



FOCAL

Canadian Foundation for the Americas
Fondation canadienne pour les Amériques
Fundación Canadiense para las Américas
Fundação Canadense para as Américas

The Role for Canada in Post-Aristide Haiti: Structures, Options and Leadership

This paper has been prepared by Carlo Dade, Senior Advisor with FOCAL (Canadian Foundation for the Americas) and John W. Graham, Chair of FOCAL for the House of Commons Committee on Foreign Affairs and International Trade in response to the Committee's request.

1. Summary

For the third time in 20 years the government in Haiti has collapsed once again leaving the poorest country in the hemisphere as a destabilizing influence on its neighbours, a growing narcotics and transnational crime base and a major source of apprehension to Haitian and Caribbean descendant populations in Canada. These are sources of concern for Canada both domestically and regionally.

Past attempts to improve governance and quality of life have largely failed through a combination of Haitian truculence, corruption, donor fatigue and impatience. Continued failure will make reform more difficult as the repercussions from lawlessness and poverty increasingly impact the region.

The situation in Haiti is dire but not yet at the level of concern as in Afghanistan, Iraq or Somalia, though Haiti clearly is heading in that direction. The challenge is to learn from past mistakes at State building in Haiti and elsewhere to find a development model that will work. Without a forceful and committed advocate from the developed world, discussions at the UN, the OAS, and CARICOM will continue to lack urgency and focus and Haiti will again slip from the forefront of international conscience. Canada has a unique combination of national interest and comparative advantage to work in Haiti. Given its commitments elsewhere, the United States appears reluctant take on long-term leadership. Canada remains the only country in the hemisphere with the appropriate experience and qualifications. This is an opportunity for Canada to assert the leadership, which the Prime Minister is seeking, complement multilateral measures that Canada already has supported and raise Canada's hemispheric profile. This paper offers a brief analysis, outlines a plan of action and concludes with discussion of the exit strategy.

2. Background and Legal Authority

In Haiti, institutions that support law and order and exercise the functions of government have broken down under internal violence and economic collapse. The remnants of a Haitian State persist as a shadow presence; it retains a flimsy legal standing but, for all practical purposes, has lost the ability to exercise authority in its own territory. Haiti has become a 'failed state'.

States which lack control over their territory and which cannot guarantee law and order threaten international peace by serving as a base for crime, public health threats, refugee crisis and regional unrest. Such States also harm the basic human rights of their own citizens. Failed States have thus become subject to intervention by the international community through actions most

often initiated and carried out by the U.N. Security Council under Chapter VII of the U.N. Charter.

Haiti clearly meets the definition of a failed State and U.N. Security Council Resolution 1529 of February 2004 on Haiti grants authority both for a peacekeeping intervention (Section 2: "Authorizes the immediate deployment of a Multinational Interim Force..." and Section 3: "Declares its readiness to establish a follow-on U.N. stabilization force...") as well as a longer-term intervention (Section 10. "Calls upon the international community, in particular the U.N., the OAS and CARICOM to work with the people of Haiti in a long-term effort to promote the rebuilding of democratic institutions and to assist in the development of a strategy to promote social and economic development and to combat poverty.")

3. Situation in Haiti

While conditions in Haiti are neither as dire nor dangerous as in Afghanistan or Iraq, the vacuum of governance and the scale of appalling human misery is a reproach to the hemisphere and to the principal donor nations. Haiti is in the bottom tier of the UN Human Development Index. Ranked 150 out of 175 countries surveyed it sits below countries such as Sudan and Bangladesh. The next closest country in the Americas is Nicaragua, which is ranked at 121. It is estimated that one of every twelve Haitians has contracted HIV/AIDS and a ten year forecast sets the number of orphaned children at approximately 350,000. Transnational crime is a grave issues. Haiti is a major drug transshipment point. A U.S. DEA spokesman estimates that close to 21 per cent of cocaine leaving Colombia for the US and Canada passes through Haiti. Guy Phillippe, one of the leaders of the insurgency, has been under investigation by US Drug Enforcement Agencies. Money from the drug trade fuels lawlessness, weakens governance and increases instability. Without a competent functioning government in Haiti these problems, and their impacts on Canada and the region, will become more severe.

Given the chaos of the last several months all of these statistics are worsening. Haiti has not been neglected by donor agencies, humanitarian assistance has continued to flow, but the country is a notorious sinkhole for foreign aid. A recent World Bank study indicated that 15 years of development assistance have produced "no noticeable effect".

It is not the purpose of this paper to determine to what extent this situation is self-inflicted. Without question, governance has been incompetent, corrupt and frequently brutal over the 200 years of independence and these adjectives can all be applied to the government of Jean Bertrand Aristide.

