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POLITICS-U.N.: U.S., France Blocking Haiti Probe

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The United States and France have intimidated Caribbean countries into delaying an official request for a probe into the murky circumstances under which Haitian President Jean-Bertrand Aristide was ousted from power in February, according to diplomatic sources here.

UNITED NATIONS, Apr 13 (IPS) - The two veto-wielding permanent members of the 15-nation Security Council have signalled to Caribbean nations that they do not want a U.N. probe of Aristide's ouster.

Any attempts to bring the issue or even introduce a resolution before the Security Council will either be blocked or vetoed by both countries, council sources told IPS.

U.N. Secretary-General Kofi Annan, who has been caught in the middle of the dispute, says he is unable to act unless he has a formal request to do so either by the Security Council or the 15-member Caribbean Community (CARICOM), of which Haiti is a member..

"We have read news reports that CARICOM wants a U.N. investigation. But unless we receive an official request either from CARICOM or from the Security Council, we cannot act on it," U.N. spokesman Farhan Haq told IPS.

Aristide left Haiti in the midst of a violent uprising Feb. 29. Now in Jamaica, the country's first democratically elected leader maintains he was forced to resign under pressure from Washington, with strong backing from France. Both countries have dismissed the charge.

"I don't think any purpose would be served by an inquiry," U.S. Secretary of State Colin Powell told reporters during a 24-hour visit to Haiti last week. "We were on the verge of a bloodbath and President Aristide found himself in great danger," he said.

At its summit meeting Mar. 27, CARICOM heads of government "reiterated their call for an investigation under the auspices of the United Nations." But despite that announcement, the group has been dragging its feet over a formal request for a probe.

"The reasons are obvious," says a Caribbean diplomat, speaking on condition of anonymity. "We are under tremendous pressure not to follow up on our request."

Reginald Dumas, the U.N. special adviser on Haiti, was quoted as saying he was surprised at CARICOM's delay.

Asked about it, CARICOM Secretary-General Edwin Carrington said last week the body was considering various modalities and strategies. These would be disclosed at "the appropriate moment," he added.

A second Caribbean diplomat told IPS that CARICOM was studying the "wider ramifications" of its request before rushing into it.

A two-day meeting of the 15-member CARICOM and U.N. officials that began Monday also failed to resolve the issue. The gathering focused on ways to strengthen cooperation between Caribbean nations and the world body.

Addressing the meeting Monday, U.N. Deputy Secretary-General Louise Frechette said the situation in Haiti looks even more daunting now than 10 years ago.

"Weapons have proliferated and drug trafficking has gained a foothold," according to Frechette. "Haitians are frustrated and disappointed with the international community as much as with their own leadership," she added.

CARICOM foreign ministers are scheduled to discuss Haiti again at meeting in Barbados scheduled for Apr. 22-23.

In a statement issued last month, CARICOM said, "In the light of contradictory reports still in circulation concerning the departure of President Aristide from office, heads of government (of CARICOM) believed that it is in the compelling interest of the international community that the preceding events and all the circumstances surrounding the transfer of power from a constitutionally elected head of state, be fully investigated."

One constitutional expert who closely monitors the United Nations says it is obvious where the blame lies.

"It is clear that the United States and France violated the U.N. charter as well as the 1973 Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, with respect to their criminal treatment of President Aristide", says Francis Boyle, professor of international law at the University of Illinois College of Law.

Boyle told IPS that Aristide still remains the lawful president of Haiti, a member state of the United Nations. He said Annan should have publicly taken that position, and the Security Council should have demanded Aristide's immediate return to Haiti.

"The fact that they did not demonstrates the continuing and further degradation of the Office of the Secretary-General, the U.N. Secretariat and the Security Council under this current regime of U.S. hegemony," said Boyle, author of 'Destroying World Order.'

Just days prior to Aristide's flight from Haiti the Security Council denied his request for military intervention to quell the uprising, but it authorised an international military force just hours after he left the country.

Boyle said it is important for CARICOM to take the matter to the 191-member U.N. General Assembly, "in order to uphold the integrity of the U.N. Charter, which Annan and the Security Council have repeatedly failed and refused to do."

Boyle also urged the Caribbean nations and other states to sue both the United States and France for violating the 1973 Convention before the International Court of Justice (ICJ) in the Hague, "in order to have the World Court as well condemn what these two malefacting states have done to Haiti and President Aristide, and to secure his return to Haiti by means of an ICJ order."

"The alternative is even more international chaos and anarchy, and a continuing gradual descent into world war -- like what happened to the League of Nations in the 1930s," Boyle added.

Jeffrey Sachs, director of the Earth Institute at Columbia University and a special adviser to Annan, has called on the United Nations to restore Aristide to power.

To trained observers, he said last month, the events surrounding the ouster of Aristide "have the hallmarks of a U.S.-led operation against Mr Aristide, similar to the 1991 coup against him during the administration of George HW Bush, in which the U.S. government fingerprints abounded (including thugs who subsequently acknowledged being on the payroll of the Central Intelligence Agency)."

The situation in Haiti clearly shows it is the Security Council, not the United Nations, which is really ineffective, Joan Russow of the Global Compliance Research Project told IPS.

"The Security Council has continued to violate the principle of sovereign equality in the U.N. Charter. The Council has been discredited primarily because of the use of the veto by the United States and specifically by

the U.S. practice of intimidating, cajoling and offering cheque-book diplomacy."

In the case of Haiti, she said, the General Assembly should request the International Court of Justice in The Hague to examine the U.S. intervention. (END/2004)

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