STRATEGY RESEARCH PROJECT

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THE DEVELOPMENT OF THE CIVIL POLICE IN HAITI, SEPTEMBER 1994 TO AUGUST 1996

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ABSTRACT

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TITLE: The Development of the Civil Police in Haiti, September 1994 to August 1996.

FORMAT: Strategy Research Project

DATE: 14 April 1997 **PAGES:** 55

CLASSIFICATION: Unclassified

Haiti suffered under predatory rule for nearly two centuries. During this time the police served as an instrument of the ruling elite, extracting resources from the oppressed majority. The 1994 international intervention which restored democracy to Haiti also created the first independent police force in the nation's history. Multinational military forces, the UN and other international agencies laid the groundwork for this new police force. Challenges faced by the new Haitian National Police included cultural barriers, lack of leadership within the force and incomplete connectivity with other elements of the Haitian government. This paper examines the planning that preceded the intervention and the process that created the Haitian National Police, draws conclusions from the "Haitian model" and makes recommendations for US and international agencies engaged in similar processes in the future.

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The creation of a new, independent Haitian police force, committed to protecting and serving a democratic society, is one of the landmark achievements of the 1994 US-led international intervention in that country. This new force was one of the cornerstones of the United Nations' mandate[1] that legitimized the September 1994 action to restore democracy in this troubled Caribbean nation. Given Haiti's history, the progress toward this end from September 1994 to August 1996 is remarkable.

The Western Hemisphere's second-oldest republic, Haiti has suffered through centuries of repression. Repeated cycles of violence and state-supported oppression produced what some have described as a classic "predatory culture."[2] The military and its subservient police force existed to funnel wealth to a small group of elite Haitians, and to ensure the survival of this ruling class by savage disregard of basic human rights and democratic principles.

The removal from office of Jean-Bertrand Aristede, a Catholic priest and leader of the liberation theology movement, only months after his election as President of Haiti was orchestrated by the military/police and heralded a return to Haiti's cycle of violence and oppression. His 1991 ouster and the subsequent three years of tyranny by the *de facto* government of Lieutenant General Raul Cedras branded Haiti as a pariah.

However, it was mainly the growing wave of migrants attempting to make their way to the United States in 1994 that galvanized American decision-makers to action. Realizing the central role of safety and security in a democratic society, planners in the US government and United Nations made the creation of a wholly new police force a key element of the effort to restore Aristede as the President of Haiti.

United States' military forces arrived in Haiti on September 19, 1994 following the successful, eleventh-hour "coercive diplomacy" that backstopped the negotiations of a team led by former President Carter with the power of an impending airborne invasion. Focusing on the requirement to produce a "secure and stable environment,"[3] US and international forces began the process of creating a new Haitian police force soon after arrival. Initially, former soldiers from the Forces Armee d'Haiti (FAd'H) were used as an Interim Public Security Force (IPSF), augmented by Military Police and Special Forces soldiers where necessary and monitored by a group of International Police Monitors (IPM). Within five months, a new Haitian National Police Academy, run by trainers from the International Criminal Investigative Training Assistance Program (ICITAP) was operational near Port-au-Prince. This program produced over 5000

new police by late 1995, when the IPSF was formally disbanded and the Haitian National Police (HNP) took over responsibility for policing Haiti. Subsequently, specialized training by ICITAP produced improved capabilities in the nascent HNP, while it was monitored and mentored by agents from the UN Civilian Police (CIVPOL).

The creation of this new police force was hindered by several factors: inadequate and incomplete planning by the US government; severe shortages of qualified leaders and equipment in the HNP; partisan politics in the US which threatened funding; initial problems with human rights violations by some members of the HNP; and no embedded tradition for a police force that was a public service institution. Historically, police were an instrument of oppression used by the ruling regime when exercising its power. Nonetheless, its creation and survival to date offer hope for success in future operations of this nature.

Close examination of the Haitian experience provides important insights for the US military, US government and international community as the "new world disorder" unfolds around the globe. This paper will assess the creation of the Haitian National Police by detailing the chronology of its development from September 1994 to August 1996. It will analyze

the role of the international and interagency communities, effectiveness of the multinational (MNF) and UN-sponsored efforts, and measure the impact of Haitian culture and other governmental institutions on the new police force. Finally, it will draw conclusions from the "Haitian model" and make recommendations for continued improvement of the HNP and for US and international agencies engaged in this process in the future.

Chronology

Predatory State

Understanding the predatory culture of Haiti is essential for appreciating the difficulty ordinary Haitians had in initially accepting the new police force. During the last two centuries, Haiti has had 21 Constitutions and 42 heads of state. Almost thirty of these leaders were overthrown or assassinated; during the 19th century alone, only one president left office alive.[4] The police played a key role in this environment. Operating as part of a corrupt military system, at the very least police officers used their positions for personal gain; at the other end of the spectrum of predation, police served as brutal enforcers of the state.[5] The Haitian people themselves contributed to this culture; the concept of community or

"vigilante" justice has deep roots in Haitian society. Thus, even when left unmolested by the FAd'H or police, ordinary Haitians sometimes employed mob rule to mete out justice in communal response to perceived threats to local order. The Cedras regime merely continued this vicious cycle. An estimated 1500 state-sanctioned killings annually during its three-year reign fueled a massive exodus from the island, ultimately producing the international backlash resulting in the 1994 intervention.[6]

UNMIH I

Planning for police reform in Haiti predated the ouster of President Aristede. Officials from ICITAP began working with him before the 1991 coup,[7] and continued planning while he was in exile in the United States. The US government formally tasked ICITAP to develop a police reform program in January 1993 in anticipation of Aristede's return to power.[8]

For a time in 1993 it appeared the Haitian impasse would be resolved through negotiations. Aristede and the *de facto* government reached agreement in New York in July; the Governors Island Accord called for Aristede's return to the presidency on October 30, 1993 and for the adoption of a law establishing a new police force.[9]

United Nations planning to support the peaceful transition culminated in the adoption of United Nations Security Council Resolution 867, which established the United Nations Mission in Haiti (UNMIH) and proposed sending more than 500 police monitors to ensure the professionalization of the Haitian police.[10] An advance team deployed to Haiti to prepare for this mission. However, when the main body of the Mission arrived in Port-au-Prince aboard the USS HARLEN COUNTY on October 14, 1993 it was met by armed "civilians" (*attaches*, or unofficial government thugs) who created a disturbance in the port area, preventing the ship from docking. The pacific nature of UNMIH I's Chapter VI action did not match conditions in Haiti, so the Mission was withdrawn.[11]