In fairness it should be recalled the birth of a black republic was not welcomed by the international community of the time. Soon after independence in 1804, Haitians were compelled to pay crippling 'reparations' to France. A slave owning United States imposed a trade embargo that remained in some form for almost a hundred years.

Frustration with Haitian performance, followed by international censure and punishment, was the pattern for the next hundred years. Withholding aid to leverage reform has failed - invariably reversing the little progress achieved during periods of international support.

4. Rebuilding Haiti

The old models for the rehabilitation of Haiti have failed. This paper recommends that a new model should be examined. In our view its major components should be:

Long-term commitment. The UN Secretary General has called for a commitment of ten years. This is emerging as the minimum commitment subscribed to by principal international and bilateral donors based on examination of the most recent State building exercise in Haiti and lessons learned from Kosovo and East Timor. Canada should support this consensus.

Support not control. Most State building as well as traditional development programmes now stress the importance of local 'ownership'. For example, 'Afghan solutions for Afghan problems' was a mantra of the preparations for Afghanistan's reconstruction. But, Development is notoriously supply- rather than demand-driven process as some donors seek to advance national interest, including pushing pet causes carried out by favoured NGOs. Canada is in a strong position to advocate a more rational developmental approach and stress the prioritization of the development of Haitian institutional capacity.

Trust fund and donor support. Donors should be encouraged to pool funds needed to support an interim Haitian government into a trust fund managed either by an international organization or a private firm. A board including Haitian, UN and major donor members would oversee the fund and sign off on disbursements. Such a fund would encourage fiscal responsibility on the part of the new regime and offer incentive for the more rapid development of institutional capacity in government ministries. Also, evidence from Afghanistan and elsewhere shows that donors actually disburse only about 60 per cent of promised aid. A trust fund would help with planning in Haiti.

Sustained commitment and leadership. It is well known from experience with Haiti and elsewhere that commitment erodes and funding declines as the crisis that first precipitated international engagement fades from media attention. This situation has been avoided only when a major donor nation has taken on the responsibility to lead and sustain the initiative, as did Australia in East Timor and Norway in Sri Lanka. This is not something that the United Nations has proven able to do by itself. The US will be the main donor, but with other more pressing responsibilities and a troubled history in Haiti, it appears to be actively seeking another nation to assume leadership on Haiti. Canada is a natural candidate. Brazil already has committed troops to the planned long-term UN peacekeeping force. But, it is unlikely that Brazil would be able to offer the political leadership to guide UN intervention. Again, Canada has the credentials.

Security. No progress on any front is possible without the restoration and maintenance of security and the rule of law. The first step to restoring order and the rule of law is to move to arrest

the leaders of the armed insurgency, for whom criminal charges are already outstanding. Foreign military and police units should remain until they can be gradually replaced by adequately trained local constabulary. Recalling frustrated Canadian experience in the nineties, equal attention must be given to the parallel establishment of a reasonably reliable judicial and penal system. While Brazil will assume primary peacekeeping duties, Canada could take the lead in providing long-term support to the rebuilding of the police and justice system.

International and Multilateral Support. Discussions in Washington indicate plans for a tripartite UN/OAS/CARICOM international framework. The World Bank, the Inter-American Development Bank, the US, Canada, France and the EU should be invited to subscribe to sustained funding over a ten-year period. Canada should continue to take the lead at the UN and other international bodies in promoting wider support for the effort in Haiti. CIDA is already addressing the issue of Hispaniola wide (including the Dominican Republic) planning on environmental and cross border issues.

Bosnia/Dayton, E Timor, Cambodian political models. The present interim government in Haiti is non-elected, exercises almost no control over the territory, lacks popular support and its legitimacy is questioned in Haiti and the region. Discussions on re-establishing the State in Haiti should reflect a new model including agreement between the international community (OAS/UN/CARICOM) and the interim government to delegate authority for a limited period for limited purposes to develop security and the judiciary, to supervise the distribution of aid, to support municipal governance and, rehabilitate essential services including health. The agreement should include a timetable for the devolution of authority and control to Haitians and supervising bodies should increasingly include Haitian participation. The agreement should flow from UN Security Council Resolution 1529.

Elections. The 'model' should include approximate parameters for an electoral calendar. Given the chaotic political landscape, the error of a rush to elections in Bosnia must be avoided. First elections should be at the municipal level.

