MINUJUSTH (and MINUSTAH) Executive Summary

In April 2017, the United Nations Security Council (UNSC) extended the MINUSTAH mandate until October 2017 with UN Security Council Resolution (UNSCR) 2350 (2017). The mission maintained its authorized troop strength for that period of time, but was expected to initiate drawdown procedures and transition activities with a smaller mission, United Nations Mission for Justice Support in Haiti, or MINUJUSTH. MINUJUSTH’s mandate will be reviewed in April 2018. Major considerations are:

- While some observers suggest that the transition from MINUSTAH to MINUJUSTH can serve as a model for how UN peacekeeping missions should adapt as a country’s needs change and its political situation evolves, others suggest the MINUJUSTH mission offers “nothing positive” and,
instead, continues Haiti’s occupation by foreign forces. Meanwhile, some of the language in UNSCR 2350 (2017) appears problematic. Specifically, the UNSCR’s human rights task to its Chapter VII provision is an addition from the original MINUSTAH mandate which was solely focused on “ensuring a secure and stable environment.” In addition, the UNSCR authorizes mission forces “to use all necessary means” to both support and develop the Haitian National Police (HNP) as well as protect civilians. As MINUJUSTH is only comprised of police—and at a much smaller number than the earlier MINUSTAH mission—it is unclear how “all necessary means” will or can be operationalized.

• The Haitian government continues to have more than the usual challenges inherent in establishing how to govern—and how to fund—the government. Between "donor fatigue" in general and the UN’s reduced budget in support of Haiti, the government’s ability to address significant basic services needs and pay government workers remains constrained. Recovery from 2016’s Hurricane Matthew is still ongoing, compounded by additional geographic interior devastation from 2017’s hurricane season. Also still ongoing is the cholera epidemic, although numbers appeared to steady as opposed to increasing. Education opportunities are hindered by poor or non-existing schools and limited teacher availability. Finally, the overall situation remains volatile with gang violence, murders, kidnappings, illegal arms trafficking, drug trafficking, and trafficking of persons (especially children), as well as the tense border management shared with Haiti’s island neighbor, the Dominican Republic. Of particular concerns are President Moïse’s reinstatement of the Haitian Army, given the previous armies’ human rights abuse history, and his 2017 budget (approved by the Haitian Parliament in September 2017), which is already subject to citizen protests due to its recommended tax increases.

• The UN’s reputation within Haiti deteriorated significantly after MINUSTAH’s Nepalese peacekeepers introduced cholera to Haiti in 2010 (affecting almost 8 percent of the population) and reports of sexual abuse by peacekeepers. While MINUSTAH’s reputation saw redemption in the aftermath of Hurricane Matthew, the continuing sexual abuse and corresponding lack of accountability by the perpetrators reversed any advances in the relationship. Haitians welcomed the UN-proposed compensation package for cholera victims, but they have seen little to none of the actual reparation thus far. Consequently, the U.N. may want to leave MINUSTAH’s dark chapter behind, but Haitians will have to suffer the consequences of the group’s actions for generations to come. And no new mission, under whatever acronym, will change that.

Mission Overview

1. Background, UN peacekeepers first arrived to Haiti in 1994, “to facilitate the return of ousted President Jean-Bertrand Aristide, secure a stable environment in the country and promote the rule of law.” Over the next decade there were various UN missions in that country, with MINUSTAH established in 2004 during the aftermath of armed conflict within Haitian cities and following the exile of President Bertrand
Aristide. In the following years, the mandate of MINUSTAH was adjusted on several occasions to adapt to the changing circumstances on the ground and to the evolving requirements as dictated by the political, security, and socio-economic situation prevailing in the country. In the wake of 2010’s massive earthquake, which killed an estimated 310,000 Haitians and resulted in approximately 700,000 Internally Displaced Persons (IDPs), the UN changed the mission and force levels to support recovery, reconstruction, and stabilization in addition to the previously mandated tasks. The anticipated 2016 mission withdrawal was set aside due to an increase in domestic violence during the national political campaigns and the Hurricane Matthew’s devastation of Haiti in the same year. However, in April 2017, the UN deemed Haiti’s post-election political environment as conducive for the transition of the mission from MINUSTAH to MINUJUSTH, with a corresponding decrement of UN troops and police.

2. Mandate. In April 2017, the UN adopted UNSCR 2350 (2017), to “replace it [MINUSTAH] with a follow-up peacekeeping mission that would help the Government of Haiti strengthen rule-of-law institutions, further develop and support the Haitian National Police and engage in human rights monitoring, reporting and analysis.” MINUSTAH’s last mission day was 16 October 2017, although the ceremony was on October 5th. The new mission is titled the United Nations Mission for Justice Support in Haiti (MINUJUSTH). It will remain in effect until 15 April 2018.

While the vote on UNSCR 2350 (2017) was unanimous, a few member states expressed concerns over some of its language. Specifically, paragraph 18 included phrasing that apparently had not been part of the Group of Friends of Haiti draft resolution that was agreed upon in that venue, suggesting it was added without consensus.

Paragraph 18 of UNSCR 2350 (2017) emphasizes “the importance of addressing issues of effective command and control, refusal to obey orders, failure to respond to attacks on civilians and inadequate equipment”, implying the current mission (MINUSTAH) has had challenges in these areas. A few Member States’ representatives expressed dissatisfaction in the paragraph, believing “it reflected neither reality on the ground nor the high-level performance of MINUSTAH’s troops.” However, the US representative pointed out the UN report regarding sexual abuse by peacekeepers in Haiti (and other missions) suggests the notice of professional behavior expectations in paragraph 18 is necessary.

