au-Prince to riot. Some suspect Lavalas supporters took advantage to reiterate unhappiness with the Préval government and call for Aristide's return. Crisis Group interview, European diplomat, Pétienville, 27 May 2008.

¹¹ Crisis Group interview, international analyst on parliamentary affairs, European ambassador, Latin American ambassador, Pétienville, Port-au-Prince, 31 May, 2-3 June 2008.

¹² Crisis Group interview, Haitian analyst, Delmas, 28 May 2008.

¹³ The worst rioting was on 8 April. That evening the HNP admitted it faced severe problems and lacked sufficient fuel. Though the riots subsided on 9 April, it took several days for life to return to normal in Port-au-Prince.

¹⁴ Crisis Group interviews, field trip to community projects in the hills surrounding Gonaïves, 29 May, and international analyst on parliamentary affairs, Pétienville, 31 May 2008. See Section III.E.1. below

¹⁵ Reportedly, the only incident involved a prisoner who escaped and threw a rock at the police commander but was re-arrested. Crisis Group interview, public prosecutor's office, Gonaïves, 29 May 2008.

¹⁶ Crisis Group interview, European diplomat, Pétienville, 27 May 2008.

¹⁷ Crisis Group interview, public prosecutor's office, Gonaïves, 29 May 2008.

¹⁸ Crisis Group interviews, European diplomat and Haitian analyst, Pétienville, 27 May 2008, Delmas, 28 May.

¹⁹ In March 2008, 28 of 33 reported kidnappings were in Port-au-Prince. Outside the capital, police are more readily able to monitor movements of non-locals and discredit false kidnappings. Crisis Group interviews, senior UNPOL official, European diplomat, European ambassador, Port-de-Paix, 19 September 2007, Port-au-Prince, 27 May, 2 June 2008.

²⁰ See Crisis Group Briefing, *Haiti: Security and the Reintegration of the State*, op. cit.

²¹ The anti-kidnapping unit (Cellule contre enlèvement, CCE) has received UNPOL support and two weeks' training from the Mexican Federal Investigations Agency (Agencia Fed-

port is provided by UN police (UNPOL), who often have no experience in this field.²²

The renewed rise in kidnappings since September 2007 has been behind the call of broad sectors of Haitian society for improved security.²³ According to MINUSTAH, the number of abducted individuals fell between 2006 and 2007 from 722 to 293. The 2007 monthly average of 24 victims, however, rose above 30 again during the six months January-June 2008.²⁴ The vicious killings of several victims²⁵ prompted civil society associations to join together in the National Fight against Kidnapping (Lutte nationale contre le kidnapping, LUNAK) and organise protest marches in Port-au-Prince and Cap-Haïtien in the first half of June, demanding increased security and police action.²⁶ In response, HNP and UNPOL carried out intensive operations and road-checks that helped to bring the figures down to 24 that month and nine in July.

All these figures are subject to some debate, however. Some kidnappings may be falsely reported by family members trying to extort money from relatives in Haiti

eral de Investigaciones, AFI), which also trained seventeen HNP anti-kidnapping cell officers, regional judiciary police and HNP police academy trainers. Crisis Group interview, Latin American ambassador, Port-au-Prince, 3 June 2008.

²² Crisis Group interview, senior UNPOL official, Port-au-Prince, 15 August 2008.

²³ The Conseil supérieur de la police nationale (CSPN) was summoned by parliament to answer questions in March and May 2008. It is a consultative body, which sets HNP policies and national strategies. The prime minister, justice minister, interior minister, HNP director-general and HNP inspector general are all members.

²⁴ See Appendix C for recent kidnapping statistics. The number of cases and victims tend to increase in July, August and September and again in November, December and January. This may be partly explained by the return to school in September, with the accompanying advance cost of school fees, uniforms and books, and the Christmas holidays. Kidnapping figures in this report are official MINUSTAH ones, which differ from the HNP's. MINUSTAH is more ready to label a disappearance a kidnapping. Crisis Group interview, senior UNPOL figure, Port-au-Prince, 23 April 2008. Also see "Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean", World Bank and United Nations Office on Drugs and Crime (UNODC), report no. 37820, March 2007, p. 22.

²⁵ Most kidnapping victims are released on payment of between \$5,000 and \$20,000 although initial demands are much higher. Crisis Group interview, senior UNPOL official, Port-au-Prince, 15 August 2008.

²⁶ On 4 June 2008, a march, estimated between 10,000 and 50,000 persons, demanded stronger measures against kidnapping.

or, more often, abroad.²⁷ Other cases go unreported, and families pay ransom without involving the HNP. Even if kidnappings are reported, families and victims are reluctant to share information with the HNP, given the history of police implication in such crimes.²⁸ There are also marked differences between crime rates in Port-au-Prince and the rest of the country. World Bank statistics show the capital's murder and other crime rates among the highest in the Caribbean,²⁹ while other studies present a somewhat contrasting picture of a country with a lower homicide rate than many Latin American and Caribbean countries and the U.S.³⁰

Violence in Cité Soleil was endemic during the gang-rule period, 2004-2006,³¹ but during the two months of concerted MINUSTAH-HNP efforts in early 2007, most gang leaders were either arrested or killed and members scattered. Those that remained in Port-au-Prince were often denounced by locals. A recent survey in Cité Soleil found that inhabitants were more concerned about access to food and basic public services, vocational training and jobs than about violence and crime.³² Nevertheless, gangs will continue to find fertile ground in economically and socially deprived areas where the state presence is virtually non-existent.³³

While MINUSTAH sources believe the Brazilian battalion in Cité Soleil is doing a good job of engaging the community in humanitarian work and establishing efficient intelligence networks in the neighbourhoods it patrols,³⁴ there are worrying signs smaller, community-based gangs mainly composed of former gang members and youths are re-emerging in the slums. They have no clear political agenda but seek to retake terri-

²⁷ Crisis Group interview, senior UNPOL official, Port-de-Paix, 19 September 2007.

²⁸ A public campaign is encouraging reporting to the HNP. "Joseph Eucher Luc sollicite la collaboration de la population", *Le Nouvelliste*, 13 March 2008.

²⁹ "Crime, Violence, and Development", op. cit.

³⁰ In 2007, Haiti recorded 5.6 murders per 100,000 inhabitants; the U.S. 2006 figure was 5.7. "Haiti's violent image is an outdated myth, insist UN peacekeepers", *The Observer*, 11 May 2008; Carlo Dale, "Haiti: Economic Growth and Violence", *Focalpoint*, January-February 2007.

³¹ A Doctors without Borders (MSF) study in Cité Soleil in July 2007 found a murder rate of 400 per 100,000 inhabitants.

³² Crisis Group interview, civil society meeting, Cité Soleil, 31 May 2008.

³³ Violence is no longer concentrated solely in the Port-au-Prince slums of Cité Soleil, Martissant and Bel Air. The April 2008 demonstrations showed the extent to which the capital is now surrounded by slums in which inhabitants can be easily mobilised.

³⁴ Crisis Group interview, senior MINUSTAH military officer, Pétionville, 27 May 2008.

torial control and extort small businesses.³⁵ NGO project workers are subjected to harassment, while inhabitants report that shots are occasionally heard during the day.³⁶ A part of the principal MINUSTAH military base in Cité Soleil has been converted into a temporary police station, where a too-small force of 31 works in three shifts, while three permanent U.S.-funded stations await completion.³⁷ Other gangs, with links to organised crime and no territorial base, are mainly economic, function with possible participation of ex-police and military (FAd'H) as well as Haitian deportees with criminal records, have never been broken and continue to operate with impunity.³⁸

In other slum areas in Port-au-Prince, such as Martissant and Bel Air, HNP-MINUSTAH have never carried out joint military operations with the same intensity as against gangs in Cité Soleil. Consequently, gang violence has not been curbed to the same degree.³⁹ In Raboteau and Jubilée, two slum areas in Gonaïves, joint action resulted in the arrest of the well-known boss gang leader "Ti Will" and the dismantling of his criminal group in May 2007.⁴⁰ Since then residents have witnessed marked security improvements.⁴¹ Joint HNP-MINUSTAH patrolling and quick impact pro-

jects that give temporary jobs to slum inhabitants are helping to get a grip on crime.⁴²

Prime Minister Alexis had suggested that deportees, the majority from the U.S. and Canada, were involved in kidnappings and partly responsible for the perceived rise in insecurity.⁴³ Though there are only two known recent kidnappings involving deportees, suspicions are high, and deportee status is a social stigma.⁴⁴ Around 50 deportees arrive from the U.S. every fortnight.⁴⁵ They have few, if any relatives or friends in Haiti and often do not speak Creole. There is no government help, only an International Organization for Migration (IOM) project which provides food and board for a week and support networks set up by deportee associations.⁴⁶ Legislation to delay deportations was already introduced in the U.S. Congress more than a year ago, because it was thought the Préval government could not be expected to handle post-conflict reconstruction and reincorporate large numbers of indigent deportees who were potential recruits for gangs. It did not pass then but has been revived in the aftermath of the hurricane devastation.⁴⁷

The disarmament programs to collect the estimated several tens of thousands of weapons still circulating or hidden in the country have failed to yield results.⁴⁸ With an enduring lack of trust in the national police, citizens feel the need to be armed to protect themselves

³⁵ Crisis Group interviews, OAS official, Pétienville, 28 May 2008, NGO worker in slum, Port-au-Prince, 14 February 2008.

³⁶ Crisis Group interview, UNDP official, Port-au-Prince, 16 April 2008.

³⁷ At least 150 police would be required to guarantee security in Cité Soleil. Crisis Group interview, HNP Director General Mario Andrésol, Port-au-Prince, 29 January 2008. The three stations, still to be completed, were designed as an immediate response to provide a sense of security after MINUSTAH/HNP drove the gangs out or underground in early 2007. See "Haiti Stabilization Initiative Briefing", UN Conference, Port-au-Prince, 28 January 2008, also Section III.E.1. below. Only half the promised small infrastructure and jobs projects proposed under that initiative were then underway.

³⁸ There are no official data on participation of deportees in crimes, but their involvement is known; this vulnerable group is also targeted by gang members. Crisis Group correspondence, Prof. Louis HERNS Marcellin, University of Miami, 28 August 2008. For background on illegal armed groups, see Crisis Group Briefing, *Security and the Reintegration of the State*, op. cit.

³⁹ Rival gangs remain in Martissant, and violence continues, making it difficult for humanitarian NGOs and the HNP to work.

⁴⁰ All but one of 30 identified gang members were arrested by UNPOL, MINUSTAH military or the HNP in the two months following Ti Will's arrest.

⁴¹ Crisis Group interviews, Jubilée and Raboteau residents, Gonaïves, 29 May 2008.

⁴² Crisis Group interviews, HNP commissioner, international NGO workers, deputy mayor, UNPOL, Gonaïves, 29-30 May 2008.

⁴³ Amy Bracken, "Influx of deportees stirs anger in Haiti", *Boston Globe*, 11 March 2007.

⁴⁴ Crisis Group interview, Centre oecuménique des droits de l'homme (CEDH) representative, Port-au-Prince, 12 June 2008.

⁴⁵ Around 50 deportees arrive on a U.S. army plane every fifteen days. They are met by police, government officials and IOM representatives, who escort them to the DCPJ. There they are divided into three groups: illegal immigrants, minor and violent criminals. The first two are released after details are taken. The third is kept in a DCPJ holding cell for fifteen days, while relatives are located. Crisis Group interview, CEDH representative, Port-au-Prince, 12 June 2008.

⁴⁶ The Fond Fara organisation supports small businesses and job creation initiatives.

⁴⁷ H.R. 522 to grant illegal immigrants temporary protected status (TPS) was introduced in January 2007 but has not made it out of the House Foreign Affairs Committee; the Bush administration has declined to use its executive authority to suspend deportation. Crisis Group interview, U.S. State Department official, Washington DC, 2 September 2008.

⁴⁸ The CNDDR program collected only 302 firearms during 2005-2007. In 2007, 147 were handed over to the Community Violence Reduction (CVR) program and 30 to the DDR program. The latter generally receives old, unusable weapons. Crisis Group interview, HNP commissioner and CNDDR representative, Hinche, 16 January 2008.

and their property.⁴⁹ Though more research is needed to determine the extent to which arms and ammunition are readily available, as well as their price and quality,⁵⁰ the current process for arms registration and control remains vulnerable to corruption.⁵¹ Arms are still believed to cross the border from the Dominican Republic (D.R.),⁵² while a wide array is known to be stored in Cité Soleil,⁵³ as well as outside Port-au-Prince. Nevertheless, many crimes among the poor, especially in rural areas, are still committed with knives and machetes. The April 2008 rioters in the capital were armed mainly with rocks or attacked private security guards to seize their weapons.⁵⁴

Drug traffickers helped fuel the April protests in Les Cayes, and their presence across the country threatens further violence and political unrest.⁵⁵ Trafficking retains a firm hold in Haiti,⁵⁶ despite the Préval government's efforts and international support following the March 2007 regional drugs summit.⁵⁷ Revitalisation of the Centre of Information and Joint Coordination (CICC)⁵⁸ was a positive result from the summit. It not only gathers, analyses and disseminates Haitian data, but also bridges a gap by liaising with other countries' counter-drug agencies.⁵⁹ However, Haiti

remains extremely vulnerable; one source suggested that President Préval would like a version of "Plan Colombia" in order to strengthen drug-fighting capacity.⁶⁰ Haitian authorities work in difficult conditions. There is a lack of radars and electronic surveillance devices, while there are only two ill-equipped counter-narcotics teams and a larger network of unofficial informers in each of the ten departments.⁶¹

U.S. Joint Interagency Task Force-South (JIATF-S) data showed drug smuggling flights up 38 per cent in 2007, despite Operation Rum Punch,⁶² which temporarily reduced trafficking flights in the March-May period.⁶³ International coordination has improved between the Haitian anti-drug unit (Bureau de lutte contre le trafic de stupéfiants, BLTS) and the U.S. Drug Enforcement Administration (DEA) as well as MINUSTAH. Thirty illegal runways have been identified and destroyed, while significant quantities of cocaine and cannabis have been seized.⁶⁴ Members of

⁴⁹ After a break-in, police advised a Port-au-Prince restaurant owner to obtain an illegal semi-automatic weapon. Crisis Group interview, restaurant owner, Port-au-Prince, 1 May 2008.

⁵⁰ See Robert Muggah, "Securing Haiti's Transition", Small Arms Survey, October 2005; and Crisis Group Briefing, *Security and the Reintegration of the State*, op. cit.

⁵¹ Crisis Group interview, HNP officer, Port-au-Prince police station, 12 February 2008.

⁵² Crisis Group interview, UNPOL officers, Mirebalais, 16 January 2008.

⁵³ Crisis Group interview, NGO worker in Cité Soleil, Port-au-Prince, 11 June 2008.

⁵⁴ One private security company (PSC) sends unarmed guards to Cité Soleil so their weapons do not make them a target. Crisis Group interview, PSC employee, Port-au-Prince, 17 April 2008.

⁵⁵ Crisis Group interview, senior Haitian counter-narcotics official, Port-au-Prince, 2 June 2008.

⁵⁶ For background see Crisis Group Latin America Reports N°25 and N°26, *Latin American Drugs I: Losing the Fight*, and *Latin American Drugs II: Improving Policy and Reducing Harm*, 14 March 2008.

⁵⁷ Parallel support is also being offered to improve capabilities to deal with other transnational crimes, such as money laundering.

⁵⁸ The CICC, set up as a national body under the interior ministry in 1990 to gather and manage drug trafficking information, was inactive until April 2007. It is led by Antoine Atouriste and has some twenty regional investigators, who collect information that is then analysed at the headquarters in Port-au-Prince.

⁵⁹ CICC Director Antoine Atouriste and Secretary of State Luc Eucher represented Haiti for the first time at the Carib-

bean Community (CARICOM) regional security meeting in Trinidad and Tobago in April 2008. CICC was also at the October 2007 UNODC regional meeting in Quito. Crisis Group interview, Antoine Atouriste, Port-au-Prince, 23 April 2008.

