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# Securing Haiti's Transition:

Reviewing Human Insecurity and the Prospects for  
Disarmament, Demobilization, and Reintegration

*By Robert Muggah*



An independent study by the Small Arms Survey  
Commissioned by DFAE

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Small Arms Survey

Graduate Institute of International Studies

47 Avenue Blanc, 1202 Geneva, Switzerland

*Phone:* +41 22 908 5777

*Fax:* +41 22 732 2738

*Email:* [smallarm@hei.unige.ch](mailto:smallarm@hei.unige.ch)

*Web site:* [www.smallarmssurvey.org](http://www.smallarmssurvey.org)

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## About the author

Robert Muggah is based at the Small Arms Survey at the Graduate Institute of International Studies in Geneva, Switzerland. There, he oversees the design, implementation, and management of large-scale research projects in more than 30 countries. He is also a professional fellow of the US-based Social Science Research Council and a doctoral candidate at the University of Oxford.

Trained as a development economist at the Institute for Development Studies (Sussex) and the University of Oxford, he specializes in post-conflict recovery and reconstruction. His present interests focus on the political economy, design, implementation, and evaluation of disarmament, demobilization, and reintegration (DDR), weapons collection, and destruction and ‘resettlement schemes’ for displaced populations.

He has worked in several countries emerging from conflict, including Burundi, Colombia, Congo-Brazzaville, the Democratic Republic of the Congo, Haiti, Indonesia, Nepal, Papua New Guinea, the Philippines, Solomon Islands, Sri Lanka, Sudan, and Uganda, in partnership with the World Bank, the European Commission, the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Health Organization (WHO), the International Organization for Migration (IOM), and various bilateral donors. He is published widely in mainstream newspapers as well as policy and peer-reviewed journals. 📧

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## Acronyms

ATF	US Bureau for Alcohol, Tobacco, Firearms and Explosives
BPST	Bureau de la police scientifique et technique
BRJ	Bureau de renseignements judiciaires
CARICOM	Caribbean Community
CCI	Cadre de coopération intérimaire (Interim Cooperation Framework)
CEP	Conseil électoral provisoire (Provisional Electoral Council)
CPS	Communauté du Pacifique
CIA	Central Intelligence Agency
CIDA	Canadian International Development Agency
CIVPOL	UN Civilian Police
DALY	disability-adjusted life year
DALE	disability-adjusted life expectancy
DCPA	Central Department for Administrative Police
DDR	disarmament, demobilization, and reintegration
DFAE	Swiss Department of Foreign Affairs
DIA	Defense Intelligence Agency
DPKO	Department of Peacekeeping Operations (UN)
DRP	Demobilization and Reintegration Programme
FADH	Forces armées d'Haïti (Armed Forces of Haiti)
FAO	Food and Agriculture Organization
FMF	Foreign Military Financing
FRAPH	Front révolutionnaire armé pour le progrès d'Haïti (Revolutionary Armed Forces for the Progress of Haiti)
FRG	Front de résistance des Gonaïves (Gonaïves Resistance Front)
GAO	General Accounting Office
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit (German development agency)
HNP	Haitian National Police

IADB	Inter-American Development Bank	UNAIDS	Joint United Nations Programme on HIV / AIDS
ICRC	International Committee of the Red Cross	UNDP	United Nations Development Programme
ICITAP	International Criminal Investigative Training Assistance Program	UNESCO	United Nations Educational, Scientific and Cultural Organization
ILO	International Labour Organization	UNFPA	United Nations Population Fund
IMET	International Military Education and Training	UNHABITAT	United Nations Human Settlements Programme
IMF	International Monetary Fund	UNICEF	United Nations Children's Fund
IOM	International Organization for Migration	UNMIH	United Nations Mission in Haiti
IPSF	Interim Public Safety Force	UNSC	United Nations Security Council
IRI	International Republic Institute	USAID	United States Agency for International Development
ITAR	International Traffic in Arms Regulations	USMC	United States Marine Corps
MICIVIH	International Civilian Mission in Haiti	WFP	World Food Programme
MIF	Multinational Intervention Force	WHO	World Health Organization
MIIS	Monterey Institute of International Studies		
MINUSTAH	UN Stabilization Mission in Haiti		
MIPONUH	United Nations Civilian Police Mission in Haiti		
MIS	management information system		
MSF	Médecins sans frontières (Doctors without Borders)		
NCD	National Commission on Disarmament		
NCHR	National Coalition for Haitian Rights		
NISAT	Norwegian Initiative on Small Arms Transfers		
OAS	Organization of American States		
OCHA	Office for the Coordination of Humanitarian Affairs		
OP	<i>organisation populaire</i> (popular organization)		
ORS	Opportunity and Referral Service		
OSCE	Organization for Security and Co-operation in Europe		
OT	operating theatre		
OTI	Office of Transitional Initiatives		
PAHO	Pan American Health Organization		
PNUD	Programme de Development des Nations Unies (UNDP)		
SABC	South African Broadcasting Corporation		
SRSG	Special Representative of the Secretary-General		
SSR	security sector reform		
TPTC	Haitian Ministry of Public Works		



## Prologue

Haiti is facing a situation akin to urban warfare and the international community is failing to secure its transition. As the country prepares for elections that were initially planned for November 2005, the situation on the ground continues to deteriorate. Despite repeated urgings to bolster security from senior donor government representatives, killings and kidnappings have increased dramatically in 2005 as compared to previous years. Gangs and members of the former Haitian Armed Forces (FADH) remain heavily armed—particularly in poorer neighbourhoods of Port-au-Prince such as Cité Soleil, Bel Air, and La Saline. Several UN peacekeepers have been killed and injured since MINUSTAH deployed in the country in mid-2004. Due in large part to persistent insecurity, roughly 80 per cent of the USD 1.085 billion pledged in 2004 has not been disbursed. Moreover, following the killing of the Honorary French Pro-Consul in June 2005, and repeated attacks and kidnappings directed against foreigners, the United States, Canada, France, and Britain have imposed severe travel advisories and evacuated all non-essential staff.

In order to impose security on the ground in preparation for elections, the UN Security Council has extended MINUSTAH's mandate until February 2006 (resolution 1608). Though more than 6,200 peacekeepers and 1,400 international police are already on the ground, the UN Security Council has recently called for an increase to 7,500 troops and almost 1,900 civilian officers. The strengthened mandate calls for a more muscular role for peacekeepers and transfers policing authority from the Haitian National Police (HNP) to the UN forces. It is anticipated that a National Programme for Disarmament, Demobilization, and Reintegration (DDR), which was officially launched in May 2005, will now begin to bear some fruit.

Originally released in April 2005, Occasional Paper 14 generated considerable debate in various policy circles. Recent developments on the ground have since warranted an update on the issue: the security environment in Port-au-Prince and other regions has declined precipitously since the report's launch.

Part of this can be attributed to the recent escape of hundreds of drug traffickers, notorious criminals, ex-FADH and incarcerated HNP and pro-Lavalas gang members from the National Penitentiary. Moreover, the neutralization of prominent leaders of ex-FADH and pro-Lavalas gangs, including Rémissainthe Ravix and René Jean Anthony (a.k.a. Gren Sonnen) in April 2005, has been followed not only by a new space in which to advance DDR, but also an unprecedented rash of violence directed at nationals and foreigners alike. It should also be noted that the UN itself is failing in its mandate to provide security. In fact, it has involuntarily applied the excessive use of force in some circumstances—largely at the insistence of international and domestic calls for a more robust intervention. Notwithstanding the resignation of the Minister of Justice and the arrest of members of the HNP in connection with kidnappings, Haiti's transition continues to be obstructed by persistent corruption within the Interim Government. 📄

## Preface

Ayiti oblije fe fas a de gro kokenn pwoblem pou remet sekirite pesonel ak stabilite nasyonal nan peyi-a. Kominote entenasyon ananm ak Misyon l'ONU voye pou mete l'od nan peyi d'Ayiti (swa MINUSTAH) reisi anpeche ke sitiyasyon-a, viz a vi sekirite pesonel, pa pi red nan yon premie tan, malgre instans ak frekans violans kont moun, ansamn ak pwoblem zam ki rive men rote nan ane 2004. Men toujou gen anpil konfuzion nan futu rol kap joue ansyen Arme d'Ayiti (FADH) ensi ke pou rive konvenk oganizasyon popile, gang arme, gwoup kriminel, konpani sekirite prive ansamn ak individu kap pote zam, pou yo depoze zam yo e kite sa. Dat gouveman provizwa bay pou sa fet an ane 2004 gen tan pase san anyen pa fet. An memn tan menm gwoup sa yo ap pran fos e ap etabli kontak nan tout peyi a. L'eta pa gen ni lejitimite ni otorite nan zie pwop pep li.

Peyi a bezwen jwenn yon moyen pou lanse, de fason serie pou tout bon vre, yon pwogram de dezarmeman, demobilizasyon ak re-entegrasyon (DDR). San yon demilitarizasyon tout bon vre de gwoup arme, asistans umanite ak pwogram devlopman kontinue ap an dange. Sek visie sa-a nan peyi d'Ayiti ap kontinue. Komisyon enter-Ameriken sou dwa de l'om de l'OEA anonse, 'dapre sa nou we gwoup arme kontrole sekirite nan zon kle aksyon kap pase nan peyi-a e kote l'Eta pa bay ase proteksyon pou moun ki viv la.' Eleksyon prezidansiel ansamn ak eleksyon palemante gen pou fet 13 novanm 2005, pou nou rive etabli enstitisyon demokratik tout bon vre pral gen yon konpwomi pou tet politik tet chage kap vin pi grav si pwogram DDR la pa fet de fason a se ke pep la ladan.

Malgre yon supo jeneral pou Kad Ko-operasyon Proviswa (swa CCI) pou asire reform politik, rehabilizasyon, ansamn ak rekonstriksyon ekonomik, gouveman provizwa ak MINUSTAH pa we bagay menm jan. Konsey de Sekirite l'ONU, bay MINUSTAH yon manda ki oblije yo bay supo a reform konstitisyonel e reform politik, yo gen pou yo bay fos a gouvemanans peyi-a, pou asiste nan mentyen sekirite ak lod piblik. Yo gen manda pou bay supo a gouveman

provizwa ansamn ak sosyete sivil pou yo promouvwa e respekte dwa de l'om, e ki mande yo tou asiste nan reform la polis ak sekte jidisyè. Tout pati politik ensi ke anpil nan reprezantan sosyete sivil ayisien, rekonet ke dezarmeman se yon priorite men jouk jounen jodi Gouveman Provizwa-a ansamn ak Polis Nasyonal d'Ayiti gen le pa prese pou pran inisyativ pou bagay yo mache.

Kominote entenasyon bay enpresyon yo ta vle bay supo a CCI—yo promet 1,085 bilyon dola US nan yon rankont kote oganizasyon ki kab bay kob ki fet an out 2004. Aloske operasyon solda MINUSTAH ki pou kenbe l'od ansamn ak misyon sivil la ale tro dousman premie sis mwa nan peyi -a, yo rive jwenn fos debu 2005 e manda-a renouvle pou jouk jwen 2005, sa pa supran peson. Menm avek sa, l'ONU ap travail tre dousman pou reisi ko-odone aktivite yo. Mank de sekirite kontinie ap rann sityasyon-a difisil pou yo deplase nan peyi-a ansamn ak fe investisman: Pi plis ONG ap travay nan yon sitiyasyon kote nenpot bagay ka pase e se tout tan y'ap evakue zon sa yo. Tandis ke investisman nan sekirite oblije pou Ayiti reprann, realite jouk jounen jodi se ke sevis piblik ansamn ak ekonomi peyi-a tet an ba.

Rapo sa-a bay yon l'ide de kriz sekirite ki bare peyi d'Ayiti kounye-la-a. Se Depatman Zafe Etranje la Swis (DFAE) ki mande yo fe rapo sa-a, enfomasyon yo jwenn demontre e konsantre sutou sou: konsekans violans kap fet sou pep la ki vin pi red chak jou, aktivite ak repatisyon de gang arme ensi ke trafik zam an Ayiti, eksperyans resant pwogram dezarmeman, demobilizasyon ak re-entegrasyon ansamn ak reform sekte sekirite. Rapo sa-a pa reprezante pwen de vu ni entansyon DFAE. An aksantuan grande ak magnitud disponibilite zam e move uzaj yo nan peyi-a ansamn ak difikilte ki ale avek sa, swa pwoblem pou entreprann asistans humanite ak devlopman nomal, rapo sa-a mande pou nou konsantre sou yon pwogram DDR ansamn ak reform sekte sekirite pou bay Ayiti yon tranzisyon lape. ■

## Summary

There are tremendous challenges to the restoration of human security and national stability in Haiti. While the scale and frequency of armed violence has continued to escalate since early 2004, the international community and the UN Stabilization Mission in Haiti (MINUSTAH) have provided a platform from which to diminish major risks to human security. Yet confusion persists over the future role of the former military—the Armed Forces of Haiti (FADH)—as with the prospects of convincing popular organizations (OPs), armed gangs, criminal groups, private security companies, and heavily armed civilians to lay down their arms. Initial deadlines set by the Interim Government in 2004 to hand back weapons proved to be non-definitive. Meantime, these groups are consolidating their influence and networks throughout the country. The state has failed to secure legitimacy or authority in the eyes of its people.

The country urgently requires sustainable and meaningful disarmament, demobilization, and reintegration (DDR). Without the demilitarization of armed groups, humanitarian assistance and development will be continuously endangered. Haiti's vicious cycle will thus continue. The Inter-American Commission on Human Rights of the Organization of American States (OAS) recently concluded that 'armed groups appear to control security in significant areas of the country and where the State is not providing effective protection to the people living in those regions' (IACHR, 2004). With presidential and parliamentary elections to be held in the near future, the prospects of establishing genuinely democratic institutions may be compromised by escalating and retributive politics if DDR is not effectively designed in a way that speaks to local realities on the ground.

Despite broad support for an Interim Cooperation Framework (or *Cadre de coopération intérimaire*—CCI) to ensure political reform, rehabilitation, and economic reconstruction, the newly installed Interim Government and MINUSTAH share an uneasy relationship.<sup>1</sup> MINUSTAH has been mandated by the UN Security Council (UNSC) to support constitutional and political

reform, governance, and development and to assist in maintaining safety and public order. It also has a mandate to support the Interim Government and civil society in promoting and respecting human rights, and to assist in the reform and institutional strengthening of the police, judiciary, and DDR. All parties, as well as many representatives from Haitian civil society, recognize that disarmament is a priority, but the Interim Government and the HNP have thus far dragged their feet in moving the process forward.

The international community appears to be cautiously inclined to support the CCI—some USD 1.085 billion were pledged at a donor conference in August 2004.<sup>2</sup> While MINUSTAH peacekeeping and civilian operations have been slow to get off the ground during their first six months, the mission reached full operational strength in mid-2005 and its mandate was renewed until February 2006, as expected. Even so, UN agencies are only gradually coordinating their activities. A number of MINUSTAH personnel have been shot and killed in the past six months.<sup>3</sup> Pervasive insecurity continues to hamper mobility and investment: most NGOs are operating in highly unpredictable environments and are regularly evacuated from affected areas. And while investment in security is a precondition for sustained recovery, it remains the case that the Haitian public service and economy are in ruins.

This report provides a general overview of the human security crisis facing Haiti. Commissioned by the Swiss Department of Foreign Affairs (DFAE), the findings are illustrative and focus primarily on the consequences of escalating armed violence on civilians, the distribution and dynamics of armed gangs and the arms trade in Haiti, and the comparatively recent experiences of DDR and security sector reform (SSR). This report in no way represents the views or intentions of DFAE. By emphasizing the scale and magnitude of arms availability and misuse in the country and the difficulties of undertaking conventional humanitarian and development assistance, this report calls for a concerted focus on DDR and SSR to secure Haiti's transition.

## Findings

**Approximately 1,600 individuals have been violently killed since President Jean-Bertrand Aristide's ouster in February 2004, and armed violence is ex-**

**pected to escalate in the lead-up to the planned elections.** A review of media reports, testimonials, and records maintained by human rights organizations, and in- and out-patient data registered by the International Committee of the Red Cross (ICRC), morgues, and private hospitals reveals that some 900 individuals were killed between February and March 2004, and at least 700 fatally injured between September 2004 and June 2005. At least three to four times that number are estimated to have experienced non-fatal gunshot wounds over the same period. Qualitative analysis of a sample of private hospital records reveals that young people (ages 4–30) sustained the majority of firearm-related injuries, followed by police, business people, and members of the private security sector. The review also highlights a qualitative transformation in the types of injuries sustained over the documented period: as violence intensified, extremity wounds were gradually replaced by chest and cranial injuries. Armed violence will escalate in late 2005 unless more forceful and concerted action is taken by the Interim Government and MINUSTAH to rein in armed elements and negotiate a political solution to the continuing crisis.

**The effects of armed violence extend well beyond injury and undermine civilian human security.** In addition to fatal injuries, victimization—including armed robbery, carjackings, rape, ransom, kidnapping, and armed harassment—is similarly common. Victimization has a number of measurable effects on civilian mobility and livelihoods, access to markets and public services, and the prices of goods and services, as well as domestic and foreign investment. The long-standing resort to militarized political activism and retributive justice threatens to undermine the prospects of free and fair local and presidential elections in the near future.

**Humanitarian and development interventions are regularly impeded by the presence of armed violence.** Peri-urban areas of Port-au-Prince (e.g. Cité de Soleil, Bel Air, etc.) and many regions in the north and south are often inaccessible as a result of the persistent threat posed by armed elements. Ports and transport routes are unreliable and rarely under state control. Convoys are regularly attacked and personnel assaulted and even killed. Substantive investment in physical and social infrastructure, more so commercial growth, is obstructed by the continued lawlessness throughout the country. Thus, con-

ventional relief and development activity is undermined by a lack of access or guarantees of security, threatening the wellbeing and livelihoods of literally hundreds of thousands of civilians, especially in those areas of the country hardest hit by flash flooding during Haiti's rainy season (May–November). Nearly 3,000 Haitians died in flash floods and mudslides following Hurricane Jeanne in September 2004. Aid workers report that insecurity—particularly firearm-related violence and harassment—continue to be the most significant obstacles to supplying relief where it is needed. UNICEF, for example, has reported that the distribution of vital supplies has required regular negotiation for access.

**Human and national security is undermined by a wide variety of non-state armed groups currently operating throughout the country.** There are at least a dozen distinct types of armed groups in possession of varying numbers and calibres of small arms and light weapons: OPs, *baz armés*, *zenglendos*, ex-army (FADH), former paramilitaries (Revolutionary Armed Forces for the Progress of Haiti—FRAPH), the ex-Presidential Guard, prison escapees, organized criminal groups, self-defence militia, private security companies, civilians, and politicians. Each of these groups draws on a rich vein of local support. The alliances among these groups are fluid, and motivations stem from a complex combination of predatory and protective behaviour—itsself firmly tied to local interests. Further, many of these groups consolidated their power base between February and December 2004.

**These armed groups are embedded in communities and are characterized by robust local support.** Many community residents, as well as various military and criminal groups fuelling insecurity, are well armed. Civilian elite and various segments of poorer communities possess significant quantities of weapons, though often for very different reasons. Local power brokers—often affiliated with armed groups within poorer communities—are demonstrably prepared to use armed violence to defend their interests. The local monopoly of violence is now a benchmark of 'effective' leadership. Strategies to reduce armed violence and permanently remove weapons from society will therefore require an approach tailored to the local political, social, and economic dynamics of specific communities, entailing a process of painstaking negotiation with

brokers, religious figures, and politico-military leadership, as well as the provision of differentiated incentives.

**Armed non-state groups possess fewer weapons than state and international forces.** Though a preliminary estimate, non-state armed groups (including private security groups) are in possession of up to 13,000 small arms and light weapons of various calibres. The majority of these are semi-automatic firearms (i.e. M16s, M14s, PMKs, Uzis) and handguns (i.e. 0.38s, 0.45s, and others). Manufactured weapons are held primarily by the leaders of various armed groups, while the rank and file tend to use home-made or 'creole' weapons. The limited disarmament organized since the 1990s has allowed a considerable number of weapons to remain in the hands of these groups. By way of contrast, state and former state security groups, including MINUSTAH and demobilized FADH, probably hold no more than 27,000 weapons. Despite the comparatively large number of firearms ostensibly under 'state' control, appeals for additional small arms appear to be frequent.

**Civilians represent a significant category of weapons owners in Haiti.** Weapons ownership (for self-protection in one's residence) has been a constitutional right in Haiti since 1987 and firearms are widely possessed by middle-class and 'bourgeois' homeowners throughout the country, though especially in the capital, Port-au-Prince. Illicit weapons are also widely distributed among the poorer strata of Haitian society. In 2001, the HNP registered 20,379 legal firearms in the country, though since 2003, these weapons are effectively illegal. Alarming, there are a number of reports of new weapons permits being issued in early 2005, although no formal regulatory system is in place.

This study contends that the real numbers of weapons held by civilians is in fact much higher: they are estimated to own as many as 170,000 small arms, primarily pistols (0.38s, 9 mm) and revolvers (including creole weapons), though assault rifles (5.56, 7.62 calibre) are also owned. The regulatory framework for domestic possession and use is permissive and no tangible registry of permits or legitimate weapons ownership currently exists.

**Grey- and black-market weapons transfers and trafficking are common, though trends and patterns are difficult to verify.** Due to multilateral and unilateral arms embargoes on Haiti during the early and mid-1990s, and the

inability of the country to manufacture its own weapons, covert and illicit transfers were common. Established smuggling routes between Haiti and the United States (Florida) are also well known, and automatic and semi-automatic weapons have also been sourced from the Dominican Republic, Brazil, Jamaica, South Africa, Israel, and Central America.

**The HNP and correctional services are weak and in need of considerable investment.** Recent estimates generated by MINUSTAH and the Interim Government indicate that there are approximately 5,000 HNP officers, down from an estimated 6,300 in 2003. The UN Civilian Police (CIVPOL) is calling for an increase to 6,500—or a ratio of one officer to every 1,200 civilians. Moreover, of the 189 police stations, prisons, and jails, 125 were destroyed following the departure of President Aristide in February 2004, and an additional 75 require repairs. Though almost 1,600 prisoners have been reincarcerated, at least as many are still at large following their release in February 2004. It should also be noted that a considerable number of large- and small-calibre weapons, ammunition, police uniforms, and equipment also went missing throughout early 2004. Efforts are currently under way to retrain HNP officers, restore infrastructure, and re-establish a functional correctional and incarceration system. But the training of a credible and legitimate police force is taking longer than anticipated. Many fear that the HNP is increasingly becoming a source of criminal violence, rather than an effective institution to reduce crime and guarantee public security.

**Previous efforts to disarm, demobilize, and reintegrate armed groups have achieved limited success.** Fewer than 4,265 weapons have been voluntarily collected since the mid-1990s. Although a sizeable number of weapons were collected by US Marines in the mid-1990s, fewer than 2,500 of these—about 12 per cent—have been destroyed. Concerted efforts to disarm various armed groups began with the US intervention in 1994 and have continued to the present day. These have focused on 'buying back' weapons and the provision of short-term transition credits and have entailed limited follow-up. Most have focused narrowly on weapons collection rather than the broader objectives of reconciliation, violence reduction, or peace-building. Virtually every disarmament effort in Haiti has failed. Few weapons have been collected or

destroyed and most left-over arms were ultimately recycled into the population. Though previous Haitian administrations have demonstrated support for various disarmament conventions at the UN and OAS, signed international regulatory instruments have yet to be ratified.

**Ensuring the DDR of the FADH is a priority.** Though approximately 4,800 Haitian soldiers were demobilized by the US Agency for International Development's Office of Transitional Initiatives (USAID-OTI) and the International Organization for Migration (IOM) in the mid-1990s, many in the FADH continue to have *de jure* constitutional legitimacy and *de facto* presence throughout the country. Moreover, their influence appears to have grown, particularly in those areas of the country where the state continues to exert limited authority. The apparent collusion between the Interim Government and senior FADH representatives seems to be producing a growing interest in reinstating a security or auxiliary force composed of former soldiers. The implications of a reconstituted army for human and national security are difficult to predict.

**Recent disarmament efforts have achieved results far below expectations.** Between March and October 2004, the Multinational Intervention Force (MIF) and MINUSTAH collected some 200 weapons. Despite a number of coercive disarmament efforts, checkpoints, and various voluntary programmes, the Interim Government and the UN have not successfully collected small arms in large numbers. What has been collected includes a combination of heavy, automatic, and semi-automatic weapons, as well as handguns and ammunition. The majority of these, some 60 per cent, have been handed over to the HNP, while the remainder have been either returned to their owners or destroyed. A more comprehensive strategy is urgently required.