MINUSTAH’s mandate evolved over the past 12 years, depending on the situation in country. MINUJUSTH’s mandate tasks are essentially the same as MINUSTAH’s, with much less manpower authorized. MINUJUSTH (previously MINUSTAH), is charged to:

- Ensure security, stability and security conditions on the ground
- Support Haiti’s free, fair, inclusive, and transparent legislative, partial senatorial, municipal and local elections, with increased women’s political participation
- Renew efforts to mentor and train police and corrections officers, enhancing the capacity of the Haitian National Police
- Continue to assist the Government of Haiti in tackling gang violence, organized crime, illegal arms and drug trafficking, and trafficking of persons, especially children
- Encourage the Haitian authorities to continue to implement justice reform, strengthening the Rule of Law
- Promote and protect the rights of women and children
- Continue to support the country’s authorities in controlling the flow of small arms, developing a weapons registry, reforming the weapons permit system, and developing and implementing a national community policing doctrine
- Promote economic development
- Remain concerned about the deterioration in the humanitarian situation, including increased food insecurity and the need to support efforts to fight the cholera epidemic
In addition, MINUJUSTH is also charged to:

“12. Authorizes MINUJUSTH to use all necessary means to carry out its mandate to support and develop the HNP and in paragraph 13;

13. Further authorizes the Mission to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, as needed.”

3. Deployment. There are 45 nations among the Troop or Police Contributing Countries (T/PCCs) in the UN’s Haiti mission. As of the most recent publicly available report (August 2017), the largest of the TCCs remains Brazil (980)—or just over 35% of the total of T/PCCs. Until the mission transition from MINUSTAH to MINUJUSTH in early October 2017, a Brazilian general officer also served as MINUSTAH’s Force Commander. The other T/PCCs from the Americas include: Argentina (36), Canada (47), Chile (2), Colombia (28), El Salvador (19), Guatemala (1), Mexico (1), Paraguay (83), Peru (3) and Uruguay (5). The United States has ten (10) individual police officers (IPOs) (including one woman) deployed in support of this UN mission.

T/PCCs with over 100 personnel deployed include: Bangladesh (269), India (305), Jordan (224), Nepal (160), Rwanda (152), and Senegal (164). The Russian Federation provides seven IPOs (including one woman), while China does not provide any troops or police to this mission.

In regards to police, the bulk of the personnel are part of Formed Police Units (FPUs). As of the August 2017 report, only Rwanda includes women as part of its FPU contingent. (In the past, most of the PCCs included women in their FPUs, with the exception of Pakistan. At one time, Bangladesh had 86 women police on site.) The majority of the T/PCCs provide IPOs. Among the largest contingents are: Canada (42), Mali (38), and Niger (43). A few of the PCCs have a significant percentage of women among their IPOs. Those PCCs with over 50% deployed women police include: Cameroon, Norway, and Sweden. In two PCCs, women are the majority in their IPO contingent: Germany (60%) and Togo (82%).

In compliance with UNSCR 2350 (2017), MINUJUSTH comprises seven FPUs. The resolution also indicated a total number of personnel to be 980 FPU personnel and 295 IPOs. However, the resolution allowed for the Secretary-General “to consider adapting MINUJUSTH’s mandate and police force levels, as needed, to preserve the progress Haiti has made towards durable security and stability…” Consequently, the current totals for the FPUs is 1,098 personnel and another 445 IPOs.

4. Casualties. As of August 2017, MINUSTAH claimed 186 fatalities since its establishment, which includes the deaths of almost a hundred UN peacekeepers in the 2010 earthquake—the biggest single
loss of life event in the history of UN peacekeeping. There were no reported casualties due to 2016’s Hurricane Matthew.

Disease was the largest category for peacekeeping casualties in Haiti. Peacekeepers were not immune to the cholera outbreak. In fact, they were contributing carriers. They remain as vulnerable as the rest of the population to the current Zika virus crisis as well as other disease and illness.

There are no reported casualties for MINUJUSTH to date.

Situation

5. Drivers of Conflict. Some observers suggest that Haiti’s contemporary concerns—from internal conflict through humanitarian concerns to socioeconomic challenges—are rooted in Haiti’s centuries-old history as a French colony, its violent experience in seeking independence, and the many subsequent physical and policy interventions (by many names) of imperialist nations (such as the United States) in more recent decades. While much of that history may be present in current conditions, the most obvious conflict driver in recent years are the Haitian gangs and their relationship with political power—or power-seekers.

Existing dynamics between political power and gang violence can be traced back to the third term of President Jean-Bertrand Aristide, from 2000 to 2004, when political elites with various agendas used Haiti’s poor and disaffected youth—chimères—as instruments of intimidation and violence. In the decade since Aristide was dismissed, the gangs’ relationship to political power—and their own organizational purpose—has varied, but appear to be primarily criminal in nature (across the entire spectrum of criminal activity).

While some politicians appeared to both fund and protect gangs from impunity from arrest, gangs also acquired some local-level legitimacy by providing goods (paying for school fees, providing food) and services (such as public order in the absence of state control) to the communities where they operate.

Haiti remains fragile due to internal gang-related security threats, as gangs may respond in large-scale violence if not satisfied with government actions.

Another conflict driver in Haiti was the poor perception of the MINUSTAH mission among some observers in the population. This negative perception was due to peacekeeper-inflicted atrocities against civilians as well as the initial rationale of any peace mission. As a recent report shares:

“There’s been an ongoing question over whether Haiti ever needed peacekeepers,” said Jake Johnston, a research associate at the Center for Economic and Policy Research in Washington, D.C. “It’s not a country with an ongoing civil war. It’s not at war with any of its neighbors.”