⁶⁰ Crisis Group interview, diplomat, Port-au-Prince, 2 June 2008. "Plan Colombia" was an initiative launched by Colombian President Andrés Pastrana (1998-2002) and continued by President Alvaro Uribe that combined enhanced security and counter-narcotics policies. Money allocated by the U.S. and Colombian governments (a \$10.65 billion five-year package, 65 per cent from Colombia) was used to build up the armed forces and police, launch all-out aerial spraying of coca fields and combat organised crime and FARC and ELN guerrillas. See Crisis Group Latin America Reports N°11, *War and Drugs in Colombia*, 27 January 2005; and N°1, *Colombia's Elusive Quest for Peace*, 26 March 2002.

⁶¹ Crisis Group interview, senior Haitian counter-narcotics official, Port-au-Prince, 2 June 2008.

⁶² Operation Rum Punch deployed U.S. air and maritime assets south of Hispaniola Island to disrupt the movement of drugs from Colombia and Venezuela to the U.S. The U.S. worked bilaterally with the DR and Haiti, carrying out joint DEA-HNP operations.

⁶³ "International Narcotics Control Strategy Report 2008", U.S. State Department, March 2008, at www.state.gov.

⁶⁴ www.usip.org/pubs/usipeace_briefings/2007/0621_haiti_drugs.html. The regions with the most trafficking activity are Madras, Caracole and Limonade in the north and between Les Cayes and Jacmel in the south (the biggest traffickers operate in Les Cayes). In Port-de-Paix, drugs from the south are shipped to the Bahamas in transit to the U.S. The last cocaine seizure by Haitian authorities was a 33-kg shipment (valued at \$340,000); since November 2007, only ten illegal flights have been detected (more than 60 per cent in the south and Les Cayes) by local authorities; 30 illegal airstrips have been discovered. Crisis Group interview, senior Haitian counter-narcotics official, Port-au-Prince, 2 June 2008. Gonaïves in the north is mainly being used by cannabis traf-

the 30-strong BLTS unit, which is stationed in Port-au-Prince but works across the country, have received training and assistance from both the U.S. and the French governments.⁶⁵

There is mistrust, however, among donors, who feel Washington is reluctant to engage in broader multilateral actions. Haitian authorities have said DEA operations against alleged drug kingpins have not been widely discussed with them. After the first, on 16-17 July 2007, however, Préval publicly supported the operations and said Haiti and the U.S. had both participated and would continue to work jointly against trafficking. The head of the judiciary police, Frantz Thermilus, said Haitian BLTS agents also took part in the second operation, against Guy Philippe, an alleged drug-trafficker, on 25 March 2008.⁶⁶

There is no permanent air support,⁶⁷ and the sea support given by the U.S. to the weak Haitian coast guard since 2004 appears directed more at illegal immigrants than the go-fast boats of the drug traffickers.⁶⁸ JIATF-S, which coordinates all interdiction efforts in the Americas from Key West, Florida, has participation from a dozen countries with interdiction assets in the region, including France, the UK and the Netherlands. But U.S. naval and air assets available for counter-drug interdiction have been sharply reduced in recent years as a result of needs in Iraq.⁶⁹ Closer coordination between Haiti and the D.R., which share a 391-km land border, is needed to curb the flow of cocaine through the island, as well as human trafficking from Haiti to the D.R., the Turks and Caicos Islands and the Bahamas.⁷⁰

fickers. No drug seizure operations have been conducted, but there is information that aircraft transporting drugs have landed on the route to Cap-Haïtien. Crisis Group interview, UNPOL regional commander, Gonaïves, 30 May 2008.

⁶⁵ Once regional DCPJ offices are set up BLTS will also have agents in the regions. Crisis Group correspondence, senior UNPOL official, 28 August 2008.

⁶⁶ A French embassy request to meet with DEA's Haiti head has been repeatedly postponed. Crisis Group interview, French diplomat, Port-au-Prince, 28 May 2008. Reportedly DEA has not shared information on the investigation leading to its failed operations against Guy Philippe. Crisis Group interview, senior Haitian counter-narcotics official, Port-au-Prince, 2 June 2008.

⁶⁷ Air support was received only during Operation Rum Punch, when two U.S. helicopters were sent to Hispaniola.

⁶⁸ Crisis Group interviews, foreign military liaison officer, 9 January, Latin American diplomat, 28 May 2008.

⁶⁹ Crisis Group interview, JIATF South officials, Key West, 24 June 2008.

⁷⁰ For background, see Crisis Group Report, *Latin American Drugs I*, op. cit., pp. 26-27.

III. POLICE REFORM

There have been some achievements since the HNP reform plan of August 2006 set the goal – modest by international standards – of a fully-equipped 14,000-strong police force by 2011.⁷¹ Recruits are graduating with new uniforms and equipment and are more visible on Port-au-Prince streets, conducting more patrols and stop-and-search roadblocks – though these often depend on the motivation of the regional police chiefs. Salaries have increased some 35 per cent, and further training opportunities appear to have helped establish a sense of pride among recent police academy graduates. There is a perception this may help reduce internal corruption and attract recruits with good school records.⁷²

The public's view of the police has also improved, as indicated by a recent MINUSTAH national survey.⁷³ Though fear of police criminal complicity and the lack of an effective witness protection program remain problems,⁷⁴ the population is showing a greater willingness to share information.⁷⁵ According to an early 2008 survey, Cité Soleil residents were overwhelmingly convinced that the partial rebuilding of the police substation in the slum in late 2007 and the presence of more police would facilitate local peace.⁷⁶ However,

⁷¹ According to a diplomat, Haiti should have about 18,000 police, by the international standard of two for every 1,000 inhabitants, but 14,000 is believed to be the most the poor country can hope to field in the five-year period. Such a force, while far more adequate than at present, would still be pressed to meet the challenges of organised crime and drug trafficking. Crisis Group interview, Canadian embassy official, Pétionville, 28 May 2008.

⁷² The starting HNP monthly salary is 15,400 gourdes (some \$400). Crisis Group correspondence, senior UNPOL officer, Port-au-Prince, 11 June 2008. The daily minimum wage is 70 gourdes (\$2.02), though a campaign is underway to raise it to 180 gourdes. Daniel Simidor, "La Loi Hope et la nécessité d'un salaire minimum viable en Haïti", *Alter-Presse*, 14 August 2007.

⁷³ Crisis Group interviews, senior MINUSTAH official, Delmas, 27 May 2008, diplomat, Port-au-Prince, 2 June 2008. MINUSTAH survey, June 2008, interviews conducted between 13 April and 12 May 2008.

⁷⁴ Crisis Group interviews, senior UNPOL official, 10 January 2008, Yvette Etienne, director, Oxfam-GB, Port-au-Prince, 10 January 2008.

⁷⁵ Locals provided information leading to the arrest of the infamous gang leaders Evens and Belony. On 25 January 2008, Cité Soleil residents raised the alarm when kidnappers tried to hide well-known musician Claude Marcelin. Crisis Group Latin America/Caribbean Report N°21, *Consolidating Stability in Haiti*, 18 July 2007.

⁷⁶ "Survey on the Impact of International Aid on the life of residents of Cité Soleil", Institut interuniversitaire de recher-

in mid-August 2008, there were still only 9,125 officers in service, including some 1,000 not involved in actual policing.⁷⁷

The HNP continues to face serious internal problems, including accusations of brutality⁷⁸ and complicity in crimes, particularly related to drug trafficking and kidnapping.⁷⁹ Files sent to the courts are ill-prepared, while stations in the departmental capitals and rural areas are often understaffed and lack equipment.⁸⁰ Repair of stations is underway but maintenance is precarious.⁸¹ Small rural substations, charged with covering large areas with few roads and practically no

transport or fuel budget, often rely on UNPOL to execute mandates and patrol.⁸²

In all areas outside of Port-au-Prince, there is an additional problem of staff absence. Either the officers do not turn up at all because they do not want a rural posting, or they spend minimal time at the station and the rest in the capital.⁸³ There is no functioning administrative system to track or punish absences, but centralisation of recruitment and training are partly to blame, as more than 80 per cent of the recruits at the police school are from Port-au-Prince.⁸⁴ A school elsewhere in the country is in the reform plan but has been sidelined for the moment.

UNPOL has 2,091 officers seconded by some 40 countries, and there is a growing demand on it to train and accompany HNP. However, any increase in UNPOL numbers could trigger pressure for a reduction in the number of MINUSTAH military personnel, which would be unpopular among Latin American contributing countries, who doubt more international police would be able to guarantee security.⁸⁵ Senior UN Department for Peace Keeping Operations (DPKO) officials with Haitian experience would like more UNPOL but are not ready to support troop reductions.

While U.S.-Haitian and Canadian-Haitian officers with Creole language skills are helpful in working with the population,⁸⁶ language is a problem with most foreign police. A diplomat told Crisis Group that DPKO should recruit more police from Latin American countries, who tend to be well trained and suited to deal with Haitian requirements, though few have the desired language skills.⁸⁷ A senior UNPOL official agreed that with the problems Haiti now faces, such as kidnapping, UNPOL's emphasis should be more on professional than language skills.⁸⁸ The HNP says it prefers to receive administrative training from French and

che et de développement (INURED), Cité Soleil, 31 May 2008. It was conducted in 1,800 households at the beginning of 2008. Crisis Group interviews, Louis Herns Marcellin, professor, University of Miami, Port-au-Prince, 31 May 2008, Marie Danielle Dorvilier, general coordinator, Ligue des femmes de Cité Soleil, Port-au-Prince, 19 March 2008.

⁷⁷ Crisis Group interview, senior UNPOL officer, Port-au-Prince, 25 August 2008. 743 on police rolls were prison guards.

⁷⁸ On 8 February 2008, a journalist in Port-au-Prince was hit by an HNP officer, who was dismissed after an investigation by the inspector general. "SOS Journalistes félicite la Police", *Le Nouvelliste*, 3 March 2008. On 29 February in Ouanaminthe the two police were implicated in beating a moto-taximan. "La frontière nord transformée en théâtre de violence et de violations de droits humains", Service Jésuite des Réfugiés, www.jrs.net/reports/index.php?lang=fr&sid=3167.

⁷⁹ See Crisis Group Report, *Latin American Drugs I*, op. cit. On 15 March, Petionville HNP officer Personna Christmas was arrested after a kidnapper, Brunel Joseph, confessed that Christmas was an accomplice. Despite being placed under guard, he escaped. "Une bouchée difficile à avaler pour le commissaire Boucher", *AlerteHaiti*, 17 March 2008.

⁸⁰ Only twenty of 31 HNP are available to patrol Gonaïves city. In the Artibonite department, 324 of 347 HNP are at their posts. To perform its duties properly, the HNP would need 200 in Gonaïves and 1,000 in Artibonite. Crisis Group interview, HNP regional commander, Gonaïves, 30 May 2008. In January, in Belladère the commissariat had no telephone; officers were unsure whether they had the right to use the single rifle. Crisis Group interview, HNP officer, Belladère, 14 January 2008. Often HNP officers sleep on mattresses on the floor without basic sanitation facilities. Crisis Group interview, engineer, Port-au-Prince, 13 February 2008. In Gonaïves, in May 2008 an almost new HNP patrol car was being used to supply spare parts for other vehicles. Crisis Group interview, UNPOL regional commander, and Crisis Group visit to Gonaïves, 30 May 2008.

⁸¹ Refurbishment of police stations is underway in some departments. Through the Stabilisation and Reconstruction Task Force (START), Canada focuses on the south, Spain on the south east; MINUSTAH is using quick impact projects (QIPs) for urgent work. But donated material is not being adequately maintained.

⁸² In Gonaïves the monthly fuel budget is 12,000 gourdes (\$315) with no further money for vehicle maintenance. Crisis Group interview, Gonaïves police commissioner, Gonaïves, 30 May 2008.

⁸³ Crisis Group interviews, UNPOL officers, HNP regional commander, Mirebalais and Gonaïves, 16 January 2008, 30 May 2008.

⁸⁴ Crisis Group interview, HNP school and academy director, Port-au-Prince, 16 April 2008.

⁸⁵ UNPOL figures as at 15 July 2008. Crisis Group interviews, senior UNPOL official, senior MINUSTAH military commander, Port-au-Prince, 16 July, 23 August 2008.

⁸⁶ Crisis Group interview, diplomat, Port-au-Prince, 2 June 2008.

⁸⁷ Crisis Group interview, Latin American ambassador, Port-au-Prince, 28 May 2008.

⁸⁸ Crisis Group interview, senior UNPOL official, Port-au-Prince, 15 August 2008.

Canadian counterparts,⁸⁹ but even francophone UNPOL officers feel at a disadvantage in Haiti, where the working language is predominantly Creole, and a senior HNP official said Latin American police were useful only if they could communicate in French.⁹⁰

A. VETTING AND TRAINING

A two-track vetting program has been underway since 2007 to remove corrupt and criminal HNP elements. The first procedure is done by UNPOL officers working in tandem with vetted HNP officers.⁹¹ The second is the internal one by the inspectorate general, which investigates complaints from the public, many related to sexual abuse and family incidents.⁹² Since Fritz Jean's reappointment as inspector general in 2006, two senior officers – the administrative police chief and the head of logistics – have been removed, along with 930 other officers.⁹³ A confidential phone line was set up not only to report crime, but also for police and citizens to file discreet complaints.

The UNPOL-led vetting has been slow, reaching only seven of Haiti's ten departments since January 2007;⁹⁴

files have been opened on approximately 4,150 of 11,000 HNP employees, including serving officers, the Prisons Administration Directorate (DAP) personnel and auxiliary staff. By the end of August 2008, roughly 20 per cent of all cases, some 2,350 files, were in the final stages and waiting to be examined by an independent evaluation commission. Some 360 HNP members are thus far suspected of wrongdoing. Once the commission has made a recommendation, a file will be submitted to the CSPN for decision. But the commission has yet to be established, and the suspect officers remain in the force.⁹⁵ The slowness of the process is related also to the tardiness of institutions, such as the Financial Intelligence Unit (Unité Centrale de Renseignements Financiers, UCREF), in providing background financial information.⁹⁶ Neighbourhood checks are unreliable, with residents often reluctant to give information, and there have also been frequent changeovers among UNPOL staff.⁹⁷

Despite the confidence shown by Inspector General Jean that vetting is being conducted properly, there is scepticism whether it will go deep enough to cleanse the force.⁹⁸ Conversely, there is concern that the already thinly-stretched HNP and DAP could end up unable to fulfil their tasks should many officers be dismissed. That concern is compounded by a pattern of HNP officers vanishing from their posts just before

⁸⁹ Crisis Group interview, senior HNP inspectorate general official, Port-au-Prince, 30 May 2008.

⁹⁰ Crisis Group interview, francophone UNPOL officers, Mirebalais, 16 January 2008. Translators are available to UNPOL, but they are often used as administrative assistants in stations.

⁹¹ 60 UNPOL and seventeen vetted HNP officers work on files by department. Initially, there were ten HNP, but after training, the numbers increased. Some twenty background checks are made by a field team and the results processed by a central Port-au-Prince-based team. Crisis Group interviews, Scott Potter, UNPOL vetting unit, Port-au-Prince, 19 January 2008; senior HNP inspectorate general official, Port-au-Prince, 30 May 2008; senior UNPOL officer, Port-au-Prince, 25 August 2008.

⁹² In addition, the so-called "Leahy" review process, required under U.S. law, seeks to insure that individuals and units responsible for human rights abuses do not receive U.S.-funded military or police training, weapons or equipment. Information generated in the process between the U.S. authorities and their Haitian and UN counterparts is then again shared with HNP and UNPOL.

⁹³ Most have been removed by administrative process without contest. Some of the 930 are believed to have existed only on payrolls; others left fearing results of the vetting process. Crisis Group interview, senior UNPOL official, 15 July 2008.

