HAITI: STABILISATION AND RECONSTRUCTION AFTER THE QUAKE

Latin America/Caribbean Report N°32 – 31 March 2010

International Crisis Group
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CONFLICT WORLDWIDE

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Haiti's earthquake produced enormous devastation that threatens political and socio-economic stability and poses huge recovery and reconstruction challenges. Historical institutional and governance weaknesses and deep poverty compound a major humanitarian crisis that could become very difficult to control if the security environment deteriorates further with the approaching rainy and hurricane seasons. The disaster prompted postponement of legislative elections and casts uncertainty over whether presidential elections can be held at year's end as planned. After mid-May, the legislature will have left office, and the country will be missing critical parts of its institutional anatomy. The government must thus reach out now to civil, political and economic society to forge a robust consensus on how democracy can be upheld until elections without sacrificing the incumbent's ability to take tough and urgent decisions on reconstruction. These need to be based on a Haitian-led long-term strategy supported by all sectors of society and the international community and pay due attention to restoring security and rule of law.

Haiti was barely recovering from the 2008 storms which left 800 dead and caused over $1 billion in damage when the 7.0 earthquake hit on 12 January 2010, killing an estimated 250,000, including a number of senior government and UN officials, injuring another 300,000, and displacing 1.5 million, half of whom fled to other provinces and cities unprepared to receive them. The quake produced urgent reconstruction costs estimated at $11.5 billion, destroyed over 80 per cent of Port-au-Prince and several towns and villages close by and flattened the seats of all three branches of government along with fifteen of the seventeen ministries, 45 per cent of the police stations and a number of courts.

More than two and a half months after the quake struck and as the Haitian government and donors gather in New York on 31 March for a critical reconstruction strategy conference, hundreds of thousands of Haitian citizens continue to experience severe hardship and increasing crime, violence and sexual abuse in precarious, spontaneous settlements in Port-au-Prince. Many others are holding out in the locations they have fled to after the disaster, which, however, are unprepared to guarantee their livelihoods.

Haitians in government, the state, civil and political society, the business community and the diaspora must come together and tackle – with well-coordinated and generous donor support – nothing less than the building of a better, more prosperous and safer country. That can only be done through an integrated, long-term reconstruction strategy based on a very broad political and social consensus that also takes into account a number of pressing political and stabilisation issues. These include building a consensus on what to do about the postponed parliamentary elections, pending constitutional reforms and the forthcoming presidential polls, restoring security and rule of law, especially in the capital, and meeting immediate socio-economic needs, so as to reduce severe hardship among the population. A transparent and accountable multi-donor funding mechanism and an efficient Haitian government-led implementing structure have to be created.

The international community, including the UN Stabilisation Mission (MINUSTAH), the group of friends and the main donors, need to do everything in their power to support a recovery and reconstruction process that has to be Haitian-owned and Haitian-led. This includes overcoming past aid coordination problems, efficient allocation of technical support and expedited disbursement of funds. Actions by the government, MINUSTAH, the UN system and donors with respect to the emergency response, post-disaster stabilisation and reconstruction are all necessary – and urgent.

Resolve to build Haiti back better should be the outcome of the New York conference, including a joint commitment to reconstruction over at least a decade and a first round of pledges that match the magnitude of the past disaster and of the task ahead. The challenge is that great, but now is the moment to lift Haiti from under the dust and rubble and transform it into a less vulnerable and more equitable nation. The opportunity must not be lost.

RECOMMENDATIONS

Regarding immediate emergency relief

To the Haitian Government:

1. Implement immediately, before the rains come, with the full support of MINUSTAH and other relief forces relocation of the displaced still living in the highest risk camps to safer transitional housing areas.
2. Assess fully the post-disaster situation with the help of the UN-led emergency relief clusters and agree urgently on a coherent plan, including a budget and timelines to transition into a recovery phase, that meet shelter, sanitation, food aid, post-trauma care and quick income generating opportunity needs for the displaced both in quake-affected areas and the outlying cities and departments receiving internally displaced persons (IDPs).
3. Urge the World Food Programme and donors to maximise purchase of Haitian food production to meet emergency needs and to pursue local purchase as a way to expand the country's agricultural production.

Regarding post-disaster political challenges

To Haiti's Political Leaders:

4. Commit to a consultative and inclusive process to resolve institutional and legitimacy problems and ensure an enabling climate for reconstruction by:
   a) starting urgent consultations between President Préval and political parties represented in parliament or registered for the postponed legislative elections;
   b) agreeing on transparent measures to safeguard political stability when the 48th legislature leaves office in May and to prepare for the eventuality that the next president cannot be elected on time at the end of the year; and
   c) beginning preparations for inclusive elections afresh with an assessment of their technical post-disaster challenges, a Provisional Electoral Council (CEP) agreed upon by the executive after consultation and, hopefully, consensus with political parties and a broad spectrum of political leaders, and a realistic calendar.

Regarding post-disaster stabilisation challenges

To the Haitian Government, Haitian National Police (HNP), MINUSTAH and supporting international actors:

5. Prioritise preventive over forceful measures to control potential social unrest.
6. Speed up efforts to ensure the institutional recovery of the HNP to pre-quake levels, including by:
   a) resuming training of police cadets at the HNP school; and
   b) speeding up the vetting and training of prison officers.
7. Step up community policing efforts in relief camps, so as to curb sexual and other violence.
8. Locate the UN police (UNPOL) and MINUSTAH together with the HNP immediately in high crime areas to prevent increasing crime.
9. Repair and complete prison infrastructure speedily and establish temporary courts to ensure efficient law enforcement mechanisms are in place for the recapture of escaped gangsters.
10. President Préval should appoint the Chief Justice and other members of the Superior Council of the Judiciary (CSPJ).

Regarding medium- to long-term reconstruction challenges

To the Haitian Government and Donors:

11. Put reconstruction firmly on track by:
    a) establishing broad and robust consensus within the government and between it and society on a long-term building-back-better strategy that is Haitian-led, engages all social, economic and political sectors, and promotes a more equitable, prosperous, less vulnerable country through:
       i. modernisation;
       ii. decentralised political and economic governance;
       iii. rural development;
       iv. watershed management and promotion of alternative fuels to end charcoal dependence;
       v. land-use planning and enforcement of building codes; and
       vi. a rural-urban population distribution balance;

b) taking into account both the 2008 and 2010 Post-Disaster Needs Assessment (PDNA) and the 2007 Poverty Reduction Strategy Paper (PRSP); and

c) ensuring that the 31 March donors conference concludes firm agreements on a Haitian government-led implementing structure for the National Recovery and Development Action Plan (PARDN) as well as a transparent and accountable multi-donor funding mechanism capable of urgent and timely disbursements.

Regarding MINUSTAH's role in stabilisation and reconstruction

To the UN Security Council:

12. Maintain the mission's authorised post-quake strength and prepare to:

    a) strengthen fulfilment of MINUSTAH's mandate by encouraging the Department of Peacekeeping Operations (DPKO) to integrate the various components of the mission as much as possible and to seek to harmonise the work of the UN country team with the implementation of the mission's mandate;

    b) strengthen MINUSTAH's mandate to focus on saving and protecting lives and averting threats to stability and peace during recovery and reconstruction and task the mission to do contingency planning in the event of any new emergency;

    c) ensure that the mandate enables MINUSTAH and UNPOL on behalf of, and in close consultation with, the Haitian National Police to guarantee security, particularly for vulnerable women and children within IDP camps;

    d) renew the mission's mandate in October 2010 for at least two years to optimise planning;

    e) synchronise troop rotations with recovery and reconstruction schedules; and

    f) determine how best the mission can support reconstruction once the Haitian authorities present a final strategy.

Port-au-Prince/Bogotá/Brussels, 31 March 2010

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I. INTRODUCTION

The earthquake that hit Haiti was the deadliest natural disaster ever in the Western Hemisphere. It caused enormous human suffering and physical destruction, the extent and impact of which were multiplied by the country's longstanding structural problems, such as pervasive poverty, urban overcrowding, unplanned urbanisation and environmental degradation.[1] A long history of corrupt and inefficient governments, centralised political power, extremely inequitable income distribution and by no means always benign foreign interventions[2] has been immensely compounded by the natural disaster. The consequences threaten to undermine the slight progress toward stability and development that had been made since President René Préval took office in 2006.

A. AN UNPRECEDENTED DISASTER

On 12 January 2010 at 4.53 pm, an earthquake measuring 7 on the Richter scale hit 25 kilometres west of the nation's capital, Port-au-Prince, at a shallow depth of thirteen kilometres.[3] The disaster[4] caused severe damage to an area in which more than 3 million people lived.[5] Both the death toll and the number of injured are very high, and the severe destruction affected all branches of government, the economy and other sectors; MINUSTAH, the UN system and other international organisations in Haiti also suffered heavy losses. Officially, 222,517 people died, and 383 are unaccounted for, but the actual death toll could be closer to 250,000.[6] Two senators, scores of senior public service officials, HNP and other prominent members of Haitian political, social and eco-

[1] See Crisis Group Latin America/Caribbean Briefing N°20, *Saving the Environment, Preventing Instability and Conflict*, 28 April 2009, for background on unplanned urbanisation.

[2] Crisis Group Senior Vice President Mark Schneider, "Testimony to the Senate Foreign Relations Subcommittee hearing on International Development and Foreign Assistance, Economic Affairs, and International Environmental Protection on Haiti Reconstruction: Smart Planning Moving Forward", U.S. Senate, Washington DC, 4 February 2010.

[3] Earthquake intensities portray the effects of an earthquake in a particular location. The U.S., for instance, uses, the Modified Mercalli Intensity scale of I-X, where I shows perception of little earth movement, IX major damage to or collapse of masonry structures and poorly constructed buildings and X destruction to even well-built constructions. See "A Broadcaster's Guide to Reporting", Earthquake.usgs.gov. Intensities of the Haiti quake ranged between IX and X in some areas. Incorporated Research Institutions for Seismology, www.iris.edu/hq/files/programs/education_and...in.../100112haiti.pdf. The earthquake was followed by an unpublicised tsunami with waves 3 metres high which killed 3 persons in Petit Paradis, a village on the coast south of Port-au-Prince. Victoria Gill, "Lessons to be learned from Haiti's tsunami", BBC News, 25 February 2010, http://news.bbc.co.uk/2/hi/science/nature/8536561.stm.

[4] "UN chief says Haiti worst disaster in decades", ABC News, 18 January 2010, www.abc.net.au/news/stories/2010/01/18/2794326.htm. Early international estimates put the earthquake at the top of eleven major disasters of the past 40 years, above Cyclone Nargis of 2008 and the 2004 tsunami in Indonesia. Eduardo A. Cavallo et al., "Estimating the Direct Economic Damage of the Earthquake in Haiti", Inter-American Development Bank (IDB) Working Paper Series #IDB-WP-163, Inter-American Development Bank, February 2010.

[5] Effects of the earthquake were felt in three of Haiti's ten departments, West, South East and Nippes. In the West department, Port-au-Prince, the capital, was 80 per cent destroyed; Léogâne, site of the epicentre, 80-90 percent; Carrefour, 40-50 per cent; Petit Goâve, 15 per cent; and Gressier, 40-50 per cent; and in the South East department, Jacmel, Haiti's tourism hub, 50-60 per cent. See "Earthquake-affected Areas and Population Movement in Haiti", www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/haiti/template/maps/fy2010/haiti_02062010.pdf, and "Plan d'action pour le relèvement et le développement national (PARDN)", Government of the Republic of Haiti, March 2010.