## Recommendations

**Stakeholders must ensure clear and precise strategies to disarm, demobilize, and reintegrate high-risk armed elements.** The Interim Government and MINUSTAH have agreed on a platform to guide recovery and reconstruction. The international community has pledged some USD 1.085 billion to the process but is unable to disburse the funds without concrete proposals and

clear evidence of the scale and distribution of needs.<sup>4</sup> DDR and SSR are clear priorities toward ensuring human security. Evidence of the number and distribution of weapons, the profile of users, appropriate reintegration incentives, and absorption capacities is urgently needed. But even basic questions concerning who precisely is to be disarmed, demobilized, and reintegrated, the specific involvement of the FADH in the process, the process for prosecuting human rights violations and crimes against humanity, and the political willingness of certain groups to participate have not been laid on the table, much less answered. The clear articulation of evidence, priorities, and strategies for intervention is a foundation, perhaps even a precondition, of effective design and implementation.

**The Haitian Interim Government must demonstrate unambiguous political commitment to DDR, and a coherent execution plan must be prepared by a National Commission on Disarmament and implemented with the technical support of MINUSTAH.** A National Commission on Disarmament (NCD) was established by presidential decree in early February 2005 and will aim to ensure strategic direction, clear lines of communication among stakeholders, and transparent budgeting of the process. The NCD includes senior representation from the Prime Minister's Office, the Ministry of Justice, the Ministry of the Interior, and the HNP, with observer and consultative status for the Special Representative of the Secretary-General (SRSG) of MINUSTAH. All DDR activities must be channelled through the NCD in order to ensure coherence and maximum accountability in the process. Perhaps most important, the international community and the Haitian government must adopt a clear position on the future role and configuration of the FADH. Though the reconstitution of an army is ultimately a sovereign issue, continued ambiguity will undermine political and economic recovery, as well as DDR.

**The integrated MINUSTAH/UN Development Programme (UNDP) DDR Section must form the basis of the technical and implementing arm of the NCD.** The MINUSTAH/UNDP DDR Section, to be staffed by more than 50 specialists and volunteers, should pursue an assertive approach to DDR, focusing on disarming, demobilizing, and reintegrating 'high-risk' FADH and FRAPH members, while simultaneously demilitarizing armed groups such as the *chimères*

and pro-opposition groups and *putting their weapons beyond use*. Ensuring equity and the management of expectations will be a priority. At a minimum, the process will require: (i) undertaking a comprehensive socio-economic survey and small arms baseline assessment of target areas in affected provinces and establishing locally appropriate benchmarks and indicators for reintegration<sup>5</sup>; (ii) developing a credible, proactive, and operational presence; (iii) advancing public information and outreach campaigns; (iv) developing effective community policing structures with CIVPOL; (v) ensuring the establishment of a functional counseling and management information system (MIS); (vi) strengthening the capacity of local actors to support DDR<sup>6</sup>; (vii) designing an effective regulatory structure for disarmament; and (viii) maintaining a regular dialogue with the NCD and international donors.

**DDR can be supported by international and local NGOs.** The MINUSTAH/UNDP DDR Section has advanced a conceptual approach to DDR that emphasizes the creation of community development incentives for reducing armed violence. The strategy relies on raising the real and relative value of weapons (through MINUSTAH- and CIVPOL-led interventions), while influencing the cultural and social preferences for individual and collective weapons possession. By encouraging voluntary surrender of weapons through a combination of deterrents, the provision of incentives, the creation of safe spaces, and meaningful local-level dialogue, the approach aims to demilitarize communities as well as individuals. Communication strategies should rely on a combination of (unbiased) local/community-based radio, print media, musicians, artists, and influential institutions—including carnivals. Assistance for reintegration, through the provision of small-scale loans, grants, and vocational training, as well as social and physical infrastructure development, could be routed through NGOs, under the authority of the NCD. The DDR Section must generate strong collaboration with UN partners, the Interim Government, and non-governmental agencies in order to ensure a coherent approach.

**The DDR of the FADH and other armed groups must be pursued in a coordinated and transparent fashion.** The Government of Haiti has traditionally treated the issue of disarming and demobilizing the FADH as separate from the disarmament and demobilization of armed gangs and other OPs. In order

to ensure equity and reduce the prospect of renewed armed violence, an integrated and coordinated framework for DDR—one that addresses all armed groups in a reciprocal manner—must be put in place. No one group can be favoured, nor can DDR be used as a political tool to benefit one actor over another. There is a real and present danger of DDR being hijacked for political gain, with certain armed factions (FADH) benefiting at the expense of others (Lavalas and *chimères*). An uneven DDR process runs the risk of escalating tensions and further undermining prospects of a stable transition and recovery.

**In following the political process, DDR must be pursued assertively, opportunistically, in a decentralized fashion, and with maximum flexibility.** The traditional DDR formula applied in war-torn countries is not appropriate for the current situation in Haiti. DDR cannot be conceived as a formulaic technical process. Nor can it be a substitute for meaningful political reform. Ultimately, the establishment of a political and institutional framework—the NCD—is a crucial component of the process. In practical terms, DDR must be broadly targeted and not focused exclusively on individual armed actors. Each region where DDR is to be implemented requires a responsive strategy focusing on spoilers, power brokers, agents for reconciliation, and other stakeholders. Awareness of community dynamics and the articulation of innovative responses that prioritize meaningful development opportunities will be essential if DDR is to be successful. Top-down approaches are necessary but insufficient for the delivery of significant benefits at the grass-roots level. Rather, the harnessing of local institutions to ensure effective communication and local buy-in will be vital.

**DDR needs to be complemented by parallel efforts that seek to strengthen political dialogue, reinforce judicial reform, promote reconciliation, and strengthen the security sector.** An anti-impunity strategy and a process to strengthen the judiciary should parallel the DDR initiative. Reported summary executions, killing of peaceful demonstrators, and other violations of human rights and international humanitarian law must be investigated and alleged perpetrators brought to trial in a free and fair process. Moreover, future agreements must avoid blanket amnesties for crimes under international law, including human rights violations. The justice sector must be similarly supported:

particularly needed is support for the training of personnel with expertise in gathering and preserving documentary, testimonial, and forensic evidence; prosecuting cases; establishing accountability mechanisms; and building respect for the rule of law. Similarly, the restructuring of the HNP, with an emphasis on community-level policing, is a priority for the success of DDR. The OAS and CIVPOL are currently working together with the HNP to register, recruit, train, and strengthen the police force. Ensuring an effective screening process, as well as effective mentoring and training in human rights, will be a core feature of this initiative.

**Long-term commitment must be ensured by the international community.**

As noted by the UN Secretary-General, DDR, the re-establishment of the rule of law, and institution building and reform will take years, perhaps decades. The advancement of Millennium Development Goals, including the elimination of poverty and the reduction of child mortality, will require considerable long-term investment. International donors must consider the promotion of security as a priority—particularly through supporting the integrated DDR process, as well as SSR more generally. The provision of traditional and development-intensive activities is unattainable and unsustainable in the present climate. Support for reconciliation activities and meaningful political dialogue, electoral reform, the promotion of judicial and prison reform, the provision of training and support for the HNP, and investment in durable DDR are clear priorities. 📄





*A central pillar of any intervention in Haiti must involve  
comprehensive DDR and SSR*

# I. Background

Haiti is neither experiencing a civil war nor facing a post-conflict situation.<sup>7</sup> But more than a decade after the last UN-sanctioned military intervention, the country is again facing widespread armed violence and receiving massive overseas assistance.<sup>8</sup> Confronted with what amounts to urban warfare, Haiti constitutes a failing state *par excellence*. In order to stay further collapse and regional instability, two recent UN Security Council resolutions have mandated Chapter VII interventions.<sup>9</sup> The first, UNSC resolution 1529, called for the deployment of a US-, Canadian-, and French-led Multinational International Force between March and June 2004 to stabilize the country. The second, UNSC resolution 1542, outlined a more expansive UN Stabilization Mission in Haiti (MINUSTAH)<sup>10</sup> to guarantee the transition from ousted President Aristide to an Interim Government.<sup>11</sup> While MINUSTAH's mandate has been extended to February 2006, there are no formal or legitimate peace agreements to guide recovery. Rather, the CCI was hastily cobbled together to ensure donor cooperation. Despite some improvements by the end of 2004, the security situation is deteriorating rapidly.

Some representatives of the international community have mobilized to support Haiti's transition, even while others—including the African Union, the Caribbean Community (CARICOM), Cuba, and Venezuela—continue to challenge the legitimacy of the Interim Government. Though the recently installed Interim Government faces enormous challenges and there is still considerable effort required to organize free and fair elections, the internationally approved CCI aims to coordinate investment and recovery.<sup>12</sup> Despite repeated calls by Haitian civil society and the international donor community for a far-reaching 'national dialogue' to generate credible participation in the CCI process, the Interim Government seems to have stalled in that respect and its credibility has been damaged. The CCI also shows a serious lack of implementation capacity since only 20 per cent of the USD 1.085 billion committed to securing the peace has been disbursed.<sup>13</sup> All stakeholders are growing impatient and the situation urgently needs to be redressed.<sup>14</sup>

Haiti is trapped in a state of chronic political instability. For at least the past two decades, it has faced a combination of social and state collapse from the centre and accruing armed influence at the periphery. Some analysts have observed that a tradition of localized—as opposed to national—rule was reinforced under President Aristide in the 1990s and again in the years after his landslide election and reinstatement in 2001. Within distinct communities, local religious, administrative, and even criminal leaders have come to rely on an increasingly strident monopoly over military, economic, and political control. Unlike Haiti's national military and economic elite, who cater to a narrow bandwidth of commercial interests, local leaders often define themselves as acting on behalf of their local constituencies. Their allegiances at the national level are fluid and contingent on the material benefits associated with partnership with a national party. Many of these local leaders emerged during traumatic armed violence in the 1990s and gained credibility as a result of their rejection of the former military junta of General Raoul Cédras (1996–2000).

The current economic situation is precarious.<sup>15</sup> Successive governments have been administered by an unrepresentative elite, and mired in corruption and an excessive reliance on the use of force to advance their personal agendas. Commercial activities in Haiti are strongly monopolistic, prompting Transparency International to rank the country as the most corrupt in a survey of 146 countries in 2004.<sup>16</sup> Haiti is the only least developed country in the Western Hemisphere<sup>17</sup> and the World Bank and International Monetary Fund (IMF) have repeatedly postponed talks to renew funding in response to the insecurity plaguing the country.<sup>18</sup> With virtually the entire national budget supported by outside donors, remittances continue to make up some 40 per cent of the gross domestic product.<sup>19</sup> Unsurprisingly, public services are either non-existent or treated with suspicion by civil society. The devastating floods affecting Gonaïves in September 2004 have exacerbated the economic situation enormously.<sup>20</sup> In addition to a widespread entitlement failure, the provision of relief assistance and investment in development continues to be obstructed by a persistent climate of insecurity.

This report finds that Haitian society is over-armed and heavily militarized. Armed groups—from the former military (FADH), national police (HNP), and paramilitary groups (FRAPH) to armed gangs, pro-opposition groups, popular

militia, and private security companies—are widely distributed throughout the country. Ongoing recruitment from communities and the consolidation of local leaders of various armed groups throughout the country continue apace. Moreover, civilians have enjoyed a constitutional right to possess firearms of various calibres since the late 1980s. Indeed, elites in the Haitian capital have called openly for permission to carry automatic weapons and create their own private militia forces. While many weapons have been purchased legally in Haiti, or smuggled illegally from the United States, the majority of semi- and fully automatic weapons in civilian hands appear to have been leaked from 'official' stockpiles and inventories.

This report also finds that the country is exceedingly vulnerable to weapons transfers and illicit trade across its borders. There is an urgent need to suppress and reduce the spread of weapons, while simultaneously moving toward the regulation of state and non-state arms supplies and permanent civilian disarmament. If the country is to host free and fair elections, initiate a genuine national dialogue, promote fiscal probity, reform its judiciary and police, cultivate a culture of respect for human rights, or promote sustainable livelihoods, the provision of security must be treated as an overriding priority. A central pillar of any intervention will have to involve comprehensive DDR and SSR. 🗳️

## II. Armed groups and their weapons

Haiti is home to a bewildering array of armed groups that possess and trade a vast assortment of weapons. While the country has a long-standing tradition of repressive politics and militia-inspired violence, widespread firearms use has increased substantially since the late 1980s. There are several types of armed groups, many of them overlapping and interconnected. Many of these groups were present in the early 1990s following the election of President Aristide. Others consolidated their power bases in the intervening years of the Cédras regime. They include, *inter alia*, the ex-FADH,<sup>21</sup> whose ranks included military posted as police<sup>22</sup>; fire fighters, correctional officers, and their attachés or civilian auxiliaries; the notorious rural police chiefs, or *chefs de sections*;<sup>23</sup> and, from 1993, paramilitary organizations such as FRAPH.<sup>24</sup> Their primary motivations and origins are very briefly considered in Annexe 1. Table 1 ascribes an estimated number of members, a multiplier of weapons per member, and a total estimate of their weapons holdings.

Determining the absolute number of small arms circulating in Haiti, including firearms held by civilians, is exceedingly difficult.<sup>25</sup> This is largely because there is no up-to-date registry of firearms in the country. The HNP is alleged to have registered 20,379 'legal' firearms among civilians in 2001.<sup>26</sup> But the registration system collapsed and despite the suspension of new licences, no records currently exist. It is clear that the absolute number of legal and illegal arms available to civilians and armed groups is in fact much higher than was officially reported.

Though it is virtually impossible to isolate all of the supply networks and distribution chains operating across the country, broad estimates of the likely availability of small arms and light weapons in Haiti can be rendered. By drawing on a combination of data sources and employing predictive weapons multipliers, the current estimate of the total national Haitian stockpile, including non-state, state, civilian, and MINUSTAH holdings, rises as high as 210,000 small arms and light weapons. Table 1 provides a tentative and preliminary estimate of arms distribution, disaggregated by armed group.

Table 1  
Armed groups and weapons availability, January 2005

	Group	Estimated numbers	Multiplier	Est. weapons
Non-state military	Revolutionary Front of the North	500–1,000	0.5–1	250–1,000
	Ex-USGPN (Presidential Guard) <sup>a</sup>	700	2	1,400
	Ex-FADH/FRAPH	1,500–2,000	0.5–1	750–2,000
Non-state political	OPs, <sup>a</sup> including vigilance brigades	2,000 (10–50 members per OP)	0.5	1,000
	Pro-opposition groups	–	0.5	–
	Self-defence bourgeois militia	200–300	1.5	300–450
Non-state criminal	<i>Baz armés</i> (criminal gangs) <sup>a</sup>	2,000 (10–30 per <i>baz</i> )	0.5	1,000
	Organized criminal gangs (including drug traffickers)	–	0.5	–
	<i>Zenglendos</i> (petty criminals) <sup>b</sup>	–	0.5	–
	Prison escapees	1,500	0.2	300
Non-state other	Private security company personnel	6,000	1	6,000
<b>Non-state sub-total</b>				<b>11,000–13,150</b>
Civilians	Bourgeois, middle class, slum dwellers	8,500,000 (1.7m households)	0.1	170,000 <sup>c</sup>
MINUSTAH	Argentina (1 BTN, 2 COY) <sup>d</sup>		2	12,400
	Brazil (2 BTN, 5 COY)		2	
	Chile (1 BTN, 2 COY) <sup>e</sup>		2	
	Guatemala (MP, 1 COY)		2	
	Jordan (1 BTN, 4 COY)		2	
	Nepal (1 BTN, 4 COY)		2	
	Peru (1 COY)		2	
	Spain/Morocco (1 BTN, 2 COY)		2	
	Sri Lanka (1 BTN, 4 COY)		2	
	Uruguay (1 BTN, 3 COY)		2	
HQ		2		

State	HNP	5,000 <sup>f</sup>	1	5,000
	Demobilized FADH and IPSF	5,482 (1994–96)	1.5	8,220
	Disbanded MIPONUH	285 (2000)	1.5	430
	Navy (coast guard)	30	2	60
	Disbanded air force	– (1995)	–	–
	Dismissed HNP	500–1,000 (2003–04)	1	500–1,000
<b>State sub-total</b>				<b>26,610–27,110</b>
<b>Total</b>				<b>207,610–210,260</b>

Weapons types for state groups include pistols (e.g. 9 mm Beretta 951, 0.45 M19), sub-machine guns (9 mm Uzi, 0.45 Thompson), rifles (5.56 mm Galil, 5.56 mm M16, 7.62 mm G3, 0.3 Garand M1), machine guns (e.g. 7.62 mm M60, 0.30 Browning, M19), as well as close-support weapons (M79), mortars (60 mm M2, 81 mm M1), and anti-tank missiles (57 mm RCL M18 and 106 mm RCL M40).

a: Government militia—colloquially known as *chimères*—are composed of members of the *baz armés*, the armed OPs, and the USGPN.

b: *Zenglendos* tend to be armed primarily with creole weapons.

c: The HNP registered 20,379 weapons held by civilians in 2001.

d: 1 AV UNIT (28) and 1 HOS LEV II (57)

e: 1 AV UNIT (93) and 1 ENG COY (150)

f: The HNP reported 6,130 police officers in November 2004, though most OAS and MINUSTAH officials agree that it is unlikely that the number rises above 5,000.

The distribution of these firearms can be disaggregated according to non-state armed groups, civilians, and international and state-based actors. This study finds, for example, that there are comparatively fewer small arms held by non-state armed groups—whether OPs or revolutionary groups—than previously believed: fewer than 13,000.<sup>27</sup> These weapons are probably unevenly distributed, and the approach to holding and stockpiling weapons varies tremendously. This is because their command and control structures vary, from comparatively strict hierarchies and clear chains of command with the ex-FADH to small triads and amorphous collectives such as the *baz armés* in peri-urban areas of Port-au-Prince. The latter armed groups rely disproportionately on civilian recruits—and, as in many countries affected by systemic armed violence, the line between ‘armed actor’ and ‘civilian’ has blurred.

The study observes, however, that Haitian civilians and home-owners—particularly upper-middle-class households—own by far the majority of the

estimated national stockpile: up to 170,000 weapons. It is generally believed that most middle- and upper-class households own several handguns, many of them procured legally in the United States and subsequently imported into Haiti. It is assumed that the majority of these owners are not in fact either *baz* or members of military forces. By way of contrast, the MINUSTAH forces carry as many as 12,400 weapons, following the arrival of the full contingent of troops. Excluding MINUSTAH, fewer than 15,000 weapons are currently believed to be held by state (HNP) or former state forces, though the numbers are likely to grow if unchecked.<sup>28</sup>

The presence of armed gangs remains a continuous threat to human security in Port-au-Prince and in other major cities throughout the country’s ten provinces. In late 2004, MINUSTAH reported that at least 30 distinct armed gangs were known to be active in the capital, though smaller sub-units have not been thoroughly identified.<sup>29</sup> But in addition to armed gangs, armed elements of pro-Aristide OPs—including *chimères*—are active<sup>30</sup>, as are *zenglendos*<sup>31</sup>, FADH insurgents throughout the capital.<sup>32</sup> Alliances within and between these groups are traditionally fluid and dynamic, largely as a result of efforts to consolidate control over local constituencies. Since the ouster of President Aristide, previously ‘politicized’ armed groups have been reverting to more traditional forms of extortion, such as carjacking, kidnapping, and armed robbery.<sup>33</sup> The weapons used and circulated by gangs are heterogeneous, ranging from AK-47s, M16s, M4s, T-65s<sup>34</sup>, M50s, and Uzis to various types of handguns (see Annexes 4 and 5). Though no significant weapons caches have been discovered by either MIF or MINUSTAH, it is believed that they may be distributed in the hills outside the capital.

The organization and structure of gangs (often referred to locally as ‘clans’) has been investigated by a number of practitioners (Calpas, 2004; Skrzyerbak and Demetriou, 2004). Each gang is estimated to consist of between 20 and 40 members armed with a combination of firearms and machetes. The leadership of each gang often presides over small arsenals of military-style and commercial weapons (e.g. Uzis, 0.38 specials, 45 mm revolvers), which are distributed to gang members on a needs basis. If they own a weapon at all, the majority of the rank and file possess craft-produced single-shot weapons, which are locally manufactured by metal smiths. Gangs display complex patterns of collective



Masked leaders of the Base Cameroon gang, an armed group that claims to be fighting for the return of ex-President Jean-Bertrand Aristide, carry the coffin of gang member during a street funeral in the Bel Air neighbourhood of Port-au-Prince in December 2004. © REUTERS/Daniel Morel

and individual ownership, with leaders often selecting their preferred weapons as a measure of status. In some cases, gang leaders' names are synonymous with specific weapons types—usually of a high calibre. Many of the gangs, such as the Cannibal Army in Gonaïves, as well as the Red Army and the Army of the Motherless (*Lamè San Manman*) in Port-au-Prince, are backed by political factions; they often publicly claim responsibility for violent attacks on political adversaries. Others, especially in Port-au-Prince, work as independent contractors or as 'triggermen' for smaller neighborhood clans.

Overall weapons types vary. According to former gang members, common weapons types among armed groups include pistols (e.g. 0.38s) and revolvers (e.g. 9 mm), as well as sport and assault rifles (e.g. T-65s and M16s) and sub-machine guns (e.g. Uzis and M60s). Though there are few heavy weapons in

circulation—such as heavy machine guns or man-portable missile systems—grenades and explosives are believed to be relatively widely distributed (see Figure 1 and Table 2). Two 50 cal. (12.7 mm) machine guns from the presidential armory went missing following President Aristide's ousting, though one has recently been located in Bel Air. As illustrated in the following section, there is a surfeit of weapons from the US, Europe, and South America, with comparatively few Soviet-era armaments being shipped from either Central America or other countries in the Caribbean.<sup>35</sup> ■

### III. Arms trade and trafficking

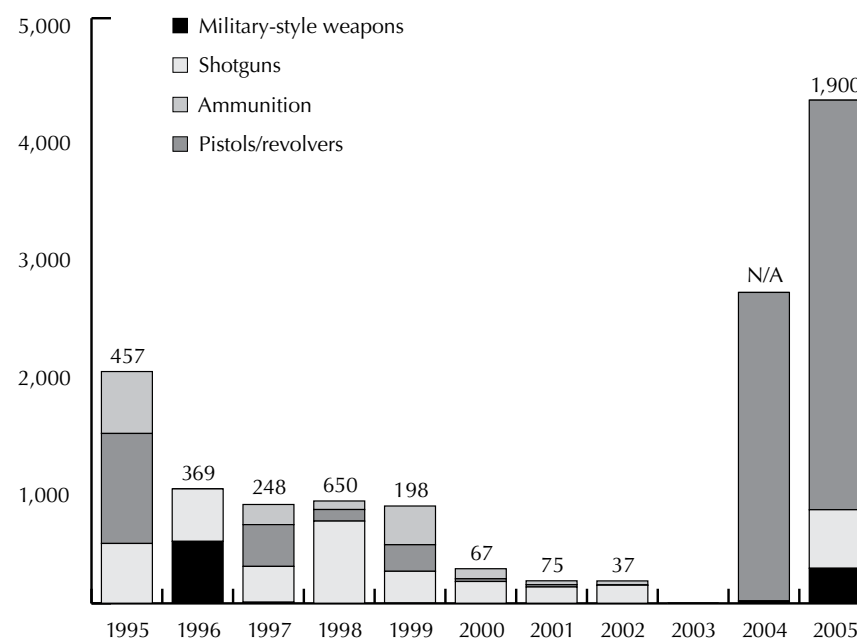
Rumour and anecdote substitute for fact when it comes to assessing the trade, distribution, and origins of small arms in Haiti. Yet although reliable and verifiable information on the arms trade is difficult to obtain in even the most transparent countries, it is nevertheless possible to piece together a cursory picture of arms flows in and out of Haiti. Very generally, small arms are sourced through a variety of legal, covert, and illegal networks—themselves operating at the international, regional, and national levels. Both legal and illegal trade are known to exist, for the simple reason that Haiti lacks the capacity to manufacture its own firearms, though craft-produced or creole weapons are common.<sup>36</sup> This trade is poorly regulated and positively correlated with surges in victimization. Where large legal and illicit shipments are reported into Haiti, they are soon accompanied by the outbreak of armed violence. As noted by US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) officials: ‘we would see, all of a sudden, a rash of large gun purchases . . . throughout South Florida. We would find that then, a month or two months later . . . a coup takes place in Haiti.’<sup>37</sup> These three dimensions of the arms trade—legal, covert, and illicit—are discussed in more detail below.

