



Mainstreaming Conflict Prevention

A Study of EU Action in ACP Countries

Case Study - Haiti

The Quaker Council for European Affairs

Produced by the Quaker Council for European Affairs (QCEA)

This study is based on two years of research through questionnaires to European Commission delegations and NGO staff, through interviews with European Commission staff in Brussels, and through desk-based research. This report forms the main document of the study, and builds on six country case studies which are available to download at: www.quaker.org/qcea

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The Quaker Council for European Affairs (QCEA) was founded in 1979 to promote the values of the Religious Society of Friends (Quakers) in the European context. Our purpose is to express a Quaker vision in matters of peace, human rights, and economic justice. QCEA is based in Brussels and is an international, not-for-profit organisation under Belgian Law.

Publication Date: June 2008

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Acknowledgments

We would like to thank all the people who helped to make this report possible. It is impossible to name everyone who contributed information and advice to the research behind this report. Our gratitude to them is no less sincere for that.

We would especially like to thank the NGO staff and the European Commission delegation staff in Haiti who responded to our questionnaire; without their contribution the study would not have been possible.

We would like to thank those who took the time to read and send us their comments on the draft report. We would also like to thank Jessica Zimbalatti for proofreading.

List of Acronyms

These are the main acronyms used in this report:

ACP	African Caribbean and Pacific (countries)
CARICOM	Caribbean Community
DDR	Disarmament, Demobilisation and Reintegration
ECHO	EU Humanitarian Aid department
EDF	European Development Fund
EU	European Union
ICF	Interim Cooperation Framework
ICTJ	International Center for Transitional Justice
MINUSTAH	UN Stabilisation Mission in Haiti
NDC	National Disarmament Commission
NGO	Non-governmental organisation
QCEA	Quaker Council for European Affairs
OAS	Organisation of American States
SALW	Small Arms and Light Weapons
SSR	Security Sector Reform
UN	United Nations
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
US	United States

1 Introduction

The European Union (EU) introduced the approach of ‘mainstreaming’ conflict prevention into all elements of its programming and policy-making through the European Commission Communication on Conflict Prevention of 2001 and the Partnership Agreement between the African, Caribbean and Pacific (ACP) countries and the EU signed in Cotonou, Benin in 2000 (the Cotonou Agreement). This country report is part of a project studying this new approach. The purpose of this project is to serve as an educational tool about ACP-EU conflict prevention, rather than to evaluate what the EU is doing with regard to conflict prevention.

The EU is thus involved in a wide range of activities and this study has identified seven thematic areas on which to focus: disarmament, demobilisation and reintegration including child soldiers; small arms and light weapons; security sector reform; political dialogue, including good governance, elections and civil society consultation; gender; management of natural resources; and transitional justice. The main report of the study describes in detail what each of these areas entail and what the EU does in general in each of them.

A more thorough examination of EU policy and activity in the seven areas listed above was then conducted through six country case studies. The case study countries are:

- Republic of the Fiji Islands (Fiji)
- Republic of Haiti (Haiti)
- The Federal Republic of Nigeria (Nigeria)
- Somali Republic (Somalia)
- Republic of the Sudan (Sudan)
- Republic of Uganda (Uganda).

The main report and the other case studies are available at: www.quaker.org/qcea

This report begins with a short background of the situation in Haiti. This is followed by a more detailed analysis of the seven thematic issues listed above and how the EU is involved in each of them. The report provides the results of a questionnaire conducted within this study, which was carried out with the European Commission Delegation and civil society organisations in Haiti. Finally, recommendations drawn from the results are presented.

2 The Haitian Context

2.1 History

Haiti became the first independent black republic in 1804 following a twelve-year rebellion against France by African-descendent slaves. France, opposed to losing such a lucrative colony, consequently obligated Haiti to pay an indemnity of 150 million francs, breaking its early economy. Additionally, the United States (US), which was still functioning on a slave economy in 1804, implemented trade embargoes on Haiti for almost one hundred years.¹ This set the stage for almost ceaseless political instability, extreme poverty and unrest. It is still the poorest nation in the western hemisphere. Since fair elections in 2006, Haiti seems to be on the path to stability. The increase in frequency of severe hurricanes which cause untold damage or loss of life is, however, threatening its fragile economy.

In 1957, Dr. Francois Duvalier, also known as 'Papa Doc', came to power with the support of the US government. He declared himself president for life in 1964 and created the *Tonton-Macoutes* (the bogeymen), a militia made up of 300,000 volunteers. It is estimated that the Tonton-Macoutes killed over 30,000 Haitian civilians during his regime. When he died in 1971 he proclaimed his nineteen year old son Jean-Claude Duvalier, 'Baby Doc', his successor. Baby Doc was equally brutal and repressive. Under his rule approximately 40,000 people were massacred. Baby Doc eventually fled the country in 1986, leaving chaos behind him that lasted until 1990, when Jean-Bertrand Aristide was elected president.

Aristide (of the Famni Lavalas party), a liberation theologian² and former priest³, had strong support from the nation's poor. The elite, who had previously controlled Haiti's economic and political establishment, felt threatened under Aristide. Less than one year after his election, he was ousted in a *coup d'état* whereby Raoul Cédras, a former Haitian military officer, took power. More than 1,000 people were killed and forced to flee the country. During his rule, thousands of Haitian refugees attempted to escape to the US by boat (nearly 1000 kilometres). Most of those who succeeded were sent back to Haiti. Amidst growing political violence, rampant human rights violations, unstable democracy and mass migration, an international military intervention led by the US reinstated Aristide in 1994.⁴ In 1997 Aristide's former Prime Minister, René Préval came to power in the country's first democratic transition, leading the same multi-party coalition, the Lavalas Political Organisation (OPL). The election results were never accepted by the opposition and Préval ruled by decree for over three years. Finally in 2000 elections were held in which Aristide was voted back into power. The results were again contested by the opposition, as well as election observers.⁵ As the economy worsened, so did support for Aristide.⁶

After the disputed elections of 2000, the situation in Haiti continued to deteriorate. There was increased repression of opposition parties, harassment of the media, increased corruption and discontent among the people. International efforts to alleviate the situation were unsuccessful. In February 2004, armed rebels took over several northern towns. At this time, clashes were occurring regularly between pro-government militias and rebels. A few weeks later, as rebels neared the capital, Port-au-Prince, Aristide fled the country again. The humanitarian situation continued to deteriorate. An interim government was set up, during which time a US-led Multinational Interim

¹ Aleisha Arnusch, *Cycle of Conflict and Intervention in Haiti (1992-2001)*, (Pearson Peacekeeping Centre: September 2006), p. 9 [on-line], accessed 12 August 2007, available at

http://www.peaceoperations.org/web/la/en/fi/E44D43CC55894A28BEC1B7D7EAE76C69/get_file.asp

² Liberation theology advocates an option for the poor.

³ International Crisis Group, *Conflict history: Haiti* [on-line], accessed on 13 August 2007, available at http://www.crisisgroup.org/home/index.cfm?action=conflict_search&l=1&t=1&c_country=46

⁴ Arnusch, *Cycle of Conflict*, p. 10

⁵ Maureen Taft-Morales, *Haiti: Developments and U.S. Policy Since 1991 and Current Congressional Concerns* (Congressional Research Service: January 2005), p. 8 [on-line], accessed 13 August 2007, available at <http://fpc.state.gov/documents/organization/47155.pdf>

⁶ Arnusch, *Cycle of Conflict*, p. 10

Force was stationed in Haiti.⁷ Elections were held in 2006 in which an estimated sixty per cent of the population voted. Overall the elections were judged free and fair. Rene Prével was re-elected. In December, the same year municipal elections were held for the first time in ten years.⁸

2.2 Current Situation

The security situation is still extremely unstable. Criminal activity has increased, even though the visibility of military groups has somewhat receded of late. With the exception of the period from August to October 2006, during which President Prével was in discussion with gang leaders, the violence and criminal activity in Haiti has persisted. Drug trafficking continues to finance and arm gangs.⁹ Civilians still face the threat of murder, physical trauma, reduced mobility, kidnapping, intimidation, electoral violence, sexual violence and rape, severely diminished social and economic activity and, of course, fear.¹⁰

Recently Haiti's economy has stabilised slightly. Economic growth has begun again, though this has not yet trickled down to the average citizen.¹¹ Unless Haiti's institutions are strengthened, Haiti risks falling back into insecurity and instability. GDP growth in 2006 was 2.5 per cent (previously the economy had been in recession), but to improve living standards the rate would need to double. The unemployment rate is roughly eighty per cent.¹² In 2002, four per cent of the population controlled sixty-six per cent of the country's assets. Two-thirds of Haiti's people live in poverty, and half of the adult population is illiterate.¹³

Some of the major issues facing Haiti are:

- Environmental degradation: desertification, severe erosion and flooding have left Haiti with a shortage of arable land and water. According to a study financed by the Canadian International Development Agency, Haiti is the most environmentally degraded country in the Western Hemisphere.¹⁴ Haiti suffered terribly from massive flooding in 2004.
- Refugees: in 2003, an estimated one million Haitians crossed the border into the Dominican Republic. There are also thousands who take small boats to the US.
- IDPs: there are an estimated 300,000 people internally displaced in Haiti.
- Poor Infrastructure: less than twenty-three per cent of Haiti's roads are paved.
- Diaspora: many educated Haitians leave the country. One in eight Haitians live abroad.¹⁵
- Illegal drug trafficking: Haiti is a staging post on the route between Colombia and North America.
- Corruption: Transparency International ranked Haiti as the most corrupt country in the world in 2006.¹⁶

⁷ European Commission, *EU Relations with Haiti* [on-line], accessed 13 August 2007, available at <http://ec.europa.eu/development/Geographical/RegionsCountries/Countries/Haiti.htm>

⁸ Taft-Morales, *Haiti: Developments and U.S. Policy*, p. 12

⁹ UNDDR, *Country Programme: Haiti* [on-line], accessed on 13 August 2007, available at <http://www.unddr.org/countryprogrammes.php?c=80>

¹⁰ Robert Muggah, *Securing Haiti's Transition: Reviewing Human Insecurity and the Prospects for Disarmament, Demobilization, and Reintegration* (Geneva: Small Arms Survey, 2005) [on-line], p. 29, accessed 13 August 2007, available at http://www.smallarmssurvey.org/files/sas/publications/o_papers_pdf/2005-op14-haiti-eng.pdf

¹¹ International Crisis Group, *Consolidating stability in Haiti* (18 July 2007) [on-line], accessed 13 August 2007, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/TBRL-758QMX?OpenDocument&rc=2&cc=hti>

¹² UNDDR, *Country Programme: Haiti*

¹³ Robert Pierto and Emily Hsu, *Haiti's Economic Challenge* (United States Institute of Peace: July 2006), p. 1

¹⁴ Philip Howard, *Environmental Scarcities and Conflict in Haiti: Ecology and Grievances in Haiti's Troubled Past and Uncertain Future* (CIDA, 1998) [on-line], accessed 22 July 2008, available at <http://faculty.washington.edu/pnhoward/publishing/articles/haiti.pdf>

¹⁵ Taft-Morales, *Haiti: Developments and U.S. Policy*, p. 12

¹⁶ Transparency International, *Corruption Perceptions Index 2006* [on-line], accessed on 13 August 2007, available at http://www.transparency.org/index.php/policy_research/surveys_indices/cpi/2006

- Armed gangs.
- Health care: HIV/AIDS, tuberculosis and lack of basic health care are major challenges.
- Education: people are too poor to send their children to school. Only one-fourth of Haitian children go to school.¹⁷
- Economy and rapid urbanisation: urban areas are growing rapidly but there is no urban job creation, and the agricultural sector is not productive. There is very little outside investment.¹⁸
- Political instability.
- Lack of social services.¹⁹

2.3 The United Nations

The United Nations (UN) Stabilisation Mission in Haiti (MINUSTAH) was established in April 2004 under Resolution 1542 by the UN Security Council, replacing the Multinational Interim Force (MIF). This multinational force followed upon a number of UN missions in Haiti, from 1994 through 2001. MINUSTAH was implemented in Haiti following a request for assistance from interim President Boniface Alexandre after the departure of President Aristide. MINUSTAH's website²⁰ states that its current strength is 7,065 military personnel, 1,760 police (UNPOL), 462 international civilian personnel, 157 UN volunteers and 876 local civilian staff.