[6] The figure of 222,517 was reported by the country's Civil Protection Office and has been widely used by governments, aid and relief organisations and the media. Reports indicate that these figures may correspond to bodies recovered and buried by state structures, such as the Centre National des Équipements (CNE), and the Service Metropolitain de Collecte des Residus Solides (SMCRS), but exclude private burials, as well as bodies not extracted from several collapsed sites, including schools and commercial buildings. Situation Report #24, United Nations Office of the Coordinator for Humanitarian Affairs (OCHA), 25 February 2010, www.reliefweb.int/rw/rwb.nsf/db900sid/MUMA-8329KW?OpenDocument. Alfonso Chardy and Jacqueline Charles, "In Haiti, death toll remains a mystery", *The Miami Herald*, 3 March 2010. Crisis Group interview, consultant, public works ministry, Pétion-Ville, 5 March 2010.

nomic life, as well as the entire civilian leadership of MINUSTAH, including its chief of mission, principal deputy chief of mission, political affairs and planning director and interim police (UNPOL) commissioner were killed.[7] It is estimated that more than 300,000 were injured,[8] 2 million were left in need of food assistance and 1.3 million were displaced.

Hundreds of thousands now have to live in makeshift tents in precarious, spontaneous settlements or have fled to smaller cities and rural areas that, however, are unprepared to receive them.[9] The earthquake victims not only lost family members but their homes and, in many instances, their livelihoods as well. 285,000 residential homes along with critical infrastructure, including the airport, the main seaport and electricity, communication and transportation networks, health facilities and schools across an area housing over a third of Haiti's total population sustained massive damage. According to the government's action plan (PARDN), total needs due to quake damage could amount to $11.5 billion.[10]

The earthquake struck close to the capital city harbouring both the highly centralised government and the economic centre of the country. The longer-term impact of the disaster is, therefore, expected to be profound. The seats of all branches of government, including the National Palace, were flattened together with thirteen of the fifteen ministries and 180 other government buildings, compounding the country's chronic institutional weakness. 30,000 commercial buildings suffered severe damage, collapsed or are expected to be demolished, including four of the capital's main hotels,[11] at a time when efforts were being made to expand the hotel industry so as to encourage foreign investment interests.[12] The reduced capacity of the international airport and the main seaport in Port-au-Prince, which in 2009 contributed over 30 per cent of the state's income, is limiting revenue collection and imports that are vital to satisfy food and other critical needs.[13]

B. THE EMERGENCY RESPONSE

1. An overwhelmed government and state

Haiti's seismic risks were known,[14] but when the earthquake hit, the government had neither the capacity, nor the experience and preparedness to respond adequately to a disaster of that magnitude. The state was overwhelmed by various challenges long before 12 January, high among them chronic governance deficiencies and an ailing economy. The inability to provide a timely and adequate response to the desperation and chaos that followed the quake was, therefore, no surprise. For decades, governments had been barely capable of providing minimum basic services to the population in normal times.

In a country where 70 per cent of the national budget is funded by foreign aid and over 50 per cent of the population live in abject poverty on less than $1 a day, seis-

[7] Among the dead were two outgoing senators, Louis Michelet (Artibonite, independent) and Jacques Jean Wilbert (Centre, Lespwa), the chief justice of the civil court, Roc Cadet, Catholic Archbishop Serge Miot, the special representative of the UN Secretary-General (SRSG), Hédi Annabi, and his principal deputy, Luiz Carlos da Costa, Interim UN Police Commissioner Douglas Coates, Gerardo LeChevallier, the MINUSTAH political affairs and planning director, and close to 100 UN personnel, 77 Haitian National Police (HNP) officers and a still unknown number of senior level Haitian officials.

[8] Figures provided by the state Civil Protection Office at http://haitiseisme2010.gouv.ht/.

[9] The authorities have identified three waves of population movement since the earthquake: (1) overseas travel facilitated by embassies, generally to Canada, the U.S. and France; (2) intra-West department travel to less affected areas; (3) inter-department travel of persons returning to their villages of origin. See http://haitiseisme2010.gouv.ht/. Based on a survey, "Enquête sur la sécurité alimentaire en situation d'urgence post séisme", led by CNSA (National Coordination for Food Security), close to 600,000 persons have fled their homes since the earthquake, without resources or expectation of socio-economic opportunities. Among the departments receiving large numbers of displaced persons are Artibonite, which is still recovering from the 2008 hurricanes, and North West, where food insecurity is significant. Food aid is needed in those areas for both the displaced and the hosts. Crisis Group interview, senior official, World Food Programme (WFP), Port-au-Prince, 24 February 2010.

[10] "Plan d'action (PARDN)", op. cit. The IDB also estimated that damages could reach $14 billion. See Cavallo et al., "Estimating the Direct Economic Damage", op. cit. The post-disaster needs assessment (PDNA) was an approximately four-week process led by the government with the support of the World Bank, the IDB, the European Union (EU) and the UN to tally the impact of the earthquake. Crisis Group interview, senior official, UN Stabilisation Mission in Haiti (MINUSTAH), Tabarre, 5 February 2010. According to the PARDN, the process also included the participation of NGOs and civil society organisations.

[11] Several hotels collapsed or sustained significant damage, including four of the main ones, Hotel Montana, El Rancho, Karibe, and Villa Creole, significantly reducing room capacity in the Port-au-Prince metropolitan area. Richard Coles, presentation of synthesis and agreements, Haiti-Private Sector Consultation, Indigo Club, Montrouis, 15 March 2010.

[12] Jacqueline Charles, "Haiti's private sector fuelling a wave of hotel investment in a country long saddled lawlessness", *The Miami Herald*, 6 December 2009; "Haiti experiences hotel boom", *The Miami Herald*, 8 January 2010.

[13] Crisis Group interview, senior official, WFP, Port-au-Prince, 24 February 2010. See also "Enquête sur la sécurité alimentaire en situation d'urgence post séisme", CNSA.

[14] Tony Allen-Mills, "Expert predicted lethal Haiti earthquake last March", *The Sunday Times*, 24 January 2010.

mic monitoring and education (in a region that had been earthquake-free for two centuries) did not figure among the government's priorities. Though it is known that emergency responses are very costly, foreign aid for disaster preparedness and prevention has consistently been low. The Haitian government and its international partners have tended to deal with one emergency at a time, without developing a holistic approach.[15] Despite recurrent hurricane devastation, the authorities only began giving disaster-preparedness some priority after Tropical Storm Jeanne killed 3,000 persons in 2004 and caused damages totalling 15 per cent of the country's GDP.[16] The Civil Protection office was strengthened with an improved early warning system, which saved many lives in 2008, when four consecutive storms and hurricanes battered the country.[17]

But disaster preparedness remained weak. Resources dedicated to public information and awareness were lacking. Civic education and disaster awareness were almost non-existent. Citizens lacked guidelines on how to react in the event of earthquake. At the time of the quake, there were thus serious deficiencies in government, community and citizen preparedness and response networks.

Additionally, Haiti was vulnerable to natural disasters because of its institutional weakness, environmental exploitation and lack of modern infrastructure. There was an absence of modern building codes and a lack of oversight or enforcement of existing codes due to limited governance capacity. Territorial planning, zoning and land use regulation, particularly in urban settings like Port-au-Prince, had lagged for years, despite their inclusion in an environmental plan approved in 1996. Given the impoverished state of the large majority of the population, people built where, how and with what they could, with complete disregard for safety or the environment. In recent decades, Port-au-Prince had sprawled into an overcrowded capital of precarious shanty towns that easily buckled in the earthquake. The characteristics of the earthquake – high magnitude and shallow depth – combined with Haiti's deep social problems of poverty, weak institutions and an overcrowded capital produced a disaster of enormous dimensions.[18]

Whatever response the overwhelmed, under-resourced, personally-affected Préval administration could have provided would have been largely insufficient and short of expectations.[19] Having confirmed that the magnitude of the disaster was clearly beyond its capacity, it appealed for international assistance and declared a fifteen-day state of emergency on 18 January.[20] But in the face of the emergency, the jurisdiction of the police was not defined, restriction of movement during certain hours was not enforced, and the carrying and use of firearms was not prohibited or even limited.[21] Scenes of business owners and police shooting at alleged looters captured by international media led to a false sense of a widespread

[15] Claude Prépetit, a seismologist attached to Haiti's mines bureau, denounced the government's refusal to fund a project to monitor seismic activity after presenting his seismic findings in March 2009, which placed Haiti at risk of an earthquake with a 7.2 magnitude or higher. Ibid. Donors contributed $349 million between 1996 and 2006 to the Caribbean countries for emergency assistance and reconstruction, of which Haiti received $167.2 million. While the amount spent on preparedness is not easily defined, the largest contributions $56.9, $72.6 and $21.3 million were made in 2004, 2005 and 2006, in the year of and following a major disaster, Tropical Storm Jeanne of 2004. "Latin America and the Caribbean Selected Economic and Social Data", Bureau for Latin America and the Caribbean, U.S. Agency for International Development (USAID), 2008.

[16] See Crisis Group Briefing, *Saving the Environment*, op. cit.

[17] Ibid.

[18] It appears that the widespread damage to residences and commercial and government buildings was attributable to a great extent to the lack of earthquake-resistant design. In many cases, the structural types, member dimensions and detailing practices were inadequate to resist strong ground motion. These vulnerabilities may have been exacerbated by poor construction practices. Reinforced concrete frames with concrete block masonry infill appeared to perform particularly poorly. The seismic performance of some buildings was adequate, and some damaged buildings appeared to have had low deformation demands. These observations suggest that structures designed and constructed with adequate stiffness and reinforcing details would have resisted the earthquake without being damaged severely. Marc O. Eberhard, et al., "The MW 7.0 Haiti Earthquake of January 12, 2010", U.S. Geological Service (USGS/EERI) advance reconnaissance team report, http://pubs.usgs.gov/of/2010/1048/of2010-1048.pdf.

[19] At least three ministers had to be pulled injured from beneath the rubble of their ministries. Two ministers lost immediate family. Crisis Group interview, consultant, public works ministry, Pétion-Ville, 5 March 2010.

[20] President Préval surveyed hard-hit parts of the city through the early hours of the morning of 13 January. He was seen at the site of the collapsed legislative palace, where he reportedly assisted in rescue efforts. Crisis Group interviews, senior government official, Pétion-Ville, 18 March 2010, and senior international political analyst, Pétion-Ville, 17 March 2010. Claude Gilles, "Le palais législatif tombe de son piédestal", *Le nouvelliste*, 27 February 2010, www.lenouvelliste.com/articleforprint.php?PubID=1&ArticleID=78226. Prime Minister Jean-Max Bellerive was observed surveying damages in the Bourdon area on the night of 12 January. Crisis Group interview, senior international political analyst, Pétion-Ville, 17 March 2010. See also David Gauthier-Villars, "Governing in Haiti's disaster zone", *The Wall Street Journal*, 7 February 2010.