UNMIH II and Interagency Planning

Diplomatic efforts, including sanctions and economic embargoes, failed to dislodge the Cedras regime over the next year. The UN remained engaged with the deteriorating situation, and on July 31, 1994 adopted Security Council Resolution 940, which called for a multinational force acting under Chapter VII of its Charter "to use all necessary means" to restore democracy in Haiti. The creation of a separate police force was one of the

principal means envisaged to ensure the success of these efforts.[12]

Military planning also preceded the 1994 crisis. The United States Atlantic Command (USACOM) was alerted for possible contingency operations in Haiti in April 1993.[13] The US Army's XVIII Airborne Corps began examining military options as early as October 1993, following the HARLAN COUNTY incident.[14] The USACOM formally activated XVIII Airborne Corps as Joint Task Force (JTF) 180 in January 1994, intending to use the Army's contingency corps as the strike force should action become necessary in Haiti.[15]

Over time, military plans included three scenarios: a unilateral forced entry into Haiti; a permissive entry involving introduction of a multinational force following consent of the *de facto* government; and a third plan (a "Bridge" in the words of the JTF Commander[16]) that fit a scenario between the other two plans.[17] Central to each was the inclusion of a contingent of International Police Monitors working for the MNF Commander to provide initial assistance in police reform.[18]

The US interagency process had been involved in planning for the Haitian intervention since the Spring of 1994. Representatives from several Cabinet-level organizations in the

government produced a comprehensive political-military (POL-MIL) plan which detailed US involvement in the operation.[19] One of this plan's key objectives was to promote the rule of law by strengthening the Haitian police, courts and prison system.[20]

The UN continued to prepare for the Haitian intervention as well. Though UN plans for command of the police monitors clashed with US desires, prompting the creation of the IPM as an interim monitoring force, the UN continued to solicit member nations for its CIVPOL contingent which would replace the IPM when the UN took over from the multinational force in March 1995. Chief Superintendent Neil Pouliot of the Royal Canadian Mounted Police (RCMP) was aware in April 1994 that he would lead this CIVPOL element. He took part in all key preparations for the intervention, including the interagency "walk-through" or rehearsal in Washington one week prior to the scheduled invasion.[21]

Intervention

The first US forces arrived in Haiti on September 19, 1994. The success of the Carter team meant that Operation Plan 2375 (the "Bridge") would be executed by JTF 180.[22] Lieutenant General Hugh Shelton, the Commander of JTF 180, responded to the last-minute change by moving US Army Military Police and Special

Forces units to the front of the re-shuffled deployment sequence. The combat units available to him were sufficient to establish a "secure and stable environment;" his concern was to have forces readily available to influence the FAd'H/police units to begin the process of rebuilding the police force.[23] Similarly, he and his chief planners worked with USACOM to speed deployment of the IPM.[24] The vanguard of this police monitoring force arrived in Haiti on September 28. The IPM was operational in Port-au-Prince on October 3, 1994.

The FAd'H, still nominally in charge of policing Haiti, responded to pro-Aristede demonstrations by resorting to its old repressive methods: it used excessive force on the demonstrators, killing one man. United States soldiers looked on without taking action, restricted by rules of engagement (ROE) that proscribed involvement in "Haitian-on-Haitian" violence. The ROE were quickly changed by the US; days later the Deputy Secretary of Defense assured Congress that while American troops would not carry out police functions, they could intervene in certain circumstances.[25]

The US forces, joined by units from CARICOM (the Caribbean Community), Bangladesh and other countries, filled the streets with saturation patrolling to establish the "secure and stable

environment."[26] Special Forces units in the countryside[27] and Military Police units in Port-au-Prince were soon ordered to establish close contact with the FAd'H to preclude repetition of the late September violence.[28] The FAd'H's heavy weapons were seized by US forces and a weapons buy-back program, intended to reduce the number of weapons in Haiti (and thus enhance the "secure and stable environment") was initiated in late September.[29] The US troop level in Haiti peaked at nearly 21,000 on October 2, 1994, one day before the IPM began working with the FAd'H in Port-au-Prince.[30]

Multinational Force, IPM and IPSF

The intent for the MNF from USACOM was clear: rapidly establish presence in the precincts and countryside to begin the process of police reform. The next priority was to initiate FAd'H/police vetting (screening for human rights violators) and reorganization of an interim force. This proceeded with little guidance from USACOM or the interagency, and resulted in JTF 180 building its own model for police reorganization.[31] The "Cap Haitien Model" failed after Haitian locals rejected the former military members out of hand[32], but the model did serve as the point of departure for the longer-term Interim Public Security Force.

The vetting process continued by MNF elements and the Haitian government, producing the first pool of trainees for a six-day course conducted by ICITAP. This course focused the ex-FAd'H trainees on democratically-oriented policing methods and stressed the need to respect human rights and the rule of law. This training began in October 1994 and was complete by late December. The interim police were placed back in their communities, monitored by the IPM and mentored/assisted by Military Police and Special Forces troops.[33] Approximately 3900 ex-FAd'H were trained for the IPSF, although not all made the transition to this force for a variety of reasons.[34] After his return to Haiti in mid-October 1994, President Aristede voiced reservations about the IPSF being filled with only former military; he lobbied the US and Canadian governments to include Haitian expatriates as "police trainees." Over 1000 of these individuals, from the migrant camps in Guantanamo, Cuba and the RCMP training facility in Regina, eventually joined the IPSF.[35]

Approximately 600 IPM, commanded by Commissioner Ray Kelly, supported MNF efforts to reform the Haitian security force. The IPM mission was to stop human rights abuses, provide rudimentary training and lay the groundwork for Haiti's new police force.[36]

Comprised of police professionals from 20 nations, this civilian force was fully integrated into the MNF structure.