The MINUSTAH mandate is to, in support of the government:

- ensure a secure and stable environment for the constitutional and political processes to take place, and to support those processes;
- assist in monitoring, restructuring and reforming the Haitian National Police (HNP);
- assist with comprehensive and sustainable disarmament, demobilisation and reintegration;
- assist with the restoration and maintenance of the rule of law, public safety and public order;
- protect civilians under imminent threat of physical violence;
- assist with free and fair elections;
- assist the government's efforts in bringing about a process of national dialogue and reconciliation;
- support good governance at local levels and extend State authority throughout Haiti;
- support, monitor and report on the human rights situation.²¹

On 15 October 2007 the UN Security Council decided to prolong the mandate of MINUSTAH through October 2008, though reducing the size of the military force and increasing that of the police.²²

¹⁷ Pierto and Hsu, *Haiti's Economic Challenge*, p. 1

¹⁸ USAID, *Environmental Vulnerability in Haiti* (USAID: April 2007), p. 7 [on-line], accessed on 13 August 2007, available at http://www.wilsoncenter.org/events/docs/Haiti_Final.pdf

¹⁹ Arnusch, *Cycle of Conflict*, p. 9

²⁰ <http://www.un.org/depts/dpko/missions/minustah/index.html>

²¹ MINUSTAH, *Haiti - MINUSTAH - Mandate* [on-line], accessed 13 August 2007, available at <http://www.un.org/depts/dpko/missions/minustah/mandate.html>

²² UNSC, *Security Council Extends Stabilization Mission in Haiti Until 15 October 2008, Unanimously Adopting Resolution 1780 (2007)*, Security Council 5758th Meeting [on-line], accessed 13 August 2007, available at <http://www.un.org/News/Press/docs/2007/sc9141.doc.htm>

2.4 Interim Cooperation Framework

The Interim Cooperation Framework (ICF, or CCI in French) is Haiti's economic, social and political recovery programme, sponsored by international donors. The focus of the ICF is to promote 'a process of national reconciliation and a coordinated response to Haiti's urgent and medium-term development needs.'²³ It has four priority areas for action:

- improving political governance and promoting national dialogue;
- strengthening economic governance and promoting institutional development;
- promoting economic recovery;
- improving access to basic services and humanitarian aid.²⁴

The European Commission is one of the six international aid agencies that sits on the Steering Committee of the Joint Committee for the Implementation and Monitoring of the ICF. The Commission has donated 294 million euros²⁵ to the ICF. This made up thirty per cent of their needs, which the ICF estimated to be about 1.3 billion US dollars.²⁶ Of this, 25.8 million US dollars went to the first of the ICF's pillars, on political governance and national dialogue; 13.5 million US dollars went to economic governance and institutional development; the pillar on promoting economic recovery received 86.4 million US dollars, over half of which was allocated to the transportation sector; and the final pillar, on access to basic services, received 42.2 million US dollars.²⁷

The ICF was scheduled to end in September 2006, but it was extended to December 2007.²⁸ Several civil society organisations (both indigenous and international) have reported concerns regarding the ICF, primarily regarding the lack of civil society consultation and lack of local buy-in. This is in part due to the inaccessibility of ICF documents, none of which is published in Creole, but it is also due to the lack of non-governmental involvement. What's more, there are complaints that the ICF is not accomplishing the objectives it was set up to achieve.²⁹

²³ Joint Committee for the Implementation and Monitoring of the Interim Cooperation Framework (COCCI), *New jobs, schools, and roads for Haiti in first year of interim cooperation framework* (Brussels: MEMO/05/254, July 2005), pp. 1-3 [on-line], accessed 13 August 2007, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/05/254&format=HTML&aged=0&language=EN&guiLanguage=en>

²⁴ *ibid.*

²⁵ In order to avoid confusions resulting from currency conversions we present the figures in the currency quoted by the source.

²⁶ Louis Michel, *La Commission européenne et la Communauté Internationale confirment leur engagement en faveur de Haïti*, Conférence Haïti 20/21 octobre 2005, SPEECH/05/632 [on-line], accessed 13 August 2007, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/05/632&format=HTML&aged=1&language=FR&guiLanguage=en>

²⁷ World Bank Group, *International Donor Conference on Haiti, Pledging Statement by the European Union* [on-line], accessed 13 August 2007, available at <http://lnweb18.worldbank.org/External/lac/lac.nsf/3af04372e7f23ef6852567d6006b38a3/960899eb8e71d4f185256ee4004e8841?OpenDocument>

²⁸ The Haitian Platform of Advocate for an Alternative Development, *the PAPDA's concerns following the 23 May donors' meeting in Brasilia - 6 June 2006* [on-line], accessed 13 August 2007, available at <http://haitisupport.gn.apc.org/ICF.html>

²⁹ AlterPresse, *Haïti : Les failles du CCI* (28 July 2005) [on-line], accessed 13 August 2007, available at <http://www.alterpresse.org/spip.php?article2949>

2.5 CARICOM

CARICOM is the Caribbean Community and includes the common market.

The objectives of CARICOM are:

- improved standards of living and work;
- employment of labour and other factors of production;
- accelerated, co-ordinated and sustained economic development and convergence;
- expansion of trade and economic relations with third states;
- enhanced levels of international competitiveness;
- organisation for increased production and productivity;
- the achievement of a greater measure of economic leverage and effectiveness of member states in dealing with third states, groups of states and entities of any description;
- enhanced co-ordination of member states' foreign and [foreign] economic policies;
- enhanced functional co-operation, including:
 - i. more efficient operation of common services and activities for the benefit of its peoples;
 - ii. accelerated promotion of greater understanding among its peoples and the advancement of their social, cultural and technological development;
 - iii. intensified activities in areas such as health, education, transportation, telecommunications.³⁰

After President Préval's election in 2006, Haiti was re-admitted to CARICOM after a two-year suspension.³¹ Membership in CARICOM offers considerable economic advantages to Haiti, which of course is essential for Haiti's development.

CARICOM's presence at Haiti's international donors' conference in Port-au-Prince on 25 July 2006 gave an indication of the kinds of benefits Haiti can expect from membership. It was announced that Haiti would receive 17 million US dollars from the Caribbean Development Bank (CDB) to fund Haitian government development projects during the 2006-2007 financial year. It was also revealed that Haiti would have access to the Petroleum Fund, a fund established by Trinidad and Tobago in 2004 to help CARICOM member states which find it difficult to meet the high international prices for energy. At the conference, CARICOM's secretary-general for foreign relations said that CARICOM would "do the utmost with its own resources to lend support to Haiti's efforts to create the necessary conditions for reconciliation, reconstruction and recovery".³²

2.6 The EU's Relationship with Haiti

The European Commission invoked Article 96 of the Cotonou Agreement after the irregular elections in 2000. The elections were seen as disregarding democratic principles, one of the essential elements of the agreement. According to the 'appropriate measures' laid out in the Cotonou Agreement, the Commission partially suspended aid. No direct budget support has been allocated to the Haitian government since 2001. The funds available have been redirected to the Haitian people.³³ There is currently no Country Strategy Paper for Haiti.³⁴

³⁰ CARICOM, *Objectives of the Community* [on-line], accessed 13 August 2007, available at <http://www.caricom.org/jsp/community/objectives.jsp?menu=community>

³¹ Pierto and Hsu, *Haiti's Economic Challenge*, p. 2

³² Charles Arthur, *Haiti rejoins CARICOM* (Haiti: AlterPresse - Eye on the Caribbean, 24 August 2006) [on-line], accessed 13 August 2007, available at <http://www.medialternatif.org/alterpresse/spip.php?article5082>

³³ European Commission, *EU Relations with Haiti*

³⁴ ActionAid, *Disarmament, Demobilisation and Reintegration: What role should the EU play in Haiti?* (October 2006), p. 14 [on-line], accessed 30 July 2007, available at <http://www.reliefweb.int/rw/rwb.nsf/db900sid/AMMF-6U8DQP?OpenDocument>

The arrival of MINUSTAH in early 2004 allowed for renewed cooperation with the country.³⁵ Since the successful 2006 elections, the EU, the International Monetary Fund, the World Bank and the Inter-American Development Bank have all affirmed their intention to make millions of US dollars worth of development assistance available to Haiti. A major challenge for international donors will be to alter the pattern of channelling development assistance through NGOs, and instead to fund the government again.³⁶

The overall objective of the EU for Haiti is 'to reinforce the democratic process and good governance as necessary conditions for economic development and the reduction of poverty.' To this end, the European Commission has focused its activities on the reinforcement of the rule of law and restoration of the state, protection of human rights, human and social development and the economic environment. To achieve this, the Commission has directed much of its funding to infrastructure projects like road building and education, as well as to disaster management and rural development.³⁷

2.6.1 EU Funding

According to an EU Press Release, the EU is Haiti's largest aid donor, having committed 294 million euros over three years (2004-2007).³⁸ Most of this was provided through the European Development Fund or as humanitarian aid. In June 2007, the EU granted 233 million euros to Haiti for 2007 to 2012.³⁹

The European Development Fund

In 2004 the European Community pledged to provide Haiti with up to 325 million dollars via the European Development Fund (EDF) and other EU instruments through to September 2006 for political, economic and social reconstruction, depending on the performance of the country.⁴⁰ On the Commission's recommendation, in October 2005 the Council decided to release 72 million euros for Haiti from the A-envelope of the 9th EDF⁴¹ to support the interim government in reinstating the rule of law. These funds had been dependent on democratic progress and electoral organisation.⁴²

Keeping in step with supporting general infrastructure, the EDF has provided 28 million euros for national school programmes, as well as 20 million euros for disaster management and rural development.⁴³

Additionally the European Commission adopted a budgetary support programme of 10.2 million euros for reforms in Haiti, and to cover the deficit of fiscal year 2005-2006. This emergency budgetary support was donated to Haiti at the International Conference on Haiti in October 2005,

³⁵ European Commission, *EU Relations with Haiti*

³⁶ Pierto and Hsu, *Haiti's Economic Challenge*, p. 2

³⁷ ActionAid, *Disarmament, Demobilisation and Reintegration*, pp. 14-15

³⁸ European Commission, *Louis Michel pledges EU support for transition in Haiti*, IP/05/366 (March 2005) [on-line], accessed 13 August 2007, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/366&format=HTML&aged=1&language=EN&guiLanguage=en>

³⁹ UN Economic and Social Council, *Report of the Ad Hoc Advisory Group on Haiti*, Substantive session of 2007 (Geneva: July 2007), p. 13 [on-line], accessed 13 August 2007, available at <http://www.un.org/ecosoc/docs/pdfs/Report-Haiti-Advanced%20unedited%20version.pdf>

⁴⁰ Delegation of the European Commission to the United States, *EU Pledges \$325 Million to Haiti at the International Donor Conference, Washington, 20 July 2004* News Release No. 117.04 [on-line], accessed 13 August 2007, available at <http://www.eurunion.org/news/press/2004/200400117.htm>

⁴¹ The A-envelope covers programmable support, whilst the B-envelope covers unforeseen needs including short-term emergency situations, as well as aid to refugees and displaced persons.

⁴² European Commission, *La Commission européenne se félicite de la reprise de la coopération avec Haïti*, IP/05/1304 (October 2005) [on-line], accessed 13 August 2007, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/05/1304&format=HTML&aged=1&language=FR&guiLanguage=en>

⁴³ ActionAid, *Disarmament, Demobilisation and Reintegration*, p. 15

and was to be paid out once the programme financing contract was signed in September 2006. It is intended to aid efforts to implement the national government's macro-economic and financial programme, which in turn is meant to help achieve Haiti's objectives of better governance, poverty reduction and macro-economic stability. The programme is also supported by the World Bank, the International Monetary Fund, the Inter-American Development Bank, Canada and Spain. The aims of the contribution are better provision of public services, to help Haiti avoid accumulating further debts, and to consolidate public finance management.⁴⁴

EU Humanitarian Aid

Since 2002, the Humanitarian Aid department (ECHO) has allocated over 11 million euros in humanitarian aid to Haiti. After the floods in 2004, 1.8 million euros were allocated for emergency humanitarian aid for citizens living in the three most affected cities. Of that sum, 1.5 million euros were intended for emergency health care services, the repair of infrastructure that had been damaged in the attendant violence, and protection for victims of violence like increased security in hospitals. 200,000 euros of the total was directed towards funding the UN Office for Co-ordination for Humanitarian Affairs (OCHA), for the coordination of humanitarian aid in Haiti.