[21] Crisis Group interviews, Haiti security expert, Port-au-Prince, 15 February 2010; executive coordinator, human rights network, Port-au-Prince, 17 February 2010.

breakdown in security, which slowed the distribution of aid in affected areas.[22]

Effective response to major post-disaster situations tends to depend on strong central authority. But in Haiti's case the capital of a nation with limited decentralised structures was struck, incapacitating virtually the entire country. Government nonetheless made fuel available only days after the disaster. Two of the four electrical plants damaged were repaired, and electricity service was restored to several areas in just one month.[23] Stabilisation of the water supply was among the first emergency needs to be met, and from the outset, the national water authority, *Direction national de l'eau potable et de l'assainissement* (DINEPA), played a vital role.[24] The government ensured sufficient cash was available for the reopening and smooth functioning of banks in just over one week. Through coordination led by the economy and finance ministry with the Central Bank and local banks, the government paid public sector employees within weeks.[25] The bodies of 170,000 victims were buried in a week to avert the spread of disease, though it would have been important to keep better burial records.[26]

President Préval's characteristic silence amid chaos and desperation, as in the April 2008 living-costs riots, again drew criticisms from the political sector and civil society. Government was slow in developing and launching a mass communication strategy to inform citizens and reassure them that the right steps were being taken quickly to safeguard their lives. Préval's self-effacing disposition and tendency to try to get things done by behind-the-scenes consensus did not convey the kind of visible leadership that many thought was necessary.[27]

2. The international emergency response

Haiti witnessed a quick and large emergency response from abroad, with an outpouring of private as well as foreign government donations that now total $2.2 billion. Private donations have reached $980 million, while the U.S. leads governments, contributing $843 million; other major contributions have come from Canada, France, Spain, Japan, Saudi Arabia, the UK, the EU and the Union of South American Nations (UNASUR) countries. Cuba, with little cash but rich in expertise and with some financial support from Venezuela, has provided the largest medical contingent, over 900 professionals.[28] The UN flash appeal of $575 million was launched on 15 January and 93 per cent funded by early February, in stark contrast to the 2008 appeal following the storms, which is still only 60 per cent funded.[29] By 24 March, the amended appeal of $1.4 billion was 50 per cent funded.[30]

Scores of countries and several hundred UN agencies, international and non-governmental organisations (NGOs), and charities responded to the emergency, among them close to 400 health NGOs.[31] Over 295,000 injured received in-country care.[32] 211 persons were saved from the rubble by international rescuers.[33] Some 913,000

[22] Crisis Group interview, Haitian security expert, Pétion-Ville, 15 February 2010. See also Philip Sherwell and Patrick Sawer, "Haiti earthquake: looting and gun-fights break out", *The Daily Telegraph*, 16 January 2010, www.telegraph.co.uk/news/worldnews/centralamericaandthecaribbean/haiti/7005554.

[23] Crisis Group interview, consultant, public works ministry, Pétion-Ville, 5 March, 2010. See also Tom Watkins, "Myk Manon's specialty: Restoring electricity after disaster", CNN, 18 February 2010.

[24] Crisis Group interview, consultant, Public Works ministry, Pétion-Ville, 5 March 2010. By 3 February, DINEPA was supporting a less costly operation through local water distributors (trucks and fountains like Miracle and Fraicheur) of 57 per cent of the water provided to affected areas.

[25] Crisis Group interview, senior international economic expert, Port-au-Prince, 17 February 2010. See also Nancy Lee, "Testimony before the House Financial Services Subcommittee on International Monetary Policy and Trade", U.S. Department of the Treasury, 4 March 2010, www.ustreas.gov/press/releases/tg574.htm.

[26] Alfonso Chardy and Jacqueline Charles, "In Haiti, death toll remains a mystery", *The Miami Herald*, 3 March 2010. Crisis Group interview, consultant, public works ministry. It is unclear who gave orders to remove and dispose of bodies without any reported system or record, the presence or involvement of notaries, *juges de paix* or any Haitian legal instance. Body disposal was largely carried out by the National Centre for Equipment (Centre national des équipements, CNE), an entity outside the Haitian government structure.

[27] Crisis Group interviews, Haiti security expert, Port-au-Prince, 15 February 2010; executive coordinator, human rights network, Port-au-Prince, 17 February 2010.

[28] Tom Fawthrop, "Cuba's aid ignored by the media?", Al Jazeera, 16 February 2010, http://english.aljazeera.net/focus/2010/01/201013195514870782.html.

[29] See Jonathan Katz, "Billions for Haiti, a criticism for every dollar", Associated Press, 5 March 2010; also www.reliefweb.int; Situation Report #19, OCHA, 8 February 2010. A revised Humanitarian Appeal for $1.4 billion was 49 per cent funded by 4 March. Situation Report #26, OCHA, 4 March 2010, www.reliefweb.int and "Consolidated and Flash Appeals 2008", Financial Tracking Service (FTS), http://ocha.unog.ch/fts/reports/daily/ocha_R21_ Y2008_asof___ 1003231429.pdf.

[30] Situation Report #31, OCHA, 24 March 2010, www.reliefweb.int.

[31] "Factsheets on Haiti", EU, Brussels, 1 March 2010, http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/10/81&format=HTML&aged=0&language=EN&guiLanguage=en.

[32] At least 295,318 victims were treated in Haiti, 131,017 by the Cuban Medical Brigade. See second post-quake report of the National Human Rights Defence Network (RNDDH) at www.rnddh.org/IMG/pdf/RNDDH_ Earthquake_January_12_2010.pdf posted 19 March 2010.

[33] Situation Report #20, OCHA, 11 February 2010, www.reliefweb.int.

persons have received emergency shelter material, tents or tarpaulins, but more than two months after the quake, material is still needed for a further 400,000 before April's anticipated rains, and government and aid agencies are struggling to provide 36,000 latrines to improve sanitation in over 200 spontaneous settlements across the affected areas.[34] Working with ten NGO partners, the World Food Programme (WFP) has provided food aid for 4.3 million persons in Port-au-Prince and other affected areas, from high-energy biscuits to baskets of 15-day rations of rice, beans, oil and soy bean blend for families of five or more.[35]

While overall the emergency operation saved numerous lives and averted escalation of the crisis, it faced many challenges. In large disaster situations, relief never arrives fast enough; the challenge of giving the host government the lead is rarely met; international coordination is a constant struggle; integration of foreign and domestic response efforts is always testing; and the degree of military involvement in a civilian relief operation is controversial.[36]

All these problems existed in the Haiti operation. It entailed a huge logistics challenge, constrained by destruction of infrastructure vital for relief, such as electricity, telecommunications, the airport and the seaport. Cooperation from the Dominican Republic – making available its ports for aid – was crucial, but shuttling aid from there by land to neighbouring Haiti drastically slowed the relief effort. The U.S. dispatched 20,000 troops, but its history of intervention in Haiti prompted accusations and criticisms of prioritising security over aid by some Latin American and European states.[37] Despite U.S. success in restoring operations at the Toussaint Louverture International Airport in Port-au-Prince by 13 January to handle as many as 160 flights daily compared to the normal 35 commercial flights, relief efforts could not keep pace with the magnitude of the emergency.[38]

Relief agencies blamed the U.S. for a lack of transparency in defining how flights were prioritised. Some agencies found that humanitarian logistics were contingent on political and military actions, and the large international military presence, dominated by the U.S., led to a misperception and overestimation with respect to post-quake security hazards.[39] Nonetheless, the humanitarian response, unprecedented in the region's modern history, could not have been accomplished without the mobilisation of this manpower, led by the U.S.

International emergency assistance is being coordinated through the UN cluster system under the Office for the Coordination of Humanitarian Assistance (OCHA), the secretariat for humanitarian affairs and the office of the resident UN Humanitarian Coordinator (HC). Each cluster is usually headed by one UN agency and includes other UN entities as well as international NGOs providing assistance in a specific domain, such as shelter, food and logistics.[40] The On Site Operations and Coordination Centre (OSOCC), also led by the UN, seeks to bring together international NGOs and local government and community-based organisations and community leaders, but criteria for access to this structure by local organisations are unclear.[41]

With experience and lessons learned from 2008 relief efforts in Gonaives, the clusters were quickly activated, despite the damage that the UN and some NGOs had suffered.[42] Daily meetings are held with the participation of MINUSTAH and the military groups from the U.S. and Canada. Participants share information, experience and needs assessments and make recommendations to improve aid operations. Some organisations judge, however, that form takes precedence over substance and perceive a lack of leadership in the aid op-

[34] Haiti Earthquake Fact Sheet #47, USAID-DCHA, 26 March 2010; Situation Report #31, OCHA, 24 March 2010.

[35] Situation Report #27, OCHA, 8 March 2010, www.reliefweb.int. The NGOs are Action Contre la Faim (ACF), Adventist Development and Relief Agency (ADRA), Agence de Coopération Technique et de Développement (ACTED), CARE, Catholic Relief Services (CRS), Goal, International Medical Corps (IMC), Samaritan's Purse, Save the Children and World Vision. Crisis Group interview, senior official, WFP, Tabarre, 24 February 2010.

[36] Crisis Group interviews, senior official, international NGO, Pétion-Ville, 9 February 2010; Haitian security expert, Pétion-Ville, 15 February 2010.

[37] "Haiti quake op lacks leadership", BBC News, 25 January 2010.

[38] There were requests for as many as 1,400 flights per day, but landing capacity was extremely limited. Crisis Group interview, senior USAID official, Tabarre, 20 March 2010.

[39] Crisis Group interviews, Haitian security expert, Pétion-Ville, 15 February 2010; coordinator, alternative development platform, 16 February 2010.

[40] Twelve clusters were set up for the relief effort: agriculture; camp coordination/management; early recovery; education; emergency telecommunications; food; health; logistics; nutrition; protection; shelter and non-food items; and water, sanitation and hygiene (WASH). See http://oneresponse.info/Disasters/Haiti/Pages/Clusters.aspx.

[41] Crisis Group interview, youth group, Cité Soleil, 12 February 2010. See also "Haiti: From the Ground up", Refugees International, 2 March 2010, www.refugeesinternational.org.

[42] Oxfam's office collapsed; WFP warehouses were significantly damaged. Some NGOs were short-staffed because their local staff on whom their logistics rely had lost family and homes. Crisis Group's direct field observations. Crisis Group interview, senior WFP official, Port-au-Prince, 24 February 2010. Karel Zelenka, country director, Catholic Relief Services Haiti, "Disaster Response in Haiti", Brookings Institute, 29 January 2010, www.brookings.edu/events/2010/0129_haiti.aspx.

eration.[43] The many meetings are too time-consuming and do not necessarily enhance coordination. They have failed to clearly articulate relief needs and produce a faster, coherent joint response strategy. Some NGOs make the familiar criticism of the UN approach and system, that they are too rigid and do not allow sufficient flexibility for emergency situations.

While the cluster approach seeks to curtail competition among aid agencies and avoid overlap and duplication of efforts, aid recipients complain that there is too much flag-planting among donors who want to highlight their individual contributions. UN Undersecretary for Humanitarian Affairs John Holmes expressed disappointment with relief efforts, noting inadequate management, which has led to an uneven response and undermined confidence in the UN.[44] Relief organisations achieved better results in areas where there were fewer entities to coordinate.[45]

II. POST-QUAKE HAITI: THE EMERGING CONTEXT

More than two months after the earthquake, hundreds of thousands of Haitians are living under very testing conditions for an uncertain period; it will take years to rehabilitate livelihoods and restore normal economic activity. These circumstances will compound the enormous political, economic, social, and security challenges the Haitian government and its partners already faced before the disaster. Dealing with the situation will require unprecedented national consensus and an adapted and reinvigorated approach to international cooperation. The administration of President Préval and Prime Minister Bellerive will need to forge a broad consensus with political leaders as well as civil society and community-based organisations. Uncertainty surrounding the suspended legislative and the approaching presidential elections, and legitimacy issues in relation to parliament after the term of the 48th legislature expires in May make success look daunting.