“In many respects, Haitians have chafed over this incursion into their sovereignty,” said Robert Maguire, a professor of international affairs at George Washington University.
Other current conflict drivers include:

- There is continuing conflict at the Dominican Republic (DR) border, due to the 2015-2016 migrant crisis, where thousands of people moved into transient camps after leaving the DR by force or by fear during its crackdown on illegal migrants. The situation remains problematic, with DR authorities deporting or denying entry to over 9,000 Haitians in September 2017. In the United States, over 50,000 Haitian nationals are living in the US as beneficiaries of the Temporary Protection Status (TPS) which expires in November 2017. If that status is not renewed, they are vulnerable to deportation back to Haiti.

- The most recent cholera epidemic which has claimed more than 10,000 lives and infected over 800,000 people in seven years and continues to this point.

- According to several sources, Haiti remains “extremely vulnerable to price spikes in the global food market”. Yet, the USAID-funded Famine Early Warning Systems Network (FEWS NET) expected minimal levels of food insecurity in Haiti through January 2018. However, 2017’s Hurricanes Maria and Irma resulted in flooding and crop damage. While the subsequent crop loss and livelihood disruption assessments are still ongoing, the US’ Food for Peace (FFP) [partnered with the World Food Program (WFP)] placement of food stuff in several locations throughout Haiti may have mitigated any additional food security.

- President Moïse’s reinstatement of the Haitian Army gives rise to concerns of a resurgence of violence.

6. Significant Events.

a. Recent Events.

- **6 October 2017.** The ceremony was conducted to formally close MINUSTAH and to open the MINUJUSTH mission.

- **September 2017.** The Haitian Parliament approval of the president’s 2017 budget provokes violent protests.

- **18 July 2017.** Sandra Honoré, Special Representative and head of MINUSTAH briefed the Council on the latest report of the Secretary-General and recent developments.

- **July 2017.** The enlistment drive began for the 500 soldiers to serve in the new Haitian Army. Minister of Defense Herve Denis said the army would “fight terrorism”. Its other purposes will allegedly include patrol of the seas “and the border with the Dominican Republic, Haiti’s neighbor on the island of Hispaniola, and to help rebuild after natural disasters in a country that has suffered death and destruction from a catastrophic earthquake and a fierce hurricane in recent years.”

- **30 June 2017.** Ambassador Sacha Sergio Llorentty Soliz (Bolivia) briefed the Council on the visiting mission (conducted from 22-24 June 2017):

  …In addition to various discussions on the situation concerning the rule of law, judicial reform, capacity of the Haitian National Police, and the mandate of MINUJUSTH, several interlocutors raised concerns about the UN’s response to cholera. They also asserted that the UN must assist the fatherless children born as a result of sexual exploitation and abuse committed by peacekeepers.

- **15 April 2017.** MINUSTAH mandate was renewed for only six months, and also created a new mission, MINUJUSTH.

- **21 March 2017.** The remainder of the new government was installed.
7 February 2017. The new president of Haiti, Jovenel Moïse, was inaugurated for a term of five (5) years.

4 January 2017. UN Security Council welcomed the announcement of the final presidential results from Haiti.

20 November 2016. Presidential election process in Haiti completed, after a delay due to Hurricane Matthew.

b. Upcoming Events.


23 November 2017. The TPS expires for over 50,000 Haitians living in the US.

31 December 2017. Ends the initially funded period of MINUJUSTH operations.

15 April 2018. MINUJUSTH mandate expires.

Operational Environment (GPMESII)

7. Geographic. Haiti covers the western third of the island of Hispaniola. It is bordered by water on three sides, the Atlantic Ocean on the north and by the Caribbean Sea on the west and south. The Dominican Republic forms its eastern and only land border with another country. The island of Hispaniola is about halfway between Cuba and Puerto Rico; the Windward Strait separates it from Cuba which is only 50 miles away. Haiti’s 27,750 sq. km (10,714 sq. mi) includes the islands of Gonave, Tortuga, Vache, Les Cayemites, and Navassa. About two-thirds of the country is mountainous. The mountain chains are separated by a small central plain which contains Port au Prince, which lies on the Gulf. Additional small areas of flat agricultural land are found in the midst of the northern mountain chain and along the north coast. Haiti’s rivers and streams arise in the mountains. Flash flooding during rains is a significant hazard. The coast has many natural harbors most of which have good anchorage for the small craft used by fisherman. Hurricanes with torrential rain and destructive wind are a threat in the late summer. Haiti is particularly susceptible to flooding because of large-scale deforestation on the Haitian half of the island, where most trees have been cut down to make charcoal for cooking. Without trees to slow or stop rainfall, the water runs over the sunbaked ground, filling low spots. Seasonal algal blooms in Haitian coastal waters result in contamination of fish.

Haiti ranks as the third country most affected by climate events according to the 2016 Germanwatch Global Climate Index.

8. Political. The landscape of Haiti’s political parties is extremely crowded. However, many of the parties that are registered within Haiti do not have any organizational structure, per se, and may have one (or less) actual candidates or party leaders. In 2015, Haiti had its first round of legislative elections in several years, with 1,857 candidates, 98 different political parties, and $30 million from the U.S. as well as monetary support from the international community. Those elections resulted in a much divided Chamber of Deputies and Senate. However, the largest party representation in the Chamber of Deputies is the Têt Kale Party (French: Parti Haïtien Têt Kale, PHTK) (Têt Kale means "Bald Head" in Haitian Creole) with 26 representatives. The second largest party is the Truth (Verite) with 13 representatives. All other parties...
in the Chamber of Deputies or Senate have less than ten representatives; most have only one or two representatives.

Haiti’s long-running election cycle began in summer 2015 with approximately 54 candidates vying for presidential power. Shortly before the elections the Verite (Truth) party dropped out, in opposition to some of the procedural constraints on the election process. After the elections, candidates decried fraud and demanded an investigation. The results were nullified, and a rerun election cycle was determined.