In May 2004, a further 5.4 million euros in emergency humanitarian aid was approved by the European Commission for Haiti, to help improve access to water, sanitation and health care, as well as to food aid for victims suffering due to the current state of the country.⁴⁵

In 2005 ECHO provided forty-seven per cent of donor commitment to Haiti, up from seventeen per cent in 2004.⁴⁶

⁴⁴ European Commission, *European Commission allocates €10.2 million to Haiti to restore public finances* (Press Release: IP/06/1196, September 2006) [on-line], accessed 13 August 2007, available at <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/06/1196&format=HTML&aged=1&language=EN&guiLanguage=en>

⁴⁵ European Commission, *ECHO's response to the crisis* [on-line], accessed 13 August 2007, available at http://ec.europa.eu/echo/field/haiti/echo_en.htm

⁴⁶ GFE Consulting Worldwide, *Final Evaluation Report, Evaluation of DG ECHO Financed Actions in Haiti* (Aachen: ECHO, August 2005), p. 20 [on-line], accessed 13 August 2007, available at http://ec.europa.eu/echo/pdf_files/evaluation/2005/haiti.pdf

3 Disarmament, Demobilisation and Reintegration

This chapter discusses the efforts made on disarmament, demobilisation and reintegration (DDR) as well as the situation with small arms and light weapons (SALW).

Weapons control has long been a problem in Haiti because of a constitutional law giving citizens the right to own a registered weapon to protect their home. Gangs involved in drug trafficking have the financial means to keep themselves armed and in business, further contributing to the proliferation of small arms. As highlighted on the UN DDR website on Haiti, the extremely high levels of unemployment there make it particularly difficult to demobilise and reintegrate armed groups.⁴⁷

Even though there are large numbers of weapons present in Haiti, it does not have a 'gun culture' as such. The expression 'gun culture' can be problematic because it has varying meanings, but one definition implies 'the visible embeddedness of guns in a significant portion of lived social activity and/or cultural representation that generates particular attitudes, knowledge, perceptions and identities.'⁴⁸ In Haiti guns are used as 'tools of security', with no historical or traditional significance. According to Christopher Kovats-Bernat, the killing that results from gun use in Haiti is almost incidental; they are a tool used for protection, substituting any other, and coincidentally more lethal. He believes no 'gun culture' exists in Haiti because, though there is a proliferation of guns, they have no symbolic value and could be substituted by any other tool.⁴⁹

3.1 UN and DDR

In 2004 the UNSC passed Resolution 1542 for MINUSTAH to adopt an integrated approach to DDR in Haiti. Unfortunately, the lack of a defined conflict has complicated these efforts. Groups are not clearly identifiable as 'warring factions' and there has been no set agreement to work from, in which the factions have agreed to DDR. The National Disarmament Commission (NDC) and the UN integrated DDR Section adopted an approach that began with a focus on the former armed forces, the FAd'H (Haitian Armed Forces), and on armed gangs. An estimated 170,000 to 210,000 weapons are thought to be distributed throughout the country, as well as among 15,000 former FAd'H and gang members.⁵⁰ Most of the weapons are held by private security agencies or private citizens rather than armed gangs. The Haitian Constitution allows for private citizens to have arms for self-defence, but stipulates that they must be registered, which many are not.⁵¹

In response to the rapidly deteriorating security situation in Haiti in 2003, the United Nations Development Programme (UNDP) launched 'Support to the National Disarmament Process and to Community Initiatives for the Reduction of Violence', which was funded by the Bureau for Conflict Prevention and Recovery/Small Arms and Demobilisation Unit and administered by the UNDP country office. This project combined national firearm legislation reform with a community-based initiative to reduce armed violence through a variety of interventions in exchange for firearms. In total, twenty-nine high-risk youths participated, twenty-nine weapons were collected, thirteen

⁴⁷ UNDDR, *Country Programme: Haiti*

⁴⁸ Marc von Boeckon and Julie Brethfeld, *Theoretical Approaches to Understanding Gun Culture*, presentation at COST Action A25 Network Meeting on 'Gun Cultures', Bonn International Center for Conversion (17-18 November 2005), p. 3 [on-line], accessed 13 August 2007, available at http://www.prio.no/files/file47338_bonn_17-18.11.05_wg13_meeting_minutes.doc

⁴⁹ Christopher Kovats-Bernat, *'Gun Culture': The Case of Haiti*, presentation at COST Action A25 Network Meeting on 'Gun Cultures', Bonn International Center for Conversion (17-18 November 2005), p. 4 [on-line], accessed 13 August 2007, available at http://www.prio.no/files/file47338_bonn_17-18.11.05_wg13_meeting_minutes.doc

⁵⁰ Robert Muggah, 'Great expectations: (dis)integrated DDR in Sudan and Haiti', *Humanitarian Exchange Magazinem* Number 37 (ODI - Humanitarian Practice Network, March 2007) [on-line], accessed 1 July 2007, available at <http://www.odihpn.org/report.asp?id=2878>

⁵¹ ActionAid, *Disarmament, demobilisation and reintegration*

reintegration projects were undertaken and three community development projects were launched. A review by the Small Arms Survey concludes, however, that of these ‘most reintegration projects have unfortunately collapsed and the whereabouts of the collected arms is currently unknown.’⁵²

In its Resolution 1702 of 2006, the United Nations Security Council ‘requested MINUSTAH to reorient its DDR efforts towards a comprehensive community violence reduction programme including assistance for initiatives to strengthen local governance and the rule of law and to provide employment opportunities to former gang members, and at-risk youth.’⁵³

The UN has since reformulated its approach and has decided to focus extensively on a comprehensive community violence reduction programme. This is coordinated by the National Disarmament Commission, which is intricately linked with the idea of community security. This community-based approach is conducted through elected Committees for the Prevention of Violence and for Development (CPVD), and its vision implies that:

- different societal actors have a role in increasing human security, and that the community can have an important role in conflict management;
- the community has the ability to identify and develop the capacity to respond to potential threats at an early stage.⁵⁴

Practically, this includes a focus on the reduction of violence in communities through the creation of Community Development Committees (CDCs) and Community Violence Prevention and Development Committees and Centres (CVPDs). The CDCs ensure local ownership of and involvement in the projects addressing armed violence. The idea is that the CDCs feed ideas for activities to deal with armed violence in their communities into the umbrella CPVDs, which in turn feed them into a Regional Orientation Centre. Particular emphasis is placed upon women and youth involved with armed gangs, and on shifting the community values from guns to development. For this to be successful there must be effective outreach, bridging the divide between MINUSTAH and local communities, and breaking the link between youth and the armed gang culture. It will require a community-led, bottom-up approach.⁵⁵

The total projected cost of the UN DDR Programme for Haiti 2004-2008 is 15.8 million US dollars, of which forty per cent are staff costs.⁵⁶

3.2 National Government and DDR

In August 2006 President René Préval instituted the seven-member NDC, intended to ‘define a new disarmament plan and undertake actions that will lead to real disarmament, to the dismantlement of armed gangs and to reinsertion.’⁵⁷ The NDC works closely with the UN, and coordinates the community violence reduction programme described in the previous section.

⁵² Robert Muggah, *Haiti, BCPR Strategic Review* (Small Arms Survey: February 2006) [on-line], accessed 13 August 2007, available at http://www.undp.org/bcpr/documents/sa_control/BCPRStra-HAITI.doc

⁵³ United Nations Security Council, *Resolution 1702 (2006)* (S/RES/1702) (15 August 2006) [on-line], accessed 23 July 2008, available at [http://www.undemocracy.com/S-RES-1702\(2006\).pdf](http://www.undemocracy.com/S-RES-1702(2006).pdf)

⁵⁴ UNDDR, *Country Programme: Haiti*

⁵⁵ ActionAid, *Disarmament, demobilisation and reintegration*, p. 14

⁵⁶ UNDDR, *Country Programme: Haiti*

⁵⁷ Excerpt from Prime Minister Alexis’ Speech 29 August 2006, quoted in ActionAid, *Disarmament, demobilisation and reintegration*, p. 13

The President of the NDC has pointed to members of the Haitian private sector as behaving irresponsibly by refusing to return illegally held arms to the government. He accused Haitian businessmen of considering themselves above the law, an attitude that he believes will continue to impede foreign investment in Haiti, as well as to work against the efforts of the national police and MINUSTAH to return stability to Haiti. He suggests that this type of behaviour could contribute to the reinstatement of disbanded armed gangs.⁵⁸

Technically there is national legislation on arms and ammunition, but it is barely implemented. The Haitian National Police (HNP) has a Firearms Control Unit, but it is in desperate need of experts; currently it has only one. There are also efforts being made to implement and adapt a software tool called DREAM, intended to monitor and trace small arms.⁵⁹

All national disarmament efforts, including those supported by multilateral agencies, are channelled through the Haitian government and the national police.⁶⁰

The approach to DDR being taken by the Haitian government is not conventional. The government negotiates with armed groups for a symbolic number of weapons, a cessation of attacks on Haitian and UN forces, and a cessation on kidnapping. In return, they make commitments to the armed group leaders and provide reinsertion benefits. Apparently this approach is functional, as there has been a reduction of more than seventy per cent of armed crime, kidnapping and attacks on police and UN forces. This then offers time and political space for the Haitian government to establish a presence in the volatile areas.⁶¹

3.3 Regional Agreements on DDR and SALW

Haiti is a signatory to the Inter-American Convention against the Trafficking of Illicit Small Arms, a legally binding regional agreement on firearms. Haiti is also party to the CARICOM Declaration, which outlines the need for regional arms trafficking control.⁶²

3.4 EU and DDR

In large part because of the involvement of MINUSTAH, as well as UNPD and USAID, the EU has not prioritised DDR in Haiti. One way which ActionAid suggests that the EU could complement the DDR programme would be through offering micro-loans to organisations involved in DDR, especially at the community level in the urban context.⁶³

⁵⁸ Radio Kiskeya, *La CNDDR s'en prend au secteur privé accusé de détenir illégalement des armes de guerre* (26 July 2007) [on-line], accessed 13 August 2007, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-75H8MJ?OpenDocument&rc=2&cc=hti>

⁵⁹ UNDDR, *Country Programme: Haiti*

⁶⁰ Muggah, *Securing Haiti's Transition*, p. 30

⁶¹ UNDDR, *Country Programme: Haiti*

⁶² Muggah, *Haiti, BCPR Strategic Review*

⁶³ ActionAid, *Disarmament, demobilisation and reintegration*, p. 15

4 Security Sector Reform

The security situation in Haiti is dismal. International Crisis Group describes it like this:

Crime has surged since courthouses and prisons were looted and many of them destroyed in the lead-up to former President Aristide's departure in March 2004. The judiciary is encumbered by incompetence and corruption, partly due to inadequate pay, infrastructure and logistical support. The legal code is antiquated, barely modified since Napoleon bequeathed it to the one-time French colony, judges are not independent, case management is poor, and indigent defendants rarely have counsel. The state is able to guarantee neither the security of its citizens nor the rights of defendants. When arrests are made, the system is virtually incapable of conducting trials. Prisons become more crowded, and street crime escalates daily, while court procedures move at a snail's pace. The results are prolonged pre-trial detention - some 96 per cent of the inmates of the National Penitentiary have not been tried - lack of due process and near total absence of public confidence in the criminal justice system.⁶⁴

4.1 General Security Situation

One of the biggest problems facing Haiti is organised crime and systematic violence. A report released on 23 July 2007 by AlterPresse states that in recent months insecurity and the number of shooting-related deaths have decreased. The Catholic organisation Justice et Paix claims that this is thanks to efforts by the Haitian national police and MINUSTAH. That said, the same organisation has also reported concerns over police treatment of detainees in their work against insecurity and armed gangs, stating that the police at times compromise the human rights of those arrested.⁶⁵

