

EXECUTIVE SUMMARY

A little over a year since international pressure and an armed rebellion forced the departure of President Jean-Bertrand Aristide and the collapse of his government, Haiti is at risk of becoming a permanent failed state. The presence of the United Nations (“U.N.”) peacekeeping force, established three months after Aristide’s controversial ouster, has done little to establish stability, protect the populace, or curb human rights violations. This report critiques the performance of that peacekeeping force, the United Nations Stabilization Mission in Haiti (“MINUSTAH”), by documenting its failure to effectuate not only the overriding spirit but even the plain terms of its mandate.

U.N. Security Council Resolution 1542 established MINUSTAH on June 1, 2004 and endowed the mission with a strong mandate in three principal areas: providing a secure and stable environment, particularly through disarmament; supporting the political process and good governance in preparation for upcoming elections; and monitoring and reporting on human rights. As this report details, MINUSTAH has made little, if any, progress on any of these three fronts. Although partially a consequence of the slow deployment of forces and personnel, MINUSTAH’s failures are largely the result of the timid interpretation of its mandate by its officials. Even now, staffed in full, the peacekeeping force continues to interpret its mandate complacently and with a narrowness unfit for the situation on the ground.

After eight months under MINUSTAH’s watch, Haiti is as insecure as ever. MINUSTAH has failed even to begin to implement a comprehensive program for disarmament, leaving large pockets of the country effectively ruled by illegal groups with guns and other weapons. Civilian casualties remain common in Port-au-Prince’s slums, where gangs wage daily, low-level urban warfare. Large swaths of the poor countryside remain under the control of the former military, historically the major domestic force behind *coups d’états* and among the foremost violators of human rights.

In the area of human rights, MINUSTAH has been equally lax. Numerous allegations of severe human rights abuses by the Haitian National Police (“HNP”) remain uninvestigated. These violations span a gory spectrum, from arbitrary arrest and detention, to disappearances and summary executions, to killing of scores of hospitalized patients and the subsequent disposal of their bodies at mass graves. As this report details, MINUSTAH has effectively provided cover for the police to wage a campaign of terror in Port-au-Prince’s slums. Even more distressing than MINUSTAH’s complicity in HNP abuses are credible allegations of human rights abuses perpetrated by MINUSTAH itself, as documented in this report. MINUSTAH, however, has virtually ignored these allegations as well, relegating them to obscurity and thus guaranteeing that abuses go uncorrected. In short, instead of following the specific prescription of its mandate by putting an end to impunity in Haiti, MINUSTAH’s failures have ensured its continuation.

The MINUSTAH mandate provides ample ground for a robust approach to security, disarmament and human rights. Indeed, as set forth in this report, its mandate *requires* a serious and active commitment to furthering peace in Haiti. Although the MINUSTAH mission has virtually squandered eight critical months, the time is not yet too late to begin an earnest application of its mandate. We continue to believe MINUSTAH holds tremendous promise to help Haiti achieve peace, stability and respect for human rights. With elections slated for the end of 2005, the time is now for MINUSTAH to commit itself to rigorous enforcement of its mandate.