The legal export of small arms to Haiti over the past two decades has been comparatively limited, due to a variety of OAS, UN, and US arms sanctions and the comparatively modest needs of the erstwhile armed forces. For example, the OAS initiated an arms embargo between 1991 and 1993—the years of President Aristide’s first ousting.<sup>38</sup> The UN, for its part, initiated an embargo in 1993 and lifted it in 1994, following Aristide’s return (UN, 1996).<sup>39</sup> The US rapidly followed the OAS with a unilateral arms embargo. The embargo was amended in early 1994, following the imposition of the UN embargo. The US embargo remains in force, though its wording allows for exceptions to be considered on a ‘case-by-case basis’.<sup>40</sup>

One such exception may be the alleged shipments of 6,957 firearms to the Haitian security forces in 2004 and 2005. The US State Department has indeed

confirmed that excess law enforcement weapons were transported to Haiti in August 2004, with the principal purpose of supporting HNP training and deployment.<sup>41</sup> Approximately 2,657 weapons were transferred in the initial shipment—including 1,916 .38cal revolvers, 493 9mm pistols, 23 .45 pistols, 204 training revolvers, 8 sub-machine guns, and 13 M-14 rifles. The State Department also notified Congress in mid-2005 that it intended to allow US companies to sell equipment worth an additional USD 1.9 million, including 3,000 .38 cal

Figure 1  
A sample of reported US small arms transfers to Haiti, 1991–2005\*



Source: US Annual Reports and COMTRADE data (various years) provided by NISAT (2004), and key informant interviews with US State Department officials (2005)

\* This table presents selected data that is publicly available. The number above each bar indicates the USD value ('000) 1991: military ammunition up to 22 mm (USD 26,225); 1996: ammunition, ‘bombs’, and grenades (USD 165,944); 1997: ammunition up to 22 mm (USD 39,522); 1998: ammunition up to 22 mm, riot-control ammunition (USD 100,507); 1999: parts and accessories for military weapons and up to 22 mm (USD 4,478); 2001: ‘bombs’, grenades, and anti-personnel mines (USD 3,900); 2004: includes a shipment allegedly received in August 2004; 2005: includes reported weapons requested from Congress in 2005

revolvers, 500 9mm pistols, 500 12-gauge combat shotguns, 200 mini-14 rifles, 100 M5 carbines, and non-lethal equipment for crowd control.<sup>42</sup> Though an invoice was received by senior members of the Haitian administration for a much larger shipment of weapons in November 2004, the existence of these armaments was denied by the US State Department and the US Embassy in Haiti in April and May 2005.<sup>43</sup> There has been considerable controversy surrounding the US transfers of weapons to the HNP and renewed calls for increased transparency in the US Senate (Buscombe, 2005; Lindsay, 2005a; 2005b; 2005c).<sup>44</sup> It should also be noted that despite the considerable debate over recent arms shipments to Haiti, informants in the US State Department have also reported that the United States approved as many as ten arms shipments to the HNP since 1991.<sup>45</sup>

Several countries have legally exported weapons to Haiti over the past decade. Yet despite the various sanctions described above, and international instruments such as the *Criteria on Conventional Arms Exports*<sup>46</sup> and the *Document on Small Arms and Light Weapons*<sup>47</sup> of the Organization for Security and Co-operation in Europe (OSCE), the EU's *Code of Conduct*<sup>48</sup>, and the *Wassenaar Arrangement*,<sup>49</sup> legal weapons trade to Haiti persists. For example, between 1999 and 2001, Brazil is known to have approved exports of sporting and hunting rifles worth more than USD 392,000. Italy also reportedly approved exports of more than USD 92,000 worth of ammunition in 1991, while the Dutch, Swiss, French, and British governments together sanctioned the transfer of more than USD 26,000 worth of pistols and revolvers, ammunition, grenades, and anti-personnel mines between 1993 and 1998.

Despite the presence of arms sanctions, the United States has reportedly been the most significant supplier of both 'legal' and 'covert' weapons since the 1980s, though evidence is limited.<sup>50</sup> In addition to the arms transfers highlighted above, the United States has also overseen the export of at least 542 military-style weapons, 2,723 shotguns, 1,667 pistols/revolvers, 1,260,000 rounds of ammunition, and more than USD 2 million worth of weapons and ammunition between 1991 and 2002—in spite of the aforementioned multilateral and unilateral embargoes.<sup>51</sup> Military-style weapons and equipment are alleged to have been provided to the HNP through the back door via the International Criminal Investigative Training Assistance Program (ICITAP) until 1998 (Rich-

Table 2  
A sample of reported small arms transfers to Haiti, 1990–2005

Date	Source	Status	Estimated number
1990	Switzerland	Legal	15–20 SIG-saur 9 mm pistols for HNP
1990–98	US	Legal	Military equipment and training for HNP
1993–94	US	Covert	5,000–10,000 .38 revolvers, 9 mm automatic rifles, M-3 grease-guns, Thompson sub-machine guns, Smith & Wesson .38 revolvers, and fragmentation grenades
1995	US (Florida)	Illegal	260 firearms, 15,000 rounds of ammunition
1996	US (Florida)	Illegal	At least 12 .45 handguns, ammunition
1998	US (Florida)	Illegal	78 M16 assault rifles, 9,000 rounds of ammunition
2000	US	Legal	187 shotguns, 20 pistols, 86,000 rounds of ammunition, USD 2,000 of pistols
2001	Brazil	Legal	USD 36,977 of shotguns
2001	US (Florida)	Illegal	5–10 .38 and .45 handguns
2001–04	US–Dominican Rep.	Covert	M16s, ammunition, and equipment
2001	US	Legal	150 shotguns, 20 pistols, 33,000 rounds of ammunition, USD 31,199 of bombs, grenades, and ammunition, USD 3,800 of ammunition
2002	US	Legal	155 sport rifles, 1 pistol, 36,000 rounds of ammunition
2004	South Africa	Covert	150 R1 rifles, 5,000 rounds of ammunition, grenades, etc.
2004	US	Legal	1,916 .38 revolvers, 493 9mm pistols, 23 .45 pistols, 204 training revolvers, 8 machine guns, 13 M14 rifles, and ammunition
2005	US	Legal	3,000 .38 revolvers, 500 9mm pistols, 500 12-gauge shotguns, 200 mini-M14 rifles, 100 M5 carbines and other equipment

Source: Assorted media reports, UN (2005), and NISAT (2004)

ardson, 1996; Nairn, 1996).<sup>52</sup> The transfer of these weapons came to an abrupt halt following the official termination of ICITAP in the wake of allegations that US intelligence agencies were infiltrating and undermining the programme.

Part of the covert arms trade is believed to have operated directly from the United States, via the Dominican Republic, into Haiti. Prior to the reinstatement



ment of President Aristide in 1994, considerable amounts of weaponry were reportedly transferred from the United States to FRAPH forces. For example, 5,000–10,000 pieces of weaponry addressed to the HNP are alleged to have been received between 1993 and 1994, in spite of embargoes in force at the time (Nairn, 1996). By November 1993, a Defense Intelligence Agency (DIA) cable observed that the FRAPH paramilitary forces had significantly increased their capabilities, with its enforcers enjoying ‘the perception of power derived from being able walk the streets of a town carrying an automatic weapon with total impunity’ (Nairn, 1996, p. 14). Weapons were also reportedly provided to pro-opposition groups from the United States between 2000 and 2004 through legal exports to third parties.<sup>53</sup>

Elements within the United States are also believed to have channeled support to various anti-Lavalas opposition parties since the re-election of President Aristide in 2001.<sup>54</sup> The approach has combined both financial and covert military assistance. For example, it is widely rumoured that several hundred US Special Forces were involved in the training of a number of former FADH headed by Guy Philippe in the Dominican Republic.<sup>55</sup> Military equipment and supplies were believed to have been transferred via Dominican police and military authorities to members of the former Haitian military stationed in the Dominican Republic.<sup>56</sup> What is more, in mid-2003, a number of US citizens were also charged by the Haitian authorities with illegally shipping in army uniforms, assault weapons, munitions, and grenade launchers—ostensibly under the cover of Protestant NGOs—though their relationship with the US government remains unsubstantiated.<sup>57</sup>

Due in part to various arms sanctions and an uneven legal trade in small arms and light weapons, successive Haitian administrations have scoured the black market for firearms. Predictably, the embargoes have led to a reliance on covert and illegal acquisitions. Drawing on a number of known intermediaries, the government has acquired weapons from a variety of countries, including South Africa<sup>58</sup> (see Table 2). Frustrated by its inability to acquire weapons legitimately, the president and former minister of justice of the Interim Government have also repeatedly warned that the administration would source weapons from black markets if it could not secure arms through legal networks.<sup>59</sup> Media reports in early 2005 indicated that one such deal had already

been attempted.<sup>60</sup> Further investigation has revealed that in May 2004, a number of prominent Haitians and US citizens reviewed options for weapons procurement in Haiti.<sup>61</sup> A known broker is alleged to have been provided with a cheque for USD 1 million to acquire firearms in December 2004. Efforts by the Interim Government to procure weapons illegally are alleged to have continued as recently as May 2005.<sup>62</sup>

Black-market trading is persistent and an ‘ant trade’ for weapons—particularly pistols and revolvers—exists between Haiti and its neighbours. Source countries for illegal weapons since the early 1990s include Jamaica, Colombia, Brazil, and the Dominican Republic, as well as Central America (Richardson, 1996; Nairn, 1996; Mustafa, 2004; Small Arms Survey, 2005).<sup>63</sup>

But the primary source of illegal pistols, revolvers, and automatic weapons remains the United States—principally Florida. According to the ATF, at least one in four weapons smuggled from Miami, Pompano Beach, and Fort Lauderdale in the past two years was destined for Haiti. Many of these weapons entered through the Guajira Peninsula, Cap Haïtien, Miragoane, Jacmel, and Port of Gonaïves.<sup>64</sup> Members of the elite regularly smuggle pistols and revolvers from the United States back to Haiti.<sup>65</sup> The physical means by which weapons—including 0.45 pistols and MAK-90s<sup>66</sup>—are smuggled into the country are ingenious: arms have been stored in tomato cans (1996), shipped by lobster vessels (1998), wrapped in frozen turkeys (2001), or packed in containers of bulk good such as textiles and used clothing.

As long as instability persists in Haiti, illegal weapons transfers will continue. The strong social preferences for self-protection and predatory behaviour are obvious motivating factors for continued demand. Furthermore, the fact that the country acts as a trans-shipment area for between eight and ten per cent of Colombian cocaine entering the United States also ensures adequate resources for new weapons acquisitions.<sup>67</sup> Illegal transfers and trafficking are facilitated by a combination of porous and poorly monitored borders and the corrupt customs services.<sup>68</sup> For example, some 500 Haitian police and army officers returning from the Dominican Republic and Jamaica after the ousting of President Aristide in early 2004 are known to have kept their weapons. Meanwhile, Jamaica has opportunistically attributed its own recent escalation in violent crime to Haitian police, as well as the instability plaguing the country (AP, 2004).

The leakage of small arms, light weapons, and ammunition from domestic stockpiles is also common. Firearms are regularly channeled from police armories by corrupt 'insiders' and transferred to sympathetic OPs, militia groups, and criminal gangs in urban centres. For example, according to former palace guards, at least 4,000 weapons (a combination of assault rifles, pistols, and revolvers) were provided by former President Aristide to the *chimères*—including arms allegedly provided by South Africa<sup>69</sup>—in the days leading up to his ousting in early 2004.<sup>70</sup> The role of the previous Aristide government, HNP officers, and magistrates in distributing weapons to sympathetic militia and organized crime has also been widely reported, if seldom substantiated.<sup>71</sup> A review of weapons collected by MIF and MINUSTAH since March 2004 indicates that many weapons issued to former HNP officers have been collected; perversely, most of these have subsequently been returned to the HNP (see Tables 8 and 9). 📄

## IV. Policing, correctional services, and the role of the army

The inability of the Haitian state to ensure the security of its civilians has deep roots. Since 1994, the HNP has been the sole force vested with maintaining public order and security. Immediately following the dissolution of the Haitian army in late 1994, Presidential Decree 103 (28 December) outlined the framework for the revitalized HNP under the aegis of the Ministry of Justice.<sup>72</sup> The HNP was to be responsible for monitoring and regulating borders and frontiers, through both coast guard and customs, despite the existence of a separate customs code. At its height in 2003, the HNP counted some 6,300 active personnel among its ranks, distributed among 189 *commissariats* and *sous-commissariats* around the country.<sup>73</sup>

Widely admonished for corruption, the HNP has recently experienced a dramatic and profound deterioration.<sup>74</sup> For example, the number of police personnel stood at fewer than 5,000 in late 2004, following a purge by the director-general in the aftermath of Aristide's departure. Many others abandoned their posts over the same period.<sup>75</sup> Since March 2004, more than 350 additional police officers were dismissed from the HNP but not disarmed, including 150 members of the palace guard (ICG, 2004a). But as of January 2005, CIVPOL, OAS, and HNP personnel could not confirm the total number of registered officers, despite ongoing efforts to review force needs.<sup>76</sup> In addition, the Interim Government and the HNP have been heavily saturated with senior remnants of the ex-FADH. Many senior officers within the HNP as well as current security advisers to the Interim Government are drawn from the ranks of the former army. Though recent dismissals are encouraging, the vetting procedures for HNP recruits continue to be mired in confusion. Ongoing police training also appears to be employing military and police weapons in close-quarter battle simulations, suggesting a worrying trend.

Police infrastructure is in disarray. Some 125 *commissariats* and *sous-commissariats* were destroyed entirely in early 2004 and an additional 75 require repairs.

Day-to-day activities—including border and frontier controls—are virtually non-functional, due to the absence of adequate materials and personnel. The CCI reported that some 225 *commissariats* and *sous-commissariats* will be required in all to provide for all metropolitan and rural areas. The UN Commissioner for Police claimed in late 2004 that approximately 6,500 HNP will ultimately be installed, a ratio of one officer to every 1,300 Haitian civilians.<sup>77</sup> Some observers argue that even with the planned increases in police staffing, the new force will be inadequate to secure the safety of both urban and rural civilians.<sup>78</sup>

The HNP is legally responsible for the control and regulation of small arms and light weapons throughout the country. Articles 7 and 8 of the 1994 Presidential Decree emphasize the role of the police in controlling weapons throughout the national territory, as well as the activities of private security actors. On paper, the control and registration of firearms is regulated by the Central Department for Administrative Police (DCPA), though it has not been operational since 2002. Falling under the overall jurisdiction of the *Direction centrale de la police judiciaire*, the *Bureau de renseignements judiciaires* (BRJ) and the *Bureau de la police scientifique et technique* (BPST) are also charged with monitoring permits and following up crimes involving small arms, though these departments have been practically inactive since 2002. The Haitian government suspended the issuance of new firearm licences and renewal of existing weapons permits in 2003, though there appear to be new permits among some ex-FADH. As a result, most weapons that were formerly legal in Haiti are now technically illegal.

Despite a long-established juridical tradition spanning over 200 years, the country's legal and administrative systems are disproportionately reliant on the executive and riddled with incompetence. Though efforts have been directed at overcoming corruption and restoring public confidence in the legal process—such as the introduction of a school for judges, with significant French support,<sup>79</sup> and support for the training of legal officials—the judicial sector continues to be hampered by chronic under-funding, poor human resources, and the absence of basic equipment. The outbreak of armed violence in 2004 exacerbated the situation: at least eight court houses were destroyed<sup>80</sup> and few judges report to work. At least eight civil court buildings and an untallied number of justice of the peace courts (*tribunaux de paix*) were damaged or destroyed. With police scarce or absent in many towns, and prisons closed or

destroyed in early 2005, many courts hardly function at all. More positively, however, many judges appointed in the past five years stubbornly remained in office despite the upheavals.

Another source of persistent human insecurity is the country's prisons. A significant proportion of the membership of armed gangs, so-called resistance fronts, and OPs include former inmates who have escaped over the years—often in collusion with corrupt HNP and corrections officers (ICG, 2005). In 2003, there were some 21 correctional facilities in the country, including two penitentiaries. The OAS estimates that these were staffed by 600 correctional officers, 52 of them women. More than 3,800 prisoners were reportedly incarcerated in late 2003, of which more than 80 per cent were considered 'pre-trial' detainees. In early 2005, only 13 of 21—just more than half—of all correctional facilities were operating. Crowded police lock-ups were the norm, and served as the only detention centres in some areas of the country. Virtually all of the estimated 2,000 detainees who escaped from prisons and correctional facilities in early 2004<sup>81</sup>—the majority of whom were awaiting trial—remain at large.

The state of the prisons and correctional system is worrisome. Despite UN and OAS training and education of correctional officials and the rehabilitation of prison facilities since the mid-1990s, conditions were described as 'overcrowded' in various ICRC, OAS, and Amnesty International (AI) reports. The ICRC was authorized to access political prisoners in January 2004—estimated at some five per cent of the total. But immediately following the ousting of President Aristide, all prisons and jails were emptied of convicts.<sup>82</sup> Together with MINUSTAH, the HNP had managed to reimprison approximately 50 per cent of those who escaped by the end of 2004.<sup>83</sup> But documented reports of massacres in prisons, allegedly committed by members of the HNP, are a growing cause for concern.<sup>84</sup> For example, in February 2005, a group of unidentified armed men entered the National Penitentiary in Port-au-Prince and allowed 493 detainees to escape. Immediately after the escape, the Interim Government dismissed two senior penitentiary officials and detained eight prison guards for alleged complicity in the breakout (UNSC, 2005c).<sup>85</sup>

A lingering threat continues to be the current and future role of former army members: the ex-FADH. Though the Haitian national army was officially dissolved in 1994 and its soldiers 'demobilized' between 1994 and 1996, it never-



A former member of Haiti's disbanded Armed Forces aims his weapon in December 2004, after hearing shots and rumours that UN peacekeepers are planning to dislodge the band of ex-soldiers from their makeshift headquarters in Petit Goâve. © REUTERS/Daniel Morel

theless is perceived by its membership to have constitutional legitimacy.<sup>86</sup> Moreover, the FADH appears to have actually grown in the intervening years, as new recruits joined its forces. Despite the fact that an army presents an inordinate expense, appears to have limited strategic utility in the Haitian context, and has been deeply implicated in widespread and systematic violations of human rights, it seems that many in the current Interim Government and among the economic elite would prefer to see it reinstated.<sup>87</sup> It is clear that the 1,500–2,000 mobilized FADH (and post-1995 recruits) represent a very real threat to national and human security.

A secretary for national security was appointed in late 2004, presumably to begin addressing the specific interests of the FADH. The Interim Government also simultaneously established three separate commissions to review the grievances of the former military. A three-person Demobilized Soldiers Management

Bureau was established in late October 2004, under the auspices of the *Conseil supérieur de la police nationale*, ostensibly to reintegrate demobilized soldiers into civilian life. The bureau has announced its intention to provide 'indemnity payments' and 'pensions' for some 5,000 legitimate members of the FADH throughout 2005, though there appears to be no clear determination of how the anticipated USD 29 million budget will be covered.<sup>88</sup> Confusingly, the former minister of justice also called repeatedly for the establishment of a 'private security entity' made up of former soldiers, during meetings with donors and key officials in late 2004.<sup>89</sup> What is more, in early 2005 CIVPOL privately advanced the concept of an 'auxiliary force', under the supervision of MINUSTAH, to supplement the HNP. The debate over the future shape and role of the FADH is very much alive and must be clarified as a matter of urgency. 📌

## V. The effects of armed violence and insecurity

Haitian civilians face a wide variety of threats to their well-being and livelihoods. Indicators of their insecurity range from fatal and non-fatal injuries to widespread fear, reduced mobility, kidnapping and intimidation, targeted electoral violence, and suppressed social-, capital-, and household-level economic activity. Many of these effects go unrecorded as rumours and speculation predominate. Even so, the country's human rights and humanitarian sectors have struggled to promote a culture of evidence-based advocacy.

This section provides a rapid assessment of indicators of human insecurity in Haiti. Gathering of more robust longitudinal and comparative data is strongly encouraged, as these could be used to, among other things, to monitor the secular impacts of violence-reduction initiatives such as DDR, community policing, and SSR. Without this data, however, any discussions on strengthening human security will be anecdotal and incomplete. The following analysis should be treated as preliminary. More complete baseline analysis of both arms availability and socio-economic profiles of affected communities and individuals is urgently required if interventions are to be effectively monitored and evaluated.

### Deaths and injuries

Security is widely described as a core priority for Haitians. Despite past and ongoing UN interventions, however, insecurity remains the norm. A clear marker of insecurity is excess deaths. These can include deaths resulting directly from intentional violence or indirectly from typical or 'common' causes, such as diarrhoea, respiratory illness, or tuberculosis, all of which result from poorer living conditions or decreased access to essential care.

Though records are incomplete, it can be reliably estimated that at least 1,600 individuals have been killed as a result of armed violence since the ouster of Aristide in early 2004. This includes some 900 deaths reportedly due to violence registered in the capital morgue between February and March 2004<sup>90</sup> and at least

700 violent deaths due to gunshot wounds recorded from September 2004 to June 2005. Given the difficulty of accessing affected areas, and fluctuations in violence from month to month,<sup>91</sup> the 1600 figure probably represents only a fraction of all excess deaths in the unstable post-Aristide environment. The total number of excess deaths might be two to four times higher still.

It should be recalled that recording deaths and injuries arising from firearms presents a number of challenges. With gunshot wounds, there are victims who never visit a doctor or health facility for the simple reason that the victim dies instantaneously. A major vessel or the heart is hit, and he or she rapidly succumbs to death through trauma, shock, and loss of blood. People who are non-fatally wounded may take longer to die—their livers, bowels, or other organs are perforated, resulting in slow loss of blood. Surgical interventions may be effective, but their effectiveness depends on timing, access, the availability of equipment, and skills.<sup>92</sup> Victims who suffer injuries due to gunshot wounds such as fractures and broken bones sometimes go without care, resulting in long-term disability.

Firearm injuries nevertheless provide a useful proxy for insecurity in Haiti. Intentional injuries that are not fatal are not registered like deaths in a morgue. As there are no centralized information or surveillance systems administered by the Ministry of Health, data in this area is very limited. Indicative trends can be discerned by drawing on records from the General Hospital of Port-au-Prince collected by the US-based National Coalition for Haitian Rights (NCHR). The NCHR review of patient records shows that some 170 civilians were fatally injured and 241 non-fatally injured during September and October 2004. Verification is difficult, however, and the Coalition admits that they were 'unable' to enter neighbourhoods such as Cité Soleil and Bel Air where most of the killing was taking place (NCHR, 2004). According to the data they collected, at the peak of the recent tensions in January 2004, just before the forced departure of President Aristide, the injury-to-killed ratio in northern areas such as Gonaïves rose to 6:1, while in Port-au-Prince it was as high as 15:1.<sup>93</sup>

Since many of the injured are unable to access public hospitals, it is also useful to review trends reported by other service providers. For example, MSF Spain set up a 42-bed trauma centre in the capital in what had once been St. Joseph's Hospital in December 2004. Between January and March 2005, the

MSF surgical and medical teams reportedly treated more than 1,000 patients, including nearly 250 for gunshot wounds (MSF, 2005c). They reported that during this period, intense fighting had been confined to several of Port-au-Prince's densely populated *quartiers populaires*. Following periodic visits to the morgue, MSF estimated that about 100 people were killed each month from September to December 2004, largely as a result of armed violence between gangs in Cité Soleil and Bel Air.