⁹⁴ The three departments remaining are Artibonite, North-West and West. It is believed West Department will be the most difficult, with the most corruption. Crisis Group interview, senior HNP inspectorate general official, Port-au-Prince, 30 May 2008. Some 25 senior officers (called the "silver

group" for their insignia), including Director General Andrésol, were to have been vetted first, but their cases are also not yet fully closed.

⁹⁵ The three-person independent evaluation commission is to recommend actions against officers either found to be corrupt or under strong suspicion of involvement in corruption or other wrongdoing. Those against whom evidence was sufficient likely be dismissed and formally charged; those only strongly suspected would likely be dismissed; those believed to be involved in minor corruption could expect a warning and the option of leaving the force or attending retraining. At least one senior UNPOL officer should act as monitor. Crisis Group interview, senior UNPOL officer, Port-au-Prince, 25 August 2008.

⁹⁶ Crisis Group interview, UNPOL vetting unit officer, Port-au-Prince, 19 January 2008.

⁹⁷ An official procedure document has been compiled to help train new UNPOL vetting officers. Crisis Group interview, UNPOL vetting unit officer, Port-au-Prince, 19 January 2008.

⁹⁸ HNP Director General Mario Andrésol initially said he believed about 25 per cent of officers were corrupt. The view within UNPOL and the inspectorate general now is 10 per cent. Crisis Group interviews, senior UNPOL official, Port-au-Prince, 15 July 2008, diplomat, Port-au-Prince, 2 June 2008. Concerns centre on whether human rights abuses have been investigated thoroughly and how closely vetters have researched past cases. Crisis Group interview, human rights official, Port-au-Prince, 22 July 2008.

the arrival of vetting teams. As the HNP's human resources system is inefficient, it is not possible to know whether they have been transferred or have in effect abandoned the force.⁹⁹

Though HNP sources are confident the 14,000 goal will be reached in 2011,¹⁰⁰ the current recruitment rate makes this difficult.¹⁰¹ Training is seven and a half months,¹⁰² and until July 2008, when it was increased to 1,300, the school (L'École nationale de police, ENP) had a capacity of 800 cadets.¹⁰³ Only 1,200 graduated between July 2006 and April 2008.¹⁰⁴ The most recent class, which entered on 20 July 2008, was delayed by recruitment problems. Between November 2007 and April 2008, 227 DAP prison guards but no others were in regular training.¹⁰⁵ The recent increase in the school's capacity improves chances to meet the 2011 goal, but full use will need to be made of it by expediting the entry of classes.¹⁰⁶ Another issue is the availability of equipment for graduates: deployment of the most recent class was delayed six weeks until equipment arrived.¹⁰⁷

The basic officer training follows an HNP-UNPOL curriculum taught by Haitian instructors with UNPOL support. Finding competent HNP instructors to match the larger capacity is complicated by the fact that the qualified senior officer pool is diminishing.¹⁰⁸ Secretary of State Luc Eucher has pointed out the difficulty already in identifying candidates for three commis-

sioner and twenty inspector posts, the latter of which each lead 100 officers.¹⁰⁹

Plans are underway for an advanced training academy (Académie nationale de police, ANP) for mid-ranking officers. While Canada will give \$20 million, and a site has been identified, administrative bottlenecks are delaying the process. It was hoped a temporary facility would be refurbished so UNPOL could teach a curriculum developed by the school's director, but the need to finance the existing police academy has distracted donor attention.¹¹⁰ Donors are also working on advanced training through exchange programs. Chilean police specialists in forensics and investigation techniques expect to have completed training 50 HNP officers in 2008.¹¹¹ The New York Police Department will train 25 further recruits from the Central Directorate of Judicial Police (DCPJ) in anti-kidnapping. In addition to training the anti-kidnapping unit, Mexican experts gave a two-week session on forensic medicine in January. Mexico is also evaluating whether to join the current French-led effort in forensic training.¹¹²

Intelligence, especially information gathering and analysis, needs improvement, not least to prevent violence aroused by *agents provocateurs*. The April riots exposed poor Haitian and MINUSTAH capacity in cities like Les Cayes and Port-au-Prince to read both growing popular discontent over living costs and the manipulation (criminal and political) that led to looting, shop destruction and deaths. Conversely, the HNP in Gonaïves, with MINUSTAH support, used the early warning signs transmitted by the population effectively in connection with the protests. Further complications arise as to which part of the HNP should conduct an investigation. Two structures collect and compile data: the CICC, for strategic analysis, in particular on drug trafficking, but not for criminal investigations; and the Judicial Information Office (BRJ), within the DCPJ,¹¹³ which Préval hopes to strengthen by build-

⁹⁹ In both Jérémie and Les Cayes, around twenty officers disappeared. Crisis Group interview, senior UNPOL officer, Port-au-Prince, 10 January 2008.

¹⁰⁰ Crisis Group interview, senior HNP inspectorate general official, Port-au-Prince, 30 May 2008.

¹⁰¹ Crisis Group interview, Canadian Embassy official, Pétienville, 28 May 2008.

¹⁰² Training was initially six months but has been extended to seven and a half. Crisis Group interview, senior HNP school official, Port-au-Prince, 16 April 2008.

¹⁰³ Crisis Group interview, HNP school senior official, Port-au-Prince, 16 April 2008.

¹⁰⁴ 569 recruits (eighteenth class) graduated in December 2006 and 627 (nineteenth class) in November 2007, but the twentieth class only entered in July 2008.

¹⁰⁵ Some fifteen officers from an early class were also given additional training. Crisis Group interview, senior HNP school official, Port-au-Prince, 16 April 2008.

¹⁰⁶ 40 per cent of the 1,000 recruits who passed the test in 2006 but were only called for training in 2008 did not show up. Ibid.

¹⁰⁷ U.S.-donated uniforms were delayed in Port-au-Prince port. Ibid.

¹⁰⁸ After the latest recruitment, fifteen additional instructors were hired, though the academy directors say more are needed. Ibid.

¹⁰⁹ Crisis Group interview, Port-au-Prince, 31 January 2008.

¹¹⁰ Crisis Group phone interview, senior HNP school official, Port-au-Prince, 16 July 2008.

¹¹¹ Crisis Group interview, Latin American ambassador, Port-au-Prince, 28 May 2008.

¹¹² Police and judicial personnel urgently need training in all forensic medicine stages. Crisis Group interview, Latin American ambassador, Port-au-Prince, 3 June 2008.

¹¹³ The DCPJ has eight units: Criminal Affairs (Bureau des affaires criminelles, BAC); Search and Intervention Unit (Brigade de recherche et d'intervention, BRI); Judicial Information (Bureau de renseignements judiciaires, BRJ); Minor Protection Unit (Brigade de protection des mineurs, BPM); Anti-drug trafficking unit (Brigade de lutte contre le trafic de stupéfiants, BLTS); Scientific and Technical Office (Bureau de la police scientifique et technique, BPST); Finan-

ing a criminal database which could then be accessed during inquiries.

The National Consultation on Violence against Women¹¹⁴ has produced several important initiatives. An HNP gender coordinator has been appointed;¹¹⁵ gender awareness training has been included in the school curriculum for recruits; UNPOL officers are giving on-the-job training in response to sexual abuse in police stations; and two pilot project reception units for women victims of violence – staffed by trained female HNP officers – have been established.¹¹⁶ Nonetheless, improvements in the HNP need to be matched in forensic capabilities,¹¹⁷ the medical profession,¹¹⁸ the legal sphere¹¹⁹ and help for civil society groups that can give psychological support to victims.¹²⁰

The goal of 30 per cent women in the force remains distant.¹²¹ None are yet in key units such as anti-kidnapping, which frequently deals with female and child victims.¹²² Measures have been taken to repair

cial and Economic Affairs (Bureau des affaires financières et économiques, BAFE); and Anti-kidnapping Unit (Cellule contre enlèvement, CCE).

¹¹⁴Created in 2004 to work for women victims of physical and sexual violence, it is headed by the women's affairs ministry.

¹¹⁵Principal Commissioner Marie-Louise Gauthier, head of the 4th mobile intervention unit, has the HNP's second highest rank.

¹¹⁶The pilot projects are at Bel Air (Fort National) and Delmas 33 police stations.

¹¹⁷There are only three forensic scientists (*médico-légiste*) based in Port-au-Prince, of whom one is at a public institution. Crisis Group interview, senior MINUSTAH official, Port-au-Prince, 1 May 2008.

¹¹⁸In rape cases, medical examinations can be in private or public clinics, but only two public hospitals in Port-au-Prince and none elsewhere can do the test for free. Crisis Group interview, Unité de recherche et d'action médico-légale (URAMEL) senior official, Port-au-Prince, 12 February 2008.

¹¹⁹The Organisation internationale de la Francophonie (OIF) supports a legal aid centre in Port-au-Prince, but free aid is not available everywhere. A recent initiative to start centres in St Marc, Cap Haïtien, Fort Liberté, Petit-Gôave, Port-de-Paix and Jacmel will hopefully be reproduced in all eighteen jurisdictions. It is supported by OIF and the National Centre for State Courts (NCSC), with USAID funding and MINUSTAH technical help. Crisis Group interview, women's affairs ministry official, Hinche, 16 January 2008.

¹²⁰In the capital, women victims are often referred to national NGOs such as Solidarity with Haitian Women (Solidarité Fanm Ayisyen, SOFA) or Kay Fanm, but these do not work in all departments. Kay Fanm is only in Artibonite and Nippes. See www.kayfanm.info/pages/programmes.html.

¹²¹"Policier, par amour ou par nécessité !", *Le Nouvelliste*, 14 September 2007.

¹²²Crisis Group interview, Latin American ambassador, Port-au-Prince, 3 June 2008.

the imbalance through targeted recruitment.¹²³ However, gender awareness needs to be present in all aspects of training to alter the HNP mindset¹²⁴ and engender respect toward female officers¹²⁵ and a better attitude toward domestic violence cases.¹²⁶ In addition, the promotion of women through the ranks will be as important as increasing their numbers.

B. BORDER INITIATIVES

Haiti's borders are porous, vulnerable to drug trafficking, general smuggling and other illegal activities that weaken the rule of law and deprive the state of vital revenue. The Presidential Commission on Border Development, which works under the finance ministry, is seeking to improve coordination and cooperation along the land border with the D.R.¹²⁷ Administration complexes are planned at the four official crossing points, to be funded by donors.¹²⁸ The commission also considers development issues related to the border zones, such as the environmental problems of Lake Azuei,¹²⁹ and how to attract tourism,¹³⁰ though the primary focus

¹²³Nationwide recruitment at the end of 2007 generated over 5,000 applicants; 750 passed the entrance exam, and 350 women will enter the next class, up from 86. Crisis Group interview, senior HNP official, Port-au-Prince, 18 February 2008. "La PNH compte plus de 600 nouveaux policiers", *Le Nouvelliste*, 6 November 2007.

¹²⁴Two main complaints against HNP officers received by the inspector general's office are rape during carnival season and domestic violence. Crisis Group interview, senior HNP official, Port-au-Prince, 30 May 2008.

¹²⁵A recently graduated male Mobile Intervention Unit (BIM) officer refused to ride a motorbike driven by a woman, saying he would rather walk. Crisis Group interview, senior HNP official, Port-au-Prince, 18 February 2008.

¹²⁶Domestic violence is often viewed as a family matter, which some officers refuse to investigate. Crisis Group interview, women's affairs ministry official, Hinche, 16 January, 2008.

¹²⁷The presidential commission on border development was created in 2001 by decree, initially to manage a fund for development on the border. It is now mandated to address the situation more broadly on the land border with the DR.

¹²⁸In Ouanaminthe, work on the border complex will be financed by the European Commission; in Malpasse, MINUSTAH is using a QIP to convert a warehouse to a border post; in Belladère and Anse-à-Pitre, The Pan American Development Foundation (PADF) will be the implementing partner, financed by the Canadian START mechanism. Ministries, including agriculture, interior, justice and finance, as well as the office for the protection of minors (OPM) and the National Bank will provide staffing.

¹²⁹At Malpasse a build up of waste and topsoil has made the lake incapable of absorbing more water, leading to flooding.

¹³⁰In Ouanaminthe, the tourism ministry hopes to add a building to attract Dominicans to the historic Citadelle.

is security.¹³¹ The administration buildings are likely to be completed by the end of 2008¹³² but other, equally important issues have yet to be addressed.

The commission has been coordinating with donors and other bodies at regular bilateral meetings and around a consultation table set up in November 2007. It has also been meeting with all ministries and government institutions involved in the border regions to plan a national strategy. As it was designed as a short-term body, a governmental institution funded mainly through the treasury is being created to coordinate day-to-day land, air and sea border management: the National Council for Border Coordination and Integration (Conseil national de coordination et de gestion de la frontière, CNCGF). The documents to establish this entity are ready to be submitted to the new government. It is expected to have a wider agenda than the current commission, which will stop functioning once it is in place, and include all specialised agencies working on the border, such as the HNP and port and airport (APN and AAN respectively), customs (AGD), immigration, agriculture, public health and transport authorities.

The change in MINUSTAH's mandate to include border patrolling has given greater visibility to the important issues of drug trafficking, gun running and illegal migration.¹³³ There is a Border Task Force (created in March 2008) in MINUSTAH, chaired by the principal deputy special representative of the UN Secretary-General and with political affairs, police, military, civil affairs, logistics and administrative divisions. Human rights officials only participate when their issues are discussed. By December 2007, MINUSTAH troops had camps near the four official land border crossings and had begun patrols.¹³⁴ UNPOL has built

up its presence since then and is now at the border crossing points.¹³⁵ There has been no permanent civil affairs presence along the border, however, adding to residents' confusion about MINUSTAH's role.¹³⁶ The emphasis on increasing the international military presence on the Haitian side of the border is mirrored by deployment of a new army corps specialised in border security (Cuerpo Especializado de Seguridad Fronteriza, CESFRONT) on the Dominican side.

MINUSTAH has carried out some patrols using Haitian coast guard boats, but its personnel has not yet been deployed to the ten principal ports and does not have equipment to patrol independently at sea. The first four of sixteen boats long promised by Uruguay are now expected in September. Eventually, the boats are to be deployed to eight locations.¹³⁷ MINUSTAH plans a permanent presence at each port. Port Salut, next to Les Cayes, is to be the main base for training and storage but will not be linked to the coast guard base planned with Canadian support at Les Cayes.¹³⁸ Perhaps most important for making MINUSTAH's maritime effort fully operational is the assignment to the boats of new HNP officers scheduled to graduate from training in early 2009.

The long-neglected and porous sea border is the main entry and exit point used by traffickers in drugs, arms and people. The U.S. was a driving force behind creation of the coast guard in 1994 as a unit within the HNP and has since provided training and mechanical and equipment support. Canada withdrew its support in 2004 but now plans to work with the coast guard through the START program.¹³⁹ It will build and equip two fast boats and a base in Les Cayes (South

¹³¹ Crisis Group interview, Max Antoine, border specialist, Presidential Commission on Border Development, Port-au-Prince, 29 August 2008.

¹³² The Belladère project financed by START was inaugurated on 22 February 2008 and should be completed by year's end.

¹³³ The UN Security Council extended MINUSTAH's mandate to 15 October 2008 in Resolution 1780, which included a focus on the border to prevent illegal trafficking of drugs, people and arms by improved security at sea, air and land entries. The change in mandate has brought attention to the long-neglected border region. Crisis Group interview, Max Antoine, border specialist, Presidential Commission on Border Development, Port-au-Prince, 29 August 2008.

¹³⁴ To adapt to the new mandate, MINUSTAH created a specific border unit, but both UNPOL and Civil Affairs had difficulties in finding border specialists. Crisis Group interview, J. Carter, head of civil affairs, MINUSTAH, Port-au-Prince, 19 January 2008. MINUSTAH has drafted an internal border management strategy and supports the government in com-

pleting a national border management strategy. Crisis Group correspondence, Jens Kristensen, MINUSTAH border unit, Port-au-Prince, 28 August 2008.