A. AN UNCERTAIN POLITICAL LANDSCAPE

Criticism of the Préval/Bellerive administration that set in just days after the devastation followed on from pre-disaster controversies. The political climate preceding the earthquake had been marked by uncertainty and a deepening divide between the executive and the opposition parties. This is not surprising in an election year for president, the legislature and municipal and local authorities. Social frustrations were already evident and demonstrations, some violent, almost daily.[46] The president was entering his final year, parliament's legitimacy was questioned, and opposition parties were discontented. Préval's third prime minister in two years, Jean-Max Bellerive – only three months in office after a presidential senate majority ousted Michèle Pierre-Louis[47] – completed a six-hour interrogation before the senate only hours before the quake.[48] The senate and lower house were divided over extending the 48th legislature beyond the

[43] Crisis Group interviews, senior officials, international NGOs, Pétion-Ville, 3 and 23 February 2010.
[44] Colin Lynch, "U.N. aid chief 'disappointed' with Haiti earthquake relief efforts", *The Washington Post*, 18 February 2010.
[45] In Jacmel and Léogane, for example, the Canadian military led efforts. In Cité Soleil, Tabarre and Croix-des-Bouquets, the initiatives taken by the U.S. battalion there rapidly gained the confidence and cooperation of the population. Crisis Group interviews, senior official, Pétion-Ville, 3 and 23 February 2010; commander, U.S. military battalion in Cité Soleil, Tabarre and Croix-des-Bouquets, Damien, 22 February 2010. Zelenka, "Disaster Response in Haiti", op. cit.
[46] At the time of the earthquake, students were picketing in front of the presidential palace to protest the murder of a sociology professor, shot to death only hours before. Lima Soirelus, "Haïti: Les pertes sont énormes", *Le nouvelliste*, 27 February 2010, www.lenouvelliste.com/articleforprint.php?PubID=1&ArticleID=78226.
[47] Michèle Pierre-Louis, Préval's second prime minister in three years, was dismissed by the senate on 30 October 2009, only one year after taking office. Jonathan Katz, "Haitian prime minister fired by senate", Associated Press, 30 October 2009.
[48] Jacqueline Charles, "Haiti's political stability starting to crack", *The Miami Herald*, 21 February 2010.

constitutional deadline, the second Monday of January.[49] Six weeks away from elections, donors had promised funding but had yet to make disbursements.[50]

Political parties and groupings, such as Alternative, Platform of Patriotic Haitians (PLAPH) and Union[51] were pitted against the newly formed presidential platform Inité, and fears of renewed crisis were growing.[52] Inité had attracted prominent members of various parties, leaving the opposition significantly weakened. The opposition was clamouring for changes in the composition of the Provisional Electoral Council (CEP) named by President Préval to organize the 2010 legislative elections, particularly since it had lost confidence in the previous body, five of whose nine members had been renamed.[53] As presidential elections neared, political leaders interpreted this move as a return to the Haitian "winner takes all" style of politics.[54] While the holding of free and fair elections once again posed the greatest challenge to continued stability, the administration was in a race against time to convince needed investors and donors, as well as its own people that change was still achievable.

After 10 May 2010, when the 48th legislature will have left office, Haiti will be missing critical parts of its institutional anatomy. The issues of legitimacy and constitutionality are divisive and risk overshadowing relief and recovery efforts. Government's answers remain unclear, but the questions need to be addressed in a transparent and inclusive way. The executive and the legislative worked together after the disaster to declare a state of emergency on 18 January. Parliament's refusal on 27 February to support a further extension of the state of emergency and Prime Minister Bellerive's lack of response to the lower chamber's invitation to discuss the post-quake situation early that month are indications that dialogue may be breaking down.[55] The mid-March announcement of the end to the political "truce" by opposition parties, accompanied by calls for social mobilisation, could prompt demonstrations and violence that would hinder giving the urgent attention that is required to displaced earthquake victims, donor response and investments.[56]

Inclusion by the government of parliament and opposition parties in detailed consultations on the Post-Disaster Needs Assessment (PDNA) and the action plan for reconstruction is lagging. Strategic communication is weak, revealing need for more discussion between government and citizens about the planned response. The executive needs to reach out to both supporters and opponents in parliament to end sniping and get the nation to focus fully on the enormous reconstruction challenges.[57]

If Préval has any hope of achieving his legacy of constitutional reforms, based on a package previously produced by an independent, diverse ad hoc committee and that passed one parliamentary hurdle in 2009, he will have to forge a political consensus that includes major parliamentary and political party leaders.[58] In February, the senate political affairs committee conducted consultations with various sectors in an effort to adopt a recommendation to the executive on ways to improve its response

[49] The constitutional deadline for a new legislature to be sworn in and for the opening of the National Assembly.

[50] Jonathan Katz, "UN Rep: Haiti's future depends on smooth elections", Associated Press, 9 January 2010.

[51] The alternative is an alliance between Fusion and the People's Struggling Organisation. PLAPH is an alliance between RNDP (Manigat), GREH (Himmler Rébu) and Alyans (Evans Paul), among other parties.

[52] Crisis Group interviews, executive coordinator, alternative development platform, Port-au-Prince, 16 February 2010, senior official, national human rights network, Port-au-Prince, 17 February 2010.

[53] When political parties requested a new CEP to organise the 2010 legislative elections, President Préval asked the contributing institutions to reconfirm their representative or propose two new nominees from which one would be chosen. Five institutions reconfirmed: the protestant churches; the disabled; women; labour unions; and the Anglican Church. The Catholic Church and the National Council of Haitian Political Parties proposed new nominees. The seat previously held by a representative of popular organisations, the executive's nominee, was replaced by a representative of the Voodoo Sector. The Convention of Haitian Political Parties withdrew its representative and was reportedly replaced by the Federation of local Councils (CASEC) and assemblies (ASEC). This federation is said to form part of the presidential platform Inité that registered to contest the now postponed 28 February elections. Crisis Group interviews, executive coordinator, civil society organisation, executive director, national electoral observation group, Port-au-Prince, 11 December 2009.

[54] Crisis Group interviews, director, civil society organisation, Pétion-Ville, 11 December 2010; legal counsel, opposition party, Delmas, 11 February 2010.

[55] David Gauthier-Villars, "Governing in Haiti's disaster zone", *The Wall Street Journal*, 7 February 2010.

[56] "L'Alternative met fin à la trêve et appelle à la mobilisation", Radio Signal FM, 17 March 2010, www.signalfmhaiti.com/component/content/article/34-politique/2293-lalternative-met-fin-a-la-treve-et-appelle-a-la-mobilisation, and Crisis Group interview, international political analyst, Pétion-Ville, 17 March 2010.

[57] Some political groups are willing to sit down with the executive and participate in the PDNA and PARDN discussions but are waiting for President Préval or Prime Minister Bellerive to formally include them. Crisis Group interview, opposition party leader, Port-au-Prince, 18 March 2010.

[58] Crisis Group interviews, political leaders and diplomats, Port-au-Prince, 18-20 March 2010 and Washington DC, 9 March 2010. The mechanisms are unclear but possibly could include a constituent assembly.

to the disaster.[59] While calls to dismiss the entire government or create a crisis government are unwise, the executive should use the opportunity to examine with parliament how to strengthen the current government, particularly the program and budget approved by the legislature in 2009. In the two weeks following the Santo Domingo preparatory conference and just prior to 31 March, Préval and Bellerive did meet with parliamentarians.

B. SOCIAL AND ECONOMIC SETBACKS

The socio-economic situation is dire. The severe impact of the disaster is adding stress on an economy that, until 2006, had been in continuous decline for decades.[60] The Préval administration has been seeking to mobilise domestic resources and generate growth, reduce poverty and improve living conditions by increasing tax collection and spending on basic social services. Economic performance began to improve, with annual growth rising from 1.8 per cent in 2005 to 2.4 per cent in 2009, making Haiti one of two countries in the Latin America and Caribbean region to achieve a positive balance in 2009.[61] Growth, however, had been insufficient to translate into significant improvement in the living conditions of the country's poor majority.

Government was forecasting a further increase, to 3.5 per cent, in 2010, with inflation at 8 per cent, down from 13 per cent in 2008.[62] This is now doubtful, though the year's GDP could increase, at least formally, as reconstruction funds are invested.[63] Losses and damage caused by the earthquake total over 120 per cent of Haiti's 2009 GDP, however,[64] and the net impact will be a much lower standard of living. Domestic revenues have declined by as much as 80 per cent due to the impact on economic activity and revenue collection.[65] 30 per cent of domestic revenue for the current national budget was expected to come from customs, but the main ports are yet to become fully functional again. The budget deficit could be as high as $350 million, but the government, with the assistance of the International Monetary Fund (IMF), has not yet completed its analysis.[66]

More than two months after the earthquake, the prices of food and other basic commodities have not increased alarmingly, but the situation must be monitored.[67] Rice, Haiti's main staple, shows a slight increase from 12 January through mid-March, from $2.50 to $3.00 (120-125 Haitian gourds) per pound.[68] Inflation could increase if stocks in wholesale markets and stores diminish, and availability of items is reduced as demand remains uncertain. In January and February 2010, 2,000 tons of rice were imported, one-tenth of normal commercial imports for the period.[69]

The indefinite continuation of massive food aid is driving uncertainty among importers of food staples and making it difficult to determine market demand. President Préval has called for a halt in food aid and an increase in assistance for job creation to restart the economy.[70] The government and food aid agencies, such as the WFP, need to work together to determine aid and import needs and avoid the inflation that occurred in 2008. They have authority to purchase local production rather than import food and should do so to the maximum extent possible. Assuring farmers that they will continue to do this throughout the year also could be a means for jump-starting expansion of rice and other local food production – a critical way to offer opportunities to the hundreds of thousands of displaced who have fled Port-au-Prince to the largely rural departments.[71]

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[59] On 11 February 2010, Crisis Group observed the committee meet with over ten student organisations at the HNP training school in Tabarre, where parliament is temporarily housed. Students called for the government to be strengthened or completely dismissed.

[60] See Crisis Group Latin America/Caribbean Briefing N°19, *Haiti 2009: Stability at Risk*, 3 March 2009.

[61] Crisis Group interview, consultant, economy and finance ministry, Port-au-Prince, 1 July 2009. Jacqueline Charles, "Growth seen for Haiti, Guyana", *The Miami Herald*, 11 October 2009.

[62] Crisis Group Briefing, *Haiti 2009: Stability at Risk*, op. cit.

[63] When billions of dollars of infrastructure and fixed capital are destroyed in a disaster like Haiti's, the money brought in to even partially rebuild shows up in economic statistics as a net plus. Thus, technically Haiti stands to have a substantial increase in GDP in 2010 if reconstruction funds are disbursed quickly.

[64] "Plan d'action (PARDN)", op. cit.