MSF doctors reported:

*[w]e see about 3 gunshot victims a day, maybe one or two a day with fractures where we have to bring the patients into the operating theatre to clean it up. About twice a week we need to do a laparoscopy. When a patient has been shot in the chest, the chest fills with blood or the lung has collapsed, you need to put a chest drain in. Between 50 and 60 patients come in every week to get their dressings changed.* (MSF, 2005b)

MSF representatives have also observed a qualitative change in the nature of gunshot injuries since the end of 2004:

*[w]e used to see .38 calibre bullets. They don't cause many internal injuries. Now, it is something that explodes inside. We had a lot of crime before. Every day we would receive one or two gunshot wounds. Now we have 3 or 4 or more. It was mainly crime then, but now we have more political violence. It's not directed like a persecution but affects everybody in the country.* (MSF, 2005b)

The identity of the perpetrators and sources of these injuries is hotly debated. There have been frequent allegations of children using weapons (primarily pistols and revolvers) in contravention of international norms on child soldiers and the rights of children (AI, 2004a; 2004b). Moreover, frequent reports have documented excessive use of force by the HNP, including the misuse of M16s against the civilian population and the lethal use of teargas and riot-control weapons at close quarters.<sup>94</sup> Though verified and continuous surveillance data on mortality is currently unavailable, descriptive information on external injuries associated with armed violence is consistent with these claims (see Table 3).<sup>95</sup>

Another major contributor to fatal and non-fatal injuries is sexual violence. Female civilians—particularly young women and girls—are especially vulner-

Table 3  
Profile of firearm injuries in Port-au-Prince, Sep. 2003–April 2004

	Trauma	Violent trauma	Blade injuries	Firearm limb	Firearm body	Firearm head	Firearm death	Other in-patients	Total in-patients
Sep. 03	0	20	6	1	9	2	2	88	119
Oct. 03	2	10	6	2	2	0	1	86	109
Nov. 03	0	18	14	2	1	0	1	105	141
Dec. 03	1	18	37	15	4	1	0	8	84
Jan. 04	0	2	36	45	13	7	8	17	128
Feb. 04	1	12	24	22	23	20	1	3	106
Mar. 04	4	19	35	34	21	11	3	47	174
Apr. 04	7	10	21	15	6	1	0	67	127
<b>Total</b>	<b>15</b>	<b>109</b>	<b>179</b>	<b>136</b>	<b>79</b>	<b>42</b>	<b>16</b>	<b>421</b>	<b>988</b>

Source: Collated records from Canapé Vert Hospital (2004)

Trauma: Psychological symptoms

Violent trauma: Physical injuries and asphyxiation

Blade injury: Multiple flesh wounds (cranial, body, or other)

Firearm limb: Arm or leg injuries

Firearm body: Abdomen, thorax, or buttocks injuries

Firearm head: Cranial, neck injuries

Firearm death: Injuries leading to death

Other in-patients: Cardiac, disease, pregnancy, illness, etc.

able to armed violence. Though no disaggregated surveillance on sexual and gender-based violence exists in Haiti, there is ample anecdotal evidence. For example, Olivia Gayraud, a trauma centre field coordinator in Port-au-Prince since October 2004, reportedly treated at least 20 patients injured in violent sexual attacks. The youngest victims were ten years old. Many had one of their parents killed before being kidnapped and raped. Rapes themselves were brutal, and women and young girls were reportedly afraid that if their mere

treatment were discovered, they would be killed (MSF, 2005b). The Institute for Justice and Democracy in Haiti, an independent human rights group, has documented more than 80 cases of women and girls as young as 13 who have been raped by gangs in Cité Soleil since September 2004.<sup>96</sup>

One of the reasons armed violence tends to be so lethal in Haiti is because the state infrastructure—particularly health and policing services—are extremely weak. Despite considerable multilateral and bilateral investments in health infrastructure over the past decade, national and municipal public health and crime-surveillance services are limited, and of comparatively poor quality.<sup>97</sup> Neither the public nor the non-governmental sectors have much experience at collecting objective data for social monitoring.<sup>98</sup> The destruction of HNP information systems in 2004 meant that crime trends went unrecorded. What is more, qualitative research is limited due to the difficulties of accessing the many insecure areas of the north and east between 2003 and 2004.

Perhaps even more worrisome, institutions that provide health and policing services are themselves the site of politicization and armed violence. Extra-judicial killings and gun battles within hospitals were common in the months leading up to and following Aristide's departure, in late 2003 and early 2004. Patients—particularly wounded police officers and members of various armed groups—were frequently targeted, as was the medical personnel. Throughout 2004 and 2005, however, it appears that Lavalas supporters, in particular, were targeted by ex-FADH and HNP.<sup>99</sup> In both the Port-au-Prince General and Gonaïves Hospitals, for example, atrocities such as the extra-judicial execution of injured police officers and civilians have been common. Others have been fatally and non-fatally injured in the ensuing crossfire or during hostage takings at hospitals. For these reasons, doctors are frequently wary of serving armed elements and injured patients may go unregistered.<sup>100</sup> Because of the limited faith in public sector services, as well as the climate of fear associated with hospitals, it is difficult to trust the little data available from these institutions.

Public and private security forces have increasingly been implicated in political violence. The overall militarization of response has contributed to a perception of declining security since the arrival of MINUSTAH. For example, in early July 2004 about 400 MINUSTAH peacekeepers in 41 armoured vehicles and helicopters, and several dozen Haitian police officers, conducted a raid in Cité Soleil,

#### Box 1

#### **Accounting for the direct medical costs of firearm injury**

Summarizing the economic burden of firearm injury is controversial. The financial expenditures and productivity costs associated with wounds can be estimated, but there are many intangible costs—the emotional and psychological consequences of injury to individuals and families and associated pain and suffering—which are not easily measured. Discussions with surgeons and managers at various private clinics in Port-au-Prince in 2004 revealed a cross-sectional snapshot of the direct economic burden of firearm injury.

Even during more stable times, many people, including the very poor, depend mainly on private services, due to the decrepit state of the public health infrastructure. Because publicly administered health services are often unreliable or inaccessible, the rural poor tend to turn to traditional medicine, though even this is often financially out of reach. For most, the costs of health services are prohibitive and people go without care.

With an average per capita income of USD 350 a year and despite supplementation with remittances and undeclared income, few Haitians can afford regular and consistent access to high-quality (private) health services, emergency treatment, or long-term disability assistance. The minority of the population with access to health insurance pays about USD 60 per month, and a deductible levy of about USD 1,800. With the exception of the most traumatized patients, in most institutions incoming victims are required to pay a deposit of USD 200 before they can be administered a single treatment.

There is a range of different direct costs associated with treating injuries. Operating theatre (OT) costs are about USD 100 per day. Costs of medication—including anaesthetics (USD 700–1,000), antibiotics (USD 50–200), laboratory work (USD 100–150), and radiographs (USD 20–30)—are borne by the patient. Surgeons are hired privately as needed, and costs vary by specialty. The costs of firearm injuries affecting the abdomen, limbs, and skull range from USD 2,000 to USD 5,000. If the patient needs to be evacuated to the United States, the costs can rise to USD 11,000. Injured patients stay in the hospital for between three and seven days, at a cost of USD 40–150 per day.

At these costs, a firearm injury will require about USD 5,170 for a patient with an extremity injury, assuming a five-day stay in hospital and no further complications. The costs rise above USD 8,680 for more acute injuries to the abdomen or head. The overall financial burden rises above USD 20,000 if the patient requires medi-evacuation, plus costs incurred in the United States. Treating the firearms injuries counted at Canapé Vert Hospital for the period September 2003 to April 2004 would have cost about USD 2,703,400.<sup>101</sup> At that camp Médecins sans frontières and Médecins du monde provided some additional post-operation stabilization services, including the continued provision of beds, traction, and some medication. But most of the injured did not receive this care. Associated pain and suffering, as well as productivity losses such as years of productive life lost, disability-adjusted life years, or life expectancy, are unknown.

Haiti's largest slum—ostensibly to root out armed gang members. While the credible show of force was welcomed in some quarters, it is alleged that this single incursion resulted in 25 to 40 extra-judicial killings, including of women and children (Buncombe, 2005b). UN peacekeepers were also targeted, and at least three have subsequently been killed by gunfire (Weissenstein, 2005).

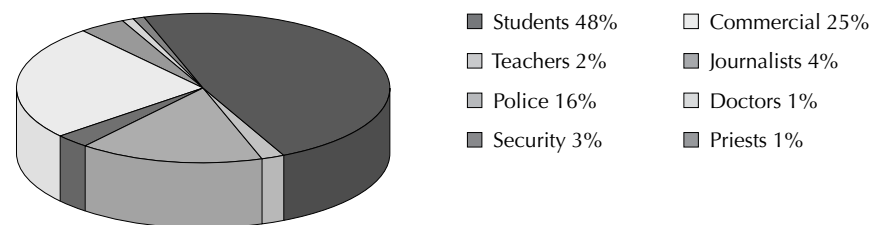
Despite the best efforts of the ICRC, MSF, and others, the national public health and humanitarian sectors were unable to deal adequately with large number of victims of armed violence over the past two years. While the Ministry of Health and the *Ecole de médecine* held a seminar in June 2004 to prepare surgeons to deal with poly-trauma and injuries, available surgical and clinical facilities were ill-equipped to deal with the large number of wounded people. In fact, between November 2003 and May 2004, surgical capacities in Port-au-Prince were almost entirely shut down. The capital's two public hospitals (800 beds) and the dozen or so remaining private clinics were also periodically closed. Only the erstwhile Military Hospital, reopened by Cuban doctors on contract to support the Ministry of Health, provided nominal services at the height of the crisis.

The ICRC has nevertheless been active in supporting the treatment of victims of armed violence. The privately operated Canapé Vert Hospital, temporarily subsidized by the ICRC to provide services to all victims of war, remained open in Port-au-Prince during the tensions (see Box 1). The ICRC determined that an influx of war wounded could be managed and absorbed if additional materials, OT capacity, and blood banks were made available. The buildings were fortified with barbed wire, walls, and French troops.<sup>102</sup> In the north, two private US-run hospitals, the Pignon Hospital and the Albert Schweitzer Hospital, also functioned during the crisis and their catchments extended to Gonaïves and Cap Haïtien

A comprehensive review of available outpatient records at the only functioning hospital in Port-au-Prince during September 2003 and April 2004 (Canapé Vert) reveals a number of important patterns. Of the 988 patient records collected over eight-months, more than 58 per cent were victims of intentional armed violence. More than a quarter of all of these people (27 per cent) were treated for gunshot wounds. Of these, one in four included limb injuries, one in ten suffered firearm injuries to their limbs, and seven per cent sustained head wounds. More

Figure 2

**Typology of firearm injuries by vocation, September 2003–April 2004 (n=988)**



Source: Adapted from outpatient records at Canapé Vert Hospital (October 2004)

than one per cent of all in-patients died of firearm-related injuries. Nearly half of all victims of small arms injuries were students and those under 18 years of age (some 48 per cent), followed by representatives of the commercial sectors (25 per cent) and the police (16 per cent) (see Figure 2).<sup>103</sup>

### Perceptions of insecurity

The personal and subjective experience of individuals and families puts some of the above-mentioned objective trends in context. Perception influences behaviour and will be a key factor in the stabilization and future recovery of the country. Perceptions condition an array of activities—from nocturnal mobility, schooling, employment, and voting behaviour to membership in militias or armed gangs. It has been observed that a single gunshot can lead to school closures, road congestion as people seek refuge, market closures, and reduced attendance, activity, and productivity of factories, ports, and essential service institutions.

Several opinion surveys recently undertaken in Haiti point towards common trends. For example, a national household survey with more than 1,000 respondents sponsored by the UN in 2004, notes that almost two thirds of urban Haitians were frightened in their own homes, as compared to 15–20 per cent of rural residents. Almost half (45 per cent) of urban respondents indicated



that they were 'fearful' of driving to the nearest town or going to markets, while roughly half the number of rural households felt the same. The UN noted at the time that such perceptions can generate many 'hidden' impacts—ranging from reductions in school attendance, to suppressed economic activity and an increased sense of hopelessness (UNDP, 2004c).

Another, more focused household survey was carried out among 800 respondents in four sectors of Carrefour-Feuille, a relatively peaceful slum of Port-au-Prince, in late 2003. The survey appraised various manifestations and distributions of violence (Calpas, 2004). It found that some 40 per cent of all respondents reported experiencing street fights in which guns were used. Death threats at gunpoint were also common (33 per cent), as was armed robbery (26 per cent), domestic violence (24 per cent), and rape. According to the same survey, one quarter of all respondents claimed to have had a family member recently victimized by armed violence. Almost half claimed to know someone killed or injured by gunfire.<sup>104</sup>

## Militarized politics

There is a long-standing and pervasive tradition of weapons ownership and misuse in the Haitian political arena. The firearm holds fierce symbolic and political meaning for Haitians. For example, popular myth recounts that at independence in 1804, 30,000 flintlock weapons were distributed to freed slaves. Firearm ownership was tied inextricably to popular conceptions of 'freedom'.<sup>105</sup> The use of firearms to advance ostensibly populist objectives became quickly engrained in the political landscape. In the first few decades after independence, politics was to become heavily militarized and militia groups (e.g. the *cacos*) were formed to consolidate power in the hands of new elites (Blumenthal, 2004).


The application of coercive force as a means of shoring up political advantage continued into the 20th century. Following the US occupation in 1915, a disarmament programme was introduced to address militia groups. A national army and gendarmerie were formed and trained shortly thereafter. Following the US withdrawal in 1934, politicians and elites nevertheless resumed their militarization of militia groups. The use of violence in advancing personal and political gain reached its apogee under the Duvalier dynasty, with the

formation of the notorious *tonton macoutes*—the regime's militia believed to have grown to more than 300,000 members by 1986.<sup>106</sup>

Elected with a populist mandate in 1990, President Aristide was overthrown after only seven months in office in September 1991. During his short tenure and throughout the military rule that followed, the FADH recruited a series of militia *attachés*. There was also a sharp rise in criminality attributed to the so-called *zenglendos* or armed criminal bands.<sup>107</sup> President Aristide's Lavalas Party also became implicated in armed violence—often in opposition to paramilitary death squads and organized anti-Aristide forces. Despite the introduction of a Truth and Justice process, a climate of impunity persisted.<sup>108</sup> Though Aristide was temporarily deposed in the early 1990s, on his return in October 1994 following the US-led Operation Uphold Democracy,<sup>109</sup> he promptly disbanded the FADH, sought to dismantle the *attachés* and death-squads, and concentrated authority in a reconstituted HNP and his own irregular armed supporters. The Haitian public became increasingly aware of armed gangs tied to Aristide in 1995 and their influence grew under his successor, René Preval (1996–2000). Pro-Aristide gang members and for-hire political thugs earned the epithet *chimères* toward the end of Preval's administration.<sup>110</sup>

External actors have played a pivotal role in contributing to the volatility of Haitian politics. The US-based International Republic Institute (IRI), for example, contributed substantially to the growth of opposition parties prior to and following the 2000 legislative and presidential elections. The Espace de Concertation<sup>111</sup> and the Democratic Convergence<sup>112</sup> were two disparate alliances formed of various anti-Aristide parties, designed to challenge pro-Aristide Lavalas. Despite the fact that more than 60 per cent of registered voters voted in favour of Lavalas, with few reports of violence during the legislative elections, the OAS and US government consistently described the election as flawed and fraudulent.<sup>113</sup> The opposition capitalized on alleged election flaws as a pretext to boycott the November 2000 presidential elections.<sup>114</sup> President Aristide was nevertheless elected with a controversial majority.

Alongside the Democratic Convergence that represented opposition parties, the Group of 184, which claimed to represent 'civil society', emerged in 2002. Adopting a decidedly moderate oppositional stance at first, the Group of 184 and its allies began calling for Aristide's resignation by the end of 2003. Meanwhile,

a group composed of ex-FADH launched a surprise attack near the border town of Pernal (near Belladere) at the end of 2002.<sup>115</sup> By 2003, the insurgents had consolidated in border districts of the lower Central Plateau, from which it launched attacks against Lavalas officials and the police. By February 2004, with former Police Commissioner Guy Philippe at its head, it formally joined forces with other anti-Aristide groups and precipitated the president's resignation and flight on 29 February 2004. Despite the installation of an Interim Government<sup>116</sup> and the arrival of international military intervention forces, elements from the FADH, former paramilitary leaders, armed gangs, and prison escapees now control much of the Haitian countryside (Kovats-Bernat, forthcoming). Disarmament of these high-risk groups is a vital precondition of free and fair elections.<sup>117</sup> 

## **VI. Practical disarmament, demobilization, and reintegration: 1994–2005**

There have been a number of small-scale disarmament efforts launched by a combination of international and national actors since the mid-1980s. Many such efforts have adopted coercive strategies, while others have entailed a combination of buy-back and voluntary approaches. Efforts in the late 1990s to institutionalize the process through small-scale public awareness campaigns and the formation of a national focal point on small arms have been unsuccessful.<sup>118</sup> In all of the various collection initiatives combined, fewer than 4,265 weapons have been collected since the mid-1990s. If the US operation to coercively retrieve weapons in 1994–95 is included, the number rises to 19,501. From the available documentation, it is possible to confirm that only 2,435 of the total—about 12 per cent—have been destroyed. Given the number and distribution of small arms throughout Haiti, new, flexible, and innovative approaches to disarmament are sorely needed.

Encouragingly, the CCI calls for a multi-pronged approach to national disarmament.<sup>119</sup> The UN supports this strategy and is planning an integrated approach to DDR organized through the NCD. The integrated MINUSTAH/UNDP DDR Section, together with CIVPOL and the Haitian Ministries of Justice and the Interior, intends to implement a combination of involuntary arms seizures with a voluntary weapons collection initiative linked to socio-economic reintegration, community development, and reconciliation activities (UNDP, 2004b; 2005). Together with the UNDP, the DDR team is also strengthening the current legal and administrative capacity to regulate and contain arms possession and trade through the drafting of new legislation for parliament.<sup>120</sup>

But before turning to recent activities undertaken by MINUSTAH, it is useful to recall past DDR efforts in Haiti. Perhaps the largest followed the US-led Operation Uphold Democracy in 1994. This included a large-scale disarmament initiative between September 1994 and March 1995. The goals of the programme were to (i) reduce the number of weapons; (ii) promote stability; and

Table 4  
**Reported weapons collection activities, 1995–2004**

Operation	Date	Type	Area	Weapons collected	Weapons destroyed
US military	1994–95	Coercive	National	15,236*	2,088
US military	1995	Buy-back	National	3,684**	N/A
HNP sweeps	1995	Coercive	National	N/A	N/A
HNP	2002	Coercive	Port-au-Prince	51	–
HNP Operation Hurricane	2002	Coercive	National	5	–
HNP Operations	2002	Coercive	Port-au-Prince	37	–
HNP and OAS	2003	Coercive	National	233	233
UNDP: Carrefour District, Port-au-Prince	2003	Voluntary	Port-au-Prince	55	55 UN-held
MIF	2004	Coercive	National	135	39
MINUSTAH	2004	Coercive	National	65	20 UN-held
<b>Total</b>				<b>19,501</b>	<b>2,435</b>

\* Some 15,236 weapons were allegedly seized: 2,961 assault rifles, 1,446 sub-machine guns, 7,450 rifles, 604 shotguns, 2,413 handguns, 5 M5 tank artillery, 1 M3A1 tank grease-gun, as well as an assortment of V150, anti-tank, mortar, howitzer, AAA, RR, B399, and automatic ammunition.

\*\* Some 10,196 ‘items’ were collected, of which 3,389 were classified as small arms and light weapons (US Army, 1996).

(iii) provide monetary incentives to Haitian citizens who supported the programme. One component of the programme was coercive, involving the seizing of caches and door-to-door searches. In all, some 15, 236 weapons were seized (see Table 4).<sup>121</sup>

Originally launched as a buy-back scheme, the operation of the US 10<sup>th</sup> Mountain Division collected over 10,196 items, of which 3,684 were small arms and light weapons. The management and storage of weapons retrieved during

the buy-back has been brought into question (Mendiburu and Meek, 1996). According to the US spokesman at the time, Col. Barry Willey, US troops were ‘handing them on to the Haitian police, who in turn have been letting most of them go’ (Preston, 1995). Other weapons were reportedly stored in military vehicles and subsequently shipped back to the United States for destruction (at Letterkenny, Pennsylvania), or safeguarded as museum pieces.<sup>122</sup> Key informants in Cité de Soleil have claimed that a number of these vehicles were seized by gangs in 1994, but that the US representatives turned a blind eye.

The US-administered buy-back initiative was ultimately evaluated as unsuccessful. At the outset, its focus was on military caches and ‘crew-served’ weapons rather than individually stockpiled arms. The approach it adopted

Table 5  
**US weapons buy-back, 1994–95**

Weapon type*	Number returned	Value per weapon (USD)**	Approximate value (USD)
Handguns	1,516	200	283,200
Assault rifles	504	800	403,200
Sub-machine guns	401	800	320,800
Shotguns	152	400	60,800
Rifles	1,097	400	438,800
Rifles GL	21	800	16,800
Machine gun	1	1,200	1,200
Flare guns	2	100	200
<b>Total small arms and light weapons</b>	<b>3,684</b>		<b>1,525,000</b>
Explosives and chemical devices	6,512		399,950
<b>Total including explosives</b>	<b>10,196</b>		<b>1,924,950</b>

\* Handguns include 0.38, PT 92, 0.32, and 0.45. Rifles include M1, Monesverg, flintlock and percussion. Automatics include U21, Gaul, M16, AR18, FNAL, FNFAP, and M14. Heavy weapons include 30 cal. MG and M240 COAX.

\*\* The exchange value for weapons changed during the course of the intervention. According to O’Connor (1996) and Richardson (1996), the amount offered for returned weapons was reduced by 50 per cent at the end of 1995. See also US Army (1996).

was extremely selective (Nairn, 1996, p. 12).<sup>123</sup> US Army commanders themselves have described the programme as a 'dismal failure' in reducing the number of weapons and achieving a secure and stable environment (US, 2000; Harding, 1994).<sup>124</sup> Other institutional challenges loomed large. For example, the UN and United States repeatedly clashed over the extent and effectiveness of the operation (Preston, 1995).<sup>125</sup> As a result, political will to undertake national disarmament was never established. Throughout the buy-back, critics repeatedly questioned its effectiveness. For example, weapons were widely perceived to be of an extremely low quality, with some better quality weapons being passed on to the US Department of Justice-funded ICITAP police training programme. The United States was similarly criticized for inadequately investing in local intelligence (to determine the location of large arms caches). US soldiers claimed at the time that the buy-back had created a 'market' for weapons, with new ones being smuggled in from the Dominican Republic or from Haitian ports (O'Connor, 1996).

The entire buy-back exercise is alleged to have cost some USD 1,924,950—or USD 522 per returned firearm.<sup>126</sup> But far from promoting a culture of disarmament, the intervention is rumoured to have made a small minority of FADH, FRAPH, and organized criminals (e.g. 'middlemen') extremely wealthy.<sup>127</sup> Many used the buy-back to unload rusted or inoperable hardware and to use buy-back funds for the purchase of operable weapons from the black market. According to some informants working in Haiti at the time, guns were frequently returned from the backs of expensive Toyota Land Cruisers by well-heeled individuals (O'Connor, 1996). Moreover, it is also believed that the buy-back initiative suffered from leaks and recycling of weapons. According to various media reports, 'rockets, cannon rounds, grenades, and rifles also vanished during or after military operations in Haiti', although absolute numbers are unknown (Freedberg and Humburg, 2003).

At the same time as the weapons buy-back, efforts to demobilize and reintegrate the Haitian military were also undertaken. Demobilization and reintegration of the FADH was overseen by USAID's Office of Transitional Initiatives (OTI) and the International Organisation for Migration (IOM). The intervention was designed with political (as opposed to socio-economic) objectives in mind: to neutralize spoilers and to lay the foundations for the reintegration of former

Table 6  
**Demobilizing FADH, 1994–96**

Status	Number	Percentage
Estimated number of FADH*	6,250	100% of potential target group
Registered with IOM	5,482	88% of target group
Accepted training	5,204	95% of those registered with IOM
Dropped out	337	6% of those accepting training
Graduated	4,867	94% of those accepting training
Received tool kits**	4,734	97% of those graduating
Participated in ORS***	4,572	94% of those graduating
Employed (via ORS)	304	6% of those graduating

\* There are no reliable figures on the number of FADH prior to the US-led intervention in 1994. Statistics here are based on US and UN estimates, which do not rise above 7,000.

\*\* Tool kits included basic tools for the chosen vocation of graduating FADH and were valued at USD 120 each.

\*\*\* ORS stands for Opportunity and Referral Service.

FADH into Haitian society.<sup>128</sup> Some 5,482 ex-FADH registered for the Demobilization and Reintegration Programme (DRP) between September 1994 and November 1996 (see Table 6). About 200 were integrated directly into the HNP, which then numbered some 5,300. All demobilized soldiers were eligible to participate in the programme, registering first with IOM. Vocational training and other skills development were supplemented with six-month stipends and support through the ORS. The total cost of the programme amounted to some USD 8.6 million (Dworken et al., 1997, p. 21).