The January 2016 presidential run-off did not occur. Instead, a 5 February Agreement enabled President Michel Martelly to leave office on 7 February as prescribed by the Constitution and called for the National Assembly to elect, indirectly, a provisional President for a period not exceeding 120 days. The provisional President Jocelerme Privert nominated a new Prime Minister and cabinet and was expected to complete the outstanding third electoral round on 24 April 2016, allowing for the inauguration of a new President of the Republic on 14 May 2016. However, those elections did not happen for a variety of reasons, including concern among some Haitians that “real” free and fair elections could not happen in an environment of international supervision.

Hurricane Matthew caused the postponement of the elections scheduled for October 9, 2016. The November 2016 elections finally concluded with Jovenel Moïse as President-elect (with 55.6% of the vote, but only 21% turn out). There were no major incidents reported.

The "last round" of Haitian elections occurred in January 2017. Over 5,000 posts were in contest, including runoffs for eight Senate seats and a rerun of the Lower Chamber of Deputies. More than 31,000 candidates were on the ballots nation-wide. There was still very low turn-out by Haitians, perhaps due to “election exhaustion.”

The new president of Haiti, Jovenel Moïse, was inaugurated on February 7, 2017, for a term of five (5) years. He is the first democratically-elected Haitian president in several years, having endured a two year election process that was impacted by accusations of fraud, corruption, and natural disaster. The remainder of the new government was sworn in on March 21, 2017. Both the new president and the new prime minister (Jack Guy Lafontant, a gastroenterologist)—and many of the new Cabinet—have negligible political expertise.

9. Military/Security. The general security situation in Haiti is assessed as largely stable, but fragile. While a Ministry of National Defense was established in May 2012, there are currently no regular military forces of Haiti [Haitian Armed Forces (FAdH)] with the exception of a very small Coast Guard. In the 1990s, then-President Aristide disbanded the forces, but then-President Michel Martelly (2011 to 2016), announced plans to reinstate it. After the decree, a unit of military engineers was recreated and some recruits sent to Ecuador for training and, apparently, engaged in some Haitian public works engineering. In the latter part of 2015 and early 2016, uniformed armed groups paraded and protested (or attacked other protesting groups). However, no international group or advisors recognized these uniformed groups as a formal military institution.

President Moïse is reinstating a national armed forces, but his 2018 budget (with its tax increase) is vastly unpopular. It appears to a few observers that some of the Haitian population looks favorably upon the reinstatement of a standing army—particularly among the unemployed youth. Yet, the US and the UN—as well as other international donors—do not support the concept, given the violent history of Haiti’s previous armies against their own people. Since over 50% of the population is under the age of 25 years, it is possible that history is unknown—or discounted—by the people.
In the past, MINUSTAH rarely intervened in protests or other criminal activity, but the UN perceived the mission as an important deterrent to large-scale violence. The effectiveness of MINUJUSTH in the same role remains to be seen. According to some reports, nearly 83% of homicides are concentrated in the metropolitan area of Port-au-Prince, almost half of which were reportedly gang-related. Kidnappings and rape remain commonplace. **Key security actors are:**

**a. State-Armed Forces.**

**Haitian National Police (HNP).** The approximately **15,000** member HNP has sole responsibility for law enforcement and maintenance of order. Created through international intervention in 1994, the HNP is Haiti’s first independent police force. **The challenges** for effective implementation of this force include, but not limited to: cultural barriers, lack of leadership within the force, and incomplete connectivity with other elements of the Haitian government. To address these challenges, the HNP had a **2012-2016 Development Plan** that covered several areas, specifically focused on progressively taking over security tasks from MINUSTAH. One of these initiatives was the **Community Policing Units**, which had some limited success in Haiti’s urban areas.

While the capacity of the Haitian police is greatly improved, they are still extremely resource-constrained in equipment, personnel, and training.

**Haitian Army.** It is not yet clear how the newly reinstated Haitian Army is titled. Contemporary Haitian political interest in a national armed force certainly dates to 2012’s establishment of a Ministry of Defense in Haiti. At that time, some engineer units were formed. The most recent motivation to stand up an army was consequent to the April 2017 announcement of the transition of MINUSTAH to MINUJUSTH. The Ministry of Defense conducted a **recruitment drive** in July 2017, searching for 500 men and women between the ages of 18 to 25, “who have passed their secondary education exams.” The intent of the army is described as “deal with natural disasters and to patrol borders.” According to **one report**:

> 1,000 people had tried to enlist so far but many were too old or lacked the necessary education. Only 300 had made it through the first level of screening, he said. Recruits still face medical exams and psychological and intelligence tests.

**b. Non-State Armed Groups.**

**Gangs.** Gangs remain the predominant security threat for the Haitian people, except where they are considered **the instruments of stability in some communities**. Gang-related activity includes aggravated assaults (and gender-based violence), kidnappings, and robberies—especially home invasions. Gang leaders and their supporters perceive themselves as the *baz* – the base of the neighborhood. The *baz* have functioned in the local area power vacuum for years as a kind of de facto community government, in a role that falls somewhere between political pressure group, warlord and tax collector, and protector of the community.