Since 2004 MINUSTAH - which is often depicted in popular Haitian culture as an occupying force⁶⁶ - and the national police have been focusing their efforts on armed, urban gangs. They are currently shifting their focus to organised crime and trafficking. The local media has also played a role in SSR by widely publicising the recent anti-gang campaign.⁶⁷

The armed groups in Haiti today tend to lack structure, hierarchy or training. They may count several thousand people among their members. As a general rule their scope of action is extremely localised and they have varied motivations and interests. A large percentage of groups are known as popular organisations. Between 2000 and 2004 they often had close ties with political authorities, though there is a long list of types of armed groups that operate in Haiti.⁶⁸

The National Commission for Justice and Peace affirms that there are still areas of Haiti where there is an almost total absence of state control. There is very little economic activity there, and unemployment and desperation rule.⁶⁹ While the internal reform of the national police is being carried out, the private sector regularly hires armed gang members to create their own spheres of security.⁷⁰

⁶⁴ International Crisis Group, *Haiti: Justice Reform and the Security Crisis* (Latin America/Caribbean Briefing N° 14, Port-au-Prince/Brussels: 31 January 2007), p. 1 [on-line], accessed 13 August 2007, available at <http://www.crisisgroup.org/home/index.cfm?id=4639&l=1>

⁶⁵ AlterPresse, *Haïti: Des progrès matière de sécurité, selon la commission nationale Justice et Paix* (23 July 2007) [on-line], accessed 13 August 2007, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-75E2KG?OpenDocument&rc=2&cc=hti>

⁶⁶ This is exacerbated by events such as the arrest of people with no prior suspicion. International Crisis Group, *Consolidating Stability in Haiti*, p. 9

⁶⁷ *ibid*, p. 7

⁶⁸ Interim Cooperation Framework, *Republic of Haiti, Interim Cooperation Framework 2004-2006 Summary Report* (July 2004), p. 12 [on-line], accessed 13 August 2007, available at <http://haiticci.undg.org/uploads/ReportVersion8%20Eng%20FINAL%20Low%20Res.pdf>

For a typology of armed groups active in Haiti see <http://www.unddr.org/countryprogrammes.php?c=80#approach>

⁶⁹ AlterPresse, *Haïti: Des progrès matière de sécurité*

⁷⁰ International Crisis Group, *Consolidating Stability in Haiti*, p. 8

National security structures are still porous and ineffective. Coastal areas are not guarded and the risk of illegal drug or weapon trafficking is high. In terms of institutional reinforcement, public service in Haiti is minimal. Judicial, penitentiary and police powers are still all weak and limited, especially at the local level.⁷¹

A record 129 kidnappings were reported in December 2006, but since then many central gang members have either been arrested or killed. Over 750 alleged gang members have been arrested and imprisoned since January 2007, and significant arms and ammunition have been recovered.⁷²

4.2 EU and Security Sector Reform

In its working document, *A Concept for European Community Support for Security Sector Reform (SSR)*, the EU lists Haiti as one of the ACP countries receiving SSR support. It goes on to say that ‘the majority of SSR support [to ACP countries] is in the area of justice reform, law enforcement and civil management, especially in the area of rule of law. This often includes capacity building of law enforcement agencies, key ministries, legal reforms and access to justice for the population, by strengthening and modernising legal institutions that are primarily responsible for the administration of justice.’⁷³

The European Commission has allocated twelve million US dollars to the Justice and Security Sector, to be financed through the ICF.⁷⁴ Three million euros are also being spent on justice reforms in cooperation with the UNDP.⁷⁵

4.3 National SSR

The first success of President Préval in SSR has been dismantling the most serious gangs in Port-au-Prince. This will only be sustainable if a community-based national police is sufficiently built up under MINUSTAH’s security umbrella. The average Haitian person still has not seen the effects of the changes, and there need to be quick gains and economic opportunity and recovery if this upward trend is to continue.⁷⁶

International Crisis Group recommends that in the short-term, the national government and parliament need to:

- enact into law a code of ethics for judges and an independent judicial council to enforce its provisions against corrupt judges;
- authorise a special serious crimes court chamber with a vetted corps of judges, prosecutors and defence counsel and permit plea-bargaining with appropriate oversight;
- provide witness protection and better pay for judges.⁷⁷

⁷¹ Radio Kiskeya, *Un rapport soumis à l’ECOSOC appelle à des efforts supplémentaires en vue de garantir la stabilité et le développement durable en Haïti* (22 July 2007) [on-line], accessed 13 August 2007, available at <http://radiokiskeya.com/spip.php?article3884>

⁷² *ibid.*, p. 6

⁷³ European Commission, *Annexes to the Communication from the Commission to the Council and the European Parliament ‘A Concept for European Community Support for Security Sector Reform’* (SEC(2006) 658: May 2006) [on-line], accessed 13 August 2007, available at <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006SC0658:EN:NOT>

⁷⁴ World Bank Group, *International Donor Conference on Haiti*

⁷⁵ ActionAid, *Disarmament, Demobilisation and Reintegration*, p. 15

⁷⁶ International Crisis Group, *Consolidating stability in Haiti*

⁷⁷ International Crisis Group, *Haiti: Justice Reform and the Security Crisis*, p. 1

Donors and MINUSTAH should coordinate with the Ministry of Justice's national strategy and provide trainers and funding for infrastructure, witness protection, forensic capabilities and legal aid.

In the longer term, the national government and parliament must:

- amend the constitution to establish a more rational and effective procedure for appointing higher-level judges;
- modernise the code of criminal procedure, establish a permanent panel to review cases of lengthy pre-trial detention and expand the use of fast-track procedures for the prosecution of relatively minor crimes;
- build civil society support for justice reform.⁷⁸

4.4 Police Reform

Police reform is a vital part of stabilising Haiti. The police recruit and train 1,300 new police officers every fourteen months. There are plans to eventually have 14,000 equipped and trained officers by 2011, and 20,000 by 2015. MINUSTAH is working with the national police to develop a project on border patrols.⁷⁹

In an article on its website, MINUSTAH points to the professionalisation of the Haitian National Police in its organisational, administrative and operational capacity as one of its main aims. Roughly thirty MINUSTAH police trainers are working with national trainers to prepare cadets at the police academy.⁸⁰

Currently MINUSTAH provides the majority of the security in Haiti, but an honest and community-oriented police force is an absolutely necessary condition for peace. As opposed to pouring money into MINUSTAH and creating a rival security force to the police, the International Crisis Group argues that the focus for the time being, of the international community, should be on cooperating with the police and on attending to the justice system.⁸¹

The ICF's transition strategy for the national police has three priorities:

- strengthening its organisation and administrative capacities;
- strengthening its operational capacity;
- professionalising it.⁸²

In August 2006 the Haitian National Police reform plan was released, to be carried out with the help of MINUSTAH. The plan recognises the lack of trust toward the police force in local communities. It highlights the need for the police force to reject corruption and to approach its duties in an impartial and non-partisan manner. It lays out a reform plan intended to cover the short, medium and long-term. It places an emphasis on coordination with MINUSTAH and on DDR. The National Commission on Disarmament, Dismantlement and Reintegration was created not long after the reform plan was released.⁸³

⁷⁸ *ibid.*

⁷⁹ Radio Kiskeya, *Un rapport soumis à l'ECOSOC*

⁸⁰ UN News Service, *Ban-Ki Moon to see UN rehabilitation efforts in Haiti during upcoming visit* (31 July 2007) [on-line], accessed 13 August 2007, available at

<http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-75MM92?OpenDocument&rc=2&cc=hti>

⁸¹ International Crisis Group, *Consolidating stability in Haiti*

⁸² Interim Cooperation Framework, *Republic of Haiti*, p. 14

⁸³ UNSC, *Haitian National Police Reform Plan (S/2006/726)*, p. 3 [on-line], accessed 13 August 2007, available at <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Haiti%20S2006726.pdf>

4.5 Justice Reform

Judicial reform is another priority for Security Sector Reform in Haiti. Currently judges and lawyers are insufficiently trained, lacking the resources needed to function. The judicial branch is rife with corruption and drug-smuggling. As it now stands, the highest bidder wins the case. This has, of course, led to mistrust of the judicial system by most citizens, since many criminals go unprosecuted.

The ICF's transition strategy for the judicial systems has seven priorities:

- measures against impunity;
- promotion of judicial independence;
- rehabilitation of physical infrastructure;
- promotion of legal training and information;
- promotion of access to justice;
- promoting a participatory 'front line' justice;
- promoting the participation of women.⁸⁴

According to the International Center for Transitional Justice (ICTJ), a justice-sensitive approach to security sector reform would include building the integrity and legitimacy of the security system and empowering citizens, especially victims of abuses. To build the integrity of the security system there must be structural reforms that discourage abuses, as well as thorough vetting in security agencies.⁸⁵

4.6 Prison Reform

Along with the other security sector adjustments that need to be made in Haiti, International Crisis Group has identified prison reform as a vital aspect of SSR in Haiti. They call the overcrowded and under-resourced prisons 'powder kegs awaiting a spark.'⁸⁶ In 2005 nearly 500 prisoners managed to escape during an 'armed commando' attack on the national penitentiary. MINUSTAH accused some penitentiary workers of having collaborated with the attackers and said there were serious gaps in the security system.⁸⁷

⁸⁴ Interim Cooperation Framework, *Republic of Haiti*, pp. 14-15

⁸⁵ International Center for Transitional Justice, *Vetting: Justice-sensitive Security System Reform (SSR)* [on-line], accessed 13 August 2007, available at <http://www.ictj.org/en/tj/783.html>

⁸⁶ International Crisis Group, *Haiti: Prison Reform and the Rule of Law* [on-line], accessed 13 August 2007, available at <http://www.crisisgroup.org/home/index.cfm?l=1&id=4809>

⁸⁷ UN News Centre, *UN mission in Haiti says nearly 500 prisoners have escaped from national prison* (22 February 2005) [on-line], accessed 23 July 2008, available at <http://www.un.org/apps/news/story.asp?NewsID=13414&Cr=Haiti&Cr1>

5 Political Dialogue

5.1 Political Dialogue with the EU

5.1.1 Article 96

The EU invoked Article 96 of the Cotonou Agreement after the observer mission of the Organisation of American States reported irregularities in the elections of 2000. The EU argued that non-compliance with the Electoral Law of Haiti and the lack of democratic principles in Haiti were breaches of the essential elements of Article 9 of the Cotonou Agreement. The EU, the Haitian authorities and ACP states entered into consultation in September of 2000, but the EU did not feel that a satisfactory solution was reached. With those consultations in mind, the Council of the European Union decided to terminate the consultations opened under Article 96, and adopt ‘appropriate measures.’ These included:

- Not making available the second National Indicative Programme (NIP) tranche of the 8th EDF of 44.4 million euros.
- Suspension of direct budget aid. This mainly affects structural adjustment programmes and food security.
- Redirection of the remaining funds of the first NIP tranche of the 8th EDF to projects that are of direct benefit to the Haitian people, to strengthen civil society and the private sector, and are liable to support democratisation and underpin the rule of law.
- Preparations for the 9th EDF programming by the Commission delegation in Haiti, which will consult the Haitian government if necessary. Unless otherwise decided by the Council of the European Union, no allocation of resources shall be notified while this Decision is valid.⁸⁸

In May 2001 the ACP Council of Ministers passed a resolution on the launching of political dialogue with Haiti under Article 8 of the Cotonou Agreement. They called on the Council of the EU ‘to participate in comprehensive, balanced and deep political dialogue as provided for in Article 8(1) of the Cotonou Agreement [...] with a view to revisiting the matter and reorienting the relationship between Haiti and the European Union.’ At the same meeting the ACP Council of Ministers decided to establish a representative Group of ACP Friends of Haiti to pursue dialogue with the European partners.⁸⁹

Haiti’s Minister of Foreign Affairs, Mr. Joseph Philippe Antonio, was the head of the Haitian Delegation. He expressed his country’s concerns about the unilateral ending of the EU-Haiti consultations and about the resultant sanctions imposed against Haiti. The ACP Group and the ACP-EU Joint Parliamentary Assembly demanded that the sanctions be lifted. Additionally the Representative of the Dominican Republic warned of the consequences the sanctions could have on democratisation, human rights and rebuilding of infrastructure in Haiti, as well as the risk that they would undermine the country’s socio-economic stability. He stated that “the measures taken can lead to a dangerous situation in Haiti.”⁹⁰