The IPM operated from some 90 police stations throughout Haiti, conducting joint patrols with the IPSF.[37] Because the IPM was part of the MNF, it benefited from the same expanded ROE; thus, these individuals could become involved in proactive law enforcement under certain conditions. The IPM further benefited from its association with MNF units; more than 200 military police actively patrolled Port-au-Prince at the height of the deployment, often in concert with the IPM and IPSF.[38] A former Deputy Commander of the MNF stated that the IPM and MNF elements actually ran the individual police stations, providing cadre leadership to the IPSF.[39] This progress enabled US Defense Secretary Perry to pronounce Haiti "secure and stable" on January 17, 1995 in preparation for the MNF transition to UNMIH in late March. Two weeks later, ICITAP began operations at the new Haitian National Police Academy, training the first members of the HNP.[40]

UNMIH, CIVPOL and the HNP

Assumption of the Haiti mission by UNMIH on March 31, 1995 meant a reduction in troop level. The MNF had prepared for this, reducing to the mandated-level of 6000 (3000 US) troops

approximately 90 days before the hand-off date to demonstrate viability of this force structure. Uniformed forces retained their mentoring role with the IPSF, remaining with them in the precincts and countryside. The military component of UNMIH maintained the "secure and stable environment" in Haiti as the police reform process continued.[41]

Monitoring responsibility under UNMIH passed to the UN CIVPOL. Several contingents from the IPM were assimilated into the UN structure. At the start, Commissioner Pouliot had nearly 900 armed CIVPOL, with the same proactive law enforcement mandate as the IPM. A CIVPOL advance team, led by Pouliot, had been in Haiti since the Fall of 1994. Its report to the UN, based on extensive reconnaissance, led to changes from the initial plans for CIVPOL. Originally, CIVPOL was to operate from 10 stations; the advance team determined an additional nine stations were required to effectively monitor the IPSF/HNP. Pouliot also chose to cross-level the CIVPOL contingents. This ensured effective language capability at each site. In contrast, the IPM were deployed by national contingent without regard for language capability. Finally, CIVPOL initiated interface with non-governmental organizations (NGOs) and community leaders at each

site in an attempt to build the foundation for community-based policing throughout Haiti.[42]

The mission in Haiti represented the largest training effort ever undertaken by ICITAP. Human rights-credentialled instructors were used, and the curriculum was developed jointly with Haitian legal experts. Training at the Haitian National Police Academy began in January 1995. The first class completed the four-month course in June. The last class graduated in February 1996, just before the originally-anticipated departure date of UNMIH.[43]

Changes in the security situation in Haiti required adjustment of the ICITAP program. Initial plans called for 4000 police trainees. Security concerns in the Haitian government increased the number to 7000 and required operation of another training site at a US Army post in Missouri. Later, fiscal constraints within the Haitian government adjusted the training end state once again. The number of basic patrolmen trained by ICITAP from January 1995-February 1996 was just over 5200.[44]

Stringent mental, physical and human rights standards for HNP recruits produced a pool of very high-caliber trainees. Fewer than 10% of the applicants qualified for initial classes. This rate improved to approximately 15% later in the year, but

screening of several thousand candidates was still required to fill each new class.[45] Efforts to develop a leadership cadre for the HNP were beset by political problems and lack of resources within the recruited population. When the IPSF was disbanded in December 1995, its remaining personnel (nearly 1000) were incorporated into the HNP. Concern over the human rights record of these personnel caused political problems with the US government and legitimacy problems with the Haitian people.[46] The UN employed a concept called MIST (Military Information Support Team) which used multiple means to enhance public acceptance of the new HNP.[47] The MIST teams produced information products such as leaflets and handbills, used loudspeaker units and radio messages, and met with ordinary citizens and government officials alike to prepare the populace for the new police force.

UNSMIH and ICITAP Specialized Training

Late in June 1996, before the expiration of the final extension of UNMIH, the UN Security Council terminated the Mission and, upon the advice of the Secretary General, authorized the creation of the United Nations Support Mission in Haiti (UNSMIH). It thus continued the international presence in Haiti for an additional five months, albeit at reduced levels. The UN Support Mission in Haiti was authorized 600 troops, down from

1200 in UNMIH's last stage. The CIVPOL contingent had already reduced its size during the 15-month deployment and remained stable at 300 officers.[48]

As the initial phase (basic training of the new police recruits) of its five-year plan was drawing to a close in late 1995, ICITAP began training programs to further enhance HNP effectiveness. Modules in police sustainment training, Office of Professional Responsibility (Inspector General) operations, urban disorder, investigative and forensic capabilities, police leadership and judicial protection were started to meet HNP long-term needs.[49] Feedback from CIVPOL's field training program, which assessed the new officers' level of training, enabled ICITAP to continually improve these courses.

The nexus between police reform and the remainder of the Haitian justice system was clear early in the mission. The US Department of State's Agency for International Development (AID) contracted with a US civilian firm to overhaul the Haitian judiciary. A parallel effort was underway in 1995 by the US Justice Department's Office of Professional Development and Training (OPDAT) to train Haitian prosecutors at a special Magistrate's School, co-located with the new Haitian National Police Academy run by ICITAP.[50]

Analysis

The Mandate, Interagency Process and Military Planning

The importance of the UN mandate cannot be overstated. The UN erred when, following the Governors Island Accord in 1993, it lifted previously-imposed sanctions against the *de facto* government. This eased the pressure on the Cedras regime, and may have encouraged the intractability demonstrated upon arrival of the USS HARLAN COUNTY.

The UN did not repeat this mistake the next year. Security Council Resolution 940 provided an unambiguous mandate with a clear strategy to achieve its goals.[51] The Mandate's desired completion date of early 1996 set unrealistic goals, however, which was particularly problematic for the CIVPOL elements.[52] Thus, while it enhanced unity of effort at the beginning, the necessity to continuously revise the Mission's timetable made international commitment to Haiti appear halting and uncertain.

The 1994 intervention marked the first time the US interagency process had produced a comprehensive POL-MIL plan. It synchronized US government support to the operation, as it was revised for each major phase.[53] In fact, three such plans were developed: one before the intervention, a second plan for the

MNF phase and a continuing plan for the UNMIH phase.[54] However, the planning was not sufficiently integrated with ongoing military plans for forcible entry[55] and frequently not articulated to the responsible actors on-the-ground in Haiti once the intervention unfolded.[56] Further, the speed with which the operation unfolded overwhelmed the interagency. Timely response to commitments on the part of non-DOD agencies was infrequent during the first stages of the MNF phase, although responsiveness improved over time.[57] This initially sluggish response added to what Ambassador Robert Oakley calls the "public security gap,"[58] necessitating employment of US military forces in unsanctioned, yet very real law enforcement roles.