The DRP adopted a conventional format. Its primary focus was on providing a variety of training and vocational opportunities to ex-FADH. According to an independent evaluation, training choices by former soldiers included auto mechanics (37 per cent), electrical repairs (14 per cent), computers and IT (12 per cent), plumbing (11 per cent), welding (7 per cent), masonry (7 per cent), carpentry, general mechanics, and refrigeration. Demobilized soldiers were also provided with a monthly stipend of USD 100 to cover their 'transition' for a maximum of six months, equal to the salaries of soldiers during military service (Dworken et al., 1997).<sup>129</sup>

Table 7  
**FADH demobilization sites, 1994–96**

	Region	FADH demobilization	IPSF demobilization	Total
Port-au-Prince	Croix de Bouquets	222	24	246
	Casernes Dessalines	958	–	958
	District de Carrefour	736	–	736
	Corps des Pompiers	–	497	497
	Casernes de la Police	445	1,622	2,067
Province	Northwest	38	–	38
	North	27	–	27
	Plateau Central	101	113	214
	Artibonite	131	82	213
	Northeast	128	90	218
	Grandanse	50	–	50
	South	116	–	116
	Southeast	192	–	102
<b>Total</b>		<b>3,054</b>	<b>2,428</b>	<b>5,482</b>

Source: Dworken et al. (1997)

It should be recalled that the DRP did not focus on collecting or destroying weapons previously held by the ex-FADH. Of the 5,482 former soldiers slated for demobilization, there are no records of their arms being surrendered and it can be assumed that most were left with military-style weapons in private caches. The weapons buy-back, running concurrently, was theoretically designed to retrieve these weapons, though no independent evaluation has been conducted to measure its success (Hayes and Weatley, 1996; O'Connor, 1996). Even so, it appears that the DRP did help to 'protect the US military force, and contributed to the maintenance of a secure and stable environment' (Dworken et al., 1997).

More recently, the OAS has played a strong role in calling for disarmament. Mandated through various resolutions (e.g. 806 and 822), efforts have focused

on generating public awareness, voluntarily collecting weapons, and separating legitimate firearms from illegal weapons in circulation (e.g. those not covered under the Constitution). But national disarmament efforts—even when supported by multilateral agencies—are always channelled through the Haitian government and the HNP. OAS initiatives have been frustrated by the Haitian government's reluctance to disarm its own constituencies and militia supporters. OAS informants have argued that buy-backs, the preferred approach of previous Haitian administrations, have generally been ill-conceived and unsuccessful. For example, despite President Aristide's unilateral offer to pay twice the asking price for weapons during various initiatives in 2002, virtually no weapons were ultimately returned (OAS, 2002; 2004a).

Under the auspices of OAS Resolution 822, the HNP launched a series of coercive collection initiatives following the re-election of President Aristide in 2001. For example, in various operations conducted in July 2002, some 51 weapons were reportedly seized in Port-au-Prince (6 conventional, 2 creole), Delmas (14 conventional, 11 creole), Cité de Soleil (10 conventional, 6 creole), Carrefour (1 conventional), and Pétionville (1 conventional). Ammunition was also reported to have been collected in August, including 720 rounds of T-65 (5.56), 980 Galil rounds (5.56), 432 Uzi cartridges, 68 rifle cartridges, and 300 9 mm bullets. Operation Hurricane II, launched later in the year, managed to collect five small arms, despite interrogations of more than 1,480 individuals and hundreds of boat and vehicle inspections, house searches, and drug seizures. Searches in high-risk areas in October led to the confiscation of 37 weapons of various types in Cité de Soleil and elsewhere (OAS, 2002).

UNDP also launched a pilot project to test the merits of community-based approaches to violence reduction and disarmament (UNSC, 2004d; 2004e; UNDP, 2004b). Beginning in April 2003 in Port-au-Prince, the project aimed to strengthen community capacities to improve local security through specialized development projects that addressed so-called root causes and effects of violence. It also sought to promote non-violent conflict resolution and local reconciliation and provide alternatives to violence-based livelihoods through socio-economic reintegration assistance to high-risk youth and gang members in exchange for the voluntary surrender of weapons and the disbanding of gang structures (Skrzyerbak and Demetriou, 2004; Calpas, 2004). The outcomes

Table 8

**MIF and MINUSTAH weapons collection, March–October 2004**

	Region	MIF	March–June	MINUSTAH	June–Oct.
<b>Capital</b>	Port-au-Prince	Canada, US, Chile	91	Canada, US, Chile, Brazil, Argentina, Nepal	53
<b>Provinces</b>	Artibonite	France	31	Argentina/Uruguay	3
	Northwest	France		–	–
	North	France		Chile	9
	Northeast	–	–	Spain	–
	Plateau Central	Chile	13	Nepal	–
	Grandanse	–	–	–	–
	South	–	–	Peru	–
	Southeast	–	–	Jordan	–
<b>Total</b>			<b>135</b>		<b>65</b>

Source: Author interviews with MIF and MINUSTAH representatives (2004)

of the project were mixed. While some 200 armed gang members were originally anticipated, limited funding for the reinsertion of only 50 youths was ultimately made available. To support their reintegration, UNDP financed several small businesses (valued at USD 1,800 each) to be managed by clusters of beneficiaries (UNDP, 2004a; 2004b). In all, approximately 55 weapons were collected and returned to MINUSTAH—more than half of them creole—over the course of the initiative.

Weapons reduction has been regarded as a priority by the UN and international community since the ouster of President Aristide in February 2004. Both MIF and MINUSTAH, together with the HNP, have embarked on weapons collection initiatives since March 2004. These efforts have yielded frustratingly poor results. Over a period of three months, MIF collected some 200 weapons, as well as additional material and ammunition (see Tables 8 and 9). Even so, a profile of the weapons collected reveals a number of interesting features of the disarmament exercises. For example, the majority of weapons collected

were in urban areas of Port-au-Prince — over 70 per cent of the total. On the other hand, no weapons have been collected from the southern areas, such as Grandanse and the South and Southeast Provinces, despite the widespread presence of arms use in the region. This reflects both the demographic distribution of the Haitian population and armed violence, as well as the relative deployment strengths of MIF and MINUSTAH.

An assessment of the types, quality, and destination of weapons collected provides additional insight. For example, some 18 per cent of all weapons collected by MIF and MINUSTAH were automatic weapons such as M16s, Uzis, M50s, and T-65s. By far the overall majority seized were pistols and revolvers —some 52 per cent of the total. Though international forces ultimately destroyed some 20 per cent of the (poorer quality) weapons, more than 60 per cent of all weapons collected were returned to the HNP. Similarly, despite the fact that the registration and licensing system in Haiti has collapsed, almost one in ten of all collected firearms was returned to the original civilian owners.

After almost a year of delaying, a more assertive approach to promoting security and the disarmament of armed gangs and ex-FADH was adopted by MINUSTAH in 2005. Though DDR is only partially funded, MINUSTAH, CIVPOL, the DDR Section of the NCD, and the HNP have begun taking concrete steps to push the process forward.<sup>130</sup> For example, a National Programme for DDR was finally elaborated by the NCD in May 2005, almost a year after the arrival of MINUSTAH. The president of the NCD has emphasized the government's commitment to the process.

MINUSTAH has significantly ratcheted up its activities on the ground to create adequate space for DDR to proceed. Between January and March 2005, MINUSTAH and its civilian police unit—CIVPOL—launched several operations targeting armed group comprised primarily of ex-FADH and insurgents from Petit-Goâve and Plateau Central.<sup>131</sup> By June 2005, more than 340 ex-FADH were being supported by the Office for the Management of the Disarmed Military in Port-au-Prince. Though the majority of these erstwhile soldiers were still unwilling to enter the DDR process, all were nevertheless receiving indemnity payments from the government.<sup>132</sup> Parallel negotiations were simultaneously opened up with ex-FADH commanders and rank and file in Ouanaminthe (north-east), Mirabalais and Hinche (Central Plateau), and St. Marc

Table 9

**Profile of arms collected by MIF/MINUSTAH, March–October 2004**

Type	Quality		Destination			
	High quality	Low quality	Returned to owners	Returned to HNP	Stored by MINUSTAH	Destroyed or inoperable
Heavy	2	1	–	2	–	1
Automatic	23	15	–	19	10	9
Rifles	36	14	–	34	2	14
Handguns	89	15	15	69	9	11
Creole	–	1	–	–	1	–
Ammunition	4	–	–	–	–	4
Other	5	–	–	2	–	3
<b>Sub-total</b>	<b>154</b>	<b>46</b>	<b>15</b>	<b>123</b>	<b>20</b>	<b>39</b>
<b>Total</b>	<b>200</b>		<b>200</b>			

Source: MIF and MINUSTAH files (confidential) 2004–05

(south). Many in MINUSTAH are confident that DDR can assertively move forward following the removal of a key spoiler, Rémissainthe Ravix.<sup>133</sup>

In the wake of a UN Security Council visit in April 2005, MINUSTAH also began intensive operations in urban slums of Port-au-Prince. Though hard-line organized gangs are successfully holding out against MINUSTAH and HNP forces, more moderate gangs envision DDR as a potential exit and are preparing to negotiate. A number of programmes have already been launched to disarm, demobilize, and reintegrate armed youth gang members in Port-au-Prince, though it is still too early to evaluate their success.<sup>134</sup> But the situation is far from straightforward. Indeed, violence is likely to increase in the lead-up to the elections—and may well persist depending on the perceived legitimacy and credibility of the victor. What is more, as the ICG has repeatedly warned, the increased intensity of MINUSTAH incursions has the potential to turn local communities against the UN (ICG, 2005). Indeed, a number of gang members have reportedly informed the MINUSTAH DDR section that they will terminate negotiations unless they are provided with adequate security guarantees.

MINUSTAH recognizes that both sets of DDR interventions—alternately on ex-FADH and armed gangs—require an innovative public information strategy and comprehensive reintegration efforts. The MINUSTAH-led information campaign, for example, advances a combination of television, radio, and print media advertisements that outline the DDR strategy—including prescribed timelines and incentives. It is complemented by a community mobilization programme that has been designed with the support of a Brazilian NGO—Viva Rio—and the Brazilian Ministry of Culture.<sup>135</sup> There is recognition, at least in theory, that to be effective, DDR requires substantive alliances with progressive Haitian NGOs and human rights organizations in order to gain legitimacy at the grassroots level. Moreover, if past failures are not to be repeated, DDR must put greater emphasis on *reintegration*—including substantive literacy and education programmes,<sup>136</sup> and meaningful employment opportunities.

## Normative disarmament

Practical normative checks and balance on arms transfers, ownership, and misuse are vital if the dividends of DDR are to endure. There are a number of international and domestic legal and customary prescriptions for arms ownership, trade, and use in Haiti. All signed and ratified international conventions and treaties carry domestic jurisprudence. There have also been a range of international and bilateral efforts to reduce the legal and illegal flow of weapons into Haiti, notably, the US, UN, and OAS embargoes initiated at various points between 1991 and 1994. But the country's capacity to codify, monitor, and enforce international and national legislation pertaining to firearms and munitions is hampered by an extremely weak legislative and judicial system and a limited capacity to enforce the law. According to French Embassy officials, at the level of implementation, efforts fall short due to widespread lack of training, corruption and patronage, poor salaries, retributive politics, and procrastination: 'Cumulatively, it is a system riddled with incompetence and mediocrity.'

As previously discussed, the OAS adopted and implemented an arms embargo against Haiti in the aftermath of the 30 September 1991 coup. The US government initiated sanctions on Haiti four days later (US, 1991).<sup>137</sup> On the same

day, the OAS adopted a resolution calling for the suspension of all 'military, police, or security assistance of any kind and to prevent the delivery of arms, munitions or equipment to the country in any manner, public or private'. The embargo was extended by the US government in 1994, following the introduction of an Amendment to ITAR (126), which called for the denial of all applications for licences and other approvals to export or otherwise transfer defence articles and services to Haiti, including those for use by the police.<sup>138</sup> The details of the UN arms embargoes have been discussed in previous sections of this report.

Haiti has signed a number of international regulatory instruments to control the illegal flow of weapons. For example, on 14 November 1997, it signed the *Inter-American Convention against the Manufacture and Trafficking of Illegal Small Arms, Munitions and Explosives*. Moreover, the country signed up to the *UN Convention against Organized Trans-border Crime*, as well as its *Firearms Protocol* on 15 December 2000. Finally, Haiti is also a signatory to the *UN Programme of Action* of 2001. Very generally, the *Inter-American Convention* provides the normative framework for the Haitian government to focus on regional arms flows. The convention cannot be ratified, however, due to the status of the Interim Government. Nevertheless, the Ministry of Justice claims to be working toward implementing key aspects of the convention and making it relevant for 'terrorist' threats. It is possible that appropriate legislation will be issued as presidential decrees, given the absence of parliamentary authority.

It should be recalled that Haitians have a constitutional right to bear arms.<sup>139</sup> This US-inspired civil right co-exists within a French (Napoleonic) legal system and as such generates certain contradictions. For example, Articles 268.1 and 268.3 of the 1987 Constitution state that: 'every citizen has the right to armed self-defense within the confines of their home'. Though this right is expressed constitutionally, the Haitian penal code actually makes few mentions of weapons. Indeed, the calibre and type of weapons permitted to civilians were never specified in the 1987 Constitution. As a result, definitions of what actually constitute small arms or light weapons remain ambiguous and confusion over terminology persists. An effort to clarify the types of weapons permitted to civilians and private security companies was initiated in 1988 and 1989. Presidential Decree 41-A (1 June 1989) modifies Presidential Decree 4 (14 January

1988) with respect to the calibre permitted to civilians under the Constitution. Accordingly, 0.38, 9 mm, and 7.62 mm weapons were permitted, while heavier weapons and explosives were excluded. Moreover, the right to domestic possession was supported, though specialized permits were required for carrying guns out of the home. Presidential Decree 39 (22 May 1989) also permitted the state to delegate certain private organizations, named by the 'Security Agencies of the State', to carry out security-related activities.<sup>140</sup>

The international community has repeatedly emphasised the importance of the disarmament of armed groups in Haiti and the strengthening of domestic arms-control regulation (UNSC, 2005a; 2005b; 2004a; 2004b; 2004c; 2004d; 2004e; OAS, 2002). Disarmament has been a key tenet of OAS efforts in Haiti, as outlined in Resolutions 806 and 822. The 'Prior Action Plan' adopted by the Caribbean Community (CARICOM) also identifies core tenets of a potential disarmament process, including the development of a national disarmament programme and the implementation of pilot projects (OAS, 2004b). The OAS, together with UNDP, has also recently supported the drafting of new arms legislation to be presented to the Haitian Chamber of Representatives. Although the draft was written with the involvement of Haitian legal representatives, it was never put to a vote, due to the outbreak of violence in mid-2003. The integrated MINUSTAH/UNDP DDR Section is currently supporting the updating of this draft legislation and its possible resubmission to the Interim Government. 📄



## VII. Conclusion

The achievement of human security is an overriding priority for Haitians. Political, legal, and economic reform and recovery are inconceivable without improvements in real and perceived safety. Today, the provision of humanitarian relief and development investments is severely compromised by the prevalence of armed gangs and a climate of impunity. As has been repeatedly emphasized by observers inside and outside Haiti, the international community and the Interim Government cannot postpone action. The security vacuum is expanding, and a clear and legitimate state presence is urgently required. Throughout 2005, armed groups have been filling the void, and there is a risk that the search for security will be answered by ex-FADH and armed criminal gangs, to devastating effect.

The expectations of all stakeholders, particularly civil society, armed groups, the Interim Government, and the international community, must be managed effectively. There is widespread awareness of the political and economic implications of the CCI and its anticipated resources. International donors, the Interim Government, and stakeholders have assumed a range of expectations of how the process ought to proceed. But donors and others are wary: they have faced similar situations in the past. It should be stressed that there are no quick-exit strategies for Haiti, and commitment must be long-term and sustained.

Ultimately, the Interim (and future elected) Government, Haitian civil society, and the international community must together lead the DDR process. Past efforts to disarm armed groups and civilians have achieved modest gains due to limited buy-in from Haitians themselves. Thus, strong and unambiguous political support for DDR must be demonstrated at the highest level. Basic agreement on standard concepts and strategies must be clearly articulated and agreed. MINUSTAH's efforts to effectively communicate and advocate coordinated strategies must be redoubled. It is imperative that donors and multilateral actors such as the World Bank, the Inter-American Development Bank (IADB), multilateral UN agencies and NGOs, and bilateral donors advance a coherent

approach to pressuring the Interim Government and potential spoilers. Internal coherence is prerequisite to ensuring that pledges are ultimately adopted. But building on local realities, norms, and opportunities is similarly essential.

The DDR of FADH is an urgent priority. Due in part to mandate constraints, the USAID/IOM-led 1994–96 demobilization was incomplete and failed to effectively disarm and demobilize former FADH soldiers. Though the MINUSTAH DDR Section cannot be expected to resolve the political challenges generated during the mid-1990s, the remaining 'mobilized' FADH should nevertheless be disarmed, demobilized, and reintegrated through the National Programme for DDR, with technical support provided by the integrated MINUSTAH/UNDP DDR Section. DDR cannot be conceived as a reward for ex-FADH, but rather an approach to neutralizing spoilers and allowing development to proceed. DDR of the FADH should move forward in concert with DDR and violence reduction efforts for other armed groups. In order to ensure that rights violations do not go unpunished, a human rights entity could also be established in parallel to ensure the transparent and legitimate screening of potential candidates. Moreover, provisions for the families and dependents of these candidates should be carefully considered. For the purposes of building confidence across civil society, weapons should be publicly destroyed.

Ongoing, credible, and compelling security guarantees are a precondition for creating adequate 'space' for effective DDR. The active engagement of MINUSTAH peacekeepers in creating the initial conditions for community engagement in DDR is essential. Rapid and convincing disarmament is required to reduce the presence of weapons and armed groups in affected areas. This must begin at the earliest possible moment, be backed up with sustained military resources, and seek to capture the hearts and minds of violence-prone communities. A robust and sustained community policing effort is also vital in order to generate confidence in the DDR process.<sup>141</sup> CIVPOL, together with a reconstituted HNP, will lead this process. Active patrolling, community outreach, neighbourhood watch groups, recreational associations, and even innovative artistic programmes could contribute to deterring weapons possession. This approach must be adequately supported and backed up with training by CIVPOL. Training schemes, mentoring programmes, and the generation of clear curricula for participants are essential.

The DDR of armed gangs, *chimères*, prison escapees, and other factions is vitally important. Several thousand armed members of popular OPs and the *baz* remain potentially armed, and their leadership exerts considerable influence among local constituencies. DDR interventions in at least seven regions should begin in tandem with military and police interventions.<sup>142</sup> The integrated MINUSTAH/UNDP DDR Section has prepared a comprehensive and bottom-up approach to DDR. Drawing on a team of 50 DDR specialists, UN volunteers, and national employees, it will establish regional offices to begin promoting dialogue, public awareness, and small-scale programmes to disarm mobilized groups and promote reconciliation in ‘communities of return’. Voluntary disarmament will be pursued in concert with efforts to generate alternatives to violence. Vocational training, quick-impact projects and other interventions to promote community reintegration and stigmatize arms use should be promoted. Equally important, the harnessing of local institutions such as radio,<sup>143</sup> television, arts and music,<sup>144</sup> and other major festivals will be vital.

Ultimately, DDR requires a sophisticated understanding of community dynamics. This must be backed up with a similarly deep knowledge of gang structures, their socio-economic profiles, the predominant values and norms, and preferences for weapons ownership in communities. It also requires a concerted attempt to identify factors and agents for peace, as much as those predisposed toward violence. Ongoing support of local leadership and honest brokers is vital. Urban and grassroots leaders are a key component of successful DDR. As those involved in peace-building know all too well, reinforcing community capacities for peace is a crucial, if challenging, objective. Clear benchmarks and indicators of success for DDR must also be established. This is an essential element for generating accountability and transparency in the process. Identification of benchmarks should be participatory and locally generated in order to promote ownership and monitoring, and evaluation of implementation should harness community capacities.

Finally, the reform of the judicial and security sectors, including the penal system, is a pivot upon which the sustainability of DDR efforts depends.<sup>145</sup> A robust framework for the regulation of civilian and private security possession of weapons is an essential component of this legislative reform. But there is also an urgent need to clarify the current legal norms associated with civilian

ownership. Existing regulations should be backed with enforcement. Because civilian- and state-owned weapons are regularly stolen or leaked to armed elements, the development of an effective registration system backed up with regular checks is an essential feature of any violence-reduction strategy.

Ultimately, DDR must follow the political process. DDR cannot on its own lead political and economic transformation in Haiti. But the danger exists that DDR could become politicized. In order to mitigate this risk, the NCD and the National Programme for DDR require firm backing from within and without. The approach to DDR must be equitable and transparent. At the very minimum, DDR cannot be effectively designed, implemented, or monitored in an environment dominated by confusion and mistrust. If it is, there is a danger of history repeating itself in Haiti yet again. 🗣️

## Annexe 1 Typology of armed elements in Haiti

Category	Primary motivations	Description
Popular organizations (OPs)	Political, socio-economic, and predatory: linked to material gain and subsistence	OPs are community-based organizations that ordinarily enjoy tight relations with political leaders, redistribute resources, gather votes, and orchestrate vigilance brigades. The most well-known 'brigade' is the <i>chimères</i> , which has ties to Fanmi Lavalas—Aristide's party.
<i>Baz armés</i> (youth gangs)	Socio-economic and predatory, though used by political groups such as OPs	Usually composed of unemployed and unskilled youth; often contracted directly by OP leadership to undertake acts of violence and intimidation. Many of these gangs join the 'brigades' mentioned above, while others operate autonomously.
Organized criminal gangs	Extractive and illegal rents, both international and national	These groups are generally involved in narcotics and weapons trafficking and organize youth gangs for defensive and commercial purposes. 'Dread Mackenzie' was the leader of such a group in Cité de Soleil.
Resistance fronts (ex-military and civilian)	Political opposition groups, seeking a combination of state control and illegal rents	These include former soldiers, ex-police, and former leaders, as well as educated elite, deportees, and OP members in the case of the 'Revolutionary Front of the North' and the erstwhile 'Cannibal Army' (1990s) and 'Artibonite Resistance Front' (2002).

Pro-opposition groups	Politically affiliated with opposition groups and in pursuit of illegal rents	These groups are anti-Lavalas and are often affiliated with and supported by ex-FADH, FRAPH, or political opposition groups such as Democratic Convergence or the Group of 184. An example is RAMICOS in St Marc.
Ex-USGPN (Presidential Guard)	Hand-selected armed actors appointed to protect Aristide	Individuals with limited police training who specialize in site protection. The majority are partisan to Aristide, recruited on the basis of political loyalty to Fanmi Lavalas in the 1990s and beyond.
Ex-FADH	Political opposition groups, linked to reclamation of entitlements acquired in the period 1994–2004, as well as self-defence in various areas	Consists primarily of former combatants demobilized between 1994 and 1996 or members of the paramilitary group FRAPH.
Paramilitary death squads: FRAPH	Politically aligned militia or paramilitary groups operating in urban and rural areas	Haiti has more than a century of history with paramilitarism: from FRAPH, established in 1993, to the <i>tonton macoute</i> under Duvalier in the 1970s and 1980s.
<i>Zenglendos</i> (petty criminals)	Predatory and illegal rents in urban and rural areas	These are primarily uneducated youths from impoverished districts. Included in this category are 'professional' criminals and 'amateurs'. They are often contracted by the <i>baz</i> .
Prison escapees	Predatory and illegal rents in urban and rural areas	This group is heterogeneous, with members of all ages and varying levels of charges. Many were former members of the <i>baz</i> .
Armed children	Victims of forced recruitment, though also active participants in some cases	Many of the above-mentioned groups include small numbers of children often working in a 'supportive' capacity and not necessarily in possession of firearms.

'Zero Tolerance' groups (exactions)	Predatory activities linked to political groups	These are not members of the police force, nor officially trained at the police academy; rather, they act as special units made up of armed civilian thugs and operate in police stations in large urban areas. They also often provide special security functions for key political figures.
Self-defence militias	Self-defence in wealthy urban environments	These are common in well-off neighbourhoods and commercial areas where residents and retailers have organized themselves in self-defence.
Private security companies (PSCs)	Socio-economic, though also associated with the trafficking of weapons	PSCs are not practically registered and the permissive regulatory firearms environment has allowed many to be heavily armed. PSCs were legalized in 1987 and 1988 by presidential decree.
HNP associated with criminal groups	Predatory and illegal rents, as well as linkages with political factions	The HNP was formally reconstituted by presidential decree in 1994, following the demobilization of the FADH. It is notoriously corrupt and regularly accused of human rights violations and politicization.