[65] Ibid. See also Matthew Bigg, "Haiti GDP to shrink but government says revenue recovering", Reuters, 4 March 2010.

[66] Crisis Group interview, chief domestic policy adviser, Pétion-Ville, 19 March 2010. Matthew Bigg, "Haiti GDP to shrink but government says revenue recovering", Reuters, 4 March 2010; Mary Beth Sheridan, "Haitian president renews call for direct aid from U.S.", *The Washington Post*, 11 March 2010.

[67] Uncontrolled price increases have been noted in areas like Artibonite department, which has received many IDPs. Situation Report #27, OCHA, 8 March 2010.

[68] See market and consumption prices at www.cnsahaiti.org/Fiches%20hebdomadaires/pmarche.html.

[69] The main Port-au-Prince wholesalers, such as Bossales Market, have been reluctant to re-open and replenish stocks due to insecurity downtown, as well as importers' uncertainty regarding demand given the massive distribution of food staples by aid agencies. See www.cnsahaiti.org/bulletins/Bulletins%20conjoncturel/Haiti_FSU_Feb-10%20_final_.pdf.

[70] "Haïti: l'aide alimentaire risque de concurrencer l'économie locale", Romandie News, 8 March 2010, www.romandie.com/infos/news2/100308214044.8vdq8oc8.asp.

[71] Crisis Group interview, USAID officials, Washington DC, March 2010, Port-au-Prince, 20 March 2010.

Any increase in inflation would hurt primarily the poor majority; surveys carried out by the government with international assistance already show preliminary estimates of a decrease in wealth in 48 per cent of households in affected areas.[72] Before the earthquake struck, government and donors had agreed on a plan to prioritise the poverty reduction strategy, implementation of which had faced recurrent setbacks.[73] That strategy was based on increased foreign investments to create jobs, mainly in the textile industry through HOPE II. But only 40 per cent of the country's 200 large factories remain functional after the quake.[74] What is becoming almost yearly large-scale natural destruction is making it even more difficult to build foundations for sustainable economic development.

C. Priorities for Post-Disaster Stability

Since 2007, the the combined efforts of MINUSTAH and the increasingly professional Haitian National Police (HNP) had helped reduce threats of political and criminal violence and generate a sense of greater security. Armed gang activity in many of the urban slums, particularly Cité Soleil, was largely under control. However, following the earthquake, the risk of a re-emergence of armed gangs is on the rise again, as some 300-500 of their members escaped from the damaged national penitentiary in Port-au-Prince and other prisons across the country.[75] In the post-disaster setting, coordinated, strategic international support is needed to strengthen the law and order institutions. In addition, priority has to be given to guaranteeing the functioning of the government and Haiti's democratic institutions and to accelerating the response to pressing socio-economic needs of quake victims as part of the recovery and reconstruction effort.[76]

1. Restoring security and the rule of law

Security and the rule of law are fundamental for Haiti's transition from the emergency and relief phase to reconstruction and preservation of the stability gains attained before 12 January. Fortunately, there is a base on which to build. The HNP did not fold despite the death of 77 officers and the severe injuries of 253, the loss of family members and homes and forced reductions in already meager resources as 45 stations and substations collapsed or suffered major damage.[77] HNP presence on the streets is swiftly returning to pre-quake levels. MINUSTAH, which is recovering from the largest human tragedy in the UN's own history, has been strengthened by 3,500 troops and police, to reinforce support for the HNP. Since the disaster, MINUSTAH has been assisting in the institutional recovery of the HNP to ensure its continued presence on the streets.[78] These actions should be continued and strengthened until police presence has been fully restored to pre-12 January levels.

1,600 French, Italian and Spanish troops, 300 members of the European Gendarmerie Force (EGF) and some 4,000 U.S. soldiers continue to back up the HNP and MINUSTAH in relief efforts. In the very difficult post-quake circumstances, they also serve as a deterrent to crime and violence. The HNP and MINUSTAH will have to resume full responsibility for public security once these forces leave, but the evolving security context requires a careful withdrawal plan. Haitian authorities should continue to enlist U.S. military expertise and resources to assist in clearing rubble, particularly from downtown Port-au-Prince, which has been impeding police work.[79]

The looting, mostly in the hard-hit areas of downtown Port-au-Prince, home invasions and car-jacking that occurred shortly after the earthquake have been controlled by the HNP with MINUSTAH help,[80] but criminal ac-

[72] Crisis Group interview, senior WFP official, Port-au-Prince, 24 February 2010. See also "Enquête sur la sécurité alimentaire en situation d'urgence post séisme", led by CNSA, www.cnsahaiti.org. Crisis Group interview, senior WFP official, Port-au-Prince, 24 February 2010.

[73] Crisis Group Senior Vice President Mark Schneider, "Haiti: End nation's vulnerability", *The Miami Herald*, 24 January 2010. Crisis Group interviews, Haitian security expert, Pétion-Ville, 16 February 2010; government consultant, Pétion-Ville, 5 March 2010.

[74] Lisa Schlein, "ILO: Haiti's children vulnerable to labor abuse", VOANews.com, 7 March 2010.

[75] Escapes have been reported from the prisons in Miragoane, Nippes; St. Marc, Artibonite; and Les Cayes, Sud. Crisis Group interview, senior UNPOL official, Tabarre, 2 February 2010.

[76] More than two months after the earthquake, close to 2 million persons remain at risk of food insecurity and only a fraction of the 1.5 million displaced had received adequate shelter. Crisis Group interview, senior official, UN agency, Tabarre, 24 February 2010.

[77] Crisis Group interview, HNP chief, Tabarre, 17 March 2010.

[78] Relief agencies were encouraged to provide support to HNP officers and their families. Tents provided by MINUSTAH were set up at the police training school; the Dominican Republic, the U.S. and Jamaica have been providing food. Crisis Group interview, senior UNPOL official, Port-au-Prince, 2 February 2010.

[79] Police chief Andrésol said in a recent interview that patrols in downtown Port-au-Prince were hampered by partly collapsed buildings. Robenson Geffrard et Angie Joseph, "Haïti: Mieux vaut abandonner le centre-ville, estime Andrésol", *Le nouvelliste*, 26 February 2010, www.lenouvelliste.com/articleforprint.php?PubID=1&ArticleID=78424.

[80] See Philip Sherwell and Patrick Sawer, "Haiti earthquake: looting and gun-fights break out", *The Daily Telegraph*, 16

tivity, including rapes, killings, kidnappings and cocaine drops, continues and may even be on the rise.[81] Increasing incidents of sexual violence are said to be occurring in displaced settlements, which requires an aggressive police response, with assistance from UNPOL. Social unrest remains a risk due to political discontent and frustration, as some 1.5 million persons continue to suffer severe hardships several months after the earthquake. While government and aid agencies continue their efforts to cater to basic needs, they must speed up provision of emergency shelter to close to 700,000 persons, 200,000 of whom remain at high risk of floods and mudslides and are still without adequate refuge from seasonal rains and the approaching hurricane season.[82]

Some 60 per cent of the prison population escaped as a direct or indirect result of the earthquake.[83] This poses perhaps the greatest threat to security, as they include the armed gang leaders and members arrested and imprisoned in 2007.[84] 4,188 prisoners, including an unconfirmed number of gangsters, made a spectacular run from the damaged national penitentiary. As of 10 March, HNP and MINUSTAH had re-arrested 177, two were allegedly shot by police in Cité Soleil, and a few others were reportedly lynched by the population.[85] Gangsters have quickly regrouped, re-armed and moved back into their old strongholds – Cité Soleil, Bel Air, and Martissant.[86] They are fighting for turf and engaging in diverse criminal activities, including rape, murder and robbery. While they have not returned to the previous level of armed activity,[87] delays in recapturing them could eventually allow the gangs to organise better, with increased confidence, and distract from the immense reconstruction challenges.[88]

The presence of the regrouping gangs in their old neighbourhoods is sparking fear among citizens who in the past cooperated with police and MINUSTAH to ensure their arrest.[89] The bodies of known criminals allegedly shot by the HNP were hacked at by residents of Cité Soleil. Such acts are likely to bring retaliation by the gangs and could usher in the renewed breakdown of law and order. There is a general sense that the gangs, particularly in Cité Soleil, are lying low, awaiting the departure of the U.S. troops. MINUSTAH has acted swiftly, however, and has increased the Brazilian troop presence in that neighbourhood from under 100 to 240.[90] These troops must now ensure that the zone is patrolled by night as well as by day.

To recapture prisoners effectively and lawfully, all three components of the security system – police, justice, and prisons – have to function. There have been reports of HNP hesitance to make arrests due to lack of reliable detention facilities in Port-au-Prince. The national penitentiary has been reopened, but its physical soundness

January 2010, www.telegraph.co.uk/news/worldnews/centralamericaandthecaribbean/haiti/7005554.

[81] Crisis Group interviews, HNP chief, Tabarre, 17 March 2010, and senior UNPOL official, Pétion-Ville, 19 March 2010. Some 54 persons were killed from gunshot wounds in two weeks, including at least four police officers. See also Roberson Alphonse, "Haïti: Insécurité: la peur revient", *Le nouvelliste*, 19 March 2010, www.lenouvelliste. com/article.php?PubID=1&ArticleID=78675&PubDate=2010-03-19. See also second post-quake report of the National Human Rights Defence Network (RNDDH) at www.rnddh.org/IMG/pdf/RNDDH_Earthquake_January_12_2010.pdf.

[82] See Situation Report #27, OCHA, 8 March 2010, www.reliefweb.int. Crisis Group interviews, senior government official, Pétion-Ville, 18 March 2010; senior MINUSTAH official, Pétion-Ville, 19 March 2010; senior USAID official, Tabarre, 20 March 2010.

[83] On the day of the earthquake and the days immediately following, there were successful or attempted prison breaks at nine of the seventeen correction facilities across the country, including the national penitentiary in Port-au-Prince and the detention centre for minors at Delmas 33, to where some prisoners from Gonaives had been temporarily transferred. Some 5,138 of a total of 8,535 inmates escaped, including 4,188 from the national penitentiary. Four prisoners died at the national penitentiary as a result of the earthquake. Crisis Group interview, MINUSTAH personnel, Tabarre, 12 March 2010. See also Geffrard and Joseph, "Haïti: Mieux vaut abandonner le centre-ville", op. cit.

[84] For background on gangs, see Crisis Group Latin America/Caribbean Report N°28 *Reforming Haiti's Security Sector*, 18 September 2009.

[85] Geffrard and Joseph, "Haïti: Mieux vaut abandonner le centre-ville", op. cit. Crisis Group interview, senior UNPOL official, Tabarre, 5 March 2010.

[86] Crisis Group interviews, senior MINUSTAH official, senior official, UNPOL, Port-au-Prince, 2 February 2010.

[87] In Cité Soleil, most gang members are associated with known sentenced gang leader Evens. Gang-on-gang violence increased at nights. After the escape, about six to eight shooting incidents occurred per night, but by late February, incidents had dropped, partly owing to the Brazilian force presence. Crisis Group interview, commander, U.S. military battalion in Cité Soleil, Tabarre and Croix-des-Bouquets, Damien, 22 February 2010.

[88] At least three police officers were killed in Port-au-Prince during the week of 15 March, one of whom was said to be part of an operation to arrest an escaped prisoner. Crisis Group interviews, HNP chief, Tabarre, 17 March 2010, and senior UNPOL official, Pétion-Ville, 19 March 2010.