During planning, the DOD pressed for a clear and rapid exit strategy. The legacy of Somalia precluded the military from agreeing to anything remotely resembling "police duty."[59] Interestingly, while use of uniformed forces in constabulary duty is not proscribed by US law, use of government funds for training foreign police forces (with certain specific exemptions) was prohibited at the time of the intervention by the Foreign Assistance Act of 1961.[60] This Act was expanded and amended by Public Law 104-107 on February 12, 1996, which removed the prohibition under which US forces operated 18 months earlier.

Military planners anticipated requirements for police training and supervision, but did not allocate US forces for this mission.[61] The USACOM was the critical link in military planning. The USACOM Commander's focus on "the morning after" scenario[62] and participation of the USACOM J-5 in the interagency process facilitated vertical planning for the police reform effort. However, military planners were frustrated by the classified nature of the preparation. The initial, forcible-entry scenario was classified "TOP SECRET-COMPARTMENTALIZED." This effectively precluded most of the interagency group working the POL-MIL plan from knowing essential details of the invasion plan.[63]

Intervention, Rules of Engagement and Partisan Politics

The void in joint doctrine for "standing up" a police force meant that JTF 180 and the MNF had to proceed carefully until the civilian components of the intervention caught up with the fast-moving events in Haiti.[64] Aggressive and highly-visible force presence patrols by the MNF stabilized the environment following the intervention.[65] Later, during the transition between the ineffective IPSF and the new HNP, uniformed forces provided the "umbrella to maintain a secure and stable environment."[66]

Military forces had to assume an increased role as the FAd'H "melted away," particularly after the September 24, 1994 incident at Cap Haitien. A US Marine patrol, operating in accordance with established ROE, opened fire on a group of Haitian police perceived to be a threat, killing ten of them.[67] The already demoralized Haitian police force was virtually dysfunctional thereafter. Thus, though never formally tasked with the mission, US Military Police in fact provided essential law enforcement functions in the cities.[68] Special Forces units in the countryside played a similar role throughout their deployment.[69] Outside the UN Mandate, which gave broad latitude ("all necessary means...") for interpretation, US commanders admitted that their forces had tenuous authority to enforce civil law. Nonetheless, several officers acknowledged their units performed a law enforcement role in this decidedly gray area.

The ROE also played a role in establishing stability in the country. Following the initial FAd'H overreaction to pro-Aristede demonstrations, the ROE were changed to permit intervention by MNF forces in certain circumstances. The ROE during the UNMIH phase were specifically written with the weakness of the IPSF/HNP in mind; these rules allowed military

intervention for "humanitarian" purposes, not pursuant to law enforcement.[70]

Partisan politics in the US played a role in the police reform process as well. Early in the operation, the Congress passed nonbinding resolutions criticizing President Clinton for not seeking Congressional approval before committing American forces. The passage of the National Security Revitalization Bill in February 1995, which limited US support to UN peacekeeping operations, sent more confusing signals to the government of Haiti (GOH).[71] The US House of Representatives, in an attempt to discredit the Clinton Administration following politically-connected assassinations in Haiti, delayed funding for ICITAP early in 1996.[72] This political posturing was eventually resolved, but impacted ICITAP's program as it was preparing to train the last of the new HNP recruits.

The IPSF

When US MPs entered the precincts shortly after the intervention to take control and provide positive role models, they found predators instead of police.[73] These soon-to-be ex-FAd'H were the kernels around which the MNF built the IPSF. Vetting out the worst human rights violators and providing the new IPSF with six days of instruction from ICITAP could not and

did not produce an effective security force. Credibility was its main problem; IPSF members feared for their lives during the early stages of their deployment, as ordinary Haitians perceived themselves with the upper hand on their former oppressors.[74] Additionally, the IPSF suffered severe logistic shortfalls during its entire deployment, as new equipment trickled through the international pipeline.[75]

Despite these shortcomings, the IPSF served its purpose. Human rights abuses during its tenure were rare, and the "secure and stable environment" was maintained. Mostly, the IPSF served as camouflage for the fact that most of the policing during its tenure was done by IPMs and MNF troops.[76]

The HNP

The HNP deployment was greeted with overwhelming public support. However, it faced significant obstacles in maintaining the trust and confidence of the Haitian people. The first problem was the Haitian culture itself. For the first time in Haiti's 193-year history, the country had an independent police force, and there were no cultural reference points guiding police-public interaction. Some HNP officers disregarded their training and used oppressive tactics and techniques; more than 40 deaths of Haitian citizens were attributed to inappropriate HNP

conduct since July 1995. The Office of the Inspector General, established in June 1995 and now headed by a trusted police manager, made in-roads toward ensuring accountability and transparency of the HNP. It has removed 75 officers for police misconduct, enhancing HNP credibility in the country.[77]

The HNP suffered from public perception of "business-as-usual" in Haiti due to some of President Aristede's initial appointments to key positions. Inclusion of known human rights abusers and Aristede cronies in the HNP hierarchy signaled Haitians and the international community alike that partisan politics were not restricted to the US.[78] Rene' Preval, Aristede's successor as President, reinforced public acceptance by appointing men like Director General Denize', the new head of the HNP.

The training provided by ICITAP, while acknowledged by most as high-quality, was clearly too short. Very few new recruits had any background in law enforcement; four months is insufficient to produce fully-trained police officers. The field training by CIVPOL was designed to overcome these problems, and the sustainment training ongoing by ICITAP will correct early deficiencies. However, the initial training shortfalls likely

contributed to some of the early human rights abuses committed by the HNP.[79]

The HNP experienced the same equipment problems that plagued its predecessor. Radios, vehicles, weapons and office equipment alike were in short supply. What equipment the HNP initially possessed was not properly maintained or controlled. Major effort was required from UNMIH and CIVPOL to develop maintenance and accountability procedures in the HNP.[80]

The most important factor contributing to many of these problems was the lack of leadership in the HNP. Less than 50% of its critical leadership positions were filled by August 1996. The Haitian government aggressively recruited new leaders in the summer of 1996, but only 40 candidates were found for these vacancies.[81] These new leaders were trained by ICITAP but had not been fielded as of August 1996. The Haitian government was in an untenable situation regarding HNP leadership. The high standards for HNP recruitment significantly restricted the number of available candidates. Credible, competent middle and upper level managers were virtually non-existent except for members of the former FAd'H. Thus, the government faced a dilemma: include the politically-undesirable ex-FAd'H in the HNP leadership, or

try to develop leadership from within the ranks of the new force? This question remains unanswered.