¹³⁵ Seven UNPOL officers are assigned to the airport; seven to Malpasse; five to Anse-à-Pitre; six to Belladère; twelve to Ouanaminthe.

¹³⁶ In Belladère, the Nepalese commander told of locals approaching his battalion to report thefts and request assistance in catching criminals. Crisis Group interview, 14 January 2008.

¹³⁷ Fort Liberté, Gonaïves, St Marc, Les Cayes (Port Salut), Jérémie, Jacmel, Mirogoâne, and Port-de-Paix.

¹³⁸ There have been public displays of anger surrounding the MINUSTAH base, as the population feels it has not been consulted on its construction. "Des habitants de Port-salut s'opposent à l'installation d'une base de la MINUSTAH sur une plage de la ville", Agence haïtienne de presse (AHP), 15 July 2008.

¹³⁹ The Canada-funded START program supports border management to fight transnational organised crime, such as arms, people and drug trafficking, and improve regional stability. www.international.gc.ca/start-gtsr/haïti-progress-progres-haïti.aspx?lang=en.

department) in order to improve the policing of a coast-line that cannot be easily reached from the Port-au-Prince and Cap Haïtien bases and is part of a known drug-trafficking route.

Port security improvements will come harder, as the corruption networks benefiting from smuggling and other illegal activities inside and outside the ports are likely to resist. MINUSTAH hopes to place four UNPOL and one civil affairs officer at each port, though their role is not yet clear. The port of Port-au-Prince is to receive support from the coast guard, but the latter has limited access to the facilities. The Haitian coast guard has also lent a boat to the St Marc port and is present at Cap Haïtien. Despite problems, St Marc, Port-au-Prince and Cap Haïtien were all technically certified for both cargo handling and security following a U.S. coast guard port assessment conducted for the International Standard for Pilots Organisations (ISPO-code).

C. REESTABLISHING THE ARMY?

Protestors seized old military buildings in Cap-Haitien and Ouanaminthe on 30 July 2008, demanding reinstatement of the Haitian Armed Forces (FAd'H), an army notorious for its many abuses before it was disbanded in 1994 by President Aristide.¹⁴⁰ The men, who also demanded payment of back salary, alleged that they had been members of the FAd'H.¹⁴¹ Though the tense standoff ended peacefully in Cap Haïtien after nearly 24 hours of negotiations, restoration of the military becomes a hot political issue whenever the perception of insecurity increases. Questions need

¹⁴⁰For background, see Crisis Group Briefing, *Security and the Reintegration of the State*, op. cit.; and Pierre-Richard Luxama, "Former Haiti soldiers end protest", *The Miami Herald*, 30 July 2008.

¹⁴¹The FAd'H carried out a coup against the constitutional Aristide government in 1991. When the OAS and the UN called for the return of that government and a coalition led by the U.S. restored Aristide, the army commanders signed an agreement providing for their voluntary retirement, in lieu of prosecution for treason and human rights abuses. An estimated 4,000 civilians were killed during the de facto regime. The agreement included amnesty for the approximately 7,000 troops, which was voted by the parliament. On 23 December 1994, Aristide's decree disbanded the FAd'H. Most members received at least six months pay and training on demobilisation, by a 25 April 1995 decree that also gave a one-time payment to cover pension rights of former officers. U.S.-Haiti Agreement, 18 September 1994, www-cgsc.army.mil/carl/resources/csi/kretchik/appendix.asp; Johanna Mendelson-Forman, "Security Sector Reform in Haiti", *International Peacekeeping*, 1 March 2006.

to be asked about the origin of the new uniforms the protesters wore and about the figures behind their action. One of the main proponents of army restoration is Senator Youri Latortue, president of the Senate Commission on Justice and Security and a former army colonel. He is supported by many who claim to be former FAd'H and who are still actively seeking compensation, although most registered for demobilisation at the time and received some benefits.¹⁴²

The proposal to re-establish the army is not a priority for other political forces. If an army were to be in addition to the HNP, it not only would pose a serious threat to the coherence of the security sector but also constitute a very expensive duplication of management, procurement, and logistics. A recent report on the security situation released under Latortue's signature recommended a "New Public Force", which would eventually replace the MINUSTAH military and police components.¹⁴³ If the introduction of the HNP specialised border protection unit is successful, no additional military-type force would be needed for border protection. Plans for that HNP unit are under discussion, and it will initially be formed with officers from the 21st academy class, which is expected to graduate in March 2009 and receive additional border training. MINUSTAH plans to support it until it can work on its own.

In August 2007, following long debate prompted in part by claims of Latortue's party (Latibonit an Aksyon, LAAA) that an army is envisaged in the constitution, President Préval created the Presidential Commission for Reflection on National Security (Commission présidentielle de réflexion pour le renforcement de la sécurité). Headed by former Defence Minister Patrick Elie and composed of six intellectuals, academics and former military officers,¹⁴⁴ it is charged with formulating a comprehensive security strategy, taking into account environmental, social and cultural factors, as well as relations with countries such as the D.R. and

¹⁴²Dworken et al, op. cit. Some 550 ultimately remained with the HNP and another 200 with the palace guard, while 5,482 enrolled in the IOM-run demobilisation program. Some 770 former FAd'H never sought formal training and neither remained with the police nor received stipends, by their own choice. They were also not prosecuted.

¹⁴³"Rapport du Président de la Commission justice, défense et sécurité publique du Sénat le sénateur Youri Latortue, à l'Assemblée des sénateurs sur la situation sécuritaire du pays", Youri Latortue, no date in the document.

¹⁴⁴The other members of the commission are Georges Michel, historian; Suze Mathieu, anthropologist and sociologist; Jodel Lessage, former colonel of FAd'H; Rodrigue Creve Coeur, former colonel; Roger Petit-Frère, professor; and Gérard Dalvius, former major and secretary of state for justice.

the U.S. It released a background report on the overall security situation on 17 January 2008 and has until October to present its conclusions to the parliament. It is behind schedule, however, as requests to meet with officials and state institutions have been ignored, reportedly including Latortue's Senate commission.¹⁴⁵

D. COMMUNITY VIOLENCE REDUCTION

In the recent past, DDR has been morphing into community security projects, though remnants of programs still remain part of MINUSTAH's community violence reduction (CVR) and CNDDR projects.¹⁴⁶ These community security projects are intended to become a key component of security sector reform, as an early warning system to detect and resolve security problems before tensions become inflamed or manipulated by spoilers.

The UN Development Programme (UNDP) community security projects, while continuing to support violence victims, have been designed with a preventive, conflict management approach. They are to target women, youth, the elderly and local authorities and have four implementation mechanisms: community forums, creation of community spaces, social animators and a crime and violence monitoring centre. The latter is an autonomous institution partnered by Haiti State University (UEH), which with support also from the International Centre for Crime Prevention (ICCP) will serve as a central data collection and analysis point on crime and violence in communities.¹⁴⁷

¹⁴⁵ Crisis Group interview, Presidential Commission for Reflection on National Security senior official, Port-au-Prince, 12 February 2008.

¹⁴⁶ One small reinsertion program and weapons collection program continues with CNDDR and MINUSTAH CVR. According to a MINUSTAH CVR project document, arms received through the DDR program (including direct to the DDR and the CNDDR) total 302 since 2005. Thus far, 64 former gang members and their families from Bel Air and Delmas have gone through the CVR reinsertion program with another 520 now participating. On the other hand, MINUSTAH CVR section suffers from lack of continuity. In October 2007 nationwide reinsertion programs were halted under program restructuring and then finally handed over to other non-governmental organisations to follow up. Crisis Group interview, Lesley Grandin, National Officer, MINUSTAH CVR section, Hinche, 15 January 2008.

¹⁴⁷ The community centres will make free space available for community groups and will eventually be managed solely by the communities. Construction on the centres will be done by locals. The social animators have been designated by communities and include women, youth and elders. They will

Nine communities across the country have been selected for the first pilot projects.¹⁴⁸ These involve community forums and victimisation surveys, which communities are to use to identify the social and economic needs along with the specific security problems. A nationwide response and prevention framework, within which the community will have the capacity to identify and react to threats, is to be developed subsequently.¹⁴⁹ The CNDDR launched the public forums in late December 2007/early January 2008. Despite initial positive perceptions, some communities feel practical results have not followed, and promises are not being kept.¹⁵⁰ The next step, construction of the community centres, has been delayed over land rights, though work on the first, in Cité Soleil, has begun, and three others are to follow shortly.

Three external factors will determine the fate of the community security projects. Following the April riots, security should be maintained first, to allow continued access to these communities. It is important that UNDP work faster and adapt to the situation but not be pressured into changing a process that has been developed over a long period. Secondly, these projects rely on ministerial-level support, making them vulnerable to political change. The ministerial support needs to be guaranteed through agreements that also ensure the ministries will get the necessary technical help to assist the projects. Finally, the projects create a framework but rely on donors to provide financial support for concrete ventures. If this support is not forthcoming, the projects can lose public trust (as to a degree happened in 2007, when some jobs projects and police station construction in Cité Soleil were delayed after MINUSTAH dislodged gangs).

CNDDR faces a difficult task, since there is no shared view on and approach to disarmament, demobilisation

receive training and over time will take over facilitation of the projects.

¹⁴⁸ Petit Goâve, Gonaïves (Descachos and Raboteau), Cap Haïtien (La Fossette), Carrefour-Feuilles, Bel Air, Cité Soleil, Martissant, Pelé Simon/Cité Militaire. Fourteen communities were originally chosen, one for each department and four extra in Port-au-Prince, but the hope is that a reduction to nine will make the projects sustainable. Les Cayes was not in the original list, and concern has been expressed about a late addition. Crisis Group interview, Daniel La Douceur, chief UNDP technical adviser community security, Port-au-Prince, 13 June 2008.

¹⁴⁹ By January forums had been held in Cité Soleil, Pelé Simon, Cap Haïtien, Gonaïves, Martissant and Bel Air. Crisis Group interview, Alix Fils-Aimé, president, CNDDR, Port-au-Prince, 11 January 2008.

¹⁵⁰ Crisis Group interviews, MINUSTAH official and police commander, Gonaïves, 29 and 30 May 2008.

and reintegration within the UN family in Haiti. At one point in 2007, it temporarily suspended discussions until a joint UN approach was devised. Internal UN coordination meetings between UNPOL, Civil Affairs, MINUSTAH CVR and UNDP have since then slightly improved the situation. On the ground, however, confusion over the role of the different agencies is evident. The lack of strong, transparent, inclusive leadership on the CNDDR side is a further obstacle.¹⁵¹ Much of the work of that ministerial body under the prime minister's office is clouded in secrecy; it has a hierarchical structure, and someone other than its president, Alix Fils-Aimé, rarely represents it. Its reluctance to partner with international non-governmental actors in the community security field is another barrier to improved coordination.¹⁵²

Community policing, as laid out in the police reform paper, involves encouraging HNP officers to patrol on foot and maintain regular contact with citizens. U.S. government projects support such inclusive community policing initiatives.¹⁵³ Yet, there is no uniform application of a nationwide strategy. In Port-au-Prince, HNP Director General Andrésol hopes the motorised brigade (BIM) will function as community police. In towns such as Jacmel, there are separate community policing brigades,¹⁵⁴ while in others, such as Port-de-Paix, the police, supported by UNPOL, have profited from relations with community leaders to halt a rise in family kidnappings.¹⁵⁵ In Hinche, police authorities complain about the lack of time and material resources to do community policing.¹⁵⁶

Still, those working on them say what is lacking is not only resources but also an entry point into communi-

ties, which the security projects provide. Once that entry point exists, as in Gonaïves, the results are positive. Early community-police contacts have also been promising in Martissant,¹⁵⁷ though not in other parts of the country. In Cité Soleil, progress has been slow, despite residents' eagerness to have HNP posts after the successful 2007 MINUSTAH operation. It was not until June 2008 that a small police station was completed with the funding of a Quick Impact Project (QIP).¹⁵⁸ The land rights for the main station were resolved in January 2008;¹⁵⁹ it is hoped the U.S.-financed "Strong Point 16" police station will be fully refurbished by September 2008 and work started on the other two sub-stations.¹⁶⁰ In the meantime, the Cité Soleil police have received other material contributions.¹⁶¹

¹⁵¹ Crisis Group interview, Daniel La Douceur, chief UNDP technical adviser on community security, Port-au-Prince, 24 January 2008.

¹⁵² Crisis Group interview, Alix Fils-Aimé, president, CNDDR, Port-au-Prince, 11 January 2008.

¹⁵³ Haitians in a recent international visitor program included victims of police violence, community activists and four police.

¹⁵⁴ The community policing brigade in Jacmel has five officers who do projects such as distributing toys to children and building a school flagpole. Crisis Group interview, Noel St Sonny, HNP southeast departmental director, Jacmel, 22 January 2008.

¹⁵⁵ In Port-de-Paix when kidnapping started to rise, UNPOL/HNP undertook community sensitisation campaigns and talks with the mayor and community assemblies and councils (ASECs/CASECs). Crisis Group interview, Commander Larwani, Port-de-Paix regional commander, UNPOL, Port-de-Paix, 19 September 2007.

¹⁵⁶ One officer said, "we learned a lot about community policing in the academy, but on the ground we do not have the means to put this into practice". Crisis Group interview, Commissioner Mario Aubergeste, Hinche, 16 January 2008.

¹⁵⁷ Community groups in Martissant received threats from local gangs, so after talks with the HNP west department director, patrols began, and the community was given a contact number in case of further trouble. Trust was established, and the police felt safe to patrol. Crisis Group interview, Yvette Etienne, director, Oxfam-GB Haiti, Port-au-Prince, 10 January 2008.

¹⁵⁸ In early 2007 ten military bases were established; only five remain but the military still carries out the majority of patrols, sometimes accompanied by UNPOL/HNP.

¹⁵⁹ Crisis Group Report, *Consolidating Stability in Haiti*, op. cit.

¹⁶⁰ Crisis Group interview, Mario Andrésol, HNP director general, Port-au-Prince, 29 January 2008.

¹⁶¹ Montreal has donated 44 bulletproof vests for the police at the Cité Soleil commissariat. The U.S. embassy gave furniture when it moved to its new location.

IV. JUSTICE REFORM

In November 2007, parliament passed a law forming the Superior Judicial Council (Conseil supérieur du pouvoir judiciaire, CSPJ), a second defining the status of magistrates¹⁶² and a third relating to the Magistrates School (EMA).¹⁶³ While this was an essential step, strengthening of the justice sector will likely depend on the CSPJ becoming operational and independent, including the selection and vetting of its members and inclusion of its own line in the national budget. Moreover, as the reforms are largely financed and supported technically by donors and no government budgetary support is confirmed as yet for the new laws, reform remains vulnerable to fluctuations in international assistance.¹⁶⁴

Donors find it hard to measure success when the implementing agencies have difficulties in utilising their budgets. As a response, UNDP devised a trust fund in mid-2007 with separate accounts for the prison, police, community and justice sector reforms; this is meant to help donors identify and react to funding gaps or give a non-earmarked amount that fund coordinators can channel depending on priorities.¹⁶⁵ However, the fund was slow to get off the ground, due to UNDP staff turnover, forcing some countries to re-allocate money to other projects.¹⁶⁶ Some fear the fund will add more

red tape,¹⁶⁷ and it is still waiting for the justice ministry's approval, applied for in January 2008.

A. INDEPENDENCE AND STRENGTHENING OF THE JUDICIARY

The creation of the Superior Judicial Council (CSPJ) is designed to lead to greater judicial independence, as the power involved in the promotion and careers of judges will be transferred to it along with financial budget management. The justice ministry will retain the power to appoint justices of the peace (*juge de paix*) and to manage the investment budget. The CSPJ is to draw up an evaluation and promotion system for judges and judicial civil servants to curb mismanagement and corruption; international advice will be crucial in this.¹⁶⁸

The next step is to be vetting by a justice ministry-led team, including fourteen ministry officials and eighteen HNP officers, again with international help.¹⁶⁹ If the vetting goes smoothly, the CSPJ could be functioning by October 2008. By law, the new council's president should be the president of the Supreme Court (Cour de Cassation), who, in turn, has to be nominated by the president. As this position has been vacant for four years, despite requests by the justice minister, it is assumed the acting Supreme Court head, Vice President Georges Moïses – an independent with a good reputation among magistrates and lawyers – will become acting head of the CSPJ.

