

**Letter to the U.N. Security Council on the Renewal of the Mandate of the U.N. Stabilization Mission in Haiti (MINUSTAH)**

**From Human Rights Watch**

May 16, 2005

Your Excellency,

As you consider renewing the mandate of the U.N. Stabilization Mission in Haiti (MINUSTAH), we are writing to express our concern about the country's deteriorating human rights and security conditions. While we commend the Security Council for its sustained commitment to stabilizing Haiti, we urge you to ensure that the renewed mandate improves MINUSTAH's capacity to respond adequately to Haiti's worsening conditions and reaffirms the mission's commitment to upholding human rights.

During a recent mission to Haiti, Human Rights Watch documented daily acts of violence in Port-au-Prince. We found that much of the violence is perpetrated by armed gangs claiming affiliation with former President Jean-Bertrand Aristide. Despite security operations recently carried out jointly by MINUSTAH and the Haitian National Police (HNP), neighborhoods such as Cite Soleil remain paralyzed by violence.

In the provinces, especially in the Central Plateau, Human Rights Watch found that former members of the Haitian military commit rampant abuses, including kidnappings, illegal detentions, and extortion. The population enjoys virtually no protection from these abuses, because police are scarce and themselves highly vulnerable. Indeed, police are often outgunned by former military and criminals. In some areas, for example the town of Belladere, there is virtually no police presence, while in others, such as the town of Lascahobas, there are small HNP units that receive little or no support from CIVPOL or MINUSTAH troops.

Most critically, therefore, MINUSTAH's renewed mandate must give it the necessary military and police capacity to address these problems. The Security Council should mandate the deployment of additional troops and police officers to ensure MINUSTAH's sustained presence in all areas of Haiti affected by violence and lawlessness. Moreover, MINUSTAH patrols should be explicitly authorized to use the force necessary to protect the civilian population and stop violent attacks:

Security operations conducted against violent gangs and illegal armed groups should be complemented by a comprehensive and multidimensional Disarmament, Demobilization and Reintegration (DDR) program. We are concerned that to date, ten months after MINUSTAH's deployment, Haiti's DDR program is still in the preliminary stages. Most of the ex-military factions interviewed by Human Rights Watch were completely unaware of MINUSTAH's disarmament plans. Further, to the best of our knowledge, no progress has been made in the disarmament of criminal gangs or in reducing the prevalence of small arms in the country. Although we welcome the new disarmament strategy devised by the MINUSTAH DDR commission, we believe that it is essential for MINUSTAH's renewed mandate to designate specific measures and a clear timeline for prompt implementation of DDR projects throughout the country.

Impunity remains one of Haiti's greatest problems. In almost all cases documented by Human Rights Watch, the authorities took no action to investigate violent crimes and hold the perpetrators accountable, even when resource constraints did not provide a reasonable explanation for this failure. The renewed U.N. mandate should address this issue by explicitly authorizing CIVPOL to take a more proactive approach in investigating human rights abuses and violent crimes. We also urge you to encourage the Interim Government of Haiti to sign a memorandum of understanding with the U.N. Mission regarding cooperation between CIVPOL and the Haitian National Police. Assistance offered and provided by the U.N. civilian police should entail corresponding obligations on the part of Haitian law enforcement institutions. The memorandum should call on the national police to promptly investigate acts of violence and human rights abuses, actively seeking the assistance of CIVPOL whenever necessary, and to ensure that police operations are in conformance with Haitian and international law.

Another means of promoting accountability is to supplement efforts by MINUSTAH's justice component to strengthen law enforcement structures with measures aimed at reforming and strengthening the judicial system. We find it alarming that not a single MINUSTAH Justice Section officer has been deployed to Haiti so far. MINUSTAH's renewed mandate should reflect the need for the immediate deployment of justice officers, and should call for the creation of a clear plan of judicial reform.

It is equally important to proceed with the full deployment of Human Rights Section officers tasked with monitoring, documenting and reporting publicly on human rights violations. We urge you, in addition, to encourage cooperation between MINUSTAH's human rights component and local human rights organizations, which is virtually nonexistent to date. Such cooperation would enhance MINUSTAH's human rights monitoring, as well as promote the sustainability of local human rights endeavors.

Given Haiti's upcoming elections, we encourage you to ensure that MINUSTAH has all necessary resources for establishing a stable and secure environment for the electoral process. In addition to the mission's efforts to support the process of national dialogue and to address logistical and administrative problems, it should also take concrete steps to ensure the safety of all participants in the electoral campaign. Specifically, we encourage you to enhance MINUSTAH's capacity to provide security for protests and public marches. MINUSTAH should also undertake to ensure that the police do not use lethal force unnecessarily against demonstrators, as occurred during the February and March 2005 demonstrations in Cite Soleil. To this end, we encourage you to consider deploying additional Formed Police Units to assist and train the HNP in crowd-control techniques compatible with international human rights standards.

A number of MINUSTAH staff interviewed by Human Rights Watch mentioned the language barrier as being one of the serious challenges they face. One U.N. official, for example, told Human Rights Watch that CIVPOL has approximately five percent of the interpreting staff needed. Others, similarly, emphasized the need for additional interpreters and more language training. We encourage you to immediately address this issue by mandating the deployment of more Creole- and French-speaking officers and staff, and providing funding for the necessary number of interpreters. It is essential for U.N. personnel in a mission of this nature to be able to communicate with the local population.

As you consider renewing the mandate of the U.N. mission in Haiti, we also strongly urge you to recognize that the complex task of political, economic, and social reconstruction requires a long-term commitment on the part of international community. Many essential programs cannot be planned and implemented within a six-month period. In order to achieve meaningful progress, we urge you to consider extending the mandate to eighteen months, as U.N. Secretary-General Kofi Annan previously recommended.

To ensure that the U.N. mission fulfills its mandate in Haiti, we urge you to call on relevant international financial institutions and donor countries to promptly disburse the funds pledged at the International Donors Conference on Haiti. We further urge you to request member states to consider allocating additional funds for initiatives crucial for Haiti's stabilization, such as the planned disarmament, demobilization and reintegration program.

Thank you for your kind attention to these important issues. We would be happy to elaborate further should you or members of your staff find it useful.

Sincerely,

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