Finally, the interconnectivity with other Haitian institutions caused problems for the HNP. The penal and judicial systems, the other two components of the Ministry of Justice, were in much worse condition than the new HNP. Improvement in them continues to lag behind the police reforms, although the prison system is healthier than the Haitian judiciary. Simply put, the more effective the HNP becomes, the more pressure is placed on the courts and prisons. Court backlog and prison overcrowding resulted in the release of prisoners shortly after arrest, which demoralized some of the HNP.[82] This tempted some police to mete out justice themselves, and the age-old Haitian cycle of violence recreated itself. The Haitian government recognized the potential for HNP disillusionment and set artificially-high pay scales for the new force to reduce incentives for graft. Soon thereafter, the pay of other government bureaucrats had to be raised to provide equity. This spiraling effect resulted in several months without pay for some government employees, and threatens long-term viability of the HNP and other government agencies without significant infusion of capital.[83]

Notwithstanding these problems, a new police force was created and fielded in Haiti in less than two years. The "secure and stable environment" envisaged by the UN has been established and maintained, due in large part to the growing professionalism of the Haitian National Police.

IPM, CIVPOL and ICITAP

The IPM shared some of the same equipment problems experienced by the IPSF. Contractor and maintenance support proved especially problematic. The IPM Commander was one of the last members recruited for the mission. Commissioner Ray Kelly arrived in Haiti with only sketchy knowledge of the plans for his force. He was unaware of the content of the POL-MIL plan produced by the US interagency. He experienced problems with some of the IPM contingents, and felt that the screening and training of his elements could have been conducted more carefully.[84] Nonetheless, like the IPSF that it monitored, the IPM was effective. Its keys to success were keeping its personnel with the IPSF, the close working relationship it enjoyed with the MNF command element and the exceptionally strong leadership displayed by Commissioner Kelly.

The CIVPOL leader, Commissioner Neil Pouliot, enjoyed much greater knowledge of the plan than his counterpart in the IPM.

When CIVPOL assumed the police monitoring mission in March 1995, his forces were ready. Nevertheless, CIVPOL experienced some of the same problems reported by Commissioner Kelly.

Recruiting for the CIVPOL contingent could have been done better. Some of its officers had less police experience than the just-graduated force they monitored.[85] Not all of the CIVPOL elements met the criteria requested by the UN; Commissioner Pouliot sent one contingent home because it was uniquely unqualified. The CIVPOL elements also did not co-locate extensively with the HNP, instead occupying its own buildings to signal neutrality. Commissioner Pouliot now believes the UN could have saved money by permitting co-location, and that this practice would have aided CIVPOL's mentoring role.

The CIVPOL did benefit from a change to normal UN practice. Its officers were armed and allowed to proactively enforce the law, instead of the usual "neutral and unarmed" stance adopted by CIVPOL elements. This helped maintain stability and provided positive role models for the new HNP, though it forced CIVPOL to operate in the same law enforcement "gray area" as the US military forces. A field training guide was also developed by CIVPOL. It was used extensively to measure performance of the new police and to provide feedback to ICITAP on the quality of

its training. Finally, CIVPOL's inclusion of NGOs and Haitian leaders in determining the needs of individual communities laid the groundwork for community-based policing.[86]

Trainers from ICITAP faced the most challenging conditions in Haiti they had ever encountered. In short order, ICITAP renovated the FAd'H's *Camp d' Application*; the new Haitian National Police Academy began operations there within five months. The orientation training ICITAP provided to IPM and CIVPOL elements was key to their success. The training provided to the new HNP recruits was excellent, although not sufficiently comprehensive for untrained personnel. Remarkable flexibility was demonstrated in opening a second training site on short notice. The ICITAP five-year plan accurately reflected training and developmental needs of the HNP, and ongoing training in criminalistics and specialized techniques is improving police capability. Finally, development of an IG capability in the HNP did much to ensure transparency of the force, thus improving public acceptance.[87]

Conclusions

Judged solely by its mandate to create a separate police force, the September 1994-August 1996 efforts in Haiti must be

considered a qualified success. The intervention succeeded due to the strength of its planning and execution, despite some serious shortcomings. Examining both areas yields valuable "lessons learned" for the international community.

Comprehensive planning at the UN and US interagency levels developed a blueprint for mission success and disengagement. The POL-MIL plans created by the US interagency were the first of their kind; this process must be retained and refined for future operations. Planners must develop sufficient sophistication to discern interrelationships among institutions and identify long-term effects of their initial plans.[88] Additionally, POL-MIL plans must be given the appropriate dissemination to ensure complete and effective coordination.

Security Council Resolution 940 played a key role in clearly defining and limiting the Mission to achievable objectives. The multinational coalition it created, led by the US, had specific landmarks against which to measure success. The UN Mission successfully synchronized support to the Haitian government despite questions of the strength of international commitment caused by several last-minute extensions of the Mandate.

The flexibility of the US military was highlighted by the rapid transition from combat footing to guarded cooperation with

the Cedras' regime. The self-sufficient package deployed by JTF 180 was key to quickly establishing a "secure and stable environment" and filling the security void until international police monitors were deployed.[89] The UN CIVPOL elements succeeded despite flaws in recruiting and equipping the force.

International police trainers successfully executed their mission in a demanding environment. Building an academy and fielding a police force in a society virtually devoid of existing support structures was the essential first step. Developing specialized investigative and leadership capabilities, refining logistics requirements and improving accountability of the force will challenge ICITAP over the course of its five-year plan.

The ultimate success of the police reform mission in Haiti depends on its links to other institutions and the economy. The penal system has made good progress. The justice system is the weakest link at present. Educated, able and committed prosecutors and judges must be developed to complement the new HNP. The long-term success of any of Haiti's institutions depends on revitalization of its economy. International donor money is slowing and businesses are reluctant to invest in Haiti's future.[90] Inadequate funding threatens the remarkable successes achieved in only two years. The extension of the

international presence in Haiti via UNSMIH and ICITAP's ongoing training offer hope for the future. Certainly, continued assistance is required, over a period of years if not decades. Abandoning the country and its new police force to its own devices too soon may doom it to slipping back into the swamp of predation.