In January 2002 Haiti was informed of the EU’s decision to maintain the ‘appropriate measure’ for another year. In January 2003 the EU reiterated this decision. In December 2003, the EU essentially upheld its decision, redirecting the remaining 9th EDF funds to the direct benefit of the Haitian

⁸⁸ Council of the European Union, *Council Decision of 29 January 2001 concluding the consultation procedure with Haiti under Article 96 of the ACP-EC Partnership Agreement (2001/131/EC)* [on-line], accessed 13 August 2007, available at <http://www.legaltext.ee/text/en/PH2511.htm>

⁸⁹ ACP General Secretariat, *Decisions and Resolution of the ACP Council of Ministers* (Press Release, Brussels 9-10 May 2001) [on-line], accessed 13 August 2007, available at http://www.acpsec.org/en/press_releases/146b055e.html

⁹⁰ ACP General Secretariat, *ACP-EU Council of Ministers* (Press Release: Brussels, 11 May 2001) [on-line], accessed 13 August 2007, available at http://www.acpsec.org/en/press_releases/146b056e.html

people. The following year the EU announced that the signature of the NIP was foreseen providing national elections were held in accordance with the Organisation of American States Resolution 822.⁹¹

Resumed Cooperation

Following the departure of Aristide, in May 2004 discussions between the European Commission and the new interim government resumed. The interim government pledged, via the Haitian ICF, to adopt a parallel approach to development and political stability. It entered into political dialogue with the EU wherein it committed itself to meet certain benchmarks in human rights, democracy, rule of law, good governance and the holding of free and fair elections in 2005, as well as to lay the groundwork for development to take place.⁹²

5.1.2 Other Areas of EU Involvement in Political Dialogue in Haiti

Through budget lines other than the EDF, the European Commission has allocated eight million euros for governance, human rights, local development and civil society initiatives in Haiti. Another eight million euros have been earmarked for decentralised cooperation.⁹³

In 2007, the *Fondation Haïtienne de l'Environnement* (FHE - Haitian Foundation for the Environment) received financing from the European Commission to implement a programme on political dialogue and the environment, a project intended to support civil society. The main objective of this initiative is to establish political dialogue based solidly on the collaboration between civil society actors and the government. The dialogue will be centred on the themes of water and energy. Two workshops and debates have been planned - one on water, one on energy - in the hopes of bringing the debate on these themes to a higher and more inclusive level. All sectors with either a direct or indirect impact on these areas will be invited: parliamentarians, community-based organisations, responsible governmental bodies, bilateral and multilateral financing agencies, and water and energy experts.⁹⁴

Elections

In the run-up to the elections scheduled for 2005 (which actually took place in 2006), the EU underlined its strong support for the democratisation process in Haiti with a pledge of 13.8 million US dollars to support the process. This was part of a contribution to the first pillar of the ICF on strengthening political governance and promoting national dialogue.⁹⁵ The total financing from the European Commission for the elections was planned at eighteen million euros (eight million euros added to the original ten million euros, which translated to roughly 13.8 million US dollars at the time), but the amount was elevated to 20.5 million euros.⁹⁶ The Commission also deployed an electoral observer mission.⁹⁷

Currently, the EDF has financed three million euros worth of justice reforms in Haiti in conjunction with the UNDP, as well as contributing eight million to decentralised cooperation.⁹⁸

⁹¹ A. Bradley, *An ACP Perspective and Overview of Article 96 Cases* (ECDPM Discussion Paper 64D) (Maastricht: ECDPM, 2005) [on-line], accessed 13 August 2007, available at <http://www.ecdpm.org/>

⁹² World Bank Group, *International Donor Conference on Haiti*

⁹³ ActionAid, *Disarmament, Demobilisation and Reintegration*, p. 15

⁹⁴ Mediaterrre, *Haiti : Initiative Dialogue Politique et Environnement* (March 2007) [on-line], accessed 13 August 2007, available at <http://www.mediaterrre.org/caraibes/actu,20070305142519.html>

⁹⁵ The World Bank Group, *International Donor Conference on Haiti*

⁹⁶ Jean-Marc Hoscheit, Speech, *Statement on behalf of the European Union to the Security Council of the United Nations on the situation in Haiti* (13 May 2005) [on-line], accessed 13 August 2007, available at <http://www.eu2005.lu/en/actualites/discours/2005/05/13Haiti/>

⁹⁷ Louis Michel, *La Commission européenne et la Communauté Internationale confirment leur engagement en faveur de Haïti*

⁹⁸ ActionAid, *Disarmament, Demobilisation and Reintegration*, p. 15

5.2 Regional Dialogue

5.2.1 CARICOM

CARICOM is about to reinstate its representation in Port-au-Prince. CARICOM has stated that it recognises that its own fate as an organisation depends on the capacity of all its member states to realise their development potential and to cooperate in all areas of activity in order to arrive at the best possible distribution of wealth within the community. It further declared that the gains made by Haiti in recent years are modest but encouraging.⁹⁹

5.2.2 Haiti and the Dominican Republic

A Mixed Commission of the Republic of Haiti and the Dominican Republic was set up through an agreement between the two governments in 1996. This organisation is used to manage the shared natural resources that are found on the Haiti-Dominican border. Haiti's third national report under the UN Convention to Combat Desertification stated that 'the Mixed Commission is crucial for good relations between the two countries and to monitor transboundary interventions.'¹⁰⁰

5.2.3 Organisation of American States

The Organisation of American States (OAS) has been involved in strengthening democracy in Haiti for several years. In 2002 the OAS launched a Special Mission for Strengthening Democracy in Haiti, intended to support the strengthening of governance, security, justice and human rights. In 2005 this programme was expanded to include an OAS Electoral Technical Assistance Programme, which helped Haiti's Provisional Electoral Council (CEP) to carry out extensive voter registration, through which (with the help of the UNDP, MINUSTAH and UN Volunteers) 3.5 million voters were registered, all of whom were able to obtain their identity cards.¹⁰¹ Sixty per cent of those registered had no form of identity card before. On 7 February 2006, seventy-seven per cent of those eligible voted.¹⁰²

5.3 National Dialogue

Leading up to the 2006 elections, the National Preparatory Commission held meetings with different areas of civil society and various political parties, as well as with the international community, to discuss the structure and process of national dialogue.¹⁰³

5.3.1 Political Dialogue under the ICF

National dialogue is included in the first strategic pillar of the ICF on strengthening political governance and promoting national dialogue. Under this heading the ICF outlines the process through which it will seek inclusive dialogue:

It seeks to promote an extensive national dialogue between the various participants in society, through experience gained in other countries in crisis. This dialogue includes all governance participants: the government, local authorities, the Council of Wise Men, political parties, civil society agencies and private sector intermediary institutions. This dialogue must be carried out at the central, departmental and municipal levels. It must create conditions

⁹⁹ Radio Kiskeya, *Un rapport soumis à l'ECOSOC*

¹⁰⁰ UNCCD, *Executive Summary: Third National Report of the Republic of Haiti* (UNCCD, June 2006), p. 4 [on-line], accessed 13 August 2007, available at <http://www.unccd.int/cop/reports/lac/national/2006/haiti-summary-eng.pdf>

¹⁰¹ OAS, *The OAS and Haiti, Special* (March 2006) [on-line], accessed 13 August 2007, available at http://oashaiti.org/msoeaspecial_OAS_Haiti.htm

¹⁰² UNDP Haiti, *L'appui du PNUD au processus électoral en Haïti*, Press release, (Port-au-Prince, December 2006) [on-line], accessed 13 August 2007, available at <http://www.ht.undp.org/francais/art-G001-061203.shtml>

¹⁰³ UNSC, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti* (S/2005/631, October 2005) [on-line], accessed 13 August 2007, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-6H3RTS?OpenDocument&rc=2&cc=hti>

favourable to the holding of free and fair local, parliamentary and presidential elections in 2005.

The ICF falls within this dynamic of political dialogue and is a first step toward the fulfilment of a national vision of lasting development founded on a participatory methodology. To this end, the process of preparing a Poverty Reduction Strategy Paper (PRSP) and the Millennium Development Goals offer a framework for this dialogue around development priorities.¹⁰⁴

The priority activities of the newly formed Provisional Electoral Council (CEP) for the organisation of elections are:

- consolidating its central functional structure;
- defining the election schedule;
- examining the current electoral law;
- preparing for the creation of voter lists;
- reflecting on security aspects as well as on financing methods and the minimum regulation of political parties.¹⁰⁵

5.4 UN and Political Dialogue in Haiti

The United Nations Development Programme (UNDP) has been involved with the rule of law and good governance in Haiti since 1995. The last UN mission prior to MINUSTAH was the International Civilian Support Mission in Haiti (MICAHA). MICAHA had a budget of 27 million US dollars, retaining seventy advisors on police, justice and human rights. When MINUSTAH replaced MICAHA in 2001, the UN Security Council recommended that the UNDP continue the work being done in the area of rule of law. This translated into a post-MICAHA programme aimed at ‘the consolidation of the rule of law and to promote inter-sectoral dialogue and the participation of civil society in the justice reform process.’ It should be noted that when international actors such as the European Commission stopped cooperation with the Haitian government, the UNDP also suffered from a loss of financing for governance in Haiti. Despite this, the UNDP provided support to institutional reform and the strengthening of the justice system, including the national police and prison system. However, work with the national police only lasted through June 2001. UNDP has continued to work on the consolidation of the rule of law in justice and prison reform.¹⁰⁶

UN Resolution 1542 delineates the mandate of MINUSTAH, which includes support to the government in organising, monitoring and holding elections through the provision of technical, logistical and administrative assistance, including training personnel and maintaining security. In this endeavour MINUSTAH was expected to coordinate with the OAS and CARICOM. At the request of the national government, a UN mission to evaluate the Haitian electoral needs in June 2004 visited the country and submitted a report to the national government and to the international community.¹⁰⁷

In 2005 MINUSTAH helped with the registration of parties, candidates and voters from a wide spectrum of political persuasions. MINUSTAH organised a series of meetings between political parties in the run-up to the elections in 2006, to ‘create a positive environment for the electoral process.’ At the first of these meetings thirty-six political parties were represented. At the next, representatives of thirty-four political parties signed The Port-au-Prince Declaration Against Corruption and committed themselves to having open and honest electoral campaigns. MINUSTAH, the UNDP and the transitional government of Haiti also organised a workshop for sixty political leaders to discuss governance issues.¹⁰⁸

¹⁰⁴ Interim Cooperation Framework, *Republic of Haiti*, pp. 17-18

¹⁰⁵ *ibid.* p. 17

¹⁰⁶ UNDP, *UNDP in Haiti*, p. 2 [on-line], accessed 13 August 2007, available at http://unohrrls.expressiondev.com/UserFiles/File/LDC%20Documents/Agencies/undp_haiti.pdf

¹⁰⁷ Interim Cooperation Framework, *Republic of Haiti*, p. 17

¹⁰⁸ UNSC, *Report of the Secretary-General on the United Nations Stabilization Mission in Haiti*

MINUSTAH was very involved in the elections of February 2006, working extensively with the CEP and the UNDP. To provide the necessary infrastructure, 40,000 electoral monitors were recruited and trained. Additionally, 5,000 civilian personnel and 4,000 electoral guards were recruited during the registering of voters and during the vote itself.¹⁰⁹

¹⁰⁹ UNDP Haiti, *L'appui du PNUD au processus électoral en Haïti*

6 Gender and Conflict Prevention in Haiti

Haiti ranks lowest on the UNDP's Gender Development Index (GDI) of countries outside Sub-Saharan Africa.¹¹⁰