## Annexe 2 Sectoral priorities in Haiti\*

Sectors	Non-governmental focal point	Government ministries	Bilateral and multilateral members
Police, DDR, and security	MINUSTAH, CIVPOL	Justice, Interior, Social Affairs	France, Spain, US, Brazil, CIDA, Chile, MINUSTAH, UNDP, OAS, EU
Justice and human rights	MINUSTAH	Justice	France, CIDA, Brazil, Chile, US, EU, MINUSTAH, UNDP, UNICEF, OAS, ILO
Elections	MINUSTAH	CEP	France, Spain, CIDA, Brazil, US, EU, OAS, UNDP, ILO
Economic governance	World Bank and IMF	Finance	France, Brazil, US, CIDA, PNUD, World Bank, IMF, IADB, FAO
Local development/ decentralization	CIDA and IADB	Planning	France, GTZ, CIDA, EU, IADB, FAO, UNDP
Urban development	EU	Planning	France, EU, UNHABITAT, IADB, WHO
Social protection	ILO	Social Affairs	ILO, WHO, World Bank, UNDP, IADB
Gender	UNFPA, CIDA	Women's Condition	Canada, UNFPA, UNESCO, FAO, ILO, UNICEF, WHO, UNDP, UNAIDS, MINUSTAH
HIV-AIDS	WHO/PAHO, UNAIDS	Health	France, Brazil, US, CIDA, UNFPA, WHO, FAO, UNESCO, ILO, UNICEF, UNDP, World Bank
Education, youth, and sport	UNESCO, EU	Education	Brazil, US, CIDA, EU, France, UNESCO, IFO, WHO, UNICEF, World Bank
Culture and communications	France	Culture	France, Brazil, US, CIDA, UNFPA, WFP, FAO, UNESCO, UNICEF, World Bank
Humanitarian aid	UNDP, OCHA	Interior	France, US, CIDA, EU, UNDP, OCHA, WHO, FAO, WFP, UNICEF
Potable water, sanitation, and waste management	IADB, WHO	TPTC	France, Spain, CIDA, EU, IADB, World Bank, UNESCO, WHO, UNHABITAT

Source: CCI (2004)

\* See the list of acronyms at the beginning of the report.

### Annexe 3 **Reported US arms transfers to Haiti, 1991–2004**

	Military-style weapons	Shotguns	Pistols/revolvers	Ammunition ('000)	Value (USD '000)
1991	0	0	0	0	26
1992	0	0	0	0	0
1993	0	0	0	0	0
1994	0	0	0	0	0
1995	0	512	940	529	457
1996	530	448	0	0	369
1997	10	306	357	172	248
1998	0	703	99	73	650
1999	2	272	227	331	198
2000	0	187	23	86	67
2001	0	140	20	33	75
2002	0	155	1	36	37
2003	0	0	0	0	0
2004*	21	0	2,636	N/A	N/A
2005	300	500	3,500	N/A	1,900

**Source:** Assorted US and NGO-related reports

\* It is also alleged that 4,735 military-style weapons, 700 MP5 rifles, 5,133 non-military-style weapons (pistols, revolvers, and shotguns), and 1,000,000 rounds of ammunition worth USD 6.95 million were provided to the Haitian transitional government via US-based Roman Associates to outfit the HNP in 2004. These claims have been denied by the US State Department.

### Annexe 4 **MIF weapons collection and destruction, March–June 2004**

Calibre	Condition	Surrendered*	Source	Final disposition*
7.62 & 5.56	Fair	04-04-29	Conf.—Chileans	Destroyed 04-05-16
Unknown	Fair	04-04-30	Programme—French	Destroyed 04-05-16
12 ga	Fair	04-04-30	Programme—French	
7.62	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
12 ga	Fair	04-04-30	Programme—French	
12 ga	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
12 ga	Fair	04-04-30	Programme—French	
12 ga	Fair	04-04-30	Programme—French	
12 ga	Fair	04-04-30	Programme—French	
12 ga	Fair	04-04-30	Programme—French	
12 ga	Poor	04-04-30	Programme—French	Destroyed 04-05-16
16 ga	Poor	04-04-30	Programme—French	Destroyed 04-05-16
.38	Good	04-04-30	Programme—French	
.38	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
.223	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
.30	Fair	04-04-30	Programme—French	
.30	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
.308	Fair	04-04-30	Programme—French	
.308	Fair	04-04-30	Programme—French	
7.62	Fair	04-04-30	Programme—French	Destroyed 04-05-16
.30	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
7.62	Fair	04-04-30	Programme—French	
7.62	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16

40 mm	Good	04-04-30	Programme—French	
7.62	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
Pellet	Unserviceable	04-04-30	Programme—French	Destroyed 04-05-16
N/A	N/A	04-04-30	Programme—French	Destroyed 04-05-16
7.62 & .223	Fair	04-04-30	Programme—French	Destroyed 04-05-16
.45	Good	04-03-25	Conf.—Coast Guard	Owners had expired permit (2002)
12 ga	Poor	04-03-31	Conf.—Coast Guard	Destroyed 04-05-16
9 mm	Excellent	04-03-30	Conf.—Coast Guard	Returned to authorized owner 04-05-17
12 ga	Fair	04-04-03	Conf.—Chileans	HNP
Unknown	Fair	04-04-04	Conf.—Coast Guard	
9 mm	Fair	04-04-15	Conf.—Chileans	Returned to authorized owner 04-05-26
N/A	N/A	04-04-03	Conf.—Chileans	Destroyed 04-05-16
9 mm	Good	04-03-18	Conf.—USMC	Returned to authorized owner 04-05-03
9 mm	Good	04-04-03	Conf.—Canadians	
.38	Good	04-04-21	Conf.—USMC	
9 mm	Good	04-04-13	Conf.—USMC	
9 mm	Unserviceable	04-04-07	Conf.—USMC	Destroyed 04-05-16
.38	Good	04-03-29	Conf.—Canadians	Turned over to MIF and returned to authorized owner
.38	Fair	04-04-08	Conf.—USMC	
.380	Fair	04-04-09	Conf.—USMC	
.40	Good	04-03-18	Conf.—USMC	Returned to authorized owner 04-05-28
.38	Good	04-03-29	Conf.—Canadians	Returned to authorized owner 04-05-14
.38	Fair	04-03-29	Conf.—Canadians	
.38	Poor	04-04-21	Conf.—Canadians	
9 mm	Poor	04-03-29	Conf.—Canadians	Destroyed 04-05-16

9 mm	Fair	04-04-13	Conf.—USMC	
.357	Excellent	04-04-13	Conf.—USMC	Returned to authorized owner 04-05-15
.357	Excellent	04-04-07	Conf.—USMC	
.38	Fair	04-04-19	Conf.—USMC	
.40	Fair	04-03-02	Conf.—USMC	
.45	Good	04-04-26	Conf.—USMC	
9 mm	Good	04-04-02	Conf.—USMC	
9 mm	Fair	04-03-21	Conf.—USMC	
.38	Fair	04-03-29	Conf.—Canadians	
.38	Fair	04-03-29	Conf.—Canadians	
9 mm	Unserviceable	04-04-26	Conf.—USMC	Destroyed 04-05-16
.45	Fair	04-03-29	Conf.—Canadians	
12 ga	Fair	04-04-08	Conf.—USMC	Not serviceable
12 ga	Unserviceable	04-03-15	Conf.—USMC	Destroyed 04-05-16
12 ga	Unserviceable	04-03-29	Conf.—USMC	Destroyed 04-05-16
12 ga	Fair	04-04-03	Conf.—USMC	
12 ga	Fair	04-04-07	Conf.—USMC	
12 ga	Poor	04-03-15	Conf.—USMC	
12 ga	Fair	04-04-07	Conf.—USMC	
12 ga	Poor	04-04-07	Conf.—USMC	
12 ga	Fair	04-04-07	Conf.—USMC	
12 ga	Unserviceable	04-04-22	Conf.—USMC	Destroyed 04-05-16
12 ga	Fair	04-04-10	Conf.—USMC	Destroyed
12 ga	Fair	04-03-19	Conf.—USMC	HNP owner
12 ga	Fair	04-04-22	Conf.—USMC	HNP owner
12 ga	Fair	04-03-17	Conf.—USMC	
12 ga	Good	04-03-29	Conf.—USMC	HNP owner
40 mm	Good	04-04-27	Conf.—USMC	

9 mm	Unserviceable	04-03-24	Conf.—USMC	Destroyed 04-05-16
9 mm	Unserviceable	04-04-27	Conf.—USMC	Destroyed 04-05-16
.30	Fair	04-04-07	Conf.—USMC	
5.56	Excellent	04-04-26	Conf.—USMC	
7.62	Good	04-04-27	Conf.—USMC	
.38	Unserviceable	04-05-03	Conf.—USMC	Destroyed 04-05-16
9 mm	Poor	04-05-04	Conf.—Canadians	Destroyed 04-05-16
.38	Poor	04-05-04	Conf.—Canadians	Destroyed 04-05-16
.38	Poor	04-05-04	Conf.—Canadians	Destroyed 04-05-16
9 mm & .38	Poor	04-05-04	Conf.—Canadians	Destroyed 04-05-16
12 ga	Fair	04-05-07	Conf.—Canadians	
.22	Unserviceable	04-05-07	Conf.—Canadians	Destroyed 04-05-16
9 mm	Fair	04-05-07	Conf.—Canadians	
.38	Unserviceable	04-05-07	Conf.—Canadians	Destroyed 04-05-16
410 ga	Unserviceable	04-05-07	Conf.—Canadians	Destroyed 04-05-16
Pellet	Fair	04-05-07	Conf.—Canadians	Destroyed 04-05-16
12 ga	Fair	04-05-10	Conf.—Chileans	
9 mm	Good	04-05-10	Conf.—Chileans	Holding permit expired and retained by MINUSTAH
.38	Fair	04-05-10	Conf.—Chileans	
9 mm	Excellent	04-05-11	Conf.—French	
.45	Unserviceable	04-05-11	Conf.—French	Destroyed 04-05-16
12 ga	Fair	04-05-12	Conf.—USMC	Retained by MINUSTAH
12 ga	Fair	04-05-12	Conf.—USMC	Retained by MINUSTAH
12 ga	Fair	04-05-12	Conf.—USMC	Retained by MINUSTAH
.38	Fair	04-05-15	Conf.—French	
9 mm	Fair	04-05-20	Conf.—Chileans	

.38	Good	04-05-20	Conf.—Canadians	Retained by MINUSTAH
.38	Poor	04-05-20	Conf.—Canadians	Retained by MINUSTAH
.38	Excellent	04-05-20	Conf.—Canadians	
12 ga	Good	04-05-21	Conf.—USMC	Returned to owner
.22 long	Good	04-05-21	Conf.—USMC	Returned to owner
12 ga	Good	04-05-21	Conf.—USMC	Returned to owner
9 mm	Good	04-05-21	Conf.—USMC	Retained by MINUSTAH
.380	Fair	04-05-26	Conf.—Chileans	Retained by MINUSTAH
9 mm	Fair	04-05-27	Conf.—USMC	Retained by MINUSTAH
9 mm	Fair	04-05-27	Conf.—USMC	Returned to authorized owner
9 mm	Good	04-05-29	Conf.—USMC	
9 mm	Fair	04-05-27	Conf.—USMC	
9 mm	Poor	04-05-27	Conf.—USMC	Retained by MINUSTAH
9 mm	Excellent	04-05-31	Conf.—USMC	Retained by MINUSTAH
.38	Unserviceable	04-05-27	Conf.—USMC	Retained by MINSUTAH
.38	Good	04-05-31	Conf.—USMC	
12 ga	Fair	04-05-29	Conf.—USMC	Retained by MINUSTAH
5.56	Fair	04-05-27	Conf.—USMC	Retained by MINUSTAH
9 mm	Good	04-05-27	Conf.—USMC	Retained by MINUSTAH
.38	Good	04-06-01	Conf.—USMC	Returned to HNP
12 ga	Poor	04-06-01	Conf.—USMC	
12 ga	Poor	04-05-23	Conf.—Canadians	

9 mm	Fair	04-05-23	Conf.—Canadians	
.357	Good	04-05-25	Conf.—Canadians	Retained by MINUSTAH
9 mm	Good	04-05-25	Conf.—Canadians	Retained by MINUSTAH
.38	Excellent	04-06-05	Conf.—Canadians	Returned to HNP
9 mm	Good	04-06-05	Conf.—Canadians	Returned to HNP
9 mm	Good	04-06-05	Conf.—Canadians	
9 mm	Fair	04-06-05	Conf.—Canadians	
.223	Excellent	04-06-05	Conf.—Canadians	
12 ga	Excellent	04-06-05	Conf.—Canadians	Retained by MINUSTAH
7.62	Fair	04-06-07	Conf.—USMC	Retained by MINUSTAH
9 mm	Fair	04-06-07	Conf.—French	

Source: MINUSTAH Information Gathering Unit, 2004–05

\* The dates in this column read year–month–day, i.e. 04-04-29 = 29 April 2004.

## Annexe 5 MINUSTAH weapons collection and destruction, June–Oct. 2004

Type of weapon	Serial no.	Date of confisc.	Returned to HNP	Dest./Inop.	Returned to owner	Condition	Country	Remarks	Rounds
M14		13-Jun-04	18-Jun-04				Canada	MINUSTAH	13
Revolver Special .38		13-Jun-04	18-Jun-04				Canada	MINUSTAH	13
UZIEWITH 9 mm		13-Jun-04	18-Jun-04				Canada	MINUSTAH	5
Remington Spec. 870		13-Jun-04	18-Jun-04				Canada	MINUSTAH	
Smith & Wesson		13-Jun-04	18-Jun-04				Canada	MINUSTAH	
Rugger		13-Jun-04	18-Jun-04				Canada	MINUSTAH	
Taurus 9 mm		13-Jun-04	18-Jun-04				Canada	MINUSTAH	
Taurus 9 mm		13-Jun-04	18-Jun-04				Canada	MINUSTAH	6
Smith & Wesson		13-Jun-04	18-Jun-04				Canada	MINUSTAH	
Revolver Special .38		15-Jun-04	18-Jun-04				Canada	MINUSTAH	5
Pistol Colt .45		15-Jun-04	18-Jun-04				Canada	MINUSTAH	
Pistol Colt .45		16-Jun-04	18-Jun-04				Canada	MINUSTAH	12
Revolver Special .38		16-Jun-04	18-Jun-04				Canada	MINUSTAH	5



Taurus 9 mm	16-Jun-04				17-Jun-04	Canada	MINUSTAH	
Magnum .357	16-Jun-04				17-Jun-04	Canada	MINUSTAH	30
Revolver Special .38	16-Jun-04				17-Jun-04	Canada	MINUSTAH	1
G Block 9 mm	16-Jun-04	18-Jun-04				Canada	MINUSTAH	
Taurus 9 mm	16-Jun-04	18-Jun-04				Canada	MINUSTAH	
M14	16-Jun-04	18-Jun-04				Canada	MINUSTAH	
T-65	16-Jun-04	18-Jun-04				Canada	MINUSTAH	60
Revolver Special .38	16-Jun-04	18-Jun-04				Canada	MINUSTAH	4
Revolver Special .38	16-Jun-04	18-Jun-04				Canada	MINUSTAH	6
Revolver Special .38	16-Jun-04	18-Jun-04				Canada	MINUSTAH	6
Revolver Special .38	16-Jun-04	18-Jun-04				Canada	MINUSTAH	6
Jenning Nine 9 mm	16-Jun-04	18-Jun-04				Canada	MINUSTAH	12
Pistol 9 mm	17-Jun-04	23-Jun-04				Canada	MINUSTAH	
Smith & Wesson	24-Jun-04	24-Jun-04				Canada	MINUSTAH	12
Smith & Wesson .38	28-Jun-04	28-Jun-04				Canada	MINUSTAH	
M16	28-Jun-04	28-Jun-04				Canada	MINUSTAH	
Smith & Wesson .38	28-Jun-04	28-Jun-04				Canada	MINUSTAH	
Smith & Wesson .38	28-Jun-04	28-Jun-04				Canada	MINUSTAH	
Smith & Wesson 9 mm	28-Jun-04	30-Jun-04				Canada	MINUSTAH	

Gage shotgun Cl 12	2-Jul-04		2-Jul-04			Canada	MINUSTAH	
Gage shotgun Cl 12	2-Jul-04	29-Jul-04				Canada	MINUSTAH	
Handgun Cl 22	8-Jul-04	29-Jul-04				Canada	MINUSTAH	
Smith & Wesson .38	9-Jul-04	9-Jul-04				Canada	MINUSTAH	
Glock/Mag 9 mm	10-Jul-04	29-Jul-04				Canada	MINUSTAH	17
Dagger 12 inch	11-Jul-04		29-Jul-04			Canada	MINUSTAH/ ammo	
Security BADG	11-Jul-04		29-Jul-04			Canada	MINUSTAH/ ammo	
Machete	11-Jul-04	29-Jul-04				Canada	MINUSTAH	
Smith & Wesson .38	14-Jul-04		14-Jul-04			Chile	MINUSTAH; holes in barrel	
Shotgun shells	15-Jul-04		19-Jul-04			Canada	MINUSTAH/ ammo	25
Star Mag 9 mm	15-Jul-04	29-Jul-04				Canada	MINUSTAH	8
Dentonics .45	15-Jul-04			16-Jul-04		Canada	MINUSTAH	
Pistol 9 mm	15-Jul-04			19-Jul-04		Canada	MINUSTAH	633
Gage shotgun Cl 12	18-Jul-04	22-Jul-04				Canada	MINUSTAH	
Rugger P89 DC 9 mm	21-Jul-04	26-Jul-04				Canada	MINUSTAH	5
Sub-machine Uzi 9 mm	2-Aug-04	67695		3-Aug-04		Chile	MINUSTAH	53

M1		7-Aug-04					Good	Chile	MINUSTAH/ stored depot	7
Pistol Colt .45		7-Aug-04					Good	Chile	MINUSTAH/ stored depot	
Pistol 9 mm		14-Aug-04						Argentina	MINUSTAH/ stored depot	
Revolver Special .38		2-Sep-04						Argentina	MINUSTAH/ stored depot	
Shotgun 12.7 mm	Home-made	7-Sep-04					Bad	Argentina	MINUSTAH/ stored depot	
Sub-machine Uzi 9 mm	67586	15-Sep-04					Good	Chile	MINUSTAH/ stored depot	53
M16A2	324942	16-Sep-04					Regular	Chile	MINUSTAH/ stored depot	
M1	S/N	16-Sep-04					Bad	Chile	MINUSTAH/ stored depot	
M1	36222296	16-Sep-04					Bad	Chile	MINUSTAH/ stored depot	
Mossberg shotgun	K827849	16-Sep-04					Regular	Chile	MINUSTAH/ stored depot	
Sub-machine Uzi 9 mm	67038	16-Sep-04					Regular	Chile	MINUSTAH/ stored depot	1 car- tridge
Pistol semi-automat.	S/N	16-Sep-04					Bad	Chile	MINUSTAH/ stored depot	

Rifle Glenfield .22	23739326	16-Sep-04					Regular	Chile	MINUSTAH/ stored depot	
Rifle 7.62	S/N	16-Sep-04					Bad	Chile	MINUSTAH/ stored depot	
Pistol 9 mm G Bl.	BGV 656	26-Sep-04					Good	Brazil	MINUSTAH/ stored depot	9
Pistol 9 mm G Bl.	DH 725	26-Sep-04					Good	Brazil	MINUSTAH/ stored depot	7
T-65; 5.56 mm	108335	2-Oct-04					Good, new	Brazil	MINUSTAH/ stored depot	1,069
Pistol G Block .40	FPP100	5-Oct-04					Good	Brazil	MINUSTAH/ stored depot	6

Source: MINUSTAH Information Gathering Unit, 2004-05

## Annexe 6 Prison population, 30 September 2004

	Prison	Total (men and male youths)	Total (women and female youths)	Grand total	Total anticipated	Total condemned
1	Anse-à-Veau	39	3	42	35	7
2	Aquin	0	0	0	0	0
3	Arcahaie	0	0	0	0	0
4	Cap Haitien	99	7	106	103	3
5	Carrefour	0	0	0	0	0
6	Cayes (Les)	70	4	75	68	7
7	Coteaux	12	0	12	12	0
8	Delmas	39	0	41	39	2
9	Fort Liberté	0	0	0	0	0
10	Fort National	0	0	0	0	0
11	Gonaïves	0	0	0	0	0
12	Gran. R. du Nord	34	1	35	32	3
13	Hinche	0	0	0	0	0
14	Jacmel	87	4	91	81	10
15	Jérémie	55	1	56	47	9
16	Mirebalais	0	0	0	0	0
17	Pénit. National	901	0	901	879	22
18	Pétionville	3	46	49	47	2
19	Petit Goâve	0	0	0	0	0
20	Port-de-Paix	0	0	0	0	0
21	Saint Marc	92	3	95	79	16
	<b>Total</b>	<b>1,431</b>	<b>69</b>	<b>1,503</b>	<b>1,422</b>	<b>81</b>

Source: ICRC 2004

## Endnotes

- 1 There have been a number of tense exchanges between representatives of MINUSTAH and the Haitian Interim Government since early 2004. For example, in February 2005, former Minister of Justice, Bernard Gousse, argued that the 'limits placed on the police by the UN are illegal and usurp the rights of the Haitian state'. ICG (2005, p. 19) has also noted other instances, such as the Interim Government's refusal to accept MINUSTAH recommendations for the new electoral law, its reluctance to adopt core tenets of disarmament and demobilization as part of its DDR strategy, the continued illegal detention of Lavalas leaders, and the absence of adequate checks and balances over the HNP (ICG, 2005, p. 19).
- 2 According to UN Security Council resolution 698 (August 2004), the Interim Cooperation Framework amounted to USD 1.370 billion, of which USD 446 million had been committed by donors. At a follow-up Donors Conference on Haiti in Washington, DC, the international community pledged some USD 1.085 billion. The latter pledges were re-affirmed at a meeting in Montreal in June 2005. See, for example, CIDA (2005).
- 3 According to UNSC (2005c), 'MINUSTAH was directly targeted on several occasions during the reporting period. Three MINUSTAH soldiers—from Nepal, the Philippines and Sri Lanka—were killed during security operations. In addition, MINUSTAH vehicles carrying civilian staff and contractors were shot at on 25 March and 8 April; one person was lightly injured in the second incident. On 31 March, a soldier was shot at while guarding the future MINUSTAH headquarters; he was not injured. There have been subsequent shootings at the building. National police officers have been targeted on numerous occasions and, according to the Director General of the HNP, 45 police officers have been killed in the past year.'
- 4 Although a 'national dialogue' is widely perceived to be a priority by the Interim Government, Haitian civil society, and the international community, its likely shape and process remain unclear. A recent UN Secretary-General report outlines recent developments as follows: 'On 7 April, the interim President, Boniface Alexandre, launched a "national dialogue" which, as outlined in a presidential decree, is intended to conclude a "pact for living together" following a broad and inclusive process beginning before the elections. In the short run, the dialogue would aim to create an environment conducive to the holding of elections and to ensure that the country could be properly governed following the elections. In the long run, the dialogue aims to develop a clear vision for national development and to reinforce mechanisms for good governance. The decree stipulates that a 12-member preparatory commission, composed of religious leaders, political figures, representatives of civil society and the executive, would assist the interim President in establishing institutions that would lead the national dialogue. There is, however, no indication from the Haitian authorities when those bodies will start functioning.' See, for example, UNSC (2005c).
- 5 Such a baseline survey could review the numbers and types of weapons in circulation, the types of weapons held by specific groups, the dynamics of local markets for weaponry, price shifts, the incidence of armed violence, the incidence of displacement, and the effects of small arms on rural livelihoods and supply routes. What is more, efforts should be devoted