Recommendations

The process of developing Haiti's new police force must continue. Training in advanced investigative techniques will improve its capabilities. The CIVPOL's monitoring/mentoring role provides critical overwatch of potential human rights abusers. The government of Haiti must invest sufficient resources in the HNP to permit thorough investigation of alleged police misconduct. Most importantly, the international community and Haitian government must continue to reform the penal and judicial systems to sustain progress of the HNP.[91]

United States' policy makers must recognize that not all interventions are alike. Haiti was not Somalia. While the reluctance of the US military to engage in nation-building did not fatally flaw the mission, the exit strategy developed by DOD

may prove problematic for long-term viability of the HNP and other Haitian institutions.

The US military has stressed joint operations since the late 1980s, and the Persian Gulf War is touted as a model of coalition operations. The "new world disorder" exemplified by Haiti calls for inclusion of non-military resources in the initial stages of some interventions. The interagency process must become more flexible and responsive to rapidly-changing world events. The POL-MIL plans developed for Haiti are a good start. The training provided to interagency participants by USACOM before deployment to Haiti should become routinized. Moreover, "joint/combined" exercises should become "interagency" as well, cementing this synergistic relationship. A good place to start is at the US Army's Joint Readiness Training Center (JRTC). The training at JRTC could be expanded, fully integrating the interagency team in realistic scenarios during selected rotations or in preparation for an actual mission.

The UN must continue to refine the procedures used to recruit and equip CIVPOL elements. Member nations could be offered inducements such as reduced UN dues for providing standing CIVPOL contingents, properly trained and prepared for deployment. These elements could be managed like the US Army's

Ready Reserve program. Qualifications of the individual contingents could be assessed annually by the UN to ensure readiness. The importance of security in nations racked with sufficient turmoil that international intervention is necessary requires a contingency capability on the UN's part. The difficulty presently experienced in raising a "UN Expeditionary Force" may be ameliorated if it is primarily composed of police professionals. This capability is required to fill Ambassador Oakley's "public security gap"[92] inherent in some interventions. A CIVPOL-heavy force is not appropriate for all crises, but in situations like Haiti it can be operationally decisive.

Finally, the international community must remain engaged with the nation and people of Haiti. Private volunteer and non-governmental organizations, "friends of Haiti" nations such as Canada, France and the United States, and the UN itself must devote the resources required for the growth of democracy. The intervention's results thus far are impressive: creation of an independent police force for the first time in Haiti's history; development of viable-if-weak democratic institutions; and most importantly, the birth of hope in the hearts of ordinary Haitians. Nurturing these fragile accomplishments requires assistance--training, money and equipment--for the foreseeable future. Premature disengagement by the actors which helped Haiti

thus far will likely negate these remarkable achievements. Too much has been invested, and for the right reasons, to allow Haiti's past to become its future.

GLOSSARY

Attaches: Subversive paramilitary organization whose members served as enforcers and instigators for the Cedras regime.

Cap Haitien Model: Effort by JTF 180 to establish a new, model police force in the city of Cap Haitien. Former FAd'H and police were returned to duty in this port city on Haiti's northern coast under the supervision of the IPM. Local Haitians roundly rejected their former oppressors, prompting changes to MNF plans for developing the IPSF.

CARICOM: The Caribbean Community. Inclusive term used for nations in the Caribbean Basin which provided military forces for the multinational intervention in Haiti.

CIVPOL: The Civilian Police, an element of the United Nations Mission in Haiti. CIVPOL contingents are raised by member nations in response to requests from the UN, and are composed of civilian police professionals from countries around the world. The purpose of CIVPOL is to monitor police activity in the country being assisted, as well as to provide role models and mentors for local police.

DOD: The United States Department of Defense, a Cabinet-level organization which directed the US military participation in Haiti.

FAd'H: Forces Armee d'Haiti. The Armed Forces of Haiti under the Cedras regime. Composed of both soldiers and civil police, the FAd'H was little more than the enforcement arm of the repressive *de facto* government.

GOH: The government of Haiti.

HNP: Haitian National Police. The new civilian police force created by the government of Haiti and the international community following the 1994 intervention which restored Jean-Bertrand Aristede as Haiti's President. The HNP is the first force in Haiti's 193-year history which is both separate from the country's military and committed to public service according to democratic principles.

Interagency: Term used to describe the process by which Cabinet-level organizations, the intelligence community and the National Security Council interact to produce policy and make recommendations to the President of the United States and other senior leaders.

ICITAP: The International Criminal Investigative Training Assistance Progeam. An element of the US Department of Justice

which provides comprehensive development assistance programs to law enforcement agencies in emerging democracies.

IPM: International Police Monitors. An organization composed of civilian police professionals which served the same purpose for the initial MNF operation as did the CIVPOL during the UNMIH phase of the intervention. Many IPM contingents simply transitioned into the CIVPOL when UNMIH replaced the MNF in March 1995.

IPSF: Interim Public Security Force. Term used for the former Haitian soldiers and policemen who were given a short training course by ICITAP and returned to police duty following the intervention. This force was supported by MNF military forces and monitored by both IPM and CIVPOL. The IPSF was never an effective police force, but was intended to serve as a bridge between the FAd'H and the new Haitian National Police.

J-5: Staff section devoted to planning in high-level US military organizations. The J-5 at USACOM was the link between the US interagency process and the military forces preparing for intervention in Haiti.

JTF: Joint Task Force. A military organization designated by the US Secretary of Defense, combatant commander or other specified authority according to joint doctrine. A JTF is

composed of significant elements, assigned or attached, of two or more Military Departments, operating under a single commander authorized to exercize operational control. JTF 180 was the Joint Task Force created by USACOM to conduct operations in Haiti.

MIST: Military Information Support Team. A term devised by UNMIH to address activities conducted by psychological operations (PSYOPS) units of its military component. The transparent nature of UN actions is not conducive to activities such as psychological and intelligence operations. MIST assets used information products to assist local Haitian understanding and acceptance of the new national police force.

MNF: Multinational Force. Term used to describe the initial, pre-UNMIH force that conducted the 1994 intervention in Haiti.