**Organized Criminal Elements (Domestic and Transnational).** Organized crime in Haiti exists at all levels of society. Local collaborators include a complex and dynamic mix of legitimate business people; Islamist extremists, terrorists, and kidnappers; police and army officers; militia groups; and local **politicians**. Crime exists in many forms, the most prevalent being drug and human trafficking, robbery,
and kidnapping. The country's strategic geographic location and its extremely weak institutions make it an attractive setting for trafficking people, drugs, arms and other contraband. Moreover, local security forces and the justice system lack the capacity to adequately address the challenges posed by criminal groups, and corruption in Haiti remains a major issue. The combination of these factors makes for fertile grounds for organized crime, which is of significant concern given Haiti's location along the Caribbean drug trafficking routes that US authorities say are growing in importance.

c. Other International Actors. Beyond the UN and its MINUSTAH, there are many other international actors and organizations as well as regional neighbors interested in the long-term stability of Haiti (albeit within their own national or regional concerns). The following list is not complete, but provides examples:

**The Dominican Republic (DR).** The DR has a long and often problematic history with Haiti, of which the 1937's Parsley Massacre is only one of the horrific examples. In 2016, the DR forced allegedly undocumented Haitian-ethnic peoples from its country to the border encampments, even though most of them are actually Dominican Republic-born and do not speak Creole. However, even more recently, the DR and Haiti have partnered for future foreign investment opportunities, “harmonizing their economic relations and their socioeconomic development at regional and international levels.” Later in 2016, the DR extended temporary migrant regularization card for one year for over 140,000 Haitians. However, as recently as September 2017, DR authorities deported or denied entry to over 9,000 Haitians.

In August 2017, DR authorities expressed their interest in assisting Haiti in the reinstatement of its army.

**Regional Organizations.** UNSCR 2243 (2015) emphasized the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti, in particular the Organization of the American States (OAS), Union of South American Nations (UNASUR), and the Caribbean Community (CARICOM).

The Group of Friends of Haiti—a group that meets regularly to coordinate international support and policy options for Haiti—including Argentina, Bolivia, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the US, and Uruguay (the current chair). The Groups of Friends of Haiti traditionally drafts resolutions for approval within the UN.

The UN also includes a "Core Group", represented by the Ambassadors of Brazil, Canada, France, Spain, the U.S., the European Union and the Special Representative of the OAS, with focus attention on Haiti concerns. There are a substantial number of financial and humanitarian organizations that operate in the Haiti donor and loaner space, as well.

10. Economic: With a Gross National Income (GNI) of only $8 billion (per capita of only $780), Haiti is the poorest country in the Western Hemisphere. Haiti is a free market economy subject to poverty, corruption, natural disasters, and low levels of education, all impediments to economic growth. 80% of the population lives under the poverty line and 54% in abject poverty. Two-fifths of all Haitians depend on the agricultural sector, mainly small-scale subsistence farming, and remain vulnerable to damage from frequent natural disasters, exacerbated by the country's widespread deforestation.

The Haitian drought of the two last years, coupled with the natural disasters, caused the agricultural production to fall about 60%, putting millions of Haitians into food insecurity. While international aid mitigated that risk, some observers note: “Overall, foreign and domestic subsidies have harmed Haiti’s economy.”
While Haiti’s economic situation is improving, its economic freedom score is 49.6, making its economy 149th in the 2017 Index. According to the World Bank, a major challenge for Haiti will be to manage the substantial decrease in donor financing. Having declined for the last three years, the trend is expected to continue in the future. This will likely constrain Haiti’s capital investments, which had increased for the last three years with limited impact on growth. With scarce resources, efficient and effective use domestic and external resources will remain crucial.

The US is Haiti’s largest trading partner, with a growing number of firms operating in Haiti. Opportunities for US businesses in Haiti include light manufacturing, in particular textile and clothing production; the development and trade of raw and processed agricultural products; medical supplies and equipment; building and modernizing Haiti’s infrastructure; developing tourism and allied sectors such as arts and crafts; and improving capacity in waste disposal, transportation, energy, telecommunications, and export assembly operations.

The number of financial organizations—international or regional, government or non-government—operating in Haiti is significant. The United States Agency for International Development (USAID) reports over $301,893,290 towards Haiti in 2016 from all US Government (USG) agencies. Following the October 2016 Hurricane Matthew, the International Monetary Fund (IMF) provided $41.6 million Rapid Credit Facility through the Banque de la République d’Haïti (BRH) to rebuild its net international reserves. Additionally, the DR and Haiti partnered for future foreign investment opportunities with many regional financial institutions.

A developing trend for donors is the funding of entrepreneurial opportunities that move the Haitian economy from aid to trade in recognition that “when relief organizations bring in donated goods that are distributed for free to people in need, one of the outcomes is often the death of local businesses that provided those goods.”

However, one of the most exciting financial funding opportunities appears to be local in nature. Groups of neighbors—mainly women—pool their money together on a weekly basis to make short-term (three months) loans available to each other. These locally-funded savings and loans are contributing to substantial improvement in local economic ventures.

11. Social. Approximately 10 million people live in Haiti speaking French and Creole as official languages (over 90% speak only Creole). Population ethnicity is predominately black (95%) and over half the population is Roman Catholic, although many Haitians practice elements of voodoo (recognized as an official religion in 2003) in addition to another religion. Over 56% of the populations is under 25 years old. While life expectancy is over 65 years at birth, the current median age is only 22 years. Some sources indicate that literacy rates are around 60%; others suggest that almost half of the population was illiterate (above the age of 15). At the current pace, the illiteracy rate will not decrease in the next 20 years. Schools are locally funded, and over 90% are privately funded, leading to a widening gap between areas and social classes. International assistance has helped fund jobs, but the per capita income remains only a few dollars a day.

a. Rule of Law. USAID, among other domestic and international organizations, provides support to Haiti’s Rule of Law sector through both funding and direct assistance in the following three categories: strengthen public sector executive function and accountability, improve local governance capacity and service delivery, and improve access to and delivery of justice services.
A recent report at the UN highlighted that:

…today, Haitians “enjoy a considerable degree of security and greater stability”, with a reduction in political violence and threats from armed gangs, a strengthened Haitian National Police, and progress in restoring and maintaining the rule of law.

b. Human Rights. Until March 2017, the UN provided an independent human rights expert (Gustave Gallon).