- to appraising the local and differentiated 'histories' of conflict; the nature of localized trauma; the organization (command and control) of armed groups and how they operate; women's attitudes towards men carrying weapons; the family, socio-economic, and educational profile of members of armed groups (and their dependents); the presence of deportees and ex-prisoners; the presence of children; and possible incentives for disarmament. Ideally, the survey would be longitudinal so as to allow comparisons across time and space.
- 6 As part of the above-mentioned assessment, an effort should be made to map out local NGOs and community-based organizations that could support DDR, religious leaders, trusted authority figures, and impartial journalists.
- 7 The World Bank accords 'post-conflict' status according to a standardized assessment of various indicators, e.g. number of violent deaths (aggregate), numbers of displaced persons, and level of economic destruction. Due to its persistent arrears to the World Bank, conventional loan and grant mechanisms were unavailable to Haiti. The Post-Conflict Unit was regarded as a possible vehicle for transferring resources in early 2004, though no resources were ultimately made available. For World Bank guidelines, see for example World Bank (1998).
- 8 On 31 September 1991, newly elected President Aristide was overthrown in a coup headed by Lieutenant-General Raoul Cédras. On 11 October 1991, the UN General Assembly adopted Resolution 46/7, which condemned the illegal replacement of President Aristide. Following considerable engagement by the OAS, an International Civilian Mission in Haiti (MICIVIH) was approved in Resolution 47/20B on 20 April 1993, with deployment taking place in March. A UN Mission in Haiti (UNMIH) was set up shortly thereafter by the UN Security Council (Resolution 867) to begin reform of the police and army in September 1993. Because advance missions were unable to deploy effectively, the UNSC issued a statement on 11 October 2003 and reiterated that serious and consistent non-compliance would lead to the reinstatement of previously established arms and oil embargoes. MICIVIH, UNMIH, and other staff were evacuated in November 1993 and sanctions were reimposed. By June 1994, the Security Council reported no progress on implementation of the Governors Islands Agreement. The UNSC adopted Resolution 940 on 31 July 1994, which authorized the use of 'all necessary means' to return the legitimate government of President Aristide to power in Haiti. Following the agreement between US representatives and then president Cédras on the 'permissive entry of US forces', 20,000 US troops participated in the military intervention in Haiti as part of the Multinational Force of Operation Uphold Democracy. See Muggah (2005a) for a review of various UN missions since the early 1990s.
- 9 Chapter VII of the Charter empowers the Security Council to identify the existence of a threat to the peace, breach of the peace, or act of aggression, and to take measures to maintain or restore international peace and security. Security Council decisions under Chapter VII are binding on all UN member states.
- 10 By mid-February 2005, MINUSTAH registered more than 5,991 military personnel from Argentina, Brazil, Chile, Ecuador, Guatemala, Morocco, Nepal, Peru, Philippines, Spain, Sri Lanka, and Uruguay, as well as 1,398 police from Canada, China, Jordan, Nepal, Pakistan, and 29 other countries, including various African countries. The Security Council authorized 6,700 troops and 1,622 civilian police. See UNSC (2004e).
- 11 A budget for USD 379 million for May 2004–June 2005 was submitted to the General Assembly—though the total cost for the two-year operation was originally expected to rise above USD 1.3 billion. See, for example, UNSC (2004c).
- 12 The CCI was developed over a six-week period by some 300 technicians and consultants, 200 of whom came from institutions such as USAID and the World Bank, while the rest were mainly government cadres.
- 13 According to the UNSC (2005c): '... as of March 2005 disbursements amounted to only \$266 million. Seventy-two per cent of the disbursements were made in support of access to basic services, economic governance and institutional development; 22 per cent were allocated to political governance, national dialogue and economic recovery; and 6 per cent were allocated for budgetary aid, arrears and unallocated funds.'
- 14 See, for example, the *Economist* (2005) and CIDA (2005).
- 15 According to Kovats-Bernat (forthcoming): 'Haiti's profound economic crisis is ultimately linked to the collapse of the agricultural sector which began in earnest in the 1980s, and has since resulted in a continuous mass exodus of rural peasants into the capital. Subsequent urban overpopulation has in turn led to a critical impact on people's access to basic needs for survival. It has also led to a very particular construction of urban space amid social instability in Port-au-Prince. The capital's chaotic terrain contributes significantly to the civil perception of the city and its streets as lawless... by their very nature and utility [these streets] form spaces of contest and inform customs of conflict among those who use and live on them.' See also Muggah (2005b) for a review of governance and the economic situation.
- 16 For details, see the Corruption Perceptions Index 2004, <[http://www.transparency.org/pressreleases\\_archive/2004/2004.10.20.cpi.en.html](http://www.transparency.org/pressreleases_archive/2004/2004.10.20.cpi.en.html)>.
- 17 Haiti is ranked 153 out of 177 countries; it is thus in the 'low' human development category (CIDA, 2004).
- 18 Due in part to de facto economic embargoes against the country since 2000, lending agencies have suspended many programmes that had been previously approved. The effects of the economic embargoes are well known and documented elsewhere (see UNDP, 2004a; Gibbons, 1999). It is clear that with US leadership, France, the EU, the IADB, and the World Bank refrained from providing funds to the Haitian government. Some USD 150 million were withheld from the Haitian government in 2001, despite being formally budgeted by the international community.
- 19 Private remittances are estimated to have increased from USD 256 million in 1997 to USD 931 million in 2001 and are estimated over the past decade at cumulatively USD 4 billion (ICG, 2004).
- 20 Between 2,000 and 3,000 people are estimated to have died as a result of massive flooding in northern Haiti following rains unleashed by hurricanes in September 2004. Since the flooding, the The World Food Programme (WFP) has distributed more than 1,700 tonnes of food, mainly in the Gonaïves region, where 200,000 people were left homeless. Stocks held by other aid agencies such as Care International were relatively low. WFP was feeding more than 500,000 Haitians prior to the disaster, and supplied rations to over 100,000 for five months.
- 21 FADH was led by General Raoul Cédras as commander-in-chief before its disbandment in the mid-1990s (AI, 2004a; 2004b).
- 22 In 1994, the FADH reportedly consisted of a military and a police force, though the distinction was regarded as purely formal, since both acted as internal security forces. There were concerted attempts to separate the two as stipulated in the 1987 Constitution (ICG, 2005).

23 The *chefs de sections* were disarmed and placed under civilian authority by Aristide in 1994 but reinstated after the coup. It is worth recalling some of the history of the National Police. According to Kovats-Bernat (forthcoming), within the ranks of state police forces are a number of quasi-military units trained and armed as distinct factions, with each answering to a distinct bureaucratic hierarchy. Indeed, 'Haiti's Anti-Gang Services (Service anti-gang, SAG) offers a good example. SAG is technically a sub-unit of the National Police infrastructure, but it has always operated with a certain degree of autonomy from them. SAG in fact precedes the National Police in origin by at least seven decades. It is a descendant of the Bureau of Criminal Intelligence and Identification (Bureau de recherche et d'identification des criminels, BRIC), formed in 1921, in order to institutionalize the state's domestic intelligence efforts . . . As a military police unit and therefore under the direction of the Haitian Army, BRIC nonetheless operated almost completely outside the bounds of the army hierarchy, answering directly to the highest echelons of government. Under the Duvalier dictatorship, the unit's name was formally changed to the Anti-Gang Investigation and Intelligence Service (Service d'investigation et de recherche anti-gang). In 1986, Anti-Gang was divested of some of its intelligence responsibilities when the Ministry of the Interior created the National Intelligence Service (Service d'intelligence national) in order to take jurisdiction over domestic intelligence efforts, which mostly amounted to surveillance and harassment of anti-Duvalierist elements. Anti-Gang continued to be housed in the headquarters of the military police until the army's dissolution in 1995, when the unit became a demobilized state paramilitary force, its offices and detention center relocated to its present headquarters in the Port-au-Prince central police precinct. In November 1994, Parliament passed a law creating the HNP in anticipation of the dissolution of FADH. In early 1995, along with the establishment of a Code of Conduct and an Office of Inspector-General, an Interim Public Security Force (IPSF) was formed and composed largely of former soldiers and refugees from rapid-training camps at the U.S. naval base at Guantanamo Bay in Cuba. Its mission was to quickly establish and maintain civil security and order as the country demobilized the army and until the first contingent of regular HNP officers could be trained and deployed. As police officers successively graduated the four-month training course at the National Police Academy (Académie Nationale de Police) in Pétionville, individual IPSF officers were steadily deactivated from service until the HNP's ranks were sufficiently filled for the complete dissolution of the interim force by presidential decree in December 1995. Over the course of their demobilization, IPSF officers were absorbed into a range of newly created, specialized security units, among them the Palace Guard (Unité de sécurité générale du Palais National)—which together with the Presidential Guard was originally composed of over 450 former soldiers—and the Ministerial Security Corps (Corps de sécurité ministérielle) whose commanding officers until fairly recently were all former military personnel. The remaining 1,598 IPSF officers were incorporated into the HNP, over 600 of whom were former FADH soldiers' (OAS, 1997).

24 FRAPH has been described as a paramilitary group organized to coerce civilians: 'its weapons are small and dispersed, essentially one per killer' (Nairn, 1996). Kovats-Bernat (forthcoming) notes that HNP paramilitaries have been deployed against the *zenglendo* gangs, but that few operations have had much of an impact due in part to the fragmented nature of *zenglendos*. Its source of revenue is hotly debated: 'Emmanuel Constant, leader of FRAPH, is widely alleged, and himself claims, to have been in the pay of the CIA during

the early 1990s. Emmanuel Constant currently resides in the USA' (AI, 2004b; 2004c). Alleged shipments of arms between the CIA, US Special Forces, and FRAPH have been documented since the mid-1990s. See, for example, Kidder (1995).

25 See, for example, Mlade (2004) for a recent overview of the disarmament issue in Haiti.  
 26 Interview with Frank Skrzyerbak, November 2004.  
 27 This finding echoes a study undertaken in 1996 by Neil O'Connor, who found during interviews with the former deputy director of the Investigative Group and the former police commissioner of the Multinational Police Observer Group in Haiti that there 'are not as many weapons in Haiti as many would believe and that the crime rate is actually quite low' (O'Connor, 1996).  
 28 Indeed, recent reports suggesting a US transfer of weapons to HNP officers indicate that the number of weapons may have risen (see Table 2).  
 29 Previous efforts to reduce the number of armed gangs and criminal groups in the capital have achieved limited success. In the Cité de Soleil slum, for example, there were more than 30 'organized criminal gangs' operating in 2000. Following the launch of Operation Zero Tolerance by the HNP in 2001, these were alleged to have been reduced by more than half.  
 30 It should be noted that the expression '*chimères*' is often invoked by representatives of the elite and the Interim Government as a convenient catch-all including those calling for the physical restoration of President Aristide to power, as well as otherwise peaceful demonstrators who are regularly attacked by the HNP.  
 31 Kovats-Bernat (forthcoming) notes that 'the word [zenglendo] was originally used to describe the extrajudicial crimes of soldiers of the Haitian army [and] has since expanded in meaning to include any form of excessive street violence, criminal or otherwise. This lexical transformation blurs the lines that differentiate among the political, the criminal, and the cultural. *Zenglendinaj* is rooted in the public imagination as a social fact allegorized to a folkloric menace. The term *zenglendo* is a compound of *zenglen* (shards of broken glass) and *do* (back) and was originally used in an old yarn told to children about the *djab*, a demon of Vodou folklore. In the story, the *djab* is described as a malicious trickster, charged with the torment of children. Always seeking ways to lure the young into despair, the *djab* takes the form of an elder who appeals to a hapless young boy to massage the tired muscles of his back. When the child obliges and begins to rub the back of the elder, the demon transforms itself into *zenglendo*: the muscles of the creature's back ripple into a twisted mess of broken glass, horribly cutting the hands of the boy. The moral of the tale is clear – sometimes those whom we trust can turn on us with malice. During the Cédras regime, *zenglendo* often functioned in loosely organized gangs who received special protections from the military while carrying out civil crimes. Many were off-duty soldiers of the FADH. They were at times actively encouraged in their crime sprees by the army in order to assist in the destabilization of pro-democratic neighborhoods. Occasionally *zenglendo* worked in complicity with neighborhood gangs and strong-arm vigilance brigades (*brigad vigilanz*) to sink whole communities and towns into a state of looting, rape, murder, and plunder. Some *zenglendo* were directly armed by the FADH and carried out intimidations and extrajudicial killings on the army's behalf, earning them the title of *attaché*, proxy gunmen "attached to" the Haitian army.'  
 32 Many of these armed groups are based in Cité de Soleil and Bel Air, but also in wealthy areas such as Pétionville.

33 Testimonial evidence indicates that among these groups are members of interim Prime  
Minister Gerard Latortue's personal security team.

34 T-65s are Taiwanese-manufactured assault rifles, similar to AR15 or M16 rifles.

35 The CCI observes, however, that 'since the crisis of February 2004 . . . the insurgents appar-  
ently obtained firearms from cargo coming from Central and South America (in particular,  
weapons from the former East Bloc countries, including Kalashnikovs and PKM machine  
guns). The pro-Lavalas groups reportedly received more than 4,000 firearms directly from  
government stockpiles (in particular, pistols, revolvers, M1 rifles, and assault rifles') (CCI,  
2004, editor's translation).

36 Haiti has a strong tradition of metal working, and locally manufactured weapons made of  
scrap metal, bed springs, cannabilized arms, and other materials are easily produced.

37 See, for example, Bergman and Reynolds (2002).

38 For a description of successive OAS resolutions on Haiti, go to <[http://www.oas.org/  
legal/english/dukerev.doc](http://www.oas.org/legal/english/dukerev.doc)>.

39 UNSC Resolution 841 (16 June 1993) introduced a sanctions committee but lifted the embargo  
shortly after UNSC 861 of 1993. The arms embargo was restored again through UNSC 873  
(1993) and finally lifted by UNSC 944 (1994), following the return of President Aristide  
(UN, 1996).

40 See the 1991 US Suspension of Munitions Export Licenses to Haiti (<[https://www.pmdtc.  
org/docs/frnotices/56FR50968.PDF](https://www.pmdtc.org/docs/frnotices/56FR50968.PDF)>). Haiti is listed in the 1994 amendment to International  
Traffic in Arms Regulation (ITAR) 126.1, a US Defense Trade Control that concerns 'Prohibited  
exports and sales to certain countries' (see <[https://www.pmdtc.org/docs/frnotices/  
59FR15624.PDF](https://www.pmdtc.org/docs/frnotices/59FR15624.PDF)>). For more information, see the US Department of State Directorate of  
Defense Trade Controls at <<https://www.pmdtc.org/reference.htm#ITAR>>. The former  
Haitian Minister for Justice, Bernard Gousse, requested the embargo be lifted to facilitate  
the HNP's efforts to contain gang violence. The Haitian government also approached a  
number of other governments in CARICOM as well as Canada, though with the exception  
of the alleged US transfer, there is no confirmation that deals were ultimately made. See,  
for example, <<http://www.haiti-info.com>>.

41 These weapons were transported under the Department of State's authority to transfer  
excess articles pursuant to section 608 of the Foreign Assistance Act as supplemented by  
the Special Authority in the International Narcotics Control and Law Enforcement account  
of the annual Foreign Operations Appropriations Act. Conversations with US State Depart-  
ment officials in May 2005.

42 The US was reportedly poised to approve licences to Grifon Inc, which would ultimately  
provide the firearms to the Haitian National Police. See, for example, the press releases by  
Congresswoman Barbara Lee of 9 and 28 June 2005 (<[http://www.house.gov/lee/press  
2005.htm](http://www.house.gov/lee/press<br/>2005.htm)>).

43 The invoice reported a transfer of 3,635 M14 rifles, 1,100 Mini Galils, several thousand  
assorted 0.38 cal, 700 MP5s, and approximately one million assorted rounds of ammunition  
(valued at USD 6.95 million). Information on the transfer of these weapons by a US-based  
broker (Roman Associates) was provided to the author by well-placed informants in Port-  
au-Prince in November 2004. According to these same informants, the weapons were already  
in the country and the Haitian Commissioner of Police claimed needs of only 5,000 0.38 cal,  
1,000 9 mm, and 300 M14s, indicating a surplus. Key informants observed that the weapons

were to be provided to the Haitian National Police in a coordinated and controlled fashion,  
subject to appropriate safeguards, checks, and balances. Though US State Department  
officials denied these allegations, they did concede that 'during fiscal year 2004, we gave  
Haiti \$6 million to rebuild the Haitian national police, and we gave Haiti 2,600 used weapons,  
most of which were handguns. We consulted and notified Congress before doing so, and  
about 1,000 of these weapons, which are primarily .38 caliber pistols, are being used for  
training purposes' (Reed, 2005).

44 In response, Congresswoman Lee (2005) and others introduced and received House approval  
for an amendment to the Foreign Operations Appropriations bill, a measure that requires a  
limitation on all transfers of excess property to Haiti. See Lee's press release of 25 June 2005;  
see also articles by Lindsay (2005a) and Buncombe (2005a).

45 In a private communication dated April 2005, a senior US State Department official described  
the situation as follows: 'Haiti remains a [ITAR] 126.1 country—on the list of proscribed  
countries. But, this is a policy, not statutory. Haiti was originally put on the list because of the  
OAS/UN arms embargoes, which has [*sic*] now been lifted. So, while there is a presumption  
of denial for exports, yes, a small number of occasions (less than 10) have allowed 126.1 to  
be lifted. This has been for shipments to police forces in Haiti for training and for them to be  
up to consistent levels of weapons. Decisions are not made to sell lower than at the Deputy  
Assistant Secretary level, and sales are made based on what the Haitians want and what  
we think they need (INL [Bureau for International Narcotics and Law Enforcement Affairs]  
has been very involved in training of the police force and while the weapons don't come  
from nor are they funded by INL, they do weigh in on what's needed). Each sale undergoes  
immense inter-agency review and proceeds with the utmost caution.'

46 See, for example, <[http://www.osce.org/documents/fsc/1993/11/460\\_en.pdf](http://www.osce.org/documents/fsc/1993/11/460_en.pdf)>.

47 See, for example, <[http://www.osce.org/documents/sg/2000/11/673\\_en.pdf](http://www.osce.org/documents/sg/2000/11/673_en.pdf)>.

48 Consult the *Small Arms Survey* (<<http://www.smallarmssurvey.org>>, editions 2001–04)  
and <<http://www.nisat.org>> for a complete review of the EU Code of Conduct.

49 See, for example, <[http://www.wassenaar.org/docs/best\\_practice\\_salw.htm](http://www.wassenaar.org/docs/best_practice_salw.htm)>.

50 FADH combatants are reportedly armed with US-made M1 and M14 rifles provided to  
Haiti in the 1980s. M1s and M14s were also provided to the Artibonite Resistance Front,  
formerly known as Aristide's loyal Cannibal Army. See, for example, Mustafa (2004).

51 It should be stressed, however, that the US does not consider non-combat shotguns to be  
'defense material'. Nevertheless, it is the policy of the US to deny licences, other approvals,  
and exports of defence articles and services destined for certain countries—including Haiti  
(see endnote 40 above). But while the policy is to deny licences on the basis of specific criteria,  
there is no stated prohibition on the transfer of small arms per se. According to 'stated policy',  
the United States could export arms to Haiti as long as those transfers were in accordance  
with US interests—including the equipping of Haitian 'security forces', 'anti-terrorism', and  
'crowd control', for example. What is more, ITAR 123.18 notes that 'firearms for personal  
use for members of the U.S. armed forces and civilian employees of the U.S. government—  
non-automatic firearms may be exported for personal use and not for resale or transfer of  
ownership if the firearms are accompanied by written authorization from the commanding  
officer or Chief of the US Diplomatic Mission.' Consult <<http://www.pmdtc.org/country.htm>>  
for a discussion of the criteria governing US embargoes.

52 As discussed below, a number of weapons collected by the US 10<sup>th</sup> Mountain Division in  
1994–95 were recycled into the ICITAP programme (O'Connor, 1996).

53 For example, in January 2002, under the Excess Defense Articles Program, the US Defense and State Departments authorized the transfer of some 20,000 M16s to the Dominican Republic. The first shipment was scheduled for transfer in March 2004 but was delayed for a variety of reasons. The US State Department has confirmed that a preliminary shipment of 1,500–1,600 automatic rifles was sent to the Dominican Republic in April or May 2004. It is widely believed that some of these weapons may have been intended for ex-FADH and FRAPH insurgents, though there is no evidence available to back the claim (Stohl, 2004; Mlade, 2004).

54 The anti-Lavalas stance has been supported by various conservative think tanks, such as the Washington, DC-based IRI and domestic and expatriate corporate interests associated with the country's textile industry. US efforts to influence democratic reform have been channeled through the IRI (established 1983)—itself supported by a USD 20 million budget granted by the National Endowment for Democracy, USAID, and conservative and corporate groups. The IRI is largely supportive of the Group of 184, a coalition of 600 opposition actors from 'civil society'. The IRI has played an advisory role (training) regarding the 'leadership' of the Group of 184 in the Dominican Republic. The Group of 184 is itself believed to be divided into at least two camps: (i) the majority 'constitutional wing', which emphasized diplomacy and protest as the path to ousting Aristide; and (ii) a 'hard-line' faction determined to use any means necessary to ensure his removal.

55 Guy Philippe is a former army officer and one-time HNP commissioner. He was detained, together with known FRAPH soldiers, in the Dominican Republic in May 2003 on the allegation that they were plotting subversive acts. They were released after several days, with Dominican officials claiming that they found no evidence to support the claims. See, for example, <<http://www.democracynow.org/static/haiti.html>>, <<http://www.news.bbc.co.uk/1/hi/world/americas/3495944.stm>>, and <<http://www.globalsecurity.org/military/ops/haitio4.htm>>.

56 Some former army combatants were allegedly provided with Dominican Republic uniforms so as to merge into the population. According to the IA Centre, key informants with NGO workers on the Haiti–Dominican Republic border in November 2004, and journalists, US special forces trained Haitian paramilitaries with the knowledge and complicity of the US embassy, while the Dominican armed forces incorporated them into the Constanza military base. See, for example, <[http://www.iacenter.org/haiti\\_ustrained.htm](http://www.iacenter.org/haiti_ustrained.htm)> and <[http://www.iacenter.org/haiti\\_coupexposed.htm](http://www.iacenter.org/haiti_coupexposed.htm)>.

57 See, for example, *Miami Herald* (2003). A former press officer for Aristide has also confirmed that a 'load of heavy weapons', including machine guns, was shipped to a 'protestant organization' in Haiti. US authorities allegedly consented to this shipment, which was reportedly seized on route to Haiti, though this has not been verified.

58 A recent alleged transfer involved the provision of military and policing equipment by the South African Defence Force in early 2004. A South African enquiry has revealed that a Boeing 707 was approved by President Mbeki to transfer 150 R-1 rifles, 5,000 rounds of ammunition, 200 smoke grenades, and 200 bullet-proof vests in late February 2004—possibly on the day of President Aristide's departure—though it is unknown whether these weapons were ultimately distributed.

59 As reported on the radio in late October 2004. See <<http://www.haiti-info.com>>.

60 According to Buscombe (2005), '[M]edia reports have identified several Haitian Americans allegedly involved in an arms sale, raising suggestions that the deal was privately organised

and sanctioned by the US, rather than an official sale of weapons by Washington. One of these, Joel Deeb, a self-styled "freedom fighter", told *The Independent on Sunday* he had been approached by Mr Latortue's nephew, Youri, and given \$500,000 to buy arms. "I was given half a million dollars in the form of a letter of credit," he said. "But there is an embargo. There has not been any deal yet. The money is frozen. Everybody is saying I have done something with the money, but it is still there."

61 Joel Deeb and Haitian-American Lucy Orlando both claim that this meeting was held at the initiative of Youri Latortue, nephew and security chief of interim PM Gerard Latortue. Author interview with Anthony Fenton, June 2005.

62 According to Anthony Fenton, Joel Deeb describes himself as a 'military contractor' and has admitted knowledge of a cheque for USD 1 million that was made out to his company, Omega, in December 2004 in the Prime Minister's office. Fenton notes that Lucy Orlando claims that she was present when Deeb was given this check. At the insistence of Henri Bazin, the interim finance minister, efforts to procure weapons have continued as recently as May 2005. Personal communication with Anthony Fenton, July 2005.

63 Jamaica was also a transit country for FRAPH weapons, as were the Caicos Islands and Santo Domingo.

64 According to one informant, the Port of Gonaïves is a site of considerable shipments of arms and drugs. Prior to March 2004, it was completely under the control of the Metayer brothers. In January 2003, Butteur Matayer was Lavalas port director, while Amio/Cubain Metayer was in charge of 'security'. Both have admitted to being in control of goods destined for and leaving the port and to taxing all incoming cargo. Butteur was also an occasional resident of Florida and is alleged to have sent weapons to Haiti from Miami. Following Cubain's death, Butteur and the Gonaïves Resistance Front (FRG) remained in charge of the port and there were substantial rumours of weapon shipments.