The Haitian Diaspora. Due to out-migration and flight, there is an acute shortage of competent professionals in every vital category throughout government ministries and civil society organizations. Joint and independent CIDA and USAID efforts are underway to incorporate the Haitian Diaspora in the rebuilding process. Canada has long-standing experience in this area and should continue to promote efforts to recruit qualified members of the Haitian diaspora.

Urgency. With the crisis beginning to lose attention in Canada and elsewhere, it is essential to move rapidly to obtain a commitment to a new model and long-term support. International experience has demonstrated that the concept of the 'ripeness' of circumstances is crucial to achieving agreements that are tough enough to be viable. International players have a short attention span.

5. Structure for Rebuilding.

In recent State building interventions, authority has typically flowed from the Security Council to the Secretary General, who appoints a Special Representative and a force commander. The Special Representative is responsible to the Secretary General for all aspects of the intervention as defined in the Security Council resolution. The force commander is responsible for the military effort and may also have "command and control" of the national military contingents deployed to support the mandate. In some cases command and responsibility for executing the mission can flow from the Security Council to a U.N. member state or other organization, such as NATO. This model should continue in Haiti where, the U.N. already has assigned both a Special Advisor for Haiti and a force commander for a three-month period with stipulations that longer-term arrangements be negotiated at the end of this time. The U.N. resolution also calls for the participation of the OAS and CARICOM.

6. Exit Strategy

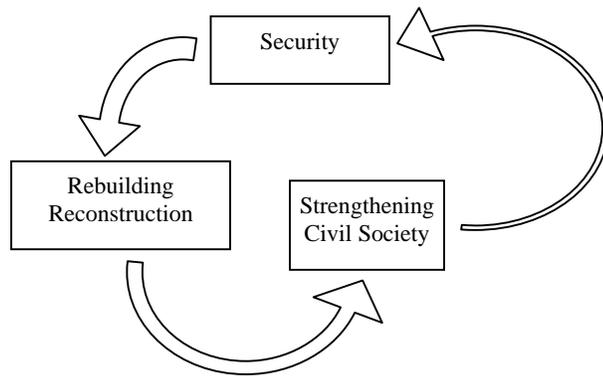
A key factor in designing the structure and mechanisms is to plan for the graduation of the Haitian State to independence and a return to the international community. This should be sequenced on a ministry-by-ministry basis - in other words return to full Haitian authority would depend not on a fixed date for all ministries, but on case-by-case basis of the institutional maturity of each ministry. The end of the UN Special Representative's tenure would signal the formal end of the State building process. Engagements with the line ministries could end earlier or later. In essence, the Donor's Group would divide/assign responsibility and funding for each ministry. The oversight and coordination for this work would be done by the UN Special Representative

The primary goal would be to identify agencies in donor countries that have significant resources, and especially those involving the Haitian Diaspora, that could be seconded to work in Haiti to jump-start the rebuilding process. The secondary goal in doing this is to build donor confidence and attract the resources needed for reconstruction. The third goal is to establish long-term relationships that could allow for continued, sometimes informal, transfers of knowledge and skills.

Under the UN programme, peacekeepers should remain for one to three years while police would remain for up to 10 years. An initial force of two to three thousand peacekeepers would be needed to provide overwhelming force to disarm gangs and restore the rule of law. Once this is accomplished the force could be reduced to 500 police advisors and trainers who would support the Haitian police.

For example, CIDA and the Provincial Ministry of Education in Quebec could agree on a plan for working with the Ministry of Education in Haiti and would draft a budget and assign a project leader, ideally a Haitian-Canadian who would be seconded from the Ministry in Quebec. This person could serve as deputy minister but would report to the UN Special Representative. In reviewing the needs of the Education sector in Haiti CIDA could decide that an intensive intervention would be needed for five years to bring the Ministry of Education to a point where it could work directly with international donors and manage the ministry. The relationship with the Ministry of Education of Quebec ideally would continue either formally or informally past this five-year period.

Peacekeeping requirements will be lighter in Haiti than in Afghanistan, Bosnia, and Iraq because the country lacks cadres of seasoned, trained, well-armed fighters. Given time and improved narco-connections, armed gangs in Haiti could develop into formidable gang bosses or warlords along the Jamaican and Somali models. But organized Haitian gangs have not yet reached this stage and one goal of this intervention is to prevent that scenario from emerging. For peacekeeping to be effective the international community must move decisively now to disarm the population and then re-establish the police and judiciary.



The key to successful disarmament is tying it to reconstruction in the popular view. Those who hold weapons must be portrayed by the international community, and must be understood by Haitians, to be impediments to the resumption of aid, rebuilding of the country and the creation of jobs.

Modified UN Mandate Structure for Haiti

Flow chart, not hierarchical

