

# Repertoire of the Practice of the Security Council 17th Supplement 2010-2011

Department of Political Affairs - Security Council Affairs Division Security Council Practices and Charter Research Branch

## The question concerning Haiti

### Overview

During the period under review, the Security Council held 12 meetings, including two closed meetings with troop-contributing countries, <sup>1</sup> on the question concerning Haiti. Following the earthquake of 12 January 2010, the Council focused on issues of immediate humanitarian assistance, recovery, security and coordination of the work of relief agencies, and expressed its support for the political process. The Council held a high-level meeting on 6 April 2011, following the presidential and parliamentary elections.

The Council twice extended the mandate of the United Nations Stabilization Mission in Haiti (MINUSTAH).<sup>2</sup> It also increased the force level of MINUSTAH twice in 2010.<sup>3</sup> The mandate of MINUSTAH was also adjusted to provide electoral support, security, and recovery in Haiti.<sup>4</sup> In 2011, the Council authorized a drawdown of the surge capacity of MINUSTAH.<sup>5</sup>

A table lists the meetings held in consideration of this agenda item, as well as related information, including invitees, speakers and decisions adopted.

19 January to 4 June 2010: response to the earthquake of 12 January 2010 and increases in the number of police in MINUSTAH

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<sup>&</sup>lt;sup>1</sup> See S/PV.6380 and S/PV.6615.

<sup>&</sup>lt;sup>2</sup> Resolution 1944 (2010) para. 1 and resolution 2012 (2011), para. 1.

<sup>&</sup>lt;sup>3</sup> Resolutions 1908 (2010) and 1927 (2010).

<sup>&</sup>lt;sup>4</sup> Resolution 1927 (2010), paras. 4, 5, 7, and 8.

<sup>&</sup>lt;sup>5</sup> Resolution 2012 (2011), para. 2.

Following the earthquake of 12 January 2010, by <u>resolution 1908 (2010)</u> of 19 January 2010, the Council authorized an increase in the military and police components of MINUSTAH, in order to carry out an expanded mandate that included supporting the immediate recovery, reconstruction and stability efforts in Haiti.<sup>6</sup>

On 19 February 2010, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator briefed the Council on his assessment of the humanitarian needs following his trip to Haiti and the Dominican Republic. He stated that although the humanitarian situation was improving, he was under no illusion about the scale of the challenges still ahead for the next weeks and months. He noted that the "cluster approach", developed since the Asian tsunami five years ago, was proving its worth in improving coordination and the effectiveness of the response of the international humanitarian community. <sup>7</sup> The Under-Secretary-General for Peacekeeping Operations reported that since the earthquake, MINUSTAH had focused on three main objectives: supporting and facilitating relief operations; ensuring law and order and security; and restoring the capacities of the Mission. In particular, he noted that the security situation in Haiti was stable but potentially fragile, since the deterioration in living conditions had led to an increase in crime. In this regard he stressed the importance of improving physical security as well as addressing the question of political stability in the country.8 The representative of Haiti expressed his concern regarding the increase in incidents of crime around the country and emphasized that the Haitian National Police was working with MINUSTAH to apprehend those responsible.<sup>9</sup>

On 28 April 2010, the Special Representative of the Secretary-General and Head of MINUSTAH reported that while the humanitarian crisis was far from over, Haiti had made significant progress in assisting the most vulnerable, including displaced persons in Port-au-Prince living in areas of risk of flooding and mudslides. He highlighted the

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<sup>&</sup>lt;sup>6</sup> See also <u>S/PV.6261</u>.

<sup>&</sup>lt;sup>7</sup> S/PV.6274, pp. 2-4.

<sup>&</sup>lt;sup>8</sup> Ibid., pp. 4-6.

<sup>&</sup>lt;sup>9</sup> Ibid., p. 7.

recommendations contained in the report of the Secretary-General 10 that MINUSTAH undertake a surge of effort across five areas of work: fostering political stability; coordinating and enabling the post-earthquake relief effort; maintaining a secure and stable environment, and strengthening police and judicial institutions; supporting the Government in the implementation of its vision for strengthened State capacity and decentralization; and helping Haiti begin building its "human capital" through promotion of a balanced social agenda. 11 The Prime Minister of Haiti stated that a temporary adjustment of the mandate of MINUSTAH would be desirable to ensure that support for the Government would, in the short term, more efficiently and directly meet the needs of the post-disaster situation. 12 The Assistant Secretary General of the Organization of American States (OAS) stated the role of OAS was focused on three areas: governance; the strengthening and modernizing of State institutions; and capacity-building. <sup>13</sup> In this regard, he stressed, inter alia, the role of OAS in supporting the electoral process. The representative of the European Union, while welcoming the integrated approach adopted by MINUSTAH, emphasized that a more expansive view needed to be taken to find the balance between the immediate priorities identified in the report of the Secretary-General and the medium- and long-term priorities set out in the Action Plan by the Government of Haiti.14

Council members generally agreed with the recommendations of the Secretary-General regarding the role of MINUSTAH. A number of speakers explicitly supported an increase in the police contingent of the Mission, <sup>15</sup> while others called for further comprehensive consideration by the Council before additional personnel were authorized. 16 The representative of the Russian Federation stated his concern over the involvement of MINUSTAH in social issues, as recommended in the report of the Secretary-General. He suggested that MINUSTAH might not have the necessary

<sup>&</sup>lt;sup>10</sup> S/2<u>010/200</u>.

<sup>&</sup>lt;sup>11</sup> S/PV.6303, pp. 2-5.

<sup>&</sup>lt;sup>12</sup> Ibid., pp. 5-6.

<sup>&</sup>lt;sup>13</sup> Ibid., pp. 23-25.

<sup>&</sup>lt;sup>14</sup> Ibid., pp. 25-26.

<sup>&</sup>lt;sup>15</sup> Ibid., p. 7 (Brazil); p. 9 (Mexico); p. 10 (United States); p. 18 (Nigeria); p. 19 (Austria); p. 20 (Turkey); p. 21 (Uganda); p. 22 (Japan); p. 28 (Canada); p. 29 (Colombia); and p. 34 (Norway). <sup>16</sup> Ibid., p. 12 (China); and p. 14 (Russian Federation).

knowledge and experience in this field, which lay within the competence of other specialized bodies. 17

On 4 June 2010, the Council adopted resolution 1927 (2010), by which it decided to authorize the deployment of an additional 680 police as a temporary surge capacity with