Predatory State/Culture: Term used by scholars and human rights experts to describe the systematic militarization of national institutions and implementation of economic policies that are designed to extract resources from the majority of a populace to benefit a ruling elite. The social order that developed in Haiti over a period of two centuries produced the Western Hemisphere's poorest nation and is considered a classic example of the culture of predation.

UNMIH: United Nations Mission in Haiti. The name of the official United Nations organization empowered by various Security Council Resolutions to carry out functions in Haiti.

USACOM: United States Atlantic Command. A unified command of the US Defense Department. USACOM is responsible for US military operations within a defined geographic area of the world. Its area of responsibility includes Haiti; thus, it was the senior field headquarters responsible for planning military operations supporting the intervention.

ENDNOTES

[1] "Haiti: United Nations Security Council Resolution 940 (1994)," International Peacekeeping, Vol. 1, Winter 1994, 501.

[2] Robert L. Caslen, Jr., Sustaining Democracy in Haiti. Challenges For The US and The International Community (Carlisle Barracks: US Army War College, 1996), 1.

[3] "Haiti: United Nations Security Council Resolution 940 (1994)," 500-501.

[4] Caslen, 1.

[5] Michel S. Laguerre, The Military and Society In Haiti (Knoxville: University of Tennessee Press, 1993), 150-159.

[6] Congress, House, Committee on International Relations, Haiti: Human Rights and Police Issues, 104th Congress, 2d sess., 4 January 1996, 37.

[7] Bruce Hintz, ICITAP, interview by author, 19 December 1996, Washington DC. Mr. Hintz is a Program Manager with ICITAP with extensive experience in Haiti.

[8] Rachel Neild, Policing Haiti--Preliminary Assessment of the New Civilian Security Force (Washington: The Washington Office on Latin America, 1995), 5.

[9] Roland I. Perusse, Haitian Democracy Restored 1991-1995 (Lanham: University Press of America, 1995), 49-53.

[10] Neild, 5-7.

[11] US Army Peacekeeping Institute, Success in Peacekeeping--United Nations Mission in Haiti: The Military Perspective (Carlisle Barracks: US Army Peacekeeping Institute, n.d.), 2.

[12] "Haiti: United Nations Security Council Resolution 940 (1994)", 499-502.

[13] United States Atlantic Command, Operation UPHOLD DEMOCRACY--Joint After Action Review (JAAR) (Norfolk: US Atlantic Command, 1995), 2.

[14] XVIII Airborne Corps, JTF 180 Operation UPHOLD DEMOCRACY Oral History Interviews, (Fort Bragg: XVIII Airborne Corps, n.d.), 43.

[15] Ibid., 195.

[16] Gordon C. Bonham, Lieutenant Colonel, US Army, interview by author, 3 January 1997, Fort Bragg, North Carolina. LTC Bonham was the Chief of War Plans for the US Army's XVIII Airborne Corps (JTF 180), responsible for overseeing preparation of the plans for forcible entry by US forces.

[17] David Bentley, "Operation UPHOLD DEMOCRACY: Military Support for Democracy in Haiti," Strategic Forum 78 (June 1996): 2.

[18] Bonham, interview. The Commander in Chief (CINC) USACOM was more concerned about restoration of public order (what he termed "the morning after" the invasion) than about success of the armed intervention, according to the chief war planner at JTF 180.

[19] Robert B. Killebrew and David H. Petraeus, "Winning The Peace," Armed Forces Journal International, April 1995, 41.

[20] John J. Kautz, Lieutenant Colonel, US Army, interview by author, 2 December 1996, Washington DC. LTC Kautz was the Haiti Desk Officer in the J-5 (Plans) Directorate, Office of the Joint Chiefs of Staff, the Pentagon.

[21] Neil Pouliot, Chief Superintendent (Retired), RCMP, telephone interview by author, 17 December 1996.

[22] USACOM, Operation UPHOLD DEMOCRACY, 12.

[23] William B. Garrett, <garrettwb@aol.com>, "Haiti," electronic mail message to author, 27 January 1997.

[24] William B. Garrett, Major, US Army, telephone interview by author, 16 January 1997. MAJ Garrett was the officer charged with developing plans for armed intervention in Haiti. He worked in the XVIII Airborne Corps G3 War Plans office, and was the principal drafter of the invasion plans.

[25] Neild, Policing Haiti, 9.

[26] Bonham, interview.

[27] Gary M. Jones, Lieutenant Colonel, US Army, interview by author, 30 January 1997, Carlisle Barracks, Pennsylvania. LTC Jones commanded 2d Battalion, 3d Special Forces Group, the first Special Forces battalion that deployed to Haiti in September 1994.

[28] Michael L. Sullivan, Colonel (Retired), US Army, telephone interview by author, 26 November 1996. COL Sullivan commanded the 16th Military Police Brigade. His unit was comprised of two MP battalions and was responsible to the JTF 180 Commander for military police support in Port-au-Prince during the early months of the intervention.

[29] Bentley, Strategic Forum, 3.

[30] USACOM, Operation UPHOLD DEMOCRACY, 16-17.

[31] Garrett, electronic mail message.

[32] USACOM, Operation UPHOLD DEMOCRACY, 18.

[33] Bentley, Strategic Forum, 3.

[34] Neild, Policing Haiti, 15-16.

[35] Robert Maguire et al., Haiti Held Hostage: International Responses to the Quest For Nationhood 1986 to 1996 (Providence: Thomas J. Watson Jr. Institute For International Studies, 1996), 64-65.

[36] Raymond Kelly, Undersecretary of the US Treasury Department, interview by author, 19 December 1996, Washington DC.

[37] Neild, Policing Haiti, 16.

[38] Sullivan, telephone interview.

[39] James L. Saunders, Colonel, US Army, interview by author, 13 November 1996, Fort Belvoir, Virginia. COL Saunders was the Deputy Commander of the MNF for Haitian Security Affairs from January-April 1995.

[40] USACOM, Operation UPHOLD DEMOCRACY, 32-33.

[41] US Army Peacekeeping Institute, Success in Peacekeeping, 5-6.

[42] Pouliot, telephone interview.

[43] Hintz, interview.

[44] Robert L. Caslen Jr., Lieutenant Colonel, US Army, telephone interview by author, 25 November 1996. LTC Caslen worked in both the MNF and UNMIH from February-July 1995. He served as the Deputy Commander of the MNF for Security Affairs, and later in UNMIH as the Executive to the US Force Commander for Security Affairs and Executive Officer to the Special Representative of the Secretary General for Security Affairs.