In 2014, the Haitian courts ruled that the statute of limitations cannot be applied to crimes against humanity. At the time, many believed that allegations of past human rights violations by the government would be investigated. However, it does not appear that any investigation will be concluded at any time soon. Gender-based violence and child abuse remains a widespread problem. Haiti does not currently have specific legislation criminalizing rape, domestic violence, or sexual harassment. Most troubling, the use of child domestic workers—known as restavèks—continues. Theoretically, restavèks are sent from low-income households to live with wealthier families with the intention that they will be schooled and cared for in exchange. In practice, they are often unpaid, denied education, and physically or sexually abused.

Most of Haiti’s trafficking cases are of the restavèks and efforts to eliminate the practices are inconsistent. In a 2016 raid of a resort hotel, Haitian police arrested nine persons in connection with sex trafficking of over 30 women and girls (some as young as 13 years old). According to several reports, US and Canadian tourists booked the rooms and paid for the day passes for the children.

Tragically, many of Haiti’s exploited children and women were abused by peacekeepers. While some were raped, others participated in “survival sex,” trading their bodies for food or a few dollars. A report highlighted:

...at least 134 Sri Lankan peacekeepers exploited nine children in a sex ring from 2004 to 2007...the children in Haiti were passed around from soldier to soldier...In July 2011, four Uruguayan peacekeepers and their commanding officer allegedly gang-raped a Haitian teenager. The men also filmed the alleged attack on their phones, which went viral on the internet...The following year, three Pakistanis attached to the UN’s police units in Haiti were allegedly involved in the rape of a mentally disabled 13-year-old...the Pakistanis abducted the boy to keep him from detailing the abuse that had gone on for more than a year...

...the abandoned children tried to make a life for themselves. They begged and scavenged for food, but they never could scrape together enough to beat back the hunger, until the U.N. peacekeepers moved in a few blocks away. The men who came from a far-away place and spoke a strange language offered the Haitian children cookies and other snacks. Sometimes they gave them a few dollars. But the price was high: The Sri Lankan peacekeepers wanted sex from girls and boys as young as 12.

c. Humanitarian Assistance. Haiti is struggling to get the hundreds of thousands of Haitians living in poverty onto the development path by providing equal access to health, water and sanitation, safe housing and livelihoods. A December 2016 report indicated over that over 1,519,900 persons were affected by Hurricane Matthew, despite the fact that “most of the affected communities stayed in their place of origins or were hosted by relatives and neighbors.” Almost a year later, an August 2017 humanitarian report indicated:

Seven (7) years after the 2010 earthquake, 37,967 internally displaced persons still remain in 27 camps. The food security condition is worrying with 2.35 million people in severe acute food insecurity. At the same time, a greater part of the 2.1 million people affected by Hurricane Matthew in October 2016 are still in need of humanitarian assistance.
Similarly, September 2017’s Hurricane Irma compounded the devastation and associated recovery efforts in Haiti. Not only were over 12,000 persons evacuated, but the accompanying floods impacted almost 5,000 homes and a significant portion of the agricultural sector.

On a positive note, there appears to be a continuing downward trend of cholera cases in Haiti: “For the period of January to August 2017, 9,531 suspected cases have been registered in the country, a decrease of 66% compared to the same period in 2016.”

12. Infrastructure. Even before the January 2010’s 7.0 magnitude earthquake and the 2016 hurricane, Haiti's infrastructure was primitive and poorly maintained as a result of decades of under-investment and environmental damage. 2010’s earthquake was the country’s most powerful in more than 200 years. More than 200,000 people were killed, and 1.5 million of the country’s 10 million people were left homeless. Thousands of homes, schools and hospitals were destroyed, as well as the UN headquarters in Port-au-Prince, the presidential palace, and the main prison. Nineteen of the 20 government ministries collapsed. Estimates of damage and losses ranged between $8 billion and $14 billion.

The UN estimated that 70,000 buildings collapsed and tens of thousands were damaged, creating an estimated 10 million cubic meters of rubble – enough to fill 4,000 Olympic-sized swimming pools. It took two years to clear about half the rubble. Much of it was done by hand on hillsides and in densely populated areas of the capital that were inaccessible to heavy machinery. Overall damage and losses from the earthquake were evaluated at $7.9 billion, according to the World Bank, though other estimates are higher.

Almost eight years later, much of Haiti remains inaccessible in both urban and remote areas, despite the huge investment from international donors and organizations in infrastructure. Post-Hurricane Matthew, the World Bank financed “the construction of an emergency bridge in Ladigue to restore safe and all-weather access to 1.4 million Haitians,” noting that “such infrastructure and transport projects also recruit and train local workers and generate employment opportunities.”

13. Information. The telecommunications infrastructure is among the least-developed in Latin America and the Caribbean. However, domestic cell service has expanded greatly in the last five years due to low-cost phones and pay-as-you-go plans with current mobile-cellular teledensity of 60% of the population. There are almost 100 AM/FM stations and 130 broadcasting television stations. Radio is an effective news outlet for spreading information. The UN mission employs an FM radio station.

**Peace Operations Functions**

14. **Command and Control.** MINUJUSTH leadership was conceived to include a Special Representative of the Secretary-General who would also play a good-offices and advocacy role at the political level to ensure full implementation of the mandate. At this time, however, MINUJUSTH leadership consists of:

- **Deputy Special Representative of the Secretary-General:** Mamadou Diallo (Guinea)
- **Police Commissioner:** Georges-Pierre Monchotte (France)

15. **Intelligence.** One of the first of the UN Missions with a Joint Mission Analysis Center (JMAC), MINUSTAH’s was staffed with approximately 30 personnel. It is unclear if MINUJUSTH uses a JMAC.

16. **Operations.** MINUJUSTH’s operational priority is support to the national police.
17. Protection.

a. Mission Protection. While MINUSTAH did not have the casualty count of other UN missions, there were more deaths due to in-country violence in the 2016 than in any other year. This was assumed to be related to the electoral period.