President Préval has made strengthening the justice system's ability to prosecute serious offenders, such as drug traffickers, in country instead of in the U.S. a priority.¹⁷⁰ He has promoted creation of special chambers to try major criminals in Haiti, with support from the U.S., France, the UN Office on Drugs and Crime (UNODC), MINUSTAH and the World Bank. One chamber is meant to work on drug trafficking

¹⁶²The law on the status of the magistrates depends partly on establishment of the CSPJ, which will design rules for recruiting, training and disciplining judges.

¹⁶³These three laws resulted from year-long negotiations by senior justice sector officials. They came into force on publication in January 2008 in the official newspaper, *Le Moniteur*. Crisis Group previously referred to the Judicial Council in French as Conseil Supérieur de la Magistrature and the EMA as the National Magistrates School. Latin America/Caribbean Briefing N°14, *Haiti: Justice Reform and the Security Crisis*, 31 January 2007.

¹⁶⁴Technical capacity in the ministry is limited to the minister, two secretaries of state and the director general. Crisis Group interview, foreign justice expert, Port-au-Prince, 29 January 2008. Delays in forming a new government have meant that neither the amended 2007-2008 budget – where there was no line for the CSPJ – nor the 2008-2009 budget have yet been presented.

¹⁶⁵Crisis Group interview, Marla Zapach, head, UNDP peace and security unit, Port-au-Prince, 11 January 2008.

¹⁶⁶Canada has had to use the initial \$3 million pledged for other projects; Norway, also a fund supporter, will likely have to channel its \$800,000 directly to DAP for building eight cells in St Marc to accept prisoners from Gonaïves.

¹⁶⁷Crisis Group interview, senior Haitian government official, Port-au-Prince, April 2008.

¹⁶⁸The National Association of Haitian Magistrates (Association nationale des magistrats haïtiens, ANAMAH) fights for better working conditions of justice officials. See Crisis Group Briefing, *Justice Reform and the Security Crisis*, op. cit.

¹⁶⁹Crisis Group interview, Stéphane Jans, technical coordinator, Haiti Justice Support Program, OIF, Port-au-Prince, 22 July 2008.

¹⁷⁰Extradition of these criminals is based on an agreement "concerning cooperation to suppress illicit maritime drug traffic" signed by Secretary of State Madeleine Albright and President René Préval, during his first term on 17 October 1997.

¹⁷¹See Crisis Group Briefing, *Justice Reform and the Security Crisis*, op. cit.

and related crimes (in particular money laundering); a second on issues such as kidnapping and human rights abuse. The chambers would be hosted at the Port-au-Prince tribunal, using senior, vetted Haitian judges, who would receive extra training at the EMA and abroad and have international advisers. Political concerns of officials seeking to protect their chance at future posts may be behind the national sovereignty arguments advanced in the debate about the international role. There might also be consequences for some important officials if dormant files were to be examined by senior judges and foreign specialists.¹⁷¹

Inaugurated on 7 July, the Magistrates School (EMA) is expected to play a crucial role in strengthening the justice system. It is charged with providing continued training for all judges and will also be responsible for maintaining standards by testing and retraining judges. Its acting director, Lionel Bourgoïn, has begun work, though still waiting for the official installation of the CSPJ to be formally confirmed. USAID provided equipment, while trainers were recruited to teach the eighteen-month curriculum. The OIF, which receives funds from the EU and Canada, will provide technical and financial support for at least two years. Initial training has started for all justices of the peace. Also with the support of OIF, law students and professors are tracking down and compiling all documents pertaining to the four Napoleonic codes and the rural code still used by many justices of the peace outside Port-au-Prince. Professionals from the diaspora are training workers from the official publication, *Le Moniteur*, to manage a database with a search engine, which is hoped to be available electronically by late 2009.¹⁷²

The U.S. (through the National Centre for State Courts, NCSC), Canada and the EU (through OIF) are working with the Haitian bar association to improve lawyer competency and contribute to the provision of free legal aid for the first time in Haiti. There is no bar exam, and lawyers can be certified on graduation from law school without having met all academic requirements.¹⁷³ A free, six-week distance learning course has been provided by OIF to train lawyers on the assumption that they will then give free legal aid. Those who fail this training will not be allowed to practice, while the nine best qualified will be given the opportunity to join an exchange program with national bar associations from Canada, France and other French-speaking countries. It is hoped this initiative

will contribute to supporting a national system of free legal aid, with improved quality standards.

Civil society supports justice reform, but more help is needed for this still weak and divided sector. While Haitian NGOs usually are present in the capital, often only the larger ones are on the ground elsewhere. Education on civic rights and duties would give citizens tools with which to assess and call for improvements in rule-of-law institutions, not simply claim corruption when on the wrong end of a judgment.¹⁷⁴ A joint Haiti Solidarité Internationale/Justice and Peace project has begun to teach a course on the judicial system in high schools. UNDP runs classes with the education ministry on civic responsibility, initially for one year, throughout the nine grades. A pilot project to inform citizens about rights and duties and to intervene in potential conflict situations opened in Cité Soleil in January 2008; a second is to follow in Gonaïves. It involves a "House of Justice" (Kay Jistis),¹⁷⁵ which offers legal advice and aid and justices of the peace with a mandate to reconcile parties by "neighbourhood justice" (*justice de proximité*).¹⁷⁶ Depending on the results, these two pilot projects could be replicated across the country.

B. PRISON REFORM

1. Conditions of imprisonment

The national prison reform plan, drawn up by the DAP in 2007 with advice from international experts and approved by the justice minister, is designed as a guideline for all work within the prison system. DAP's national budget allocation rose from \$17.2 million in 2006-2007 to \$19.5 million in 2007-2008.¹⁷⁷ Minor improvements, such as the purchase of new vehicles,¹⁷⁸

¹⁷⁴ Crisis Group interview, Dilia LeMaire, lawyer, Mouvement des femmes haïtiennes pour l'éducation et le développement (MOUFHED), Port-au-Prince, 8 January 2008.

¹⁷⁵ Kay Jistis is the Creole name for the House of Justice (Maison de la justice) project funded through the U.S. Haiti Stabilization Initiative (HSI) and implemented as part of the USAID justice program, <http://haiti.usembassy.gov/pro803.html>.

¹⁷⁶ Staffing is by representatives of the Citizen Protection Bureau (Office de protection du citoyen, OPC), the Port-au-Prince bar association and the *tribunal de paix*.

¹⁷⁷ In 2006-2007 DAP received a 590 million gourde (\$15.5 million) investment budget and 66 million gourde (\$1.7 million) running costs. In the 2007-2008 budget this went to 660 million gourde (\$17.3 million) and 85 million gourde (\$2.2 million).

¹⁷⁸ In January 2008, 21 vehicles, including two ambulances, water trucks, and high-security vans to transfer prisoners,

¹⁷² Ibid.

¹⁷³ Graduate theses are often not written. Ibid.

have been accompanied by repair work on what is to be a new prison in Hinche.¹⁷⁹ In Carrefour, the first phase of a \$1 million project has also begun. Yet, neither the Hinche nor Carrefour refurbishment projects, which will take about a year to complete, will increase capacity, so the minimum standard of 2.5 sq. metres per prisoner will be respected only if the inmate population does not grow.¹⁸⁰

In 2007, 71 inmates (just under 1 per cent of the total prison population) died due to health problems that might have been prevented if properly diagnosed.¹⁸¹ Several health and sanitation projects were carried out in prisons in 2007 and early 2008. The International Committee of the Red Cross (ICRC) conducted a treatment campaign for all inmates in the National Prison, targeting skin infections, parasites and beriberi.¹⁸² The MINUSTAH military have implemented minor sanitation projects (Quick Impact Projects, QIPs), such as in Hinche, where shower/toilet facilities were installed in January 2008, and rehabilitated an infirmary in Fort Liberté.¹⁸³ Following a spate of probably avoidable deaths due to illness in December 2007, the DAP instituted measures to improve healthcare for detainees, including additional staff and better management. Currently there are 31 nurses, six doctors and a dentist. The additions have had little impact, however, as the doctors do not work full-time – some only once a week – not all the nurses are qualified professionals, and no health records are maintained for detainees.¹⁸⁴

As in many prison subcultures, an internal gang system exists, with the more powerful gaining better access to food and preferred places in the cells. Particularly at the National Prison, this creates a vulnerable layer

within the prison population, which experts say is hard to reach because of security issues stemming from overcrowding. A more formal gang system also prevails in the National Prison, with two main rival groups: Cité Soleil and Bel Air.¹⁸⁵ DAP attempts to split these gangs as much as possible have met strong resistance.¹⁸⁶

In Gonaïves, where the prison was destroyed in the 2004 riots, detainees are still kept in holding cells at the police station; though repairs have been made and security measures improved, a MINUSTAH formed police unit (FPU) is still needed to secure the outer perimeter. The situation at the National Prison, however, causes the most concern. A riot there in November 2007 was only quelled when the Intervention and Maintenance of Order Unit (CIMO) was called in; MINUSTAH units are permanently deployed outside the building. Fears of another riot or attempted breakout increased during the April 2008 demonstrations, as the protestors attempted to incite prisoners, forcing the deployment of an extra battalion around the perimeter. An external wall is being built with \$800,000 from the UN Peacebuilding Commission Fund and due to be completed in October 2008, but it will not help with overcrowding.¹⁸⁷ It is not just the National Prison which has security problems, however. A series of prison breaks, at least one involving serious criminals, has taken place across the country.¹⁸⁸

Prison guards undergo the same UNPOL-HNP vetting as the HNP, so a significant number will likely be removed, as recent cases have found guards complicit in escapes,¹⁸⁹ extortion of prisoners and their families¹⁹⁰

were purchased. Crisis Group interview, senior DAP official, 4 April, 2008. Though they are in Haiti, seventeen are still not in use due to administrative issues. Crisis Group interview, senior international prison observer, Port-au-Prince, 26 August 2008.

¹⁷⁹ The first phase of the \$1.2 million project began in March 2008. In January 2008 Crisis Group observed 135 male prisoners being held in two cells, while the neighbouring eight-cell prison with sanitation and kitchen facilities was unused, because the roof did not meet legal requirements for Haitian prisons. Crisis Group visit, Hinche civil prison, 15 January 2008.

¹⁸⁰ Crisis Group interview, senior DAP official, Port-au-Prince, 4 April 2008. For background, see Crisis Group Latin America/Caribbean Briefing N°15, *Haiti: Prison Reform and the Rule of Law*, 4 May 2007.

¹⁸¹ Crisis Group interview, senior DAP official, Port-au-Prince, 4 April 2008.

¹⁸² www.icrc.org/web/eng/siteeng0.nsf/html/haiti-update-311207.

¹⁸³ Norway gave \$104,000 in 2007, to be used by MINUSTAH for QIP projects around the country.

¹⁸⁴ Crisis Group interview, senior international prison observer, Port-au-Prince, 26 August 2008.

¹⁸⁵ Although the names of the two groups are the same as the two Port-au-Prince slum areas, membership is not necessarily related to origin in one of those areas.

¹⁸⁶ Disturbances and security fears arose in November 2007 following the transferral to Jacmel of eleven detainees believed to be gang members. Crisis Group interview, MINUSTAH prison expert, Port-au-Prince, 12 June 2008.

¹⁸⁷ See www.unpbf.org/emergency.shtml.

¹⁸⁸ An escape attempt in Cap Haïtien prison led to the death of one prisoner, the wounding of another and the escape of five. "Une évasion à la prison du Cap Haïtien fait un mort", MINUSTAH, 18 April 2008. An escape of two serious criminals from the Carrefour prison on 29 June caused Interpol to put out an orange alert. Three prisoners escaped from Grande-Rivière on 7 July.

¹⁸⁹ In a breakout from Jacmel prison in October 2007 involving nine detainees, only two of whom were caught, a guard was suspected and jailed. Crisis Group interview, Michael Eddy, director, Jacmel civil prison, Jacmel, 22 January 2008.

¹⁹⁰ Prison clerks, "greffiers", are included in the DAP guard figures. They are known to have 'lost' judgements until families pay to "find" them. Crisis Group interview, senior DAP official, Port-au-Prince, 18 January 2008.

and contraband dealings.¹⁹¹ The already relatively low guard-to-prisoner ratio (approximately 1:16) suggests a balance is needed between purging the force of corrupt guards, motivating guards with better working conditions – such as a recent pay rise – and increasing recruitment. The MINUSTAH corrections unit supports the guards, and the language and cultural skills of its five Haitian-Americans and Haitian-Canadians have helped improve relations between the DAP and UN personnel.¹⁹² The UK recently funded a visit of DAP Director Jean Celestin to model prisons in the D.R. to consider having DAP guards trained there and possibly twinning a Haitian facility with one of those model prisons.¹⁹³

2. Reducing overcrowding

To relieve pressure from overcrowding, two judicial mechanisms have been set up: a commission to study prolonged preventive detention cases (Commission consultative sur la détention préventive prolongée, CCDPP)¹⁹⁴ and alternative sentencing. Created in June 2007, the detention commission was charged with researching cases in the West department since 2004, starting with the oldest ones. Originally designed to work for six months, its mandate was extended to April 2008 and broadened to include Gonaïves.¹⁹⁵ It was hoped it would continue to work in the regions, but the Alexis government fell several days after it submitted its final report and recommendations. No successor commission or working group has been appointed to follow up.¹⁹⁶

Though commission members believe they performed well – 892 inmates were released between June 2007 and March 2008 – the police charged that dangerous criminals were among the freed prisoners.¹⁹⁷ This is partly supported by a senior UNPOL representative, who believes that of the first 121 released, at least 80 were dangerous criminals.¹⁹⁸ Haitian human rights organisations, such as the National Human Rights Defence Network (Réseau national de défense des droits humains, RNDDH), have also criticised the commission's work, stating that many of those released in November 2007 subsequently committed further crimes.¹⁹⁹

Alternative sentencing, such as fines or community service, has been considered for minor crimes like petty theft. However, the justice sector working groups to examine the concept have stalled.²⁰⁰ There is no coordination among the institutions that should be involved, such as the HNP, the community violence reduction program and the working groups. Additionally, justice efforts are now focused on implementation of the three recently passed laws on judicial reform.

Overcrowding is also being addressed via construction of new prisons and restoration of obsolete facilities. Discussions are ongoing about refurbishing a temporary facility on the site of a former psychiatric hospital at Delmas 75 in Port-au-Prince to house 800-1,000 low-security inmates. The initiative was held up over the purchase price, which was finally resolved in June 2008, and design plans are being prepared.²⁰¹ It might be possible to complete the project in four to six months. DAP and MINUSTAH officials have dismissed the temporary solution of prisoner camps with military tents set up by MINUSTAH, because MINUSTAH's troops would be stretched to provide

¹⁹¹Two National Prison guards were found to have brought four phones to prisoners and were put in isolation. Also in that prison, DAP/MINUSTAH searches in September and November 2007 found first 600 pieces of contraband such as mobile phones and weapons and then another 100 items. Crisis Group interview, senior DAP official, Port-au-Prince, 18 January 2008.

¹⁹²Crisis Group interview, MINUSTAH corrections official, Port-au-Prince, 26 August 2008.

¹⁹³Crisis Group interview, Ian Worthington, UK Ambassador to the DR, Port-au-Prince, 29 January 2008.

¹⁹⁴The commission was a consultative body, headed by Jean Frédéric Benêche of the justice and public security ministry. Other members included two representatives from that ministry and one each from DAP, the Port-au-Prince bar association and the OPC. Four representatives from MINUSTAH and one from the NCSC staff provided technical support. Crisis Group interview, MINUSTAH justice section official, Port-au-Prince, 18 February 2008.