Throughout Haiti's violent history, violence against women, in particular rape, has been used as a tool to terrorise people. During the Duvalier regimes, women political activists were arrested and tortured for their activity. Under Cédras' regime the practice of breaking into houses and raping and beating women began as a type of political pressure, but it has continued as part of the activities of criminal gangs. The rape of women and children was commonly used as a political tool or weapon to intimidate Aristide supporters throughout the 1990s.¹¹¹ According to the UN Special Rapporteur on Violence Against Women, violence against women in Haiti has become 'structural'. The Rapporteur noted that some feel this is not indicative of violence against women in particular, but instead that 'structural violence' affects women in general as they are some of the poorest and most vulnerable members of society. A report by l'Université d'Etat d'Haïti says that in eighty-five per cent of cases, the victims of violence in Haiti are women, and 88.8 per cent of the aggressors are men.¹¹² The combination of a lack of many legal rights for women in Haiti and a collapsed security and judicial system has left Haitian women with very little recourse.¹¹³

Women are victims of the violence in Haiti, but they are also actors. A study conducted jointly by the DDR and Gender Sections of MINUSTAH found that there are armed groups composed solely of women, and that these groups engage in rape.¹¹⁴ According to statements made by women involved in armed groups, their participation is often motivated by their economic difficulties in caring for their families. They also join armed groups for other reasons, often acting as lookouts or responding to women in rival groups. It is rare for women in Haiti to be armed with guns; instead they are armed with machetes, bottles filled with sand, rocks and bats.¹¹⁵

When severe weather hit Haiti and in particular the city of Gonaives in 2004, hundreds of thousands of residents were left homeless and without access to basic necessities. This led to increased violence as people fought to meet their basic needs. As women and girls are least likely to be armed, they were also least able to compete to meet their needs.¹¹⁶

Apart from violence women also face other, structural, disadvantages, for example through lack of education. In 2001 girls accounted for only thirty-three per cent of students in the final year of secondary school.¹¹⁷

¹¹⁰ *ibid.*

¹¹¹ WomenWarPeace, *Haiti* [on-line], accessed 13 August 2007, available at <http://www.womenwarpeace.org/haiti/haiti.htm>

¹¹² MINUSTAH, *Les femmes, actrices ou victimes de la violence armée* (25 June 2007) [on-line], accessed 13 August 2007, available at <http://www.minustah.org/articles/430/1/Les-femmes-actrices-ou-victimes-de-la-violence-armee-en-Haiti/25-juin-2007.html>

¹¹³ UN Economic and Social Council, *Integration of the Human Rights of Women and the Gender Perspective, Violence Against Women*, Report on the mission to Haiti, E/CN.4/2000/68/Add.3 (27 January 2000), p. 4 [on-line], accessed 13 August 2007, available at <http://www.womenwarpeace.org/haiti/docs/srvawvisitjan00.pdf>

¹¹⁴ UNDDR, *Haiti: Women Associated with Armed Violence* [on-line], accessed 13 August 2007, available at <http://www.unddr.org/countryprogrammes.php?c=80#approach>

¹¹⁵ MINUSTAH, *Les femmes, actrices ou victimes*

¹¹⁶ WomenWarPeace, *Haiti*

¹¹⁷ *ibid.*

6.1 UN and Gender

When unrest broke out around the time of President Aristide's ousting, the UN began a Joint Assessment Mission to prepare for the soon-to-come stabilisation mission, MINUSTAH. The United Nations Development Fund for Women (UNIFEM) participated in the mission - the first time that a UNIFEM representative was ever invited to be involved in planning a peacekeeping mission at such an early phase.¹¹⁸

A Special Consultative Group on Haiti, presented by a Canadian representative, declared that it is necessary to take gender-specific dimensions into account in all policy on economic and social development, as part of the international community's long-term programme of support for Haiti.¹¹⁹

6.1.1 MINUSTAH

In July 2007, various multimedia centres of MINUSTAH held sessions on violence against women, intended to inform and sensitise the public, and to create dialogue on the subject. This seminar was held in response to the increasing number of cases of violence against women and young girls, especially in the north of the country.¹²⁰

Some have posited that the high incidence of violence against women stems from cultural reference points such as Haitian music, which often presents a derogatory view of women. As in many parts of the world, women are often presented as being inferior to men. Murielle Présulmé, the director of the Department of the Ministry for Women's Status and Rights, identified conjugal violence and sexual violence as key focal points in the fight against violence against women. Citing a study conducted by *Òganizasyon kay fanm*, she stated that fifty-eight per cent of Haitian women were victims of physical violence and sixteen per cent of them victims of rape or sexual violence.¹²¹ A large number of cases of violence against women, including rape and sexual violence, go unreported. This is partially due to the underdevelopment of the security sector and widespread lawlessness. A joint study conducted by the MINUSTAH DDR and Gender sections found that there is a 'destructive coordinated effort by the community to isolate and stigmatise rape victims.'¹²²

The United Nations Population Fund (UNFPA) is also present in Haiti. It makes a concerted effort to work in synergy with the national government and civil society in the fight against violence towards women.

6.1.2 UNDDR and Gender in Haiti

The DDR Section and the Gender Section of MINUSTAH have taken a joint approach in tackling gender issues in Haiti and in understanding ways to address women's role in the conflict there. In a study conducted on women's involvement in the conflict, two notable findings were the presence of armed groups composed entirely of women who engaged in rape, and the coordinated effort by communities to isolate and stigmatise rape victims. The study recommendations include:

- rebuilding of the community structure to address violence in a coordinated fashion;
- strengthening of community capacity for identifying and managing threats against women;
- support to community-based projects to stem violence against women.

¹¹⁸ *ibid.*

¹¹⁹ Radio Kiskeya, *Un rapport soumis à l'ECOSOC*

¹²⁰ MINUSTAH, *Séminaire de sensibilisation à Fort-Liberté sur les violences faites aux femmes* (27 July 2007) [on-line], accessed 13 August 2007, available at

<http://www.reliefweb.int/rw/RWB.NSF/db900SID/KHII-75M2UT?OpenDocument&rc=2&cc=hti>

¹²¹ MINUSTAH, *Centre Multimédia : Dialogue autour du thème de la violence faite aux femmes* (19 July 2007) [on-line], accessed 13 August 2007, available at

<http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-75DR9L?OpenDocument&rc=2&cc=hti>

¹²² UNDDR, *Haiti: Women Association with Armed Violence*

Following the study's conclusions, there has been a conscious decision to exclude women from the traditional DDR approach, and instead to work with them through the Committee for the Prevention of Violence and Development.¹²³

6.2 National Government and Gender

In 2000, the Minister for Social Affairs and Labour claimed that the root cause of the continued violence against women was in large part their lack of economic independence, leading them to be less likely to stand up for themselves. To remedy this, the Ministry instituted workshops in all provinces to teach women vocational skills that would allow them to support themselves.¹²⁴

Since July 2005 there has been new national legislation on violence against women, upgrading rape from a misdemeanour to a crime. A conviction carries a sentence of ten years to life in prison. At the same time, sentences for women imprisoned for adultery were repealed, making divorce the only legal recourse for husbands with adulterous wives.¹²⁵

Several areas of national legislation contain provisions for women, though they do not always address the problem sufficiently. In the ICF's 2004 pledge to create 500,000 new jobs in Haiti by 2006, thirty per cent of these jobs were earmarked for Haitian women.¹²⁶ The National Action Plan to Combat Desertification and Drought has committed itself to considering the 'integration of considerations into all national, regional and local plans and programs to improve the economic wellbeing, preserve natural resources and follow-up and assessment of desertification and drought effects.'¹²⁷

6.2.1 Concertation Nationale contre les Violences faites aux Femmes

The Concertation Nationale contre les Violences faites aux Femmes (National Consultation on Violence against Women) is a tripartite body that brings together national government, civil society and international agencies in the struggle against violence against women in all its forms. UNFPA is an active member. The Concertation Nationale works with the Haitian National Police on how to deal with questions of violence against women, especially in terms of the reception victims should receive in police stations.¹²⁸ The Concertation Nationale works from the National Plan to Fight Violence against Women, which was officially launched by the Ministry for Women's Status and Rights in November 2005. This plan offers a normative framework for intervention at a National level.¹²⁹

On 13 July 2007, the Ministry for Women's Status and Rights launched a project in collaboration with the UN agencies and Canadian Cooperation in Haiti, called 'interagency project for prevention and care of women and girls who are victims of sexual violence' (Projet Interagence de Prévention et de Prise en Charge des Femmes et des Filles Victimes de Violences Sexuelles). One million US dollars have been allocated to this project which consists in part of medical, psycho-social and legal treatment for 3,000-5,000 women and girls who are victims of sexual violence, and of information dissemination and sensitisation regarding the problem of gender-based violence.¹³⁰

¹²³ UNDDR, *Country Programme: Haiti*

¹²⁴ UN Economic and Social Council, *Integration of the Human Rights of Women*, p. 5

¹²⁵ MINUSTAH, *Séminaire de sensibilisation*

¹²⁶ WomenWarPeace, *Haiti*

¹²⁷ UNCCD, *Executive Summary*, p. 9

¹²⁸ MINUSTAH, *Les femmes, actrices ou victimes*

¹²⁹ UNFPA Haiti, *La Concertation Nationale* [on-line], accessed 13 August 2007, available at <http://www.unfpahaiti.org/ConcertationNationale.htm>

¹³⁰ AlterPresse, *Haïti : Un projet pour renforcer les capacités institutionnelles de lutte contre les violences spécifiques faites aux femmes* (16 July 2007) [on-line], accessed 13 August 2007, available at <http://www.alterpresse.org/spip.php?article6200>

6.2.2 Civil Society Initiatives

There are few services that exist for rape survivors in Haiti. The organisations that do provide them often have little connection with the local populations. Komisyon Fanm Viktim pou Viktim (the Commission of Women Victims for Victims - KOFAVIV) is a Haitian women's organisation based in Port-au-Prince dedicated to serving women who have been victims of sexual violence. It was created in 2004, when a group of women who had been raped during the 1991-1994 military dictatorship got together to prepare a landmark legal case against the dictatorship's top military and paramilitary officials on the use of rape as a political weapon. Since then, it has worked with 1,700 victims of sexual violence. The organisation has seven staff members and around twenty mobile agents, most of whom are also rape victims. With a programme entitled 'I am One of Many', KOFAVIV provides free medical assistance, including pre-natal care when necessary, followed by psychological support for the victims of sexual violence. Weekly meetings for victims to talk about their experiences take place, creating support groups and encouraging women to take collective action against gender-based violence.

The other messages supported by KOFAVIV are 'we insist that women participate in everything that is done in the country,' and 'we insist on respect for the rights of women in Haiti.' KOFAVIV is also partnering with micro-credit organisations to aid poor women's access to much-needed economic resources.¹³¹

In 2005, KOFAVIV received a grant from the UN Trust Fund in Support of Actions to Eliminate Violence against Women, managed by the UNIFEM, for their project entitled 'Responding to the HIV/AIDS Threat to Rape Victims in Poor Communities.'¹³²

6.2.3 Interim Cooperation Framework and Gender in Haiti

In its strategy for 2004-2006, the ICF states that it will pursue the following priorities:

- prepare and promote the implementation of a legal and legislative framework conforming to international agreements covering the rights of women;
- promote the implementation of governmental policies and programmes encouraging gender consideration and acting on the gender condition and the improvement of women's living conditions, including violence against women and political participation;
- reinforce the capacity of the MCFDF to effectively and efficiently fulfil its transversal and supportive role in women's movements.¹³³

A press release by the Joint Committee for the implementation and monitoring of the ICF outlines specific work to be undertaken:

- Four projects for the promotion and protection of women's rights which are underway, focus on fighting violence against women in five departments of the country. Rehabilitation and/or establishment of centres for women victims of violence in twenty-eight communes.
- Training for women technicians of forty-five community radios throughout the country and support for the production of programmes to lobby for and raise awareness about women's rights and gender equality.
- Modernisation and expansion of a centre of feminist documentation and information in the context of national coordination of women's organisations.
- Support to 400 female candidates for 2005 elections and promotion of women's participation in the political and electoral process.¹³⁴

¹³¹ 'Nou Mande Pou Fanm Yo Jwe wol Pa Yo Nan Tout Sakap Fet Nan Peyi a' and 'Nou Vle Pou Dwa Fanm Respekte nam Peyi Dayiti'

MADRE, *Supporting and Seeking Justice for Rape Survivors in Haiti* (1 August 2006) [on-line], accessed 13 August 2007, available at <http://www.madre.org/programs/kofaviv.html>

¹³² UNIFEM, *Haiti: "Gen Espwa" - There is hope* (14 Decemeber 2005) [on-line], accessed 13 August 2007, available at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/DPAS-6K4DQG?OpenDocument>

¹³³ Interim Cooperation Framework, *Republic of Haiti*, p. 41

6.3 EU and Gender Mainstreaming in Haiti

In an evaluation of actions financed by ECHO in Haiti, GFE Consulting reported that:

Although there were no [water sanitation] projects especially for women and children, it can be assumed that these people were the main beneficiaries of the water project, as women are usually responsible for water hauling. In addition, several projects targeted especially vulnerable (for example female-headed) families. Hygiene promotion teams were in general composed of mixed gender.