[89] Ibid. The commander participated in a community forum in Cité Soleil on 9 February 2010 in which 58 community leaders participated. Leaders indicated that security institutions should act immediately to re-arrest gang members, as their presence stood to complicate the evolving post-disaster situation.

[90] Crisis Group email exchange, commander, U.S. military battalion in Cité Soleil, Tabarre and Croix-des-Bouquets, Damien, 4 March 2010.

is uncertain.[91] With the collapse of the Supreme Court building along with a number of other courthouses, court proceedings are expected to be even slower than before the quake.[92] Justice and Public Security Minister Paul Denis has set as priorities the re-location of these structures and the provision of equipment and material for their adequate functioning, as well as the repair of prison infrastructure and the capture of the 12 January escapees.[93]

But the priorities should not stop there. While emphasis on dealing with the cases of serious perpetrators such as the gangs is of primary importance for security and public order, the security system's most difficult challenge has been prolonged preventive detention, which continues to require urgent action. Before the earthquake more than 76 per cent of detainees nationwide were in pretrial detention, including 86 per cent in the national penitentiary.[94] The authorities need to ensure the structural integrity of prisons, but they must also identify creative ways to speed up trials for these persons, so as to encourage voluntary returns.

Current efforts by prison authorities, with MINUSTAH and U.S. technical support, to assess the list of escapees and devise ways to handle recapture should be encouraged, completed and implemented.[95] But these efforts must be consolidated with initiatives on the justice side to create special commissions to consider amnesty for certain cases, such as persons who have already served in pre-trial detention at least the maximum time for the minor offences for which they were arrested or charged. The timely completion in mid-2010 of the modern prison facilities under construction in Croix-des-Bouquets, financed by Canada and the Haitian government, is now more than necessary. The authorities should work with the international partners who were helping on justice reform before the quake – the U.S., Canada, MINUSTAH, the International Organisation of Francophone Countries (OIF) and others – to achieve these as well as longer-term goals, including completing revision of the criminal procedure code and strengthening the courts' case management capacity so detainees can be brought more quickly to trial.

The important pre-quake efforts must continue to recruit, train and equip a competent and professional population-oriented police force.[96] Despite improvements since 2006 when police reform began, the HNP, whose ranks stood at 9,715[97] before the earthquake, continues to need support to fulfil day-to-day duties, which have increased since the disaster.[98] A suitable temporary location needs to be identified for parliament, which is presently housed in the police training school, so that the training of the 2,000 cadets of the 22nd class, long overdue even before the earthquake, can commence. Likewise, justice and prison reforms, both of which were lagging, must be continued.

The need to speedily train and vet prison officers is now more evident than ever. While Chief Inspector General Fritz Jean of the HNP has not yet disclosed the findings of the investigations of prison escapes, there was reportedly some police complicity. Whether that was based on fear, corruption or coercion must still be determined and dealt with.[99] As Crisis Group has previously observed,[100] three 2007 laws on the establishment of the Superior Coun-

[91] Crisis Group interview, senior MINUSTAH official, Tabarre, 5 March 2010.

[92] First instance court hearings resumed on 22 March 2010 in Port-au-Prince.

[93] Patrick Rema, "Le gouvernement reprend l'initiative", *Le Matin*, 8 March 2010, www.lematinhaiti.com/Article.asp?ID=22064.

[94] "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti", Security Council, S/2009/439, 1 September 2009.

[95] Crisis Group interview, MINUSTAH official, Tabarre, 12 March 2010. Part of these efforts will include the posting of photos of the most dangerous individuals in public places, but this has yet to be done. In addition, it is necessary to recapture and try individuals charged with serious crimes, such as Fortin Augustin, the owner/director of a school in Nerette that he allegedly built without the appropriate licence and that collapsed in November 2008 killing close to 100 persons.

[96] "Annual Report Haitian National Police Reform Plan, 18 August 2007-17 August 2008", MINUSTAH.

[97] Figures taken from the "Report of the Secretary-General on the United Nations Stabilization Mission in Haiti", Security Council, 1 September 2009.

[98] The HNP has had to redeploy officers from municipalities in other provinces to the capital, which has further reduced already rare police presence in rural areas. Police in L'Estère municipality were reduced from fourteen officers to five, reportedly contributing to deterioration in security, as criminals staged hold-ups on the main road. Trenton Daniel, "Tired of capital's crumbs, rural Haiti wants place at the table", *The Miami Herald*, 6 March 2010. On 5 March, in Marchand Dessalines, Artibonite, four unescorted trucks of Handicap International transporting food from Gonaives for distribution were stopped by the local population, and three were looted. Crisis Group interview, senior official, MINUSTAH, Tabarre, 5 March 2010. HNP pre-quake plans to upgrade the Cité Soleil police station force from some 65 to 100 has been put on hold. Crisis Group interview, HNP chief, Tabarre, 17 March 2010.

[99] Michelle Faul, "Haiti earthquake opens window on dismal prisons", *The Miami Herald*, 6 March 2010. The article reported accounts of a prison guard who claimed inmates set holding cells on fire, forcing guards to unlock the doors. The doors of the penitentiary were not found to have been forced; the guards had been disarmed and criminal records destroyed. Since the escapes, the director of the national penitentiary has been a fugitive. Crisis Group interview, senior UNPOL official, Port-au-Prince, 2 February 2010.

[100] Crisis Group Report, *Reforming Haiti's Security Sector*, op. cit., p. 16.

cil of the Judiciary (CSPJ), the status of magistrates and the Magistrates' School (EMA, French acronym) were essential steps, but strengthening the justice sector depends on the CSPJ becoming operational and independent. This has not yet happened.[101] The senate should nominate a new slate of highly qualified individuals, from which President Préval should appoint the chief justice; he should likewise appoint the other members of the CSPJ, so they can contribute to ensuring that the revision of the justice reform plan is adapted to post-quake circumstances and in line with reconstruction requirements.[102]

2. Maintaining political stability

President Préval and Prime Minister Bellerive have been working out of a small police station. Some ministries function under tents or in prefabs; others are temporarily housed by international organisations or have obtained space in unaffected public buildings across Port-au-Prince. As noted, parliament has set up temporary offices in the police training school. Stabilising post-disaster Haiti requires rendering operational the government and key ministries, such as interior, economy and finance, planning and international cooperation, justice, agriculture, and education, as well as strengthening the social affairs ministry.

During his February visit, Canadian Prime Minister Stephen Harper proposed a $12 million project to temporarily house the government in the capital at alternative sites not yet identified. To maximise benefit from this offer, the authorities could regroup ministries along government-identified priority recovery and reconstruction lines.[103] The U.S. has helpfully turned its old downtown chancery over to the government in a $1 year lease arrangement.[104] Such reorganisation would not only strengthen capability to respond to the enormous post-earthquake challenges, but also take the wind out of the opposition's untimely calls for a change in government.

On 23 January, President Préval took the necessary decision to postpone the 28 February legislative elections indefinitely. The post-quake situation would not have allowed democratic and successful polls. Some candidates had died, many voters had lost their National Identification Cards, numerous schools that serve as polling sites were destroyed, and the offices of the Provisional Electoral Council were damaged. In addition, the displacement of over half a million citizens to other departments and cities would have required changes to the voters list.

Nevertheless, while the elections would have been impossible, the government must address a number of difficult issues related to the postponement. The four-year constitutional term of the 48th legislature would normally have expired on 11 January 2010, but members continue in office because that term actually began in May 2006 rather than January. Additionally, parliament was scheduled to continue work on outstanding agenda items from the 2009 extraordinary session.[105] However, it is widely regarded in the country as out of the question to continue the parliament past mid-May, when only nineteen senators of 30 and no house members would have claims to valid terms.[106] From that point, the legislature could no longer function normally.

Thus, institutional stability is at risk at the crucial time when it is most needed for big decisions regarding reconstruction. This situation is compounded by uncertainty with respect to presidential, municipal and local elections that are due at the end of 2010, as well as elections for another third of the senate in late 2011. For President Préval to rule without the checks and balances of a parliament in his final year would exacerbate distrust, increase suspicion and hamper reconstruction. Préval has stressed the need for elections in the November-December 2010 timeframe to establish clear political conditions and assure the legitimacy of the next reconstruction government. The special representative of the UN Secretary-General (SRSG), Edmond Mulet, too, has encouraged presidential elections in 2010, in order to avoid constitutional "slippage" as the country seeks to rebuild.[107] But no date has been announced by the government thus far, so political uncertainty persists.

[101] The vetting process for nominees to the CSPJ has been completed, but the results remain unknown. Crisis Group interview, member, Presidential Commission on Justice, Port-au-Prince, 30 June 2009. See also "Report of the Secretary-General", 1 September 2009, op. cit.

[102] President Préval had concerns about the character of the three names previously submitted by the Senate. Crisis Group interviews, Haitian, U.S. and UN officials, Washington DC and Port-au-Prince, March 2010.The appropriate response now is to send the names back and request a new set of qualified candidates.

[103] These include shelter provision, sanitation, job creation, and school reopening. Crisis Group interview, government consultant, Pétion-Ville, 5 March 2010.

[104] U.S. Department of State and U.S. Agency for International Development FY2010 Haiti Supplemental Budget Justification, p. 5.

[105] Parliamentarians would continue in office until mid–May; the four-year term of the 48th legislature on a calendar count ends then, since members were sworn in May 2006 instead of in January, as provided by the constitution, due to technical delays in the 2006 elections. Crisis Group interviews, senior MINUSTAH officials, Port-au-Prince, 5 February 2010; legal counsel, opposition party, Delmas, 11 February 2010.

[106] Crisis Group interviews, executive director, civil society organisation, Pétion-Ville, 12 March 2010; legal counsel, opposition party, Delmas, 11 February 2010.

[107] "UN envoy: Haiti should hold presidential election", The Associated Press, 4 March 2010.

President Préval needs to urgently begin consultations with the political parties on a feasible and democratic solution. Consensus is required to address the absence of a fully functioning parliament as of 10 May and to agree on an election calendar and a CEP with improved credibility to organise the polls, as well as to examine the issue of state leadership if a new president is not elected and sworn in by February 2011. One solution would be to seek to hold elections by 30 November 2010 and if this fails, to hold them early in the first quarter of 2011, perhaps on a date of national importance such as 12 January (the anniversary of the earthquake) or 7 February (the constitutional date for swearing in the president). This would still permit President Préval's term to end in May 2011, in accord with the constitutional five-year term for president, since delayed elections in 2006 resulted in his being inaugurated on 14 May that year. In the absence of the fully functioning parliament, the remaining nineteen senators would continue to fulfil consultation and oversight responsibilities.

To begin this process, even while relief efforts continue, President Préval would have to commission the office of the CEP director general and its international partners to work with the political parties and national electoral observation groups to carry out a technical assessment of what is needed for a credible process and then propose an election calendar based on their findings. One of the factors driving Préval and Haitian and international advocates of a consensus to approve the constitutional amendments before the elections is that the amendments provide for all office-holders, from local to president, to be elected on the same day and serve terms for the same period, thus avoiding Haiti's costly and almost yearly election cycle. Obtaining agreement on a mechanism to amend the complicated constitution and simplify the election system would be of great help.[108]

3. Meeting socio-economic needs

Post-disaster situations are a breeding ground for instability. As the life-saving emergency phase winds down, the Préval/Bellerive administration is beginning to face the challenges of an exacerbated socio-economic situation clearly bordering on crisis. Structural and deep-seated ills, such as pervasive poverty fuelled by rapid population growth, very high unemployment, limited access to basic services, lack of basic infrastructure, environmental degradation and food shortages, made it extremely hard even before the earthquake to address the population's needs.[109] It is now yet more difficult.