[45] Neild, Policing Haiti, 20.

[46] Rachel Neild, The Haitian National Police (Washington: The Washington Office on Latin America, 1996), 8-9.

[47] US Army Peacekeeping Institute, Success in Peacekeeping, 6-10. MIST was essentially Psychological Operations (PSYOPS) forces used to communicate campaign themes to the Haitian people throughout the MNF/UNMIH phases. PSYOPS is not politically acceptable in UN operations, so the campaign proceeded under the camouflage of "MIST." It was also used to help recruit for the new police force. MIST operations were widely praised by the UN and Haitian government.

[48] Maguire, Haiti Held Hostage, 112-113.

[49] Hintz, interview.

[50] William G. O'Neill, National Coalition on Haitian Rights, telephone interview by author, 4 February 1997.

[51] US Army Peacekeeping Institute, Success in Peacekeeping, 2.

[52] Pouliot, telephone interview.

[53] Killebrew, Armed Forces Journal International, 41.

[54] Kautz, interview.

[55] Garrett, electronic mail message. Also, interviews with the chief planners for JTF 180 revealed that though they knew a POL-MIL plan existed, they were rarely able to get definitive answers from USACOM or the interagency as planning continued.

[56] Sullivan, telephone interview. Though Colonel Sullivan's actions as the "US Chief of Police" in Port-au-Prince in the first days of the intervention mirrored the POL-MIL plan's intent, he did so without knowledge of its content. Other key members of the MNF and UNMIH (Colonels James L. Saunders and David Patton, Lieutenant Colonel Robert Caslen and even Commissioner Ray Kelly) were either unaware of the POL-MIL plans' existence or content, or became aware of it only after arrival in Haiti.

[57] XVIII Airborne Corps, JTF 180 Operation UPHOLD DEMOCRACY, 295-300.

[58] Robert Oakley and Michael Dziedzic, "Policing The New World Disorder," Strategic Forum 84 (October 1996): 1.

[59] Neild, Policing Haiti, 8-9.

[60] Foreign Assistance Act, U.S.Code, vol.22, secs. 2420-660 (1961).

[61] Garrett, telephone interview. Major Garrett stated that planners anticipated the need for an organization like ICITAP to conduct the training of the new Haitian police.

[62] Bonham, interview.

[63] XVIII Airborne Corps, JTF 180 Operation UPHOLD DEMOCRACY, 295-300.

[64] Garrett, electronic mail message.

[65] Bentley, Strategic Forum, 3.

[66] Caslen, telephone interview.

[67] USACOM, Operation UPHOLD DEMOCRACY, 14.

[68] Sullivan, telephone interview. Colonel Sullivan stated that the security situation in Port-au-Prince only started to improve when he sent squads of MPs into police stations. The military police provided a positive role model for the dispirited FAd'H/police, bridging the gap until the IPM became operational. He also stated that his unit provided over 200 MPs per

day for "presence patrols;" though he had only anecdotal evidence of it, he was sure that his soldiers had "done the right thing" when confronted with criminal activity in Port-au-Prince.

[69] Jones, interview.

[70] Michael Bailey, Lieutenant Colonel, US Army, telephone interview by author, 23 January 1997. LTC Bailey authored the ROE used by UNMIH while he served in Haiti in 1995.

[71] USACOM, Operation UPHOLD DEMOCRACY, 17, 34-35.

[72] Congress, Haiti, 40.

[73] Sullivan, telephone interview.

[74] Caslen, telephone interview.

[75] Neild, Policing Haiti, 17-18.

[76] Rachel Neild, Washington Office on Latin America, telephone interview by author, 16 January 1997.

[77] Rachel Neild, The Human Rights Record of the Haitian National Police (Washington: The Washington Office on Latin America, 1997), 1-6.

[78] Neild, Policing Haiti, 16-17.

[79] Neild, telephone interview.

[80] Caslen, telephone interview.

[81] Neild, telephone interview.

[82] O'Neill, telephone interview.

[83] Neild, telephone interview. Presently, the HNP accounts for over 80% of the Ministry of Justice budget. This imbalance makes reform of prisons and courts even more difficult.

[84]Kelly, interview. Secretary Kelly's background includes a full career as a Marine Corps reserve officer and tenure as the New York City Police Commissioner, in addition to his current duties as the Undersecretary for Enforcement of the US Treasury Department. The magnitude of the challenge he faced as Commander of the IPM is reflected in his statement to the author that "Haiti was the toughest job I've had."

[85] David L. Patton, Colonel, US Army, telephone interview by author, 6 January 1997. COL Patton was the UN Executive for Haitian Security from June-October 1995. He stayed in Haiti until October 1996, serving as the Commander of the US Support Group in Haiti.

[86] Pouliot, telephone interview. Commissioner Pouliot's insights led to UN reforms regarding CIVPOL recruitment and training. Language and driving tests are now administered to a potential CIVPOL contingent before it is accepted for a mission. Selection Assistance Teams from the UN administer these tests in the home country before deployment, which saved the UN 1.5 million dollars in 1996. Additionally, training plans are now developed and administered by a UN Training Unit before a contingent deploys to a mission.

[87] Hintz, interview.

[88] Robert Maguire, Demilitarizing Public Order in a Predatory State: The Case of Haiti (Coral Gables: North-South Center Press, 1995), 14. Maguire points out that a team of lawyers and judges led by Major General Campbell of the US Army Civil Affairs and Psychological Operations Command surveyed the Haitian justice system for several months in 1995. Though judicial reform was one of the key goals of the POL-MIL plans for establishing a new police force, before Campbell's team conducted their extensive work, no one realized the extent of the justice system's dysfunction.

[89] Oakley, Strategic Forum, 1.

[90] Neild, telephone interview. Neild stated that as of August 1996, effective changes had taken place in the prison system: prisoners were being properly fed, receiving medical attention and due process. Some mixing of prison populations (men, women and juveniles) was still occurring, but on the whole the prison reform was well underway. The affordability of the new police force is a key question, and is directly tied to the health of the Haitian economy.

[91] Neild, The Human Rights Record of the Haitian National Police, 1-6.

[92] Oakley, Strategic Forum, 1.

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