Of the 14 projects evaluated in the health and nutrition sector, gender issues were seriously considered by at least some of the partner organisations. The UNICEF project focused on improving the quality of care in the hospital's Maternity Unit, implemented by the DG ECHO financed project, thereby emphasising to the health community, the importance of Mother and Child Health (MCH).

In the food distribution programme in the north following hurricane Jeanne, CARE targeted adult women as those responsible for feeding and care of the family. A decisive factor was made in project planning, that female, and especially female-headed households, are among the most vulnerable. It became clear that assets, particularly food, held by females are more likely to be consumed (as opposed to sold) and to reach all members. In addition, the project put an emphasis on developmental needs of children.¹³⁵

There is no mention made of ECHO using the EU root causes of conflict checklist, which would provide an opportunity for coherence between ECHO's humanitarian work and the Commission's long-term conflict prevention goals.¹³⁶ It could also be argued that the water projects might have had even better results for women if ECHO had had a gender conscious approach.

6.4 International Conventions

In 1981 Haiti ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and in 1996 it ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, known as the 'Belem do Para Convention'. The latter is the only international treaty in the world to specifically address violence against women. It is notable in that it extends state control to the private sphere.¹³⁷

Ratification has not necessarily translated into practice. Regarding CEDAW, Haiti has not followed through on its commitment to make implementation progress reports to the Committee on the Elimination of Discrimination against Women. Haitian government delegations have participated in all UN international conferences on women. The 1995 Beijing Conference saw a very active NGO delegation from Haiti as well.¹³⁸

¹³⁴ Joint Committee for the Implementation and Monitoring of the Interim Cooperation Framework (COCCI), *New jobs, schools, and roads*, p. 12

¹³⁵ GFE Consulting Worldwide, *Final Evaluation Report*, p. 35

¹³⁶ Saferworld and International Alert, *Enhancing EU Impact on Conflict Prevention - Developing an EU Strategy to Address Fragile States*, June 2005, p. 42

¹³⁷ Amnesty International, *Tenth anniversary of the Convention of Belém do Pará: Time for action!* (press release: August 2004) [on-line], accessed 13 August 2007, available at <http://news.amnesty.org/index/ENGACTION770632004>

¹³⁸ Anne Fuller, *Challenging Violence: Haitian Women Unite Women's Rights and Human rights* (Association of Concerned Africa Scholars: 1999) [on-line], accessed 13 August 2007, available at <http://haitiforever.com/windowsonhaiti/w99351.shtml>

7 Natural Resources and Environment

Haiti's main natural resources are bauxite, copper, calcium carbonate, gold, marble and hydropower.¹³⁹ It is a mountainous country, which makes its ecosystem especially vulnerable; it is subject to both desertification and drought.¹⁴⁰

Over the course of the last few decades, Haiti's environment has suffered from increasing degradation. This has been both a cause and a result of Haiti's vulnerability to natural disasters. Erosion and the degradation of sensitive upstream ecosystems have led to an increase in floods and landslides, often with disastrous physical, economic and social consequences.¹⁴¹

Haiti used to be a lush and forested country, but today only two percent of the native forests are still wooded.¹⁴² According to the International Strategy for Disaster Reduction (ISDR), the combination of deforestation and rapid urbanisation are large contributing factors to the numbers of people affected by landslides. Deforestation affects the environment in three ways: increased soil instability; increased run-off water; and increased silt discharge, which changes the course of rivers and creates deserts. Many of Haiti's trees have been cut down for fuel or for sale, which has led to erosion and rendered a great deal of land useless.¹⁴³ This contributes enormously to the overall poverty in the country, which in turn adds to instability and insecurity.

In 1996 the government of Haiti ratified the UN Convention to Combat Desertification (UNCCD). Haiti has also signed and ratified the UN Convention on Climate Change and Protection of the Ozone layer.¹⁴⁴

7.1 National Government and Environment

Even though the national government has ratified the UN Convention to Combat Desertification, it does not yet have a national action plan to combat desertification in Haiti, in large part because of a lack of resources. On paper, the government has a set of policy documents related to desertification issues: national water policy, population policy, sectoral policy of the Ministry of Agriculture for watershed management, disaster and hazards management, and an Interim Poverty Reduction Paper. The degradation of Haiti's land has very serious implications for sustainable development. To respond to this crisis, the national government has outlined various initiatives through the ICF, including:

- realisation of income generating activities and access to primary socioeconomic services;
- access and management of water resources;
- rehabilitation of degraded watersheds;
- development of educational, informational materials and finding alternatives to take information to the most far-off communities.¹⁴⁵

¹³⁹ CIA, *Haiti Natural Resources* [on-line], accessed 13 August 2007, available at http://www.indexmundi.com/haiti/natural_resources.html

¹⁴⁰ UN, *Natural Resources Aspects of Sustainable Development in Haiti* [on-line], accessed 13 August 2007, available at <http://www.un.org/esa/agenda21/natlinfo/countr/haiti/natur.htm>

¹⁴¹ UN Consolidated Appeals Process, *Humanitarian Appeal 2004: Haiti, flash appeal* (October 2004) [on-line], accessed 13 August 2007, available at <http://www.un.org/depts/ocha/cap/haiti.html>

¹⁴² UN, *Natural Resources Aspects of Sustainable Development in Haiti*

¹⁴³ International Strategy for Disaster Reduction, *Haiti Hurricane Jeanne, Cousteau's foresight* (2005) [on-line], accessed 13 August 2007, available at

<http://www.unisdr.org/eng/media-room/point-view/2005/Cousteaus-foresight-Haiti.doc>

¹⁴⁴ UNCCD, *Executive Summary* p. 5

¹⁴⁵ UNCCD, *Executive Summary*, pp. 8-9

In January 2006, the Haitian government adopted a Decree for Environmental Management that will make up the legal basis for all aspects of the national environmental policy. It is intended to provide guidance to Haitian citizens in terms of sustainable living.¹⁴⁶ The Decree lays out a structural framework for sustainable land management, including a fund for the rehabilitation of the environment. A portion of this is expected to combat desertification. The Decree for Environmental Management also covers the Inter-Ministerial Council for Land Use Planning and Environment (CIMATE).

The ICF has established ten thematic groups to assess current priority needs, four of which are dedicated to the protection and rehabilitation of the environment. The strategy is 'to actively promote the replacement of wood and charcoal, to fight the deterioration of land and natural resources,'¹⁴⁷ and to strengthen risk and disaster management.¹⁴⁸ Environmental protection and rehabilitation comes under the third pillar of the ICF's priorities for action.

The National Capacity Self Assessment (NCSA), supported by the United Nations Environmental Programme and the Global Environment Facility (GEF), was created to evaluate needs and priorities 'to strengthen national and local capacities to address global environmental problems in an orderly planned and coherent manner.'¹⁴⁹

7.1.1 Fondation Haïtienne de l'Environnement

The Fondation Haïtienne de l'Environnement (FHE; Haitian Foundation for the Environment) was founded in 1999 to support sustainable management of natural resources, conservation of biodiversity, and environmental restoration, both rural and urban. It is principally funded by USAID, with some funding from UNDP for a specific project.¹⁵⁰ It is also a member of a network for environmental funds of Latin America and the Caribbean (Réseau des Fonds Environnementaux de l'Amérique Latine et des Caraïbes - REDLAC). The organisation has several current projects on education, energy and water, among them an Initiative on Political Dialogue and the Environment financed by the European Development Fund.¹⁵¹

7.2 Regional work on Environmental and Natural Resource Issues

CARICOM, the Haitian Ministry of Agriculture and the Food and Agriculture Organisation (FAO) have laid out a National Mid-term Investment Plan for three projects intended to reduce desertification. These include programmes to support marine and continental fishing activities, to fund hydraulic interventions for agriculture, and to manage natural resources in mountainous areas.¹⁵²

Haiti and the Dominican Republic are working together to establish a coordinated bi-national plan for the border region.¹⁵³ The two governments are also working together on a project to reforest the Massif La Selle, including several major Haitian national parks.¹⁵⁴

¹⁴⁶ Convention on Biological Diversity, *Haiti - Description, Status and Trends of Biodiversity* [on-line], accessed 13 August 2007, available at <http://www.cbd.int/countries/profile.shtml?country=ht#thematic>

¹⁴⁷ UNCCD, *Executive Summary*, p. 5

¹⁴⁸ Interim Cooperation Framework, *Republic of Haiti*, pp. 28-29

¹⁴⁹ UNCCD, *Executive Summary*, p. 5

¹⁵⁰ Fondation Haïtienne de l'Environnement, *Haiti : Fondation Haïtienne de L'Environnement (FHE)* (2003), p. 2 [on-line], accessed 13 August 2007, available at http://www.conservaionfinance.org/Documents/EF_profiles/English%20versions/Haiti-FHE-%20NEW.pdf

¹⁵¹ Fondation Haïtienne de l'Environnement, *Historique de la Fondation Haïtienne de l'Environnement* [on-line], accessed 13 August 2007, available at <http://www.fhenvironnement.org/historique.php>

¹⁵² UNCCD, *Executive Summary*, p. 5

¹⁵³ *ibid.*

¹⁵⁴ Nancy Roc, 'Haiti pushing to reduce greenhouse gases', *The Panos Institute of the Caribbean* (Nairobi: Panos, November 2006) [on-line], accessed 13 August 2007, available at <http://www.panosinst.org/productions/panoscope/haiti-greenhousegases.php>

7.3 UN in Haiti on Environment and Natural Resources

UNDP Country Office has listed ‘participatory management of environmental resources’ as one of its four interlinked and mutually reinforcing sub-programmes. UNDP provides support to the Haitian Ministry of Environment in the monitoring, evaluation and coordination of the national environmental action plan.¹⁵⁵

7.4 The EU and Management of Natural Resources in Haiti

In response to five accepted proposals for funding from the ACP-EU Water Facility in October 2005, the EU is contributing roughly 5.6 million euros. All five projects are civil society initiatives, to be implemented by the organisations as displayed in the table:

Implementing Organisation	EU Contribution (in euros)	Total Cost (in euros)
Oxfam GB	3,000,000	4,000,000
French Red Cross	450,824	601,099
Action contre la faim	685,905	914,540
Association L'APPEL, Aide aux Enfants Victimes de Conflits	287,000	382,700
Groupe de Recherche et d'Echanges Technologiques	1,233,432	1,645,974 ¹⁵⁶

¹⁵⁵ UNDP, *UNDP in Haiti*

¹⁵⁶ European Commission, *ACP-EU Water Facility, Results 1st Call for Proposals* [on-line], accessed 13 August 2007, available at http://ec.europa.eu/europeaid/where/acp/regional-cooperation/water/documents/cfp1-approved-list_en.pdf

8 Transitional Justice

Transitional justice in Haiti is very much linked to the reform of the security and judicial sectors. As it stands, victims of violence are often too wary of police or too afraid of possible repercussions to report crimes and seek justice. Historically, there has been very little legal justice because of overall violence and lawlessness. The members of the women's group KOFAVIV (the Commission of Women Victims for Victims¹⁵⁷) deliberately call themselves victims because they say they have not yet had justice.¹⁵⁸

To make justice a possibility and a reality in Haiti, the political manipulation of the justice sector must stop. The due process of law must become the norm. The establishment of a special criminal court to try the most serious crimes, as well as the non-partisan investigation into and prosecution of suspects involved in high-level political assassinations in the past, must be carried out with the support of the government.¹⁵⁹ In addition to this criminal court, a second hybrid Haitian-International tribunal needs to be set up to deal with the transnational organised crime occurring in Haiti, often linked to narcotics.¹⁶⁰

With very little formal justice to be had, people often seek justice in 'vigilante vengeance.' As outlined above, rape is frequently used as a tool of intimidation, as is bodily harm or destroying a person's material goods or livelihood. Lynching is not uncommon. When faced with these kinds of threats, at times from the police force as well, it is easy to see why people hesitate to seek justice. In Cité Soleil, an extremely poor area just outside Port-au-Prince, staff in a local hospital reported that while there had recently been a decrease in gun wounds, knife and machete killings had increased. Local leaders call this 'silent violence', as groups and individuals find their justice through violent revenge. Gang members retaliate against informants, and community members round up mobs to lynch suspected gang members.¹⁶¹

From 1994 through 1996 there was a Haitian National Truth and Justice Commission (TJC), created by President Aristide to 'globally establish the truth concerning the most serious human rights violations perpetrated between September 1991 and October 1994, inside and outside the country, and to help in the reconciliation of all Haitians without any prejudice against seeking legal action based on these violations.' The biggest concern of the TJC was reprisal against witnesses. Far more people than expected were willing to testify. For the security of those testifying, the TJC adopted a policy of discretion over publicity. Because the TJC's mandate covered only a three-year period, there was an effort to make it as extensive as possible. Though the TJC did not have the power to prosecute, it did propose a final set of reform measures for the Haitian judicial system and other national institutions.¹⁶² The TJC estimated that 5,000 people were killed between 1991 and 1994. Since the findings of the TJC, some high profile or controversial cases went to trial, but often painstakingly slowly or incompletely. There is still a need for justice to be served in Haiti.¹⁶³

¹⁵⁷ KOFAVIV is described in section 6.2.2 on civil society initiatives concerning gender.