¹⁹⁵Ibid.

¹⁹⁶Crisis Group interview, international justice expert, Port-au-Prince, 28 August 2008.

¹⁹⁷“Rapport final sur la problématique de la détention préventive prolongée dans la juridiction du tribunal de première instance de Port-au-Prince”, justice and public security ministry (MJSP), June 2008.

¹⁹⁸Crisis Group interview, senior UNPOL official, Port-au-Prince, 31 January 2008.

¹⁹⁹Crisis Group interview, Marie Yolene-Gilles, deputy director, RNDDH, Port-au-Prince, 9 January 2008. Two cases stand out, that of Pierre Richard Mulus, released on 17 November 2007, who then killed a *tap-tap* (mini-van) driver on 30 November in Martissant but was released a second time; and Patrick Jean François, released in November 2007 and believed to be one of the kidnappers of Claude Marcelin in January 2008. <http://radiokiskeya.com/spip.php?article4687>.

²⁰⁰Crisis Group interview, Danielle Saada, head of MINUSTAH justice section, Port-au-Prince, 1 May 2008.

²⁰¹The money is available but government officials consider it expensive for a “temporary” building. Crisis Group interview, senior DAP official, Port-au-Prince, April 2008.

external security,²⁰² and a barbed-wire perimeter would have a negative impact on the public.²⁰³

The president has conceived a three-year plan to build a new national prison designed to hold 1,000, at an estimated cost of \$12 million, which could rise. A site has been found in Morne Cabrit, Croix de Bouquet jurisdiction. It would have four separate facilities, for females and males, adults and juveniles, within a single exterior wall. The U.S. is interested in financing the women's section, as it has committed funds to improve conditions for female prisoners; other donors also show interest. Proponents say that one advantage of separate facilities is that they could be built in stages and resources pooled for medical facilities and staff. The downside could be that it would not contribute to a much-needed significant and rapid reduction in adult male inmate overcrowding.²⁰⁴

Females are held in separate cells in all prisons, though this is not always so for minors.²⁰⁵ Priorities for women and minors are improved sanitation conditions and access to schooling and, given the many pregnancies, hospital facilities.²⁰⁶ Capital NGOs are supporting the fitting out of the women's prison in Pétienville.²⁰⁷ The Progress and Development Foundation (La fondation progrès et développement, Prodev) has set up schooling and vocational projects in the Delmas 33 prison for minors, where the children are allowed to be out of the prison for at least eight hours a day to attend school.²⁰⁸

²⁰² Military battalions already provide security assistance in Gonaïves, Port-au-Prince, Hinche and Cap Haïtien.

²⁰³ The public might view barbed wire as similar to the U.S. prison at Guantanamo, a senior DAP official said, Crisis Group interview, Port-au-Prince, 4 April 2008.

²⁰⁴ As of 22 August 2008, 369 women and 7,339 men were detained. "Daily Movement of the Prison Population", Prison Administrative Direction (DAP), HNP.

²⁰⁵ Minors are frequently kept in the same cell as men. Crisis Group interview, Jérôme Bovie, regional commander, Artibonite Department, UNPOL, Gonaïves, 30 May 2008.

²⁰⁶ In Hinche the women wash in front of the male cells. A MINUSTAH military battalion were constructing sanitation facilities when Crisis Group visited the prison on 15 January 2008.

²⁰⁷ Haiti Solidarité Internationale (HSI) runs a rehabilitation program, funded by the UNDP community security project, to provide counselling and an open space for female prisoners. There is a mother-and-baby room and a micro-business project to make and sell garments. Crisis Group interview, Nathalie Ben Zakour Man, MINUSTAH gender unit, Port-au-Prince, 8 January 2008.

²⁰⁸ "29 enfants incarcérés ont passé les examens officiels", *Le Nouvelliste*, 27 June 2008. Prodev has been running projects in this prison; the children attend school for at least half the day.

V. THE WAY FORWARD

A. REMOVING OBSTACLES TO SUCCESSFUL SSR

Since President Préval took office in 2006, security sector reform (SSR) has made slow progress. Critics have accused him of pushing different aspects of it, as if to test resistance without putting his full support behind any one project. Proposals such as to establish special criminal chambers or construct a high-security male prison facility in Port-au-Prince seemed initially to garner much support, but with time, public interest and Préval's commitment waned. The president has named commissions, but unless they are given the space to take on political responsibility, they will remain empty shells, devalued by members and their interlocutors alike.

With the dismissal of Prime Minister Alexis and the rejection of Préval's first two choices for a successor, Ericq Pierre and Robert Manuel, the deep-seated problems of the parliament have been exposed again: members act without rules and regulations, many with their own agenda and seemingly blind to the country's problems. Since her confirmation in the lower house and, finally, the Senate on 31 July, Michèle Pierre-Louis has spent considerable time negotiating with both houses to obtain ratification of her government. Meanwhile Haiti is waiting for important aid projects to start, the amended budget to be passed and ministers to take office and start working.

MINUSTAH and UNPOL need as a high priority to press the government to speed up its police reform efforts, including vetting, training and internal management. Donated equipment is poorly maintained, with no inventory system in place; insufficient resources are allocated to cover the running costs of units.²⁰⁹ A training program for police support staff, such as mechanics, accountants and human resource assistants, should be begun as soon as possible, with care taken to ensure there is budgetary capacity to support improvements. HNP leadership should also implement a more efficient human resources system that helps allocate personnel according to competencies and monitors their performance.

The events in Les Cayes and Port-au-Prince in April 2008 clearly showed that spoilers can easily undermine security. Police were overwhelmed by events and lacked

²⁰⁹ Crisis Group interviews, Commander Dorfeuille, Gonaïves, 30 May 2008, UNPOL officers, Belladère, 14 January 2008.

basic anti-riot equipment. In Port-au-Prince, by the evening of 8 April – two days into the demonstrations – they had run out of petrol and were immobile. In those few situations where the HNP had a better assessment of the situation, negotiations were more successful in deterring demonstrators than the heavy-handed Corps d'intervention et de maintien de l'ordre (CIMO) or the Unité départementale de maintien de l'ordre (UDMO). This highlighted the need for improved intelligence and analysis to help minimise violence in the early stages of demonstrations and avoid a spill-over to other regions. Information-sharing mechanisms should be implemented between the HNP and their UNPOL counterparts and with the MINUSTAH military.

UNPOL and the U.S. are looking into giving non-lethal riot equipment and emergency fuel for police cars. But MINUSTAH will also have to draw its own lessons. In Les Cayes, the Uruguayan military unit reacted disproportionately, leading to civilian deaths when negotiations were underway between the demonstrators and the HNP, whereas the Sri Lankans targeted in Carrefour reacted with non-lethal weapons to break up the incident despite being outnumbered and taken by surprise. The training of MINUSTAH troops on arrival in Haiti needs key changes: they should acquire some basic knowledge of the country's culture and of Creole, as well as improved understanding of crowd and riot management and their role as support to HNP-UNPOL.

Community security projects need a new impulse from the government if they are to become Haiti's key mechanisms to involve communities in devising better measures and cooperating with the authorities, but the lack of targeted government action has hampered implementation. There is also a need for transparency in the CNDDR's work to enable civil society, security sector providers and donors to better evaluate demobilisation, disarmament and reintegration of former gang members and for other agencies to work with it. Failure by the Haitian authorities on community security is exacerbated by hubris among donors, agencies and organisations. The many agencies working in Haiti and particularly the slum areas on community security are often unwilling to cooperate or even ask for advice and learn from past failures. Communities are tiring of new promises and forums when no improvements are seen in their daily lives.

Strategy for the UNDP community security projects was reworked in early 2008 and is now being applied in nine pilot areas, focussing on conflict management and support to victims of violence. Though the projects seem promising, much remains to be done: the government has to commit resources to improve the basic

physical security of neighbourhoods, such as electricity and safe access to water fountains and schools, while local authorities, businesses and grassroots organisations should coordinate their work better. The crime and violence monitoring centre supported by Haiti State University and the International Centre for Crime Prevention in Montreal will gather data in the pilot communities. However, it should register not only data on violence but also information on geographic and other relevant patterns that could be used by police to implement corrective measures. Its findings should be widely diffused among civil society and serve as input for informed political discussions and government accountability. The aim should be to cover the entire country eventually.

Gender issues should be part of SSR. The police school and academy and the EMA must go beyond seminars and workshops on gender issues to encompass all aspects of training and daily life of police and magistrates. Domestic violence incidents involving police continue to be an issue within the force and must be dealt with openly. Recruiting of women should be actively promoted. HNP and judicial leaders should show that women entering their sectors have their support and are not there simply to fill quotas. The gender approach should also not be limited to police and judicial schools but extend to community policing. More links can be made between schools and the rule of law by having police and justice officials visit schools and by tying into UNDP civic education projects.

Haiti needs to reach out to other countries in the region to deal with organised crime, especially kidnapping, drug trafficking and gun running. Improvements have been made in electronically compiling and maintaining crime statistics as well as storing background information on criminals, but there is need for more training in strategic analysis as well as liaison with regional countries facing similar problems. Mexico has begun providing support for improving Haiti's anti-kidnapping and forensic capacity, but other Caribbean Community (CARICOM) countries which face trafficking problems and organised crime could usefully share experiences and perhaps offer training.

The border regions are extremely fragile, with no infrastructure and neglected economic and agricultural sectors. The informal economy, often linked to smuggling, is large and a source for jobs and unofficial revenue there. Almost 70 per cent of public treasury revenues come from customs duties, so efforts to deter corruption and improve the work of that agency are important. However, border development plans also are needed to ensure that the people who live and work along the frontier have jobs. Neither the government nor MINUSTAH has informed the border population

of the reason for their actions and patrols or discussed with them their future plans (though MINUSTAH has planned an information campaign).

The government has also not made increased investment available in these areas to make up for the loss of income from illegal activities through improved border and customs control. The authorities need to make greater efforts to establish a permanent state presence in the border areas and encourage alternative income-generating projects, agricultural production and tourism. A concerted effort is required to assemble local government and civil society representatives of the border communities to discuss the plans currently under consideration in Port-au-Prince by MINUSTAH and the Border Development Commission.

The change in MINUSTAH's mandate to work on border control at the government's request is an important step to provide some support in these areas, while the HNP, customs and coast guard are being strengthened, but ultimately Haitian institutions are responsible for serving these long neglected regions. MINUSTAH is working on a plan for actions on the border. However, the border communities should first be involved in a needs assessment. The government should then organise inter-ministerial meetings to elaborate its priorities, including border community perspectives, and draw up a plan. Once its strategy is defined, a summit should be organised with the D.R. to establish bilateral agreements within a framework that protects the security of Haitian citizens. The government plan ought also to envisage negotiations on cooperation with Caribbean neighbours over human security and information sharing. If the government does not provide guidelines for MINUSTAH, border improvements carried out by the UN force are likely to remain superficial and unsustainable.

MINUSTAH, alongside its Haitian counterparts, played an important role in controlling gang violence in 2007 in Cité Soleil and again following the April 2008 riots, particularly in preventing large break-outs at the National Prison and deterring any attacks on municipal and national authorities. However, MINUSTAH's role needs to be adapted to evolving conditions. Its military presence should be maintained, while the number of UNPOL officers and in particular of Formed Police Units (FPU) should be increased beyond the current cap of 2,091. This would allow more effective joint patrolling with the HNP across the country while the HNP vetting process is concluded and police training, both basic and advanced, is made fully operational.

B. ADDRESSING JUSTICE SECTOR REFORM CHALLENGES

Adoption of the laws creating the Superior Judicial Council (CSPJ), defining the status of magistrates and establishing the Magistrates School (EMA) has been important for moving JSR forward. The Préval/Pierre-Louis administration and donors should now increase their coordinated efforts to support justice sector institutions. The UNDP trust fund points in the right direction; donors should use this type of financial mechanism to ensure money goes to the most fund-starved security sector reform initiatives, such as the justice sector. Once the new government of Michèle Pierre-Louis is confirmed, the justice minister should be encouraged to move ahead with the fund promptly.

When the CSPJ representatives are vetted, which should be in September, and a decision taken regarding its president, the body should swiftly help to implement the law on the status of the magistrates by designing the rules for recruitment, training and discipline of judges. The new EMA will be responsible for training the new judges and retraining the old ones. It is important not only that the first cohort of new judges is trained but also that first-class technical training continues for all magistrates. Donors such as the U.S., the EU and Canada, which have supported justice programs, could help with this. The bar association should urge continued support for the OIF project to establish an exam for certifying lawyers and also encourage creation of a self-sustained national network of lawyers to give free legal aid to the most deprived population, with incentives for lawyers willing to devote time to this.

Special chambers to try serious criminals should be implemented as rapidly as possible and demonstrate by their actions that the justice system can handle major crimes. This effort should be accompanied by nationwide programs, such as the USAID-supported initiative for houses of justice (Kay Jistis) to inform citizens of their civic rights and duties and provide information on how claims can be submitted via established legal channels.

Prison conditions are unacceptable for any democratic state that respects human rights. The consequence of heavy reliance on external security by MINUSTAH and a focus on long-term reform plans is that the government is not active enough in addressing the urgent overcrowding issue. In the short-term, it should set up, with international help, regular visits to all detention centres to monitor health and detention conditions of prisoners and provide increased space when conditions are a threat to their lives. Civil society needs to

mobilise more to demand the purchase of the Delmas 75 former psychiatric hospital. In the medium-term, the growth of the prison population should be met by increasing the numbers of vetted DAP personnel and building the new prison for males in which President Préval has expressed interest. Donors, such as Canada and Norway have shown themselves ready to contribute to a trust fund that could support such construction. Alternative sentencing of non-serious offenders should also be promoted.

C. SWIFTLY ALLEVIATING SOCIO-ECONOMIC HARDSHIP TO PREVENT VIOLENT PROTEST

As a complement to classical security sector reform steps, the government and donors should devise and implement new programs to swiftly alleviate extremely harsh living conditions fueling violent social upheaval that threatens the country's still fragile stability. Failure to deal with these issues in a country nearly half of whose population lives in extreme poverty and in which there is an absence of programs for the rural areas, where more than three million of its four million citizens reside, means that ever more migrants to the cities – 100,000 to Cité Soleil alone each year – add to an explosive social mix.²¹⁰

A World Bank study concluded that “it is key that governments assist in augmenting the access to infrastructure services and human capital of the rural population so they can take advantage of increased opportunities” to avoid further migration to densely populated urban centres.²¹¹ These programs also constitute the social response that can help underpin both community violence reduction and community policing efforts, as well as help the Préval/Pierre-Louis administration gain the popular approval it needs to carry through its longer-range security programs.²¹²

²¹⁰ Dorte Verner, “Labor Markets in Rural and Urban Haiti, Based on the First Household Survey for Haiti”, World Bank, policy research working paper 4574, Social Development Sustainable Development Division, March 2008, www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2008/03/24/000158349_20080324132843/Rendered/PDF/wps4574.pdf.

²¹¹ Ibid; also, Dorte Verner and Alessandra Heinemann, “Social Resilience and State Fragility in Haiti: Breaking the Conflict-Poverty Trap”, September 2006, www.ops-oms.org/english/d/csu/SocialResilienceStateFragilityHAI.pdf.

²¹² A primary reason for Prime Minister Alexis's fall in April 2008 was a perception that he stood by passively as the food crisis built.

Conditional cash transfer programs (CCTs) also could be significant. These are intended to foster human capital accumulation among the poorest social strata, while avoiding political patronage systems or heavily-subsidised economies. Cash is transferred monthly to poor families on certain conditions.²¹³ There are examples in large-scale national programs implemented since the mid-1990s in Mexico, Brazil, Colombia, Jamaica and other small countries.²¹⁴ In Brazil, the Family Fund (Bolsa Família) program replaced two earlier programs, the School Fund (Bolsa Escola) and Child-Labour Eradication programs (PETI),²¹⁵ in October 2003. This federal government anti-poverty scheme uses funds from a World Bank loan to make conditional cash transfers to low-income families.