After two and a half months, efforts are being made to respond to early recovery needs, and the country is looking toward reconstruction. But several humanitarian needs remain outstanding. The disaster has affected some 3 million persons. At least 1.5 million of these are homeless, and in many instances, have lost livelihoods. As the rainy season begins, to be followed in June by the hurricane season, shelter is one of government's top priorities, and swift action is required to provide adequate shelter for at least 1 million persons. Close to 700,000 still live in makeshift fabric tents in some 600 spontaneous settlements in Port-au-Prince As many as 200,000 of those displaced are in areas of high risk for floods and mudslides, according to OCHA reports and Haiti reconstruction authorities.[110]

The destruction of 30,000 commercial buildings and more than 180 government buildings has increased joblessness. Only 40 per cent of the factories are functioning; government ministry operations have been reduced due to work space constraints. 43 per cent of the active labour force was self-employed, informal merchants, many running their businesses out of homes, a quarter million of which have been destroyed and a similar number made unusable due to damage.[111] Stocks have been lost with no ready option for replenishment. The International Labour Organisation (ILO) estimates that at least 90,000 jobs have been completely lost, along with at least 100,000 home-run businesses, which could mean the loss of revenue for almost 1 million persons.[112]

An immediate response is to step up cash-for-work programs. President Préval has identified the urgent need to repair pipes and clear drains in preparation for the rainy season. In addition, there is an outstanding requirement to clear debris, which could cause flooding or still hinders traffic, as well as canals in preparation for the planting season. Cash-for-work programs already launched by the United Nations Development Programme (UNDP), the U.S. Agency for International Development (USAID) and others target 225,000 households with approximately 1.2 million persons. Opportunities had been provided to 100,000 of these households as of 11 March.[113]

[108] Crisis Group interviews, Port-au-Prince, 18-20 March 2010. One of the major concerns about constitutional amendment is the possibility that a constituent assembly could decide to alter the two-term presidential limit, despite Préval's public and private statements that he has no desire to change that provision.

[109] See Crisis Group Briefing, *Saving the Environment*, op. cit., as well as "Social Resilience and State Fragility in Haiti: A Country Analysis", World Bank, 27 April 2006.

[110] Crisis Group interview, Haiti reconstruction coordinator Patrick Delatour, 19 March 2010.

[111] Lisa Schlein, "ILO: Haiti's children vulnerable to labor abuse", VOANews.com, 7 March 2010.

[112] Ibid.

[113] Situation Reports #31, #26 and #24, OCHA, 24 March, 4 March and 25 February 2010, www.reliefweb.int.

Food insecurity has again risen, though not to the critical 2008 levels. WFP and other food aid agencies are still distributing to 1.9 million persons two-week rations of rice and a one-month supply of beans, soy-blend, oil and salt. Food aid is also necessary in agricultural zones that host displaced persons, because farmers have been forced to use seeds to feed the newcomers. This coping mechanism puts at risk the July harvest, for which planting began in March.

The encouraging efforts of the UN Food and Agricultural Organisation (FAO) in support of the agriculture ministry to provide seeds and tools so that 100,000 families in the rural areas and another 100,000 in the urban areas can produce their own food must be urgently supported with more funding, as this is the main planting season for the harvest that usually supplies 60 per cent of national food production. President Préval, during his March 2010 visit to Washington, expressed an immediate need for $8 million for seeds and $68 million for fertiliser.[114] Despite the success of the UN flash appeal, agriculture has been one of the poorest-funded areas. As of 19 March, only $17 million (24 per cent) of the $70 million sought for immediate agricultural needs had been met.[115]

With more than 600,000 having fled Port-au-Prince for refuge with families or friends in other departments, an opportunity exists for combining the desirable goal of avoiding a return to an over-populated capital and improving an under-performing agriculture sector. Haiti's agriculture production capability is clearly shown by the level of rice production in Artibonite department, where in the past small farmers produced the bulk of the rice consumed in the country. Today, over 70 per cent of the country's rice is imported, including 300,000 metric tons yearly from the U.S. An immediate, targeted program of seed, fertiliser, farm-to-market road construction, job intensive irrigation and government-sponsored leasing arrangements on agricultural land could boost production for domestic consumption. Given the competition from commercial imports, there might be a need for some interim tariff protection for Haitian rice farmers, particularly since the major competition comes from countries where rice farmers receive significant government support.

Haiti's outlying cities, most with ports, have the potential to become development hubs as well as centres of decentralised government services. President Préval made that argument directly to U.S. officials and others during his recent Washington visit. Pursuing decentralised government services and regionally-based economic opportunities is part of the national reconstruction vision and should be a central tenet of donor policy as well if the longstanding socio-economic challenges are to be sustainably addressed.

[114] Exercises, such as the assessment of livelihood conditions for displaced populations being carried out by the UN's Food and Agriculture Organisation (FAO) need to be speedily concluded to help determine needs and guide adequate response on the basis of the reconstruction plan. Crisis Group interview, senior USAID official, Tabarre, 20 March 2010. Situation Report #30, OCHA, 19 March 2010, www.reliefweb.int.

[115] See www.reliefweb.int.

III. IMPROVED INTERNATIONAL COOPERATION, EFFECTIVE RECONSTRUCTION

A. BUILDING BACK BETTER

The international community has acknowledged past errors in Haiti, particularly during the 1990s, when donors worked from individual agendas without a unified strategy or program, bypassed elected governments, channelled aid through international and non-governmental organisations and overly focused on getting the job done as quickly as possible. The government-led economic recovery program endorsed by donors at the Third International Conference on Haiti's Economic and Social Development, held in Washington in April 2009, was a positive start to move beyond error recognition toward a new approach featuring a long-term vision and Haitian leadership of a cooperative venture.

At the 25 January high-level emergency meeting on Haiti in Canada, representatives of some twenty countries further endorsed this new paradigm of cooperation when they agreed to unite forces and work under the leadership of the government to set Haiti on the right road to reconstruction and social and economic development. They also agreed on six principles for reconstruction, outlined medium and long-term goals and defined immediate steps, including the 31 March conference in New York, co-chaired by the UN and the U.S. and co-hosted by Brazil, Canada, the EU, France and Spain. That conference must serve as the official forum for the Haitian authorities to obtain endorsement of and strengthen international commitment to the Action Plan for National Reconstruction and Development (Plan d'action pour le relevement et le development national, PARDN) they presented in mid-March.

B. THE ACTION PLAN FOR NATIONAL RECOVERY AND DEVELOPMENT (PARDN)

On 12 March 2010, after a four-week exercise with international technical and financial assistance to assess post-disaster needs, the Préval/Bellerive administration presented the results of the Post-Disaster Needs Assessment (PDNA) to various domestic sectors and the international community. The PDNA exercise also resulted in the elaboration of the PARDN, which details the human, economic and social losses. The action plan presents a vision to lead Haiti through a two-decade transformation process from which it is meant to emerge as a more just, equitable nation supported by a stronger and more dynamic and competitive economy and as a decentralised state capable of providing services to its population. It outlines fifteen projects, estimated to cost $34.4 billion, grouped under four main programs: economic growth, infrastructure, governance and population vulnerability reduction and basic services.

The PARDN provides a basis on which to expand consultations with the various sectors of the population on reconstruction, as well as to guide discussions at the 31 March conference. However, it far from represents the social and political consensus necessary to see the country through a reconstruction process based on a solid Haitian social compact. While the business community actively participated – for the first time working with the government to examine a strategy for it to play its role in development[116] – civil society, community grassroots groups and the political opposition have not been sufficiently included.[117] The encounters between the executive and the legislative branches on 23 and 25 March were a step in the right direction on political and social consensus, but they must be extended to include the community-based organisations and women's, youth and student groups, among others, many of which are already advocating similar development principles as those in the PARDN.

The PARDN also needs to be much clearer about pressing political and stabilisation issues that threaten to undermine the reconstruction process. The document barely touches on elections in its introduction and only minimally addresses core stabilisation issues previously highlighted in the PRSP, such as the HNP, security, justice, prisons and prevention of serious crime including drug-trafficking, and border management. Implementation of such a plan will require a more favourable political context and broad consultation across the all sectors of political, social and economic life.

[116] The business sector has formed a private sector economic forum to participate in the reconstruction process and has developed a vision and roadmap to guide that participation. The vision is largely based on the recommendations made by the presidential commission on improving Haiti's international competitive options and targets four areas of investment: agriculture, tourism, construction, and manufacturing, mainly textiles. The sector carried out a consultation exercise on 15 March 2010, presented its vision at the donors conference technical planning session in the Dominican Republic on 16-17 March and presented the final document to the executive on 21 March. Reginald Boulos and Richard Coles, Haiti-Private Sector Consultation, Indigo Club, Montrouis, 15 March 2010.

[117] Twenty-six of 47 Haitian and international organisations signed a statement to protest absence of input by local civil society and community organisations in PARDN preparation. The groups have called for an inclusive mobilisation of social actors to define the future of the country collectively. See "Haitian civil society say they have been 'totally excluded' from the donor conference for the reconstruction of Haiti", progressio.org.uk/files/98732/.../HaitianCivilSocietyLockedOut_18Mar.doc.

How Haitians intend to reach consensus on the big, divisive and unaddressed governance issues should be reflected in the plan. Results will be easier to attain and sustain if the government makes common cause with political and business leaders, civil society and community-based organisations. Lawyers, teachers, students, women, community leaders and unions have shown in the past that they can either hold the country together and move it toward a commonly shared goal or, in effect, make progress impossible. A more unified Haiti under its current elected government must give donors the confidence they need by demonstrating that the political and social conditions are in place for it to lead its own reconstruction.

C. IHRC, HAD AND THE MULTI-DONOR TRUST FUND

The PARDN proposes the creation of an Interim Haiti Recovery Commission (IHRC), tasked with creating a Haiti Development Authority (HAD), among other functions.[118] The IHRC, a Haitian institution to be created by presidential decree, would be co-chaired by the prime minister and a prominent international figure and its decisions approved or vetoed by the president. Its term would be short, largely corresponding to the early recovery period – eighteen months – as responsibilities are foreseen to be handed over gradually to the HDA. A senior Haitian government official would chair that body, supervise its operations, lead day-to-day project decisions and report to the prime minister. The IHRC could continue to serve as an advisory committee for the HDA and provide strategic political guidance.