¹⁵⁸ Institute for Justice and Democracy in Haiti, *KOFAVIV - Commission of Women Victims for Victims* [on-line], accessed 13 August 2007, available at http://www.ijdh.org/articles/article_recent_news_3-9-06.htm

¹⁵⁹ International Crisis Group, *Consolidating Stability in Haiti*

¹⁶⁰ International Crisis Group, *Haiti: Justice Reform and the Security Crisis*, p. 1

¹⁶¹ International Crisis Group, *Consolidating Stability in Haiti*, p. 3

¹⁶² Fanny Benedetti, *Trends: Haiti's Truth and Justice Commission* (1996) [on-line], accessed 13 August 2007, available at <http://www.wcl.american.edu/hrbrief/v3i3/haiti33.htm>

¹⁶³ Institute for Justice and Democracy in Haiti, *Haiti Assassination Trial an Affront to All Those Who Have Worked and Died for Justice* (August 2004) [on-line], accessed 13 August 2007, available at http://www.haitiaction.net/News/IJDH/8_17_4.html

8.1 UN and Transitional Justice

As mentioned above, a fundamental part of transitional justice must be the transformation of the security sector, especially of the judicial branch. One aspect of this is vetting throughout the security structure, a major point of the reformation of the Haitian National Police. ICTJ considers vetting a necessary part of holistic security sector reform, and it regularly advises the UN and national governments on vetting in a transitional context. In Haiti the ICTJ assisted MINUSTAH in establishing a census of the national police, identifying military personnel and stopping individuals from joining or leaving informally. This added to the legitimacy of the security system by establishing democratic governance and building civil trust.¹⁶⁴

¹⁶⁴ International Center for Transitional Justice, *Vetting, Justice-sensitive Security System Reform (SSR)*

9 Results from Questionnaires

Part of the methodology for this QCEA project involved sending questionnaires to the European Union's Delegation in Haiti and to various civil society organisations operating there. The questionnaires were divided into nine units. This section is similarly divided.

9.1.1 Organisation Information

Of the twenty-six questionnaires sent out to civil society organisations in Haiti, only three responses came back. With such a small sample it is not possible to draw any general conclusions. The information is instead presented as examples of how civil society organisations operate in Haiti. It must also be noted that all of the organisations that returned our questionnaire were branches of large, international NGOs. The views presented here, while reflecting the reality on the ground, may differ from the experiences and realities of local, community-based organisations. We have seen from the range of responses received from other countries that there can be large discrepancies between international NGOs and smaller, local NGOs. This tends to be particularly true in terms of contact and relationships with the Delegation. The organisations represented here work in Port-au-Prince in a number of areas:

- agriculture, food security and sustainable livelihoods;
- water and sanitation;
- health;
- education;
- disaster risk management;
- good governance and elections;
- youth parliament;
- DDR, SSR and SALW;
- justice;
- gender;
- service provision;
- human rights, migrant rights and women's rights;
- EU foreign policy and conflict prevention.

All participate in some sort of NGO network or forum, such as the Cadre de Liaison Inter ONG (CLIO) or the Coalition for the Reduction of Armed Violence. They were therefore in good contact with other NGOs working on these issues.

The Delegation represents the European Commission in Haiti, and that is the only European Institution that they reported having contact with. Within the Commission, they are in touch with Directorate General (DG) for Development, EuropeAid Co-Operation Office (AIDCO), DG for External Relations and the Humanitarian Aid department (ECHO) via phone, email and diplomatic pouch. This communication occurs weekly and the Delegation described it as very good.

9.1.2 Civil Society Consultation

All of the respondents have had contact with the Delegation very recently. This suggests that, though official inter-governmental aid cooperation between Haiti and the EU has only just recently resumed, the relationship between the Commission and civil society in Haiti is good. This may in fact be due in part to the earlier invocation of Article 96, which saw the Commission channelling support to Haitian civil society in lieu of the government, building a strong bond of collaboration and trust. The communication between our respondents from civil society and the Delegation is frequent, with a short time span ranging from every week to every three months. As a general rule the civil society organisations approached the Delegation, usually for funding, advocacy or to raise concerns. However, the Delegation had approached two of the three respondents for consultation and to develop or evaluate Delegation projects.

Despite the frequency and regularity of contact between the Delegation and the civil society organisations, only one group felt it was sufficient. One responded that it was not, and the third that it was sufficient only for a select group of organisations. In the same vein, views varied on whether or not civil society's input is absorbed and whether the dialogue is productive. The organisation that felt there was enough dialogue between civil society and the Delegation also felt that input was listened to and that the dialogue was productive. The opposite was true, however, for the other two groups. The two groups that met most often with the Delegation felt that the dialogue was at least sometimes productive, perhaps resulting in small changes in EU priorities or focal areas (which can in fact be quite significant). Perhaps most significantly, the two groups which had more positive views on the dialogue had been approached by the Delegation, principally for consultation.

The Delegation confirmed this regular interaction with civil society, putting the frequency of contact at every four weeks or less. It also made it clear that as a general rule civil society approached it, usually for funding or in response to an open consultation.

The Delegation was very candid that while there was 'absolutely' enough dialogue with varied groups in civil society, the dialogue was not always productive. It was unclear why the Delegation found it to be unproductive, though it elaborated that the main context of its contact with civil society was funding projects, which perhaps suggests that it would be interested in involving civil society more in consultations.

9.1.3 Calls for Proposals

Two of the three respondents reported that they had responded to a Call for Proposals, and that they generally heard of Calls for Proposals through the Delegation. The Delegation confirmed this, stating the Calls for Proposals were released through the Delegation website (www.delhti.ec.europa.eu) and through local means. It also asserted that information on EU projects was disseminated very well to civil society.

Funding was not particularly quick for those whose proposals were successful. The time frame for funding ranged from ten months to two years, depending perhaps on which EU budget line it was funded from. Time pressure was cited as a problem during the process.

9.1.4 Relationship with National Government and the EU

All respondents reported having some kind of relationship with the national government, either through national *Tables de Concertation* (regular meetings under a number of government departments which apart from government officials also include UN agencies and NGOs), through working on Haitian government-run projects such as the Disaster Risk Reduction programmes, or through advocacy work on specific issues such as violence and gun control via a platform of NGOs and community-based organisations. This last one was described as extremely delicate.

Interestingly, when asked whether they had a relationship with the national government, the Delegation responded, 'not really, we are in direct contact with civil associations.' This suggests that restarting a working relationship between the national government and the Commission since Article 96 has been challenging and slow.

9.1.5 Article 96

When asked about the impact of Article 96 in Haiti and on the civil society organisations, a very interesting point came up. The EU was fairly successful at maintaining support for civil society whilst adopting 'appropriate measures' against the national government, but this situation negatively affected the relationship of the NGOs with the state. In addition to alluding to tensions between NGOs and the state, respondents criticised the policy of funding each organisation separately, which slowed cooperation between NGOs. The Commission would do well to take this by-product of Article 96 into consideration and to possibly adopt a more coherent approach in the future to avoid possible negative impacts in societies that most need a well-organised and well-funded civil society.

When the Delegation was asked about the impact of Article 96 on the Delegation's work, on Haiti and on civil society, the Delegation responded that the political and security situation had deteriorated so completely by the time the 'appropriate measures' of Article 96 rolled out, it made no difference. 'The invocation of Article 96 could be considered only as a legal background or frame applied to the situation.' During that period the Delegation worked hard to maintain a good relationship with civil society, to avoid any rupture in their support.

9.1.6 Conflict Prevention, Management and Resolution

When respondents were asked about the EU's approach to conflict prevention, none responded positively - instead it was suggested that it is neutral, in large part because of a lack of consistency and because of issues with the integration of projects. Two of our respondents are aware of EU-funded conflict prevention projects in Haiti, however. Some noteworthy examples given were the use of the Stability Instrument in Port-au-Prince, infrastructure work, funding and Calls for Proposals for human rights projects, and projects in the areas of conflict resolution and prevention with a special focus on youth and women.

Though they may not be known to all civil society actors, or perhaps not known as Commission projects, the Delegation reported that the EU is currently funding projects that deal with good governance, elections, justice, management of nature resources, regional integration, trans-border issues, political dialogue and civil society participation.

The Delegation also went on to say that it ensured a gender-sensitive approach to programming by following EU guidelines on the issue.

When asked what else the EU should support that it does not currently, the Delegation responded that it feels the EU's work is sufficient, and that it must be remembered that there are many other international organisations involved in Haiti.

9.1.7 Economic Partnership Agreements

None of the respondents stated that they have concerns about the impact of the Economic Partnership Agreements (EPAs) on the functioning of their own organisation. However, those who collaborated with organisations working in the agriculture sector have concerns about potentially negative impacts on national production and the local market, especially for milk, sugar, rice, chicken and eggs.

The Delegation said that it had not participated in the negotiations surrounding the EPAs and that the local civil society had not participated much either. The Delegation had attempted to encourage participation by distributing leaflets on this issue.

9.1.8 Mainstreaming

No-one reported having noticed the EU being more conflict-sensitive or focusing more on conflict prevention since 2000. When asked about conflict sensitivity in EU programming, respondents either said that they had not seen an increase, or could not say. What the lack of response on the impact of 'mainstreaming' on EU conflict prevention was due to is not clear, but it is evident that it has not noticeably changed programme structures in Haiti. It must be noted, however, that the recent resumption of cooperation between the EU and the Haitian government may change this.

The Delegation confirmed that they have observed an increase in conflict prevention in EU activity since 2000 (they specified 2002-2007). However, they remarked that other than programmes aimed directly at conflict prevention (like human rights micro-projects), they do not include specific conflict prevention elements in other programmes. This is because programmes to improve for example social security and living conditions indirectly reduce the probability of the eruption of any conflicts.

10 Conclusion and Recommendations

Civil society recommended that the EU could improve its conflict prevention by:

- directing more money from the Stability Instrument to prisons and borders;
- encouraging more community policing;
- supporting more community safety projects;
- supporting the strengthening of government institutions;
- promoting stronger relationships with and participation between the state and civil society;
- promoting or carrying out coherent follow-up and effective monitoring of efforts undertaken;
- supporting SSR work in particular including border control and management, new prisons, a stronger detention commission and forensic and other specialised police labs;
- focusing on job creation;
- ensuring the conflict sensitivity of current projects.

The Delegation responded similarly regarding possible improvements for the EU's conflict prevention work, also saying that it is necessary to assure good implementation and a good level of coordination among the various actors involved, ensuring the best possible results and avoiding redundancies.

Further conclusions are presented in the main report of this project, which can be found at: www.quaker.org/qcea

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