In 1997, Mexico launched its major Education, Health and Food Program (PROGRESA) in rural communities.²¹⁶ Two years after the economic crisis that hit Colombia in 1999, the government began the Families in Action (Familias en Acción) program. Funded from a World Bank and Inter-American Development Bank loan, it provides a bi-monthly stipend for nutrition, health and education. Jamaica implemented its Program of Advancement through Health and Education (PATH) in 2002, giving education and health grants as well as health education to poor households.

Central government-led CCT programs have shown they can be quickly effective in increasing school enrolment rates, improving preventive health care and raising

²¹³ See Laura B. Rawlings and Gloria M. Rubio, “Evaluating the Impact of Conditional Cash Transfer Programs: Lessons from Latin America”, World Bank, policy research working paper 3119, August 2003.

²¹⁴ Honduras introduced the Family Allocation Program (PRAF), while Nicaragua did the same with the Social Protection Network (RPS), *ibid*. While lacking the bureaucratic infrastructure behind the CCT programs, Bolivia created a similar scheme, the Juancito Pinto program, a \$32 million fund that provides a \$25 education bonus for each child studying in public primary schools. The bonus is given in cash by the military, which is charged with distributing the money across the country. Crisis Group Latin America Briefing N°13, *Bolivia's Reforms: The Danger of New Conflicts*, 8 January 2007, p. 12.

²¹⁵ Bolsa Escola was first implemented in Campinas and Brasília; by late 2001, it had reached 4.8 million families in 5,469 municipalities across Brazil. “Evaluating the Impact”, *op. cit.*, p. 6.

²¹⁶ PROGRESA covered eligible communities in rural areas that were selected using a marginality index based on census data. It began with 300,000 households in 1997, reaching four million families (20 per cent of Mexico's population) in 2002. “Evaluating the Impact”, *op. cit.*, pp. 5-6. In March 2002, the name was changed to the Opportunities (Oportunidades) Program.

household consumption in the poorest urban and rural communities. The Jamaican and Colombian programs, for example, were implemented nationwide after six months of pilot efforts.²¹⁷ Once the CCT programs are consolidated, other initiatives, such as job training, adult literacy and income generation schemes can be integrated into a more robust social safety network.

Based on these experiences in the hemisphere, a recent study under the auspices of the International Food Policy Research Institute, with Haitian consultant involvement and support from the Inter-American Development Bank, concluded that a CCT was feasible in Haiti, despite its generally weaker public administration.²¹⁸ It recommended an immediate pilot project, with conditionality to involve primary school attendance and health care centre use for both their own value and the likelihood of greater acceptance in the Haitian culture.²¹⁹

VI. CONCLUSION

Making decisive and swift headway with security sector reform (SSR) is a vital part of any durable solutions to Haiti's political and economic, as well as security problems. Almost halfway through President Préval's term, the country remains fragile. The April 2008 protests and riots, which prompted the fall of Prime Minister Alexis's government, showed that spoilers can easily manipulate public anger and frustration. Those spoilers include drug traffickers, organised criminals, gang remnants, corrupt politicians and a few members of the business class. Demands for material compensation and even reconstitution of the abolished army are still voiced, in part violently, by former officers and some politicians. The severe devastation caused by natural disasters in August and September 2008 requires that the international community act swiftly with the new government of Préval and his recently installed prime minister, Michèle Pierre-Louis, to provide emergency and recovery assistance to victims.

Haiti needs a functioning, professional HNP as a prerequisite and bulwark if the new government is to move the country, with MINUSTAH and donor help, toward stability and development. So, too, it requires a justice system capable of prosecuting, sentencing and punishing offenders, in particular those responsible for serious crimes, with functioning, independent oversight mechanisms. To bolster SSR, increase the government's social legitimacy and prevent violent upheaval, there is likewise need to design and implement programs that provide swift, visible relief to families enduring extremely harsh living conditions and natural disasters. The conditional cash transfer (CCT) initiatives that have been working in several Latin American and Caribbean countries since the mid-1990s offer promising models.

At the heart of the challenges of the coming months is expediting and concluding the vetting of approximately 9,000 HNP officers currently on active service. In addition, better training for more police cadets, including more women cadets, at the police academy has to be made a priority if the goal of a 14,000-member force by 2011 is to be achieved. Creation of the two special chambers for serious crimes and conclusion of the vetting process for members of the Superior Judicial Council (CSPJ) are paramount requirements for justice sector reform. The government should also make regular visits to corrections facilities, together with international humanitarian organisations such as the ICRC, and take urgent actions to remedy inhumane prison conditions.

²¹⁷ "Evaluating the Impact", *op. cit.*, pp. 14-16.

²¹⁸ Marc J. Cohen, et. al., "Social Policy In a Fragile State: Institutional Issues in the Implementation of a Conditional Cash Transfer Program in Haiti", International Food Policy Research Institute, presented at International Studies Association Convention, 29 March, 2008, www.allacademic.com/meta/p_mla_apa_research_citation/2/5/3/4/4/p253445_index.html.

²¹⁹ *Ibid.*, pp. 35-37.

Medium-term goals include establishing the academy for advanced training of HNP commanders and implementing the national prison reform plan, including construction of a new national prison. MINUSTAH's expanded role along the border can only be effective if it is backed up by a working Haitian government strategy. As part of such a strategy, the president and prime minister should reach out much more to their recently re-elected Dominican counterparts in order to establish bilateral agreements on border development and security.

Port-au-Prince/Brussels, 18 September 2008

APPENDIX A

MAP OF HAITI



APPENDIX B

GLOSSARY

AAN	Autorité aéroportuaire nationale (National Airport Authority)
AFI	Agencia Federal de Investigaciones (Mexican Federal Investigations Agency)
AGD	Administration générale des douanes (General Customs Administration)
AHP	Agence haïtienne de presse (Haitian Press Agency)
ANAMAH	Association nationale des magistrats haïtiens (National Association of Haitian Magistrates)
ANMF	Association national des mairies frontalières (National Association of Border Mayors' Offices)
ANP	Académie nationale de police (National Academy of Police)
APN	Autorité portuaire nationale (National Port Authority)
ASECs	Assemblés des sections communales (Communal Section Assembly Members)
BAC	Bureau des affaires criminelles (Criminal Affairs Unit)
BAFE	Bureau des affaires financières et économiques (Financial and Economic Affairs Unit)
BIM	Brigade d'intervention motorisée (Motorized Intervention Unit)
BLTS	Brigade de lutte contre le trafic de stupéfiants (Haitian Police's Office to Fight Drug Trafficking)
BPM	Brigade de protection des mineurs (Minor Protection Unit)
BPST	Bureau de la police scientifique et technique (Police Scientific and Technical Office)
BRI	Brigade de recherche et d'intervention (Search and Intervention Unit)
BRJ	Bureau de renseignements judiciaires (Judicial Information Office)
CARICOM	Caribbean Community
CASECs	Conseil d'administration de la section communale (Communal Section Council)
CCDPP	Commission consultative sur la détention préventive prolongée (Consultative Commission to Study Prolonged Preventive Detention Cases)
CCE	Cellule contre enlèvement (Anti-Kidnapping unit)
CNDDR	National Commission for Disarmament, Demobilisation and Reintegration
CCT	Conditional Cash Transfer
CEDH	Centre oecuménique des droits de l'homme (Ecumenical Centre for Human Rights)
CESFRONT	Cuerpo Especializado de Seguridad Fronteriza (Specialised Border Security Corps)
CICC	Centre of Information and Joint Coordination
CIDA	Canadian International Development Agency
CIMO	Compagnie d'intervention et maintien de l'ordre (Intervention and Maintenance of Order Unit)
CNCGF	Conseil national de coordination et de gestion de la frontière (National Council for Border Coordination and Integration)
CSPJ	Conseil supérieur du pouvoir judiciaire (Superior Judicial Council)
CSPN	Conseil supérieur de la police nationale (Superior Council of the Haitian National Police)
CVR	Community Violence Reduction
DAP	Direction de l'administration pénitentiaire (Prisons Administration Directorate)
DCPA	Direction centrale de la police administrative (Central Department for Administrative Police)
DCPJ	Direction centrale de la police judiciaire (Central Directorate of the Judicial Police)
DEA	U.S. Drug Enforcement Administration
DDR	Disarmament, Demobilisation and Reintegration
DPKO	United Nations Department for Peacekeeping Operations
D.R.	Dominican Republic
EC	European Commission
EMA	Ecole de la magistrature (Magistrates School)

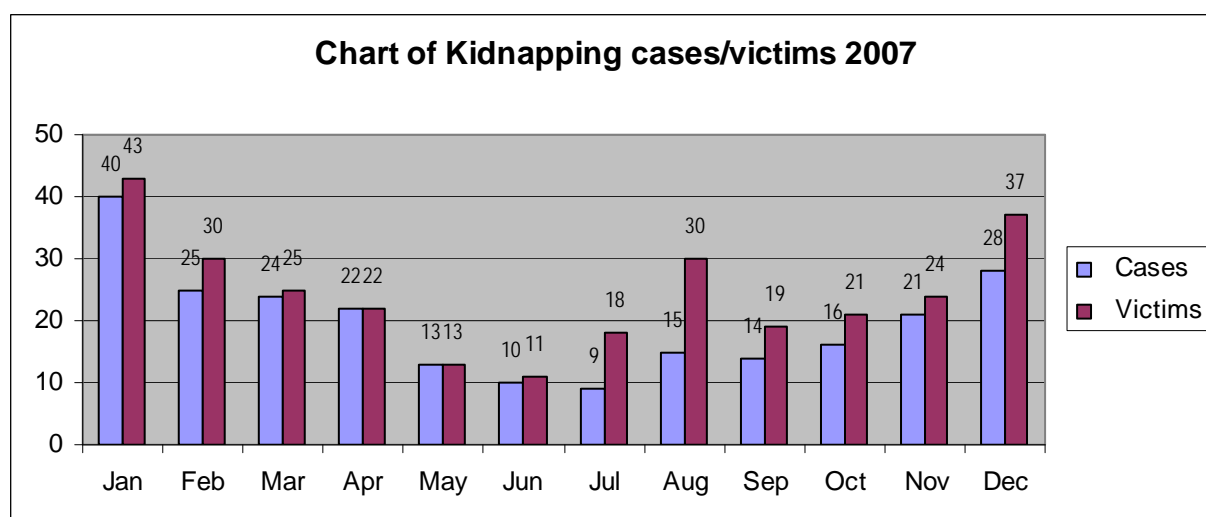
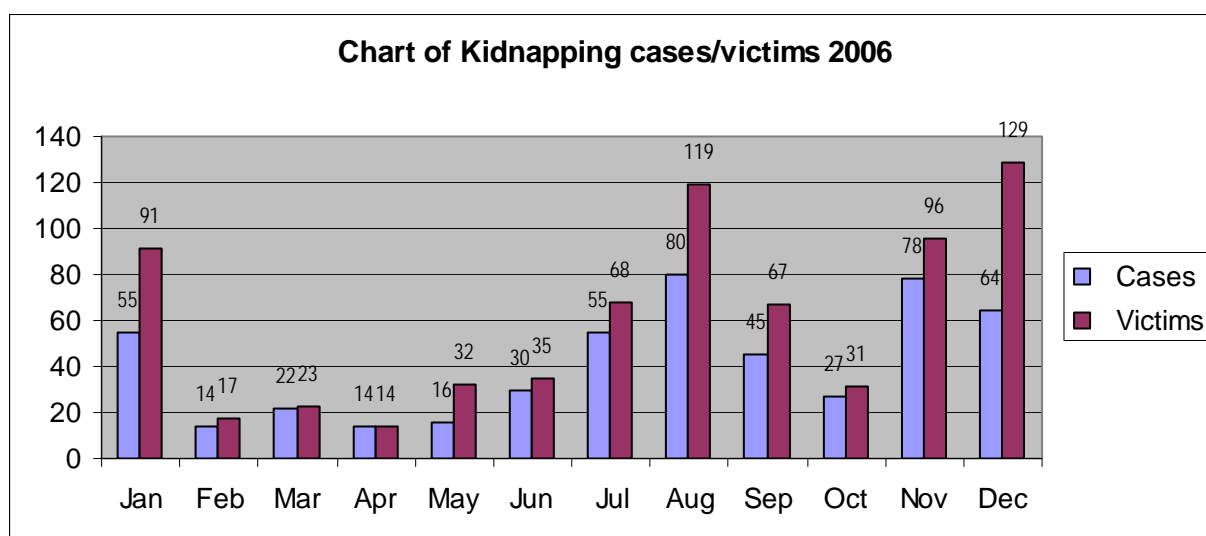
ENP	Ecole nationale de police (National Police School)
Fad'H	Haitian Armed Forces
FPU	Formed Police Unit (by MINUSTAH)
FRAPH	Front pour l'avancement et le progrès haïtien (Haitian Development and Progress Front)
GARR	Groupe d'appui aux réfugiés et rapatriés (Repatriates and Refugees Support Group)
HNP	Haitian National Police
HSI	Haiti Solidarité Internationale
HSI	Haiti Stabilization Initiative (U.S.)
ICCP	International Centre for Crime Prevention
ICRC	International Committee of the Red Cross
IFS	Institute for Fiscal Studies
INURED	Institut interuniversitaire de recherche et de développement (Interuniversity Institute for Research and Development)
IOM	International Organization for Migration
ISPO-Code	International Standard for Pilots Organisations
JIATF-S	Joint Interagency Task Force--South (U.S.)
JIS	Jamaica Information Service
JSR	Justice Sector Reform
LAAA	Latibonit an Aksyon (Artibonite in Action)
LUNAK	Lutte nationale contre le kidnapping (National Fight Against Kidnapping)
MINUSTAH	Mission des Nations unies pour la stabilisation en Haïti (United Nations Stabilisation Mission in Haiti)
MJSP	Ministère de la Justice et de la Sécurité Publique (Justice and Public Security Ministry)
MOUFHED	Mouvement des femmes haïtiennes pour l'éducation et le développement (Movement of Haitian Women for Development and Education)
MSF	Médecins sans Frontières (Doctors without Borders)
NCSC	National Centre for State Courts
OAS	Organization of American States
OIF	Organisation internationale de la Francophonie (International Francophone Organisation)
ONM	National Migration Office
OPC	Office de protection du citoyen (Citizen Protection Bureau)
OPM	Office for the Protection of Minors
PADF	Pan American Development Foundation
PATH	Program of Advancement through Health and Education (Jamaica)
PETI	Programa de Erradicação do Trabalho Infantil (Brazilian Child-Labour Eradication Program)
PDSRSG	Principal Deputy Special Representative of the UN Secretary-General
PRAV	Programa de Asignación Familiar (Honduras Family Allocation Program)
Prodev	Fondation progrès et développement (The Progress and Development Foundation)
PROGRESA	Programa de Educación, Salud y Alimentación (Mexican Education, Health and Food Program)
PSC	Private Security Company
QIP	Quick Impact Projects
RNDDH	Réseau national de défense des droits humains (National Human Rights Defence Network)
RPS	Red de Protección Social (Nicaragua Social Protection Network)
SIDA	Swedish International Development Cooperation Agency
SISBEN	Sistema de Identificación de Potenciales Beneficiarios de Programas Sociales (Colombia Aid-Recipient Selection System for Social Programs)
SOFA	Solidarité Fanm Ayisyen
SSR	Security Sector Reform
START	Stabilisation and Reconstruction Task Force