Thus far, there are no reported deaths of peacekeepers—in MINUSTAH or MINUJUSTH—in 2017.

b. Protection of Civilians. UN Office for the Coordination of Humanitarian Affairs reports: “Seven (7) years after the 2010 earthquake, 37,967 internally displaced persons (IDPs) still remain in 27 camps (in Haiti).” This residual homeless may also include ethnically-Haitian migrants expelled from the DR in recent years.

While MINUSTAH did not have a specific Protection of Civilians task, it did have tasks related to the protection of the rights of women and children and support of the HNP’s efforts to tackle gang violence, organized crime, illegal arms and drug trafficking, and trafficking of persons, especially children.

MINUJUSTH, on the other hand, does include a specific task of protection of civilians:

12. Authorizes MINUJUSTH to use all necessary means to carry out its mandate to support and develop the HNP and in paragraph 13;

13. Further authorizes the Mission to protect civilians under imminent threat of physical violence, within its capabilities and areas of deployment, as needed…

18. Sustainment. Haiti has only four paved airports and only 16% of the 4,266 km of roads are paved. There are four seaports. Emergency response and contingency planning remain critical requirements, in particular in relation to cholera, drought, risks associated with hurricane season, and an influx of persons crossing the border from the DR. The US is currently the largest foreign aid donor in Haiti.

MINUJUSTH is financed “through a commitment authority from the Peacekeeping Reserve Fund.” It has an approved budget of $25 million dollars for the period ending 31 December 2017. A full budget proposal for the 2017/18 period must still go before the General Assembly.

Issues and Considerations

19. Issues. The major issues confronting MINUJUSTH in Haiti are summarized as follows:

- MINUJUSTAH may have to mitigate any disconnects between “operationalizing” support to Haiti’s government and its associated security assets while also complying with mandate tasks to protect civilians.
- Haiti remains fragile across all spectrums of self-governance and sufficiency, ranking 163 out of 188 countries in the Human Development Index (HDI, using 2015 data in the 2016 report) and is often on a “most disaster-prone country in the world” list, given its limited resilience in the population and infrastructure.
- Many international government and non-government organizations face donor-fatigue—including many national representatives in the UN.
- Armed groups, such as gangs or para-military organizations, may not believe a strong central government is in their best interest and remain de-stabilizing influences on the political and developmental process.
20. Considerations.

a. Considerations for the United States (US). The US has been consistently the largest donor of aid and other assistance to Haiti for several years, either directly (bilateral) or through other funding and assisting entities [such as the United Nations programs, or the Caribbean Basin Security Initiative (CBSI), now the Caribbean Basin Trade Partnership Act]. Then-President Obama’s 2017 budget increased Haiti expenditures by 9% (to $218.1 million), which would have made it the second-largest assistance program in the region (Colombia was the largest).

President Jovenel Moïse indicated that he expected a close relationship with President Trump given their shared business background. It does appear, however, that a few recent US policy decisions negatively impact Haiti or the Haitian people. Those policies include: immigration procedures (Haitians in the US are granted TPS, which expires in November 2017), and international aid reduction (given the draft executive order reducing US funding of international organizations). Modifications in climate change policy may also have long term impacts to Haiti, which is already vulnerable to flooding.

Most observers emphasize that the US must remain vested in the improvement of the Haitian environment for several reasons, such as its geographic proximity, traditional trade arrangements, security concerns and criminal activities, and the large diaspora of Haitian and Haitian-descent living in the US. USAID currently retains a four-pronged assistance strategy focused on infrastructure and energy, food and economic security, health and other basic services, and rule of law. US foreign policy toward Haiti is designed to foster the institutions and infrastructure necessary for it to achieve strong democratic foundations and meaningful poverty reduction through sustainable development. Trade policy is a key component to that end.

Several persons in US leadership suggest that “throwing money” at Haiti is not of long term benefit to either Haiti or the US. Called by some a “primer of waste and fraud”, the 2015 US Government Accountability Office (GAO) Report to Congress highlights several assistance programs in Haiti that did not gain success.

A recent report from the Congressional Research Service (CRS) offered the following policy considerations:

Aid Conditionality. The “aid conditionality” concept suggests that donor entities, such as the US, expect assistance and aid to be utilized by the nation-recipients “where leaders govern responsibly, set in place good policies, and make investments conducive to development” in order to achieve “sustainable outcomes.” In other words, aid could be withheld if good governance criteria are not met. However, developing consensus domestically and internationally on what constitutes “good governance” and its associated policies and procedures is difficult to achieve, even where governing institutions are firmly established. It may be impossible to develop said consensus for nation-recipients such as Haiti where a national government is nascent.

Department of Defense Role in Security Assistance. The report highlights:

Historically, Congress has authorized most security assistance programs under Title 22 of the U.S. Code (Foreign Relations) and appropriated funding for these programs through State Department accounts in annual Department of State, Foreign Operations, and Related Programs appropriations legislation. Since the 1980s, however, Congress has provided numerous security assistance authorities to the Department...
of Defense (DOD) under Title 10 of the U.S. Code (Armed Services) and the annual National Defense Authorization Act (NDAA) and has appropriated funding for the new activities (referred to as "security cooperation" by DOD) through annual DOD appropriations. As a result, many Latin American and Caribbean nations receive training, equipment, and other support from DOD in addition to the assistance provided through the traditional U.S. foreign aid budget examined in this report.

While this type of assistance is not as prevalent in Haiti, there may be call for it in the future as other assistance and aid programs atrophy.

**Trilateral Cooperation.** The US can retain (and strengthen) its partnership with other nations representing regional interests, such as the various Caribbean or western hemisphere groups. As the report points out: "As some nations in the hemisphere have transitioned from aid recipients to emerging aid donors, the U.S. government has partnered with them through…trilateral cooperation initiatives to jointly plan and fund assistance programs elsewhere in the region."