The proposal contains several interesting points but also raises problematic issues. The first among the positive points is that contrary to past tendencies, it foresees not only immediate steps for recovery, but also long-term planning of ten or more years. It also provides for the establishment of a Multi-Donor Trust Fund, a mechanism long proposed but never implemented to reduce rivalries, promote coherence, cut paperwork and, not least, hopefully increase direct budget support, the latter a funding problem the government has been wrestling with for four years.[119]

While direct budget support is clearly better suited for a strategic government-led plan and improving institutional capacity building, the majority of donor agencies habitually fund projects through numerous NGOs. At least 60 per cent of the national budget comes from foreign aid, but 70 per cent of this money is then channelled through NGOs.[120] In the past, donors rarely engaged in joint projects. And if they did, government institutions, already weak due to scarce human resources, were forced to attend numerous coordination and consultation meetings as well as complete extensive paperwork to comply with administrative requirements of donors whose development philosophies, administrative cultures and political concerns differed.[121] According to the agriculture ministry, the same extensive procedures are required for the elaboration of a $5,000 as a $5 million project.[122]

The plan also seeks to increase Haitian ownership of reconstruction. Social and cultural factors were often not adequately taken into account in previous assistance programs that met with resistance from Haitians as they

[118] The IHRC will also be responsible for bringing together Haitian officials and the international community to facilitate the planning and execution of urgent early recovery imperatives, including coordination of donors and the matching of sectoral and operational priorities with areas of competence and resources.

[119] Initial reports indicate that the 31 March conference may move toward resolving at least a significant part of the $350 million budget gap. France reportedly has promised €20 million in 2010 and 2011. Within the Obama administration's $2.8 billion supplemental budget request released on 26 March, $212 million is to help cancel Haiti's external debt with the international financial institutions, and another $120 million is to go to the multilateral trust fund with specific authorisation for some to be used for budget support. The IMF, World Bank and IDB have been leading a budget support working group leading into the donors conference. The U.S. supplemental funding includes the $843 million already expended on relief and also focuses on agriculture; regional development, police, justice and prisons and energy and environment, with a specific target of reducing dependence on charcoal. It calls for working with other donors in support of the PDNA and directs resources to key Haitian ministries and the IHRC. It is the first detailed statement of what is the largest-ever immediate post-disaster U.S. funding pledge. The money can be spent over the next eighteen months and is in addition to the regular budget request.

[120] Donors often say this pattern is owing to weak government absorption capacity and continued fears of public sector corruption. On a general average, between $300 million and $400 million in aid is spent yearly, but less than $50 million goes directly through the government's budget. Budget support will continue to be a necessity in Haiti as long as economic growth does not take hold. Crisis Group interviews, resident senior UN official, Pétion-Ville, 10 June 2009; economy and finance ministry consultant, Port-au-Prince, 1 July 2009. Recognizing the Haitian government's concerns, former President Clinton at a recent UN-sponsored event with NGOs urged that future NGO grants include at least 10 per cent for building state capacity, including paying government salaries. Samantha Gross, "Clinton asks groups to make Haiti self-sufficient", Associated Press, 25 March 2010.

[121] Crisis Group interview, senior official, agriculture ministry, Damien, 25 June 2009. See also Terry F. Buss, "Haiti in the Balance: Why Foreign Aid Has Failed and What We Can Do about It", The Brookings Institute, 2008.

[122] Crisis Group interview, senior government official, agriculture ministry, Damien, 25 June 2009.

were excluded.[123] Less than successful donor-driven reforms between 1994 and 1997 contributed to poor commitment and ineffective implementation by Haitian authorities, frustration and fatigue for the donors and, in some instances, withdrawal of the agencies.[124] There needs to be a clear division of labour between the authorities and those providing technical and financial assistance, and an efficient forum for cooperation, dialogue and support must be created.[125]

While the plan does introduce divisions of labour and the mechanisms for improved cooperation, it provides above all a technical response that will not solve the political problems that hinder Haiti's development. A sustainable plan for post-quake reconstruction must have social appeal, be inclusive and capable of rallying a population divided by politics and inequity. The inclusion of two voting members to be named by the speakers of each house of parliament, both of whom are from the political platform that elected President Préval, is not sufficient to engage the parliament broadly and achieve political consensus. More extensive political party representation should be encouraged. The plan must make clear provisions for full participation of grassroots community-based organisations, such as the Cité Soleil community forums and peasant and small farmer organisations. Ways must be devised to include the disabled population, estimated at 10 per cent before the quake and to which some 5,000 more disabled by quake injuries may be added.[126]

The IHRC must give voice to women, who are 43 per cent of household heads and 84 per cent of the self-employed workforce.[127] Post-disaster reconstruction is more likely to work, to enjoy support from civil society and to address the "make or break" issues if there is full female participation. The PARDN must (a) ensure that there is a gender-based review of the reconstruction plan to guarantee adequate funding for girls' education, reproductive health care and other issues of importance to women; (b) support plans to ensure that livelihood programs – including food-for-work and microenterprises – are targeted equitably to women; and (c) insist on consultations with women's committees in internally displaced persons (IDP) camps and urban settlements to work on reducing sexual violence and expanding education, livelihood and other socio-economic programs there.

Not least, the international leadership of the IHRC must be carefully chosen. While former U.S. President Bill Clinton, the UN Secretary-General's special envoy, is reportedly to be named the international co-chairman, it is critical that the person who serves day to day as his alternate in Haiti be someone who equally has the confidence of the Secretary-General. The current SRSG would be ideal, since so much of his responsibility for assuring stability is linked to the success of the IHRC and the Haiti recovery and development plan. He already has strong links to the bilateral and multilateral donors as well as to the broad spectrum of national and international actors. He has earned their respect and demonstrated an ability to manage the most difficult issues. That pairing also would ensure important coordination between the UN's responsibility for supporting Haitian stability and its role in helping to support Haitian development.

D. MINUSTAH

Just before the earthquake, as Haiti's stability was improving, discussions were being held within international circles about the future of MINUSTAH. Mandated to create a secure and stable environment, support and assist the political process and monitor human rights, the mission has been at the heart of renewed international community commitment to stability and peace in Haiti since 2004. Despite initial deployment problems and some local resistance,[128] since 2007 it has been living up to the challenges of establishing security, reforming and training the HNP, providing electoral logistics and, more recently, assisting in border control to help the government improve customs revenue.

There was little risk that the mission would have been ended suddenly, but the UN was looking toward setting a calendar for an eventual handover strategy. In 2008, MINUSTAH sought to set benchmarks for a handover to the government in a Consolidation Plan.[129] But as the

[123] Charles T. Call, "UN Peace Operations and State-Building: A Case Study of Haiti", Centre on International Cooperation, New York, May 2009.
[124] Terry Buss, "Haiti in the Balance", op. cit.
[125] "Lessons Learned: Peace-building in Haiti", International Peace Academy, January 2002.
[126] Crisis Group telephone interview, international human rights expert providing technical assistance to the Haiti State Secretariat for the Disabled, 22 March 2010.
[127] Bernice Robertson, "Haiti's women rise from the rubble", The Daily Beast, 12 February 2010, www.thedailybeast.com/blogs-and-stories/2010-02-12/haitis-women-rise-from-the-rubble/.

[128] It took MINUSTAH about one year to become fully operational and begin making a difference. The mission's mandate, size, cost and slow start, as well as some national disenchantment with previous peacekeeping efforts, have consistently evoked questions in some local and international quarters regarding its legitimacy, pertinence and chances of success. Crisis Group interviews, senior diplomat, Port-au-Prince, 29 July 2009; Haitian professional and independent consultant, Port-au-Prince, 27 July 2009.
[129] The Consolidation Plan was first presented in the "Report of the Secretary-General to the Security Council on Haiti" of 27 August 2008; updates on the indicators of progress were made in the reports of March and September 2009.

mission lacked a development mandate, the plan laid down that sustainable stability required either that the mandate be revised or MINUSTAH and the UN country team be better integrated so that their respective security and development efforts would be more mutually reinforcing.[130] Security Council Resolution 1892 (13 October 2009) renewed the mission for the ninth time, authorising a troop reduction from 7,060 to 6,940 and an international police increase from 2,091 to 2,211 but did not address these pressing issues.

MINUSTAH will need to define how it can contribute to reconstruction in light of the plan the government has drawn up, but in Haiti's current context it is of foremost necessity that it continue to fulfil its mandate. Police reform, which it leads, must be resumed and completed. The mission will need to provide security and logistics support for elections, as in the past. In addition, the Security Council should empower the SRSG to direct all UN resources in Haiti to save and protect human lives during the transition from relief to recovery and reconstruction. Beyond that, the SRSG should have authority to propose and veto actions by UN agencies to ensure appropriate responses to the Haitian reconstruction plan.[131] The mission needs to assist the HNP in elaborating a community policing strategy in relief camps to reverse the rise of sexual and other violence. This should include day/night joint HNP-UNPOL/MINUSTAH walking patrols. The HNP should also be helped immediately by locating UNPOL and MINUSTAH with it in high crime areas of Port-au-Prince and surroundings to prevent the increase in crime.

[130] Crisis Group interviews, senior MINUSTAH official, Pétion-Ville, 29 September 2009 and senior UN agency official, Port-au-Prince, 6 October 2009. See also Bernice Robertson, "Spur Haiti's development", *The Miami Herald*, 15 October 2009.

[131] Despite mandates to integrate and unite efforts, each UN entity remains guided by and responsive to the regulations and directives of its individual governing board, not the SRSG, who heads not only MINUSTAH but the UN in Haiti. This is a problem that can only be resolved at headquarters in New York, not in the field. Crisis Group interviews, senior MINUSTAH officials, Pétion-Ville, 19 March 2010 and 11 June 2009; senior UN system coordination officials, Pétion-Ville, 10 June 2009.

IV. CONCLUSION

The enormous devastation caused by the 12 January earthquake not only poses huge socio-economic and reconstruction challenges but also threatens to destabilise Haiti politically, undermine the rule of law and prompt a dangerous hike in crime and citizen insecurity. The Action Plan for National Recovery and Development presented by President Préval and Prime Minister Bellerive was an important step in preparation for the 31 March donors conference. However, long-term planning needs to be accompanied by robust consensus between the administration and Haiti's civil, political and economic societies, including the diaspora, on the recovery and reconstruction process. This is the more important as the earthquake led to postponement of parliamentary elections and cast uncertainty over when the presidential poll will be held.

From mid-May, when the 48th legislature departs, Haiti will lack critical parts of its institutional anatomy. The situation demands that citizens stand together and find workable solutions to pressing post-disaster political, institutional and security challenges. To make reconstruction work, democracy must be upheld, security recovered and the rule of law regained.

The international community, including the UN and MINUSTAH, the group of friends and the main donors, need to do everything in their power to support their Haitian counterparts in tackling post-quake stabilisation, recovery and the building of an equitable, safer and more prosperous country. Every cooperating agency in Haiti, donor government, UN agency, NGO and charity needs to examine what its plans were for cooperation before the earthquake, review and adjust them in light of the PARDN and massively expand its cooperation within what is a visionary framework for two decades of activity. This expansion should go beyond how much is invested to how that investment is implemented. While the amount pledged by donors in New York will be important, the true success of the conference depends on the level of consensus reached between the government and the different sectors of Haitian society regarding reconstruction and on the commitment of the international community to render its cooperation on that reconstruction more efficient.

Port-au-Prince/Bogotá/Brussels, 31 March 2010

APPENDIX A

MAP OF HAITI

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

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

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

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in fourteen additional locations (Baku, Bangkok, Beirut, Bujumbura, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria, Sarajevo and Seoul). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, Russia (North Caucasus), Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Morocco, Saudi Arabia, Syria and Yemen; and in Latin America and the Caribbean, Bolivia, Colombia, Ecuador, Guatemala, Haiti and Venezuela.

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March 2010

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