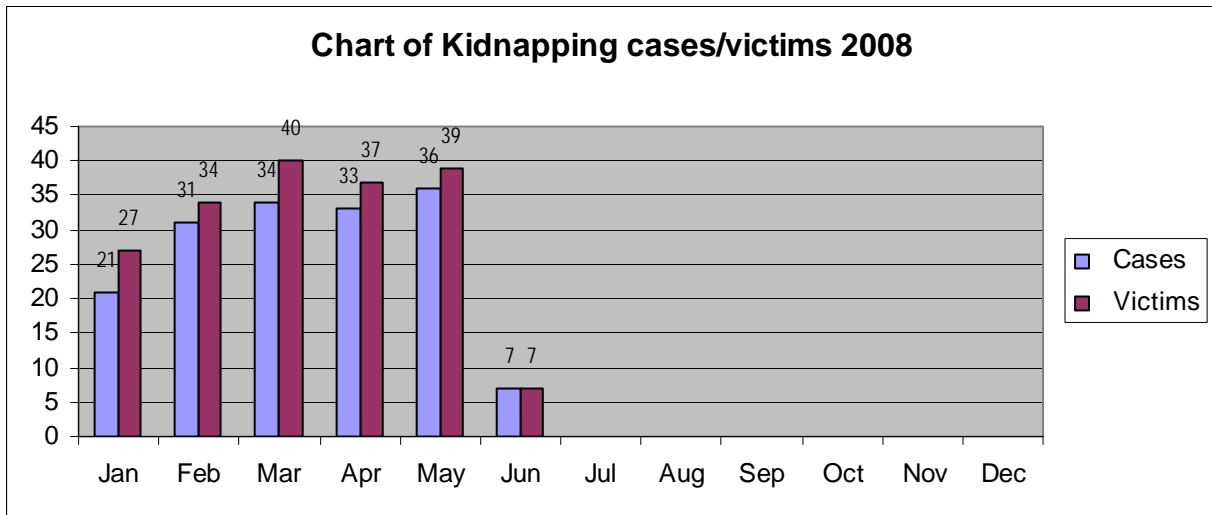
TPS	Temporary Protected Status
UCREF	Unité centrale de renseignements financiers (Financial Intelligence Unit)
UDMO	Unité départementale de maintien de l'ordre (Departmental Unit for the Maintenance of Order)
UEH	Université d'Etat d'Haïti (Haiti State University)
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNPOL	United Nations Police
URAMEL	Unité de recherche et d'action médico-légale (Legal Medical Action and Investigation Unit)

APPENDIX C

REPORTED KIDNAPPINGS, JANUARY 2006-JUNE 2008

		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2006	CASES	55	14	22	14	16	30	55	80	45	27	78	64	500
	VICTIMS	91	17	23	14	32	35	68	119	67	31	96	129	722
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2007	CASES	40	25	24	22	13	10	9	15	14	16	21	28	237
	VICTIMS	43	30	25	22	13	11	18	30	19	21	24	37	293
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2008	CASES	21	31	34	33	36	7	N/A	N/A	N/A				162
	VICTIMS	27	34	40	37	39	7	N/A	N/A	N/A				184





Source: MINUSTAH

APPENDIX D

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 135 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

Crisis Group's international headquarters are in Brussels, with advocacy offices in Washington DC (where it is based as a legal entity), New York, London and Moscow. The organisation currently operates eleven regional offices (in Bishkek, Bogotá, Cairo, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina, Seoul and Tbilisi) and has local field representation in sixteen additional locations (Abuja, Baku, Bangkok, Beirut, Belgrade, Colombo, Damascus, Dili, Dushanbe, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria and Tehran). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea,

Kenya, Liberia, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Myanmar/Burma, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Serbia and Turkey; in the Middle East, the whole region from North Africa to Iran; and in Latin America, Colombia, the rest of the Andean region and Haiti.

Crisis Group raises funds from governments, charitable foundations, companies and individual donors. The following governmental departments and agencies currently provide funding: Australian Agency for International Development, Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Belgian Ministry of Foreign Affairs, Canadian International Development Agency, Canadian International Development and Research Centre, Foreign Affairs and International Trade Canada, Czech Ministry of Foreign Affairs, Royal Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, Finnish Ministry of Foreign Affairs, French Ministry of Foreign Affairs, German Federal Foreign Office, Irish Aid, Principality of Liechtenstein, Luxembourg Ministry of Foreign Affairs, New Zealand Agency for International Development, Royal Norwegian Ministry of Foreign Affairs, Qatar, Swedish Ministry for Foreign Affairs, Swiss Federal Department of Foreign Affairs, Turkish Ministry of Foreign Affairs, United Arab Emirates Ministry of Foreign Affairs, United Kingdom Department for International Development, United Kingdom Economic and Social Research Council, U.S. Agency for International Development.

Foundation and private sector donors, providing annual support and/or contributing to Crisis Group's *Securing the Future* Fund, include Carnegie Corporation of New York, Fundación DARA Internacional, Iara Lee and George Gund III Foundation, William & Flora Hewlett Foundation, Hunt Alternatives Fund, Kimsey Foundation, Korea Foundation, John D. & Catherine T. MacArthur Foundation, Charles Stewart Mott Foundation, Open Society Institute, Pierre and Pamela Omidyar Fund, Victor Pinchuk Foundation, Ploughshares Fund, ProVictimis Foundation, Radcliffe Foundation, Sigrid Rausing Trust and VIVA Trust.

September 2008

APPENDIX E

CRISIS GROUP REPORTS AND BRIEFINGS ON LATIN AMERICA AND CARIBBEAN SINCE 2005

War and Drugs in Colombia, Latin America Report N°11, 27 January 2005 (also available in Spanish)

Haiti's Transition: Hanging in the Balance, Latin America/Caribbean Briefing N°7, 8 February 2005 (also available in French)

Coca, Drugs and Social Protest in Bolivia and Peru, Latin America Report N°12, 3 March 2005 (also available in Spanish)

Spoiling Security in Haiti, Latin America/Caribbean Report N°13, 31 May 2005

Colombia: Presidential Politics and Political Prospects, Latin America Report N°14, 16 June 2005 (also available in Spanish)

Can Haiti Hold Elections in 2005?, Latin America/Caribbean Briefing N°8, 3 August 2005 (also available in French)

Haiti's Elections: The Case for a Short Delay, Latin America/Caribbean Briefing N°9, 25 November 2005 (also available in French)

Bolivia at the Crossroads: The December Elections, Latin America Report N°15, 8 December 2005 (also available in Spanish)

Colombia: Towards Peace and Justice?, Latin America Report N°16, 14 March 2006 (also available in Spanish)

Haiti after the Elections: Challenges for Préval's First 100 Days, Latin America/Caribbean Briefing N°10, 11 May 2006 (also available in French)

Uribe's Re-election: Can the EU Help Colombia Develop a More Balanced Peace Strategy?, Latin America Report N°17, 8 June 2006 (also available in Spanish)

Bolivia's Rocky Road to Reforms, Latin America Report N°18, 3 July 2006 (also available in Spanish)

Tougher Challenges Ahead for Colombia's Uribe, Latin America Briefing N°11, 20 October 2006 (also available in Spanish)

Haiti: Security and the Reintegration of the State, Latin America/Caribbean Briefing N°12, 30 October 2006 (also available in French)

Bolivia's Reforms: The Danger of New Conflicts, Latin America Briefing N°13, 8 January 2007 (also available in Spanish)

Haiti: Justice Reform and the Security Crisis, Latin America/Caribbean Briefing N°14, 31 January 2007 (also available in French)

Venezuela: Hugo Chávez's Revolution, Latin America Report N°19, 22 February 2007 (also available in Spanish)

Haiti: Prison Reform and the Rule of Law, Latin America/Caribbean Briefing N°15, 4 May 2007 (also available in French)

Colombia's New Armed Groups, Latin America Report N°20, 10 May 2007 (also available in Spanish)

Consolidating Stability in Haiti, Latin America Report N°21, 18 July 2007 (also available in French)

Ecuador: Overcoming Instability?, Latin America Report N°22, 7 August 2007 (also available in Spanish)

Bolivia's New Constitution: Avoiding Violent Conflict, Latin America Report N°23, 31 August 2007 (also available in Spanish)

Colombia: Moving Forward with the ELN?, Latin America Briefing N°16, 11 October 2007 (also available in Spanish)

Peacebuilding in Haiti: Including Haitians from Abroad, Latin America/Caribbean Report N°24, 14 December 2007 (also available in French)

Latin American Drugs I: Losing the Fight, Latin America Report N°25, 14 March 2008 (also available in Spanish)

Latin American Drugs II: Improving Policy and Reducing Harm, Latin America Report N°26, 14 March 2008 (also available in Spanish)

Colombia: Making Military Progress Pay Off, Latin America Briefing N°17, 29 April 2008 (also available in Spanish)

Bolivia: Rescuing the New Constitution and Democratic Stability, Latin America Briefing N°18, 19 June 2008

Venezuela: Political Reform or Regime Demise?, Latin America Report N°27, 23 July 2008 (also available in Spanish)

OTHER REPORTS AND BRIEFINGS

For Crisis Group reports and briefing papers on:

- Africa
- Asia
- Europe
- Latin America and Caribbean
- Middle East and North Africa
- Thematic Issues
- *CrisisWatch*

please visit our website www.crisisgroup.org

APPENDIX F

INTERNATIONAL CRISIS GROUP BOARD OF TRUSTEES

Co-Chairs

Christopher Patten

Former European Commissioner for External Relations, Governor of Hong Kong and UK Cabinet Minister; Chancellor of Oxford University

Thomas R. Pickering

Former U.S. Ambassador to the UN, Russia, India, Israel, Jordan, El Salvador and Nigeria

President & CEO

Gareth Evans

Former Foreign Minister of Australia

Executive Committee

Morton Abramowitz

Former U.S. Assistant Secretary of State and Ambassador to Turkey

Emma Bonino*

Former Minister of International Trade and European Affairs of Italy and European Commissioner for Humanitarian Aid

Cheryl Carolus

Former South African High Commissioner to the UK and Secretary General of the ANC

Maria Livanos Cattau

Former Secretary-General, International Chamber of Commerce

Yoichi Funabashi

Editor-in-Chief & Columnist, *The Asahi Shimbun*, Japan

Frank Giustra

Chairman, *Endeavour Financial*, Canada

Stephen Solarz

Former U.S. Congressman

George Soros

Chairman, *Open Society Institute*

Pär Stenbäck

Former Foreign Minister of Finland

*Vice-Chair

Adnan Abu-Odeh

Former Political Adviser to King Abdullah II and to King Hussein and Jordan Permanent Representative to the UN

Kenneth Adelman

Former U.S. Ambassador and Director of the Arms Control and Disarmament Agency

Ali Alatas

Former Foreign Minister of Indonesia

HRH Prince Turki al-Faisal

Former Ambassador of the Kingdom of Saudi Arabia to the U.S.; Chairman, King Faisal Centre for Research and Islamic Studies

Kofi Annan

Former Secretary-General of the United Nations; Nobel Peace Prize (2001)

Louise Arbour

Former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda

Richard Armitage

Former U.S. Deputy Secretary of State

Lord (Paddy) Ashdown

Former High Representative for Bosnia and Herzegovina and Leader of the Liberal Democrats, UK

Shlomo Ben-Ami

Former Foreign Minister of Israel

Lakhdar Brahimi

Former Special Adviser to the UN Secretary-General and Algerian Foreign Minister

Zbigniew Brzezinski

Former U.S. National Security Advisor to the President

Kim Campbell

Former Prime Minister of Canada

Naresh Chandra

Former Indian Cabinet Secretary and Ambassador of India to the U.S.

Joaquim Alberto Chissano

Former President of Mozambique

Wesley Clark

Former NATO Supreme Allied Commander, Europe

Pat Cox

Former President of European Parliament

Uffe Ellemann-Jensen

Former Foreign Minister of Denmark

Mark Eyskens

Former Prime Minister of Belgium

Joschka Fischer

Former Foreign Minister of Germany

Yegor Gaidar

Former Prime Minister of Russia

Leslie H. Gelb

President Emeritus of Council on Foreign Relations, U.S.

Carla Hills

Former Secretary of Housing and U.S. Trade Representative

Lena Hjelm-Wallén

Former Deputy Prime Minister and Foreign Affairs Minister, Sweden

Swanee Hunt

Chair, *The Initiative for Inclusive Security*; President, *Hunt Alternatives Fund*; former Ambassador U.S. to Austria

Anwar Ibrahim

Former Deputy Prime Minister of Malaysia

Asma Jahangir

UN Special Rapporteur on the Freedom of Religion or Belief; Chairperson, Human Rights Commission of Pakistan

James V. Kimsey

Founder and Chairman Emeritus of America Online, Inc. (AOL)

Wim Kok

Former Prime Minister of Netherlands

Aleksander Kwaśniewski

Former President of Poland

Ricardo Lagos

Former President of Chile; President, Club of Madrid

Joanne Leedom-Ackerman

Novelist and journalist, U.S.

Jessica Tuchman Mathews

President, Carnegie Endowment for International Peace

Moisés Naím

Editor-in-chief, Foreign Policy; former Minister of Trade and Industry of Venezuela

Ayo Obe

Chair of Steering Committee of World Movement for Democracy, Nigeria

Christine Ockrent

Journalist and author, France

Victor Pinchuk

Founder of Interpipe Scientific and Industrial Production Group

Samantha Power

Author and Professor, Kennedy School of Government, Harvard University

Fidel V. Ramos

Former President of Philippines

Güler Sabancı

Chairperson, Sabancı Holding, Turkey

Ghassan Salamé

Former Minister, Lebanon; Professor of International Relations, Paris

Thorvald Stoltenberg

Former Foreign Minister of Norway

Lawrence Summers

*Former President, Harvard University;
Former U.S. Secretary of the Treasury*

Ernesto Zedillo

Former President of Mexico; Director, Yale Center for the Study of Globalization

PRESIDENT'S COUNCIL

Crisis Group's President's Council is a distinguished group of major individual and corporate donors providing essential support, time and expertise to Crisis Group in delivering its core mission.

Khalid Alireza

BHP Billiton

Canaccord Adams Limited

Equinox Partners

Alan Griffiths

**Iara Lee & George Gund III
Foundation**

Frank Holmes

George Landegger

Ford Nicholson

Ian Telfer

Guy Ullens de Schooten

Neil Woodyer

Don Xia

INTERNATIONAL ADVISORY COUNCIL

Crisis Group's International Advisory Council comprises significant individual and corporate donors who contribute their advice and experience to Crisis Group on a regular basis.

Rita E. Hauser

(Co-Chair)

Elliott Kulick

(Co-Chair)

Marc Abramowitz

Hamza al Kholi

Anglo American PLC

APCO Worldwide Inc.

Ed Bachrach

Patrick Benzie

**Stanley Bergman &
Edward Bergman**

Harry Bookey &

Pamela Bass-Bookey

John Chapman Chester

Chevron

Richard Cooper

Neil & Sandy DeFeo

John Ehara

Frontier Strategy Group

Seth Ginns

Alan Griffiths

**Charlotte & Fred
Hubbell**

Khaled Juffali

George Kellner

Amed Khan

Shiv Vikram Khemka

Scott Lawlor

Jean Manas

McKinsey & Company

Najib Mikati

Harriet Mouchly-Weiss

Donald Pels

**Anna Luisa Ponti &
Geoffrey Hoguet**

Michael Riordan

StatoilHydro ASA

Tilleke & Gibbins

Vale

VIVATrust

Yasuyo Yamazaki

**Yapı Merkezi
Construction and
Industry Inc.**

Shinji Yazaki

SENIOR ADVISERS

Crisis Group's Senior Advisers are former Board Members (not presently holding national government executive office) who maintain an association with Crisis Group, and whose advice and support are called on from time to time.

Martti Ahtisaari

(Chairman Emeritus)

Diego Arria

Zainab Bangura

Christoph Bertram

Jorge Castañeda

Alain Destexhe

Marika Fahlén

Stanley Fischer

Malcolm Fraser

I.K. Gujral

Max Jakobson

Todung Mulya Lubis

Allan J. MacEachen

Barbara McDougall

Matthew McHugh

George J. Mitchell

(Chairman Emeritus)

Surin Pitsuwan

Cyril Ramaphosa

George Robertson

Michel Rocard

Volker Ruehe

Mohamed Sahnoun

Salim A. Salim

William Taylor

Leo Tindemans

Ed van Thijn

Shirley Williams

Grigory Yavlinski

Uta Zapf