The advantages to trilateral cooperation include the lower personnel and service costs in nations other than the US, as well as the "geographic, historical, and cultural ties emerging donors may have" with nation-recipients of aid. Particularly, US donations through third-party nations "facilitate U.S. engagement in countries that otherwise would be unresponsive to a U.S. presence." The significant disadvantage, however, is that the US may lose accountability of its funding when exercised through third-party nations, potentially supporting entities and activities "that otherwise would be prohibited."

Ambassador Michele J. Sison (US Deputy Permanent Representative to the United Nations, US Mission to the United Nations) recent remarks perhaps summarizes the general focus of current US policy towards Haiti:

Together with the international community, the United States looks forward to maintaining our close partnership with the Haitian government and the Haitian people to ensure the country’s continued stability, democratic development, and future prosperity.

**b. Considerations for the United Nations (UN).** The UN accomplished a significant portion of its MINUSTAH mandate. It trained police personnel, created a law enforcement office dedicated to addressing sexual and gender-based violence, reestablished law and order, helped draft laws to improve judicial independence, strengthened human rights and assisted in the renewal of democratic institutions. In addition, MINUSTAH logistics assets and manpower were invaluable during Haiti’s natural disasters and in other humanitarian work during the mission’s duration.

MINUSTAH provided the UN much material to study in regards to the "unintended effects of a peace mission." Beginning with 2004’s questionable requirement for any UN mission at all, MINUSTAH labored under the resentment of the Haitian population. Many Haitians perceived peacekeepers as an occupying force, as well as observing—and being victims of—the peacekeepers own incongruous behaviors. In one report:

One of the first negative incidents took place a few months after the mission began...UN peacekeepers under Brazilian command...conducted a violent crackdown not only against criminal gangs but also against supporters of the deposed president, as well as others who were entirely uninvolved with either group...UN soldiers were proven to have taken part in the sexual abuse and prostitution of minors...a cholera epidemic broke out...and the pathogen had originated in a camp of Nepalese peacekeepers...reparations, and in what form, is still unclear today...what Haiti lacks is a functioning justice system, political stability, and — still — security.
The UN learned many lessons in Haiti over the years, especially in regard to pre-deployment training, “certification,” and supervision of its members. Lack of basic soldier skills regarding hygiene may have directly contributed to the cholera outbreak, and poorly understood and/or reinforced professional standards clearly contributed to the abusive conduct of the peacekeepers towards civilians.

Consequently, in the post-MINUSTAH environment, one report calls on the UN “to completely rethink its operations,” recognizing “how the presence of thousands of UN personnel and non-governmental organizations affects the local population.” One of the authors highlight the pending “brain-drain” in Haiti, as educated and experienced Haitians who previously worked on international humanitarian projects may leave Haiti to other countries for better paying jobs than those found in their own country.

For the UN to bolster rather than undermine its legitimacy as a global leader on human rights, justice and the rule of law, it must take responsibility for the suffering (cholera, sexual assault) it caused in Haiti by its own representatives. January 2017’s deployment of peacekeepers without required cholera vaccinations only reinforced perceptions of the UN’s disregard for the local population’s safety and health. Further, the lack of accountability of the peacekeepers identified in sexual assaults or in paternity cases, and the inability of the UN to compensate cholera victims as promised, continues to impact Haiti’s local population and national government perception of peacekeepers—which may hinder the effectiveness of the future MINUJUSTH activities.

Finally, the UN should be aware that effective implementation of the recent UNSCR may be problematic. Its human rights task is an addition from the original MINUSTAH mandate. It also authorizes mission forces “to use all necessary means” to both support and develop the Haitian National Police (HNP) and protect civilians. As the new mission will only be comprised of police—and at a much smaller number than the current mission—it is unclear how “all necessary means” will or can be operationalized.

c. Considerations for Haiti. Regardless of claims of election fraud and low voter turnout, Haiti appears a more fully transparent and representative democracy. However, the protests over the approved national budget—and the government response to same—are troubling. Haitian leaders, at all levels, must continue to promote and advocate for an engaged population to exercise their voting rights and to respect opposing views without violence.

Perhaps ironically, the civic engagement of urban gangs may be helpful to this end. In addition, only when individuals and family groups and neighborhoods believe themselves to be protected and respected can the same begin consideration of larger security concerns as well as issues of education and economic prosperity.

Therefore, it is critical that Haiti continue its development of the PNH, as its most visible representative of the government in many neighborhoods. Through its program of community policing, the community and the police can be in dialogue with each other. Also, the vigorous and impartial investigation and prosecution of those involved in illegal activities, especially in human trafficking, will boost the government’s reputation as a protector of its citizens rather than a predator. The expected decrement of donor dollars should accelerate the transition of aid to development programs. Therefore, Haiti must continue to support opportunities for Haitians to assist themselves, such as the farming program of Farmers of the Peasant Movement of Gros-Morne.

Some other considerations for Haiti are controversial but should be deliberated:

• Wipe out the criminal elements and drug lords;
• Re-write the Constitution;
• Increase the number of and solidify law enforcement institutions (among which a national military may
have role, if carefully managed);
• Set-up an permanent electoral council with definite guidelines to block any candidate with prior

The farming program is in collaboration with a US-based partner, the Quixote Center. Called “Haiti Reborn - Yielding Change” it enables smallholder farmers to use international aid funds to buy crop seed. When harvested, another aid group (Peasant Movement) purchases the crops and distribute to those in need.

Unlike past and most current aid systems, which aim to alleviate the short-term needs of hungry Haitians, Haiti Reborn - Yielding Change will not only raise wages for farmers, but also meet disaster relief needs with locally-sourced food. Its goal is both to feed those in need and strengthen the Haitian farm economy, historically the country’s economic backbone.

Resources


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