65 For example, in 1995, some 260 firearms and 15,000 rounds of ammunition were seized. Another seizure is alleged to have led to the capture of 78 assault rifles and 9,000 rounds of ammunition in 1998 (see Table 2).

66 The MAK-90 uses a 7.62 mm round, the same as an AK-47. It can be converted to a fully automatic weapon with rudimentary mechanical skills, with Web sites offering instructions.

67 Haiti in fact has a long tradition of serving as a trans-shipment point for cocaine and marijuana into the US and the Caribbean. See, for example, US Senate (1988), Derienzo (1994), and Weaver (2004).

68 According to CIVPOL, the borders are monitored by only a 'handful' of Haitian officials. The Haitian coast guard consists of two vessels, despite hundreds of kilometres of coastline.

69 According to media reports in South Africa, these weapons did not ultimately arrive at their intended destination. As Anthony Fenton observes, 'CARICOM, rebuffed in a UN Security Council special session on February 26, 2004, called upon South Africa to ship emergency equipment to the [Haitian] police. The specifics of this shipment are detailed in South African parliamentary records. The shipment was grounded in Jamaica, reportedly, at the same time as Aristide was being taken away to CAR.' Personal communication with Anthony Fenton, July 2005. See also <<http://www.info.gov.za/speeches/2004/04030909461006.htm>>

70 According to various key informants, there was nevertheless little noticeable qualitative change in the type of weaponry used between September 2003 and September 2004. Though MIF and the Haitian government have repeatedly claimed that the armed groups use 'old' or 'creole' weapons, independent journalists on the ground reported that by 2005 some new weapons were available.

71 This is widely confirmed by a broad selection of key informants associated with the HNP, the Ministry of Justice, and long-standing citizens living in Pétionville, Port-au-Prince.

72 Administratively, the HNP was to include a *directeur général*, an *inspection générale*, various *directions centrales* and *territoriales*, and a number of specialized units.

73 In 2001, the HNP had come under considerable strain due to a combination of politicization and corruption. Some 200 of the 5,482 demobilized FADH were integrated into the HNP in 1994, but the police force was nevertheless riven by competing interests.

74 The UNSC (2004e) has noted that the ‘arbitrary promotions of Fanmi Lavalas loyalists, the incorporation of *chimères*, police abuse, rape, and drug trafficking had further contributed to the demoralization and erosion of the professional standards within the police service and a loss of credibility in the eyes of the Haitian population.’ According to Kovats-Bernat (forthcoming), ‘[f]rom its inception, the HNP has been fraught with civil and human rights violations, a tendency from which it has never been truly divorced. Since its activation, the force has been indicted annually by international human rights groups (including the UN High Commissioner for Human Rights) for a broad spectrum of abuses ranging from the beating, torturing, and killing of suspects to the blind discharging of weapons into peaceful crowds (UN Commission on Human Rights, 1996; Drummond, 1997; US, 1999; AI, 2000, 2002, 2003, 2004; OAS, 2002; Human Rights Watch, 2003). Since 1994, some paramilitary sub-units of the HNP have incrementally divested themselves of control by government authority and today operate as almost completely autonomous agencies that are answerable directly to executive authority. Among these are the *Compagnie d’intervention et de maintien de l’ordre* or CIMO (a tactical riot control unit), the *Groupe d’intervention de la Police Nationale d’Haïti* or GIHNP (a rapid-response intervention group, similar to US SWAT units) and the *Bureau de lutte contre le trafic des stupéfiants* or BLTS (the counter-narcotics unit). These recent descendants of the HNP (some seeded with former FADH officers), along with the various domestic intelligence agencies with clear FADH pedigrees like SAG, display the strongest paramilitary tendencies and repressive proclivities of the many other state and civil groups wielding arms in the current civil war.’

75 An additional 700 presidential guards were also relieved of their posts (but not their arms) immediately after the departure of President Aristide. Interview with Spyros Demetriou, November 2004.

76 A November 2004 statement by the Interim Government indicated that there were as many as 6,130 HNP officers, though this figure was disputed by OAS insiders.

77 David Beer, commissioner of CIVPOL, agrees that a smaller ratio would be ideal. In France, for example, there is approximately one police officer for every 252 residents, while in Italy, Germany, and the UK, the figures are 283, 296, and 380, respectively. See, for example, <<http://www.senat.fr/rap/a98-0712/a98-07127.html>>.

78 For example, the ratio of one officer to every 1,300 civilians may be adequate for rural areas. But the ratio in urban areas should be smaller. A projection of an ‘adequate’ number of HNP should therefore be closer to 12,000, though this has never been possible for structural, organizational, and financial reasons.

79 The Magistrate’s School continues to operate without statutes and formal existence under Haitian law. As of December 2004, however, the school was taken over by the *Bureau de gestion des militaires démobilisés* as a temporary concentration centre for a small number of forcibly disarmed ex-FADH members.

80 These court houses were located in Saint Marc, Gonaïves, Cap Haïtien, Hinche, Mirebalais, Fort-Liberté, Port de Paix, and Les Cayes.

81 The leadership of the FADH, FRAPH, and so-called ‘Cannibal Army’ groups who ousted Aristide in February 2004 were largely made up of former prisoners who escaped from jails (in Gonaïves and Port-au-Prince) in August 2002 and later in 2004. Consult, for example, AI (2004a).

82 According to some sources, many of the Port-au-Prince prisoners escaped during a DJ Golobo concert organized by President Aristide on New Year’s Eve. Aristide allegedly organized the concert in order to provide cover for escaping prisoners. A number of them were subsequently provided with payments and uniforms and joined the HNP, while others fled.

83 By the end of October 2004, some 1,578 were recorded as reincarcerated (see Annexe 6). Among those who escaped and are still at large are Jean-Claude Duperval (deputy commander-in-chief of the FADH, convicted in the Raboteau massacre trial), Hébert Valmond (lieutenant-colonel and head of military intelligence, convicted in the Raboteau massacre trial), Carl Dorelien (colonel convicted in the Raboteau massacre trial), Jackson Joanis (military police captain convicted of the extrajudicial execution of Antoine Izméry and sentenced to forced labour for life), Castera Cénafils (army captain convicted in the Raboteau massacre trial), and Prosper Avril (general and leader of the 1988 coup). See, for example, AI (2004a; 2004b; 2004c).

84 Reed Lindsay (2004) has written extensively on the December 2004 prison massacre. It should also be noted that the HNP has not yet released a formal response to their role in the massacres. See, for example, <[http://ijdh.org/articles/article\\_ijdh-human-rights\\_alert\\_december-20.html](http://ijdh.org/articles/article_ijdh-human-rights_alert_december-20.html)>.

85 Arnel Belizaire has provided several illuminating accounts of the February 2005 prison break-out for international and local media. Belizaire was allegedly responsible for bringing former prime minister Yvon Neptune and former interior minister Jocelerme Privert to safety following their illegal release, and claims that he was in fact paid to kill them. It is important to recall that subsequent to the break-out, Neptune and Privert initiated hunger strikes. It should also be noted that former dictator Prosper Avril, also a former prisoner, is still at large.

86 See, for example, Articles 263, 263-1, 264, and 266 of the Constitution. Some long-term plan for dealing with the constitutional provision of a Haitian Armed Forces must be acknowledged. Until the articles providing for FADH are addressed by parliament, the *de jure* legitimacy of the former soldiers’ claims to pay and arms will remain intact, as the Haitian government remains in violation of these constitutional provisions for an army. Indeed, the 1987 Constitution continues to guarantee them the monopoly on force and weapons of war.

87 Though few in the administration are prepared to provide a general amnesty, the National Security Council (NSC), itself constituted by the HNP and Ministries of the Interior and Justice, has repeatedly emphasized this option on local radio.

88 MINUSTAH has requested that the bureau tie its three indemnity and pension payments to the surrender of small arms and light weapons. Though the prime minister has agreed to tie payments to disarmament, it remains to be seen whether the payments will be provided at all, or how weapons collection and destruction will proceed.

89 This security entity would be made up of former FADH in order to maintain national security.

90 See, for example, <<http://nlg.org/news/delegations.htm>>.

91 The Inter-American Commission on Human Rights (IACHR) reports that more than 200 more individuals were shot and killed between June and December 2004—including at least 40 police officers. See IACHR (2005) at <<http://www.cidh.org>> and ICG (2005).



92 Many of the injuries sustained by civilians in Haiti are reportedly caused by fragmentation bullets. These bullets explode inside the body of the patient and cause an array of internal injuries. Fragmentary bullets are used by many different armed elements—thus ammunition designed for war is being used in an urban residential environment. Author interview with Richard Garfield, July 2005.

93 As the *Small Arms Survey 2002* makes clear, the ‘injury-to-killed’ ratio can reveal important insights into the circumstances of particular incidents (Small Arms Survey, 2002, p. 161). Where the number killed is greater than the number wounded, such as in situations where firearms are used against people who are immobilized or unable to run away or defend themselves, the injury-to-killed ratio may shrink to zero. It can be tentatively assumed that fighting was at close range, might have involved execution-style killings, and potentially involved violations of international humanitarian law. Usually, in standard conflicts, however, the number of people injured is two to three times the number killed, though it can increase well above ten. In contrast, ratios in Colombia are well below zero—indicating a higher tendency among paramilitaries and guerrillas to commit massacres and atrocities.

94 This was confirmed through evidence gathered at both public (General) and private (Canapé Vert) hospitals.

95 MSF has been running a hospital in Cité Soleil and issued an extensive and urgent appeal detailing the situation July 2005. See, for example, <<http://www.doctorswithoutborders.org/news/2005/06-30-2005.htm>>.

96 Delva (2005) reports: “[o]ne victim said she was grateful to peacekeepers for stemming the violence. “If MINUSTAH was not here, many more people would be dead,” she said. But the woman, a 47-year-old mother of three, said she feels no safer than when peacekeepers arrived in December. Her cousin was killed and her 13-year-old daughter was shot in the arm by gang members in March. She sleeps on cardboard on a concrete floor in a neighbor’s home since gangs stole all her possessions last year and reduced her home to rubble. “Every day, my daughter cries because she wants to leave Cité Soleil,” the woman said. “I’m afraid. If I had money, I would have left the Cité already. I could be shot at anytime. Just like others have died, I could die, too.””

97 There has been no national census since 1981 and the population of Port-au-Prince is unknown, but estimated at between two and three million residents.

98 For example, while the OAS reported in 2002 that rates of violent crime averaged some 480 to 580 per month, there was no disaggregated information on the types of incidents, frequencies, or distribution.

99 See, for example, <<http://ijdh.org>>.

100 As a result, data on excess mortality and morbidity attributed to armed violence is limited. The media, NGOs, official data, hospitals, and morgues are traditionally sourced, though they are of limited credibility in the Haitian context. Most information for this study was collected directly from hospitals, UN and NGO reports, and key informant interviews. The ICRC itself was able to verify some information on the ground due to its ongoing contact with armed gangs and other groups since July 2003.

101 This suggests that USD 703,120 were spent on limb-related injuries, USD 1,050,280 on acute injuries to the body and head, and some USD 320,000 on evacuations.

102 Prior to the arrival of French military officers, a number of militia groups such as the *chimères* were reluctantly enlisted by the hospital administrators to protect facilities and provide security for staff.

103 The ‘commercial sector’ here refers to vendors, tailors, mechanics, plumbers, electricians, drivers, accountants, and engineers, among others.

104 The Small Arms Survey is currently undertaking a more thorough analysis of this dataset.

105 In 1791, Bois Cayman launched the armed anti-slavery struggle that led to independence.

106 From 1988 to 1990, General Avril continued the politics of informal militarization before the election of President Aristide in 1990.

107 HRW (1993) reports: “[W]ith the July 3, 1993, signing of the Governors Island Accord between President Aristide and the Haitian armed forces—an accord that was to set in motion the return of Aristide’s elected civilian government—generalized violence began to escalate. What is known in Haiti as *insecurité*—ostensibly random violence like shootings and robbery—by heavily armed thugs increased as the military saw its prerogatives threatened. Labelled variously as *tonton macoutes*, *zenglendos*, and *attachés*, these paramilitary death squads had functioned over the years alternately as agents of political control or destabilization, responsible for a now-familiar pattern of egregious human rights crimes that have rarely been punished.’

108 By December 1994, the Commission nationale de vérité et de justice (National Commission of Truth and Justice) had been established by presidential decree. Officially inaugurated in March 1995, it undertook ‘to establish the overall truth concerning the most serious human rights violations committed between 29 September 1991 and 15 October 1994, inside and outside the country, and to assist in the reconciliation of all Haitians, this without prejudice to any legal action that may arise from such violations’ (editor’s translation). The work of the Commission was neither thorough nor comprehensive and its conclusions largely ignored by the government. As such, it had little impact on social change or the prosecution process.

109 Some 20,000 US soldiers participated in Operation Uphold Democracy between September 1994 and March 1995.

110 Based on personal communications with Anne Fuller, June 2005.

111 The IPA (1999) reports: ‘[A]ccepting some of the lessons in deal-making and compromise provided during the exercises conducted by the organizers, a group of opposition politicians constituted a dialogue space called l’Espace de Concertation in early 1999 in order to develop common strategies for negotiating with the Presidency to end a two-year political crisis. Members of l’Espace signed an accord with President René Préval’s representative, Mr. Robert Manuel, on March 6, 1999, to create an interim government.’

112 Anne Fuller notes: ‘the (Democratic) Convergence was formed as a broad group with help from the International Republican Institute, an organization that promotes democracy that is closely identified with the US Republican Party. It includes former Aristide allies—people who helped him fight Haiti’s dictators, then soured as they watched him at work. But it also includes former backers of the hated Duvalier family dictatorship and of the military officers who overthrew Aristide in 1991 and terrorized the country for three years.’ Correspondence with Anne Fuller, May 2005.

113 The ‘flaw’ in the election was the methodology used to determine whether eight Senate races should have gone into run-off elections. Seven of those races were won by Lavalas candidates, the other by a member of a minor party. Even if these seats had been discounted entirely or given to opposition parties, Lavalas still retained a majority in the Senate. Though President Aristide later convinced seven senators to resign and issued a letter to the OAS to move forward on a new election, he was never taken up on his offer. The president also obtained

- the consent of parliamentarians to cut their terms in half so that an election could be held for all the seats in the legislature. The opposition ultimately rejected this offer as well.
- 114 A 2001 HRW briefing paper reports: ‘The elections were, however, deeply flawed, with their most glaring problem being the fraudulent method used to calculate the results of the first-round Senate races. The government’s refusal to reconsider the skewed results led the Electoral Monitoring Mission of the Organization of American States (OAS) to quit Haiti before the second-round balloting, labeling the elections “fundamentally flawed.” The country’s many small opposition parties also refused to continue to participate in what they perceived as an electoral charade. Fanmi Lavalas then cemented control of local and national government, ending up with seventy-two of eighty-three seats in the Chamber of Deputies, and two-thirds of some 7,500 local posts.’
- 115 This group stationed itself in Pernal, a border town in the Dominican Republic, using it as a staging point for acts of sabotage against the Aristide government—including an attack on the Haitian police academy in July 2001 that killed five and wounded 14. Other attacks followed, such as the December 2001 assault by armed gunmen on the National Palace, resulting in ten deaths, and the various raids that followed in subsequent years (*Miami Herald*, 2003). By February 2004, Philippe, together with an estimated 150–200 insurgents armed with M16 assault rifles and other small arms, captured Cap Haïtien and began their advance on Port-au-Prince.
- 116 The 15-nation CARICOM still refuses to recognize Latortue’s government and in June the OAS opened an investigation into President Aristide’s ousting. More specifically, Anthony Fenton has noted that a number of members of the former opposition were provided ministerial positions in the Interim Government. These include Yvon Siméon (former Democratic Convergence representative in France) and Danielle St. Lot, who oversaw the USAID-supported programme RAMAK. What is more, the leader of the Civil Society Initiative, Rosny Desroches, is also head of another organization, FONHEP, which allegedly received USD 500,000 from USAID in 1999. The Civil Society Initiative today sits on the advisory board of the ICF. Personal communication with Anthony Fenton, July 2005.
- 117 Without freedom to campaign and the removal of weapons from various oppositional factions and armed groups, few will join the process. The CCI has called for the establishment of a Provisional Electoral Council, and the UN/OAS are working toward signing a memorandum of understanding outlining electoral responsibilities.
- 118 For example, UNSC Resolution S/RES/940 (July 1994), as well as various national institutions.
- 119 The national strategy calls for: (i) the creation of a strategic plan for disarmament; (ii) the strengthening of regulatory controls; (iii) reintegration programmes for those involved in armed activities; and (iv) the reduction of the culture of violence.
- 120 Various draft texts were prepared by the UN in 1994–95 to this effect, but none was ever officially presented for discussion by parliament.
- 121 Richardson (1996) claims that as many as 30,000 weapons, many of which were heavy artillery not used against the general population and arms of questionable operability, were collected, though no sources are provided.
- 122 Indeed, a number of World War I Springfield M1 Garand (circa 1921), Harvester M1 Garand (circa 1946), and others were collected by the United States in the mid-1990s.
- 123 For example, Nairn (1996, p. 12) reports that ‘in late September 1994, right after the U.S. troops arrived, Special Forces teams systematically sat down with local FRAPH heads and told them . . . that as long as they kept their guns out of view they would “get no trouble” from the Green Berets’.
- 124 The weapons turned in were old and unusable and not the type that could be used against US and other multinational forces. US Army commanders have identified several reasons for the shortfalls in the programme.
- 125 US officials argued at the time that while broad disarmament was vital, it was more important for President Aristide to take measures to encourage political reconciliation. According to Preston (1995, p. A31), ‘it will not matter if there are some illicit weapons and unregenerate gunmen about if most Haitians—even those who oppose and fear Aristide—feel they are safe’.
- 126 The US-led buy-back offered USD 1,200 for ‘heavy weapons’, USD 1,200 for ‘large-caliber weapons’, USD 800 for ‘automatic weapons’, USD 400 for ‘semi-automatic weapons’, USD 400 for ‘explosives’, USD 200 for ‘handguns’, and USD 100 for ‘tear-gas weapons’. See, for example, *Arms Trade News* (1995).
- 127 For example, Johanna Mendelson (formerly with the World Bank) and others with the US Army claim that the buy-back programme favoured Haitian saddlemen. Ed Laurance notes that ‘they would approach those they knew who possessed, say, auto-rifles [*sic*], for which the reward was USD 600. They’d say, “if you turn it in, the USG will hassle you, watch you, etc. Why not give it to me for USD 300 and they will never know who you are?”’ Author interview with Ed Laurance, November 2004.
- 128 It should be mentioned that the original US-led intervention force changed its plan from an invasion to a ‘permissive’ intervention at short notice. This intervention turned the FADH into a subordinate military command (for policing) and from enemies to partners in their own dissolution by ensuring that only the most professional soldiers became police officers. The original idea of introducing ‘public works’-type programmes was abandoned because the FADH found it humiliating and the Haitian government wanted to reduce expenditures; it was thus changed to ‘vocational training’.
- 129 Where payments were not made, the IOM provided soldiers with meals and transportation.
- 130 The current DDR programme has almost USD 7 million for 2005. This includes USD 500,000 from BCPR/UNDP; USD 1 million from the Swedish government; USD 400,000 from the Canadian government; and up to USD 6 million from the UN assessed budget.
- 131 As reported in UNSC (2005c): ‘In an encouraging development, on 13 March 2005, 227 former soldiers in Cap Haïtien surrendered a symbolic number of weapons and agreed to be reintegrated into society. The former soldiers, as well as those involved in the illegal occupation of the residence of former President Aristide (see S/2005/124, para. 9), are currently in Port-au-Prince under the responsibility of the Transitional Government until the disarmament, demobilization and reintegration programme becomes operational. A number of former military leaders and political leaders have publicly called upon the former soldiers to lay down their weapons. Generally, however, the weapons being seized or surrendered are few in number and often antiquated.’ See also UNSC (2005b).
- 132 Of the 343 ex-FADH, some 43 were originally disarmed by the Brazilian MINUSTAH forces in December 2004 and have agreed to enter the DDR process. Even so, only 15 of the total have successfully completed an academic and physical vetting process for reintegration into the HNP. The Haitian government has made it clear that the majority of the ex-FADH caseload will not be reintegrated into the HNP. In late May 2005, the prime minister’s adviser on political affairs introduced a plan designed to resolve the situation of the remaining 328

- who had not been accepted into the HNP. He indicated that these former FADH could be integrated into non-armed security positions for key ministries, though there has been little movement to date on the plan.
- 133 Rémissainthe Ravix, a former corporal, was expelled from the FADH in 1993. He subsequently joined the rebel forces that played a determining role in the overthrow of President Aristide on 29 February 2004.
- 134 One specific programme focusing on gang members, which is supported by CIDA, is targeting youth in Cité Soleil and builds on earlier UNDP community violence reduction programmes initiated in Carrefour Feuille. This intervention is also forging linkages with USAID/OTI and IOM transitional initiative programmes currently supporting reintegration of gang members in Grand Ravine, Cité Soleil, and Bel Air. Interview with Desmond Molloy, June 2005.
- 135 The programme seeks to strengthen the capacities and resilience of affected communities to address violence reduction by harnessing healthy and vibrant elements of Haitian culture—particularly music, art, literature, and spiritualism. Viva Rio (the Brazilian NGO advocate of small arms control), which was contracted in January and February 2005 to support the integrated MINUSTAH/UNDP DDR Section in designing a public information strategy, has also proposed a concert with Afro-Caribbean diaspora (including Gilberto Gil and Stevie Wonder) to promote a message of ‘giving life a chance’.
- 136 There is an urgent need for both literacy and educational training for ex-FADH and armed gangs. DDR should advocate for a substantial educational training regime for both participating recipients and their children—though these represent distinct groups with heterogeneous profiles; the plans should extend at least five years for those with limited schooling opportunities. This approach could prove to be an instrumental incentive in ensuring high participation rates. Interview with Anne Fuller, June 2005.
- 137 The US embargo explicitly restricts purchases of both lethal and non-lethal weapons and equipment. As with the economic embargo, the US also applied considerable pressure on other countries to stop them from selling weapons and equipment to Haiti.
- 138 The US government (ITAR 1994) notes that ‘US manufacturers and any other affected parties are hereby notified that the Department of State has suspended all previously issues [*sic*] licenses and approvals authorizing the export of or other transfers of defense articles or services as well as those for use by the police to Haiti.’ Foreign Military Financing (FMF) and International Military Education and Training (IMET) funds to Haiti were also suspended until further notice. As mentioned above, the US government did note that ‘in accordance with established policy and procedures, exceptions to this policy will be considered on a case-by-case basis’.
- 139 Article 268-1 of the Constitution states: ‘[e]very citizen has the right to armed self-defense, within the bounds of his domicile, but has no right to bear arms without express well-founded authorization from the Chief of Police.’ Article 268-2 reports that ‘[p]ossession of a firearm must be reported to the police.’ Finally, Article 268-3 states that ‘[t]he Armed Forces have a monopoly on the manufacture, import, export, use and possession of weapons of war and their munitions, as well as war material.’
- 140 Even so, presidential decrees carry comparatively less legitimacy, particularly in the current context of the Interim Government and the planned elections.
- 141 There are a number of competing definitions of ‘community policing’ internationally, and in Haiti. There is an urgent need to adopt a common doctrine and understanding of what is implied in the expression among MINUSTAH, CIVPOL, and HNP officials.
- 142 The introduction of a period of grace for the handing in of illegal weapons—backed by MINUSTAH and approved through the NCD—could facilitate the process. This would allow one or two months for voluntary weapons surrender. It would require a compelling public awareness campaign on local radio and graphic billboards.
- 143 It should be recalled that radio in Haiti is often biased. Some stations—including Radio Metropole—are owned by the Haitian elite and have been decidedly anti-Aristide. Stations such as Radio Soleil, on the other hand, have been adamant supporters of Aristide.
- 144 Haitian musicians are extremely influential and many are active during political rallies and demonstrations. The politicization of music—at Carnival and elsewhere—reflects the politicization of Haitian culture.
- 145 Moreover, it has implications for foreign and domestic investment, as well as the guarantee of first- and second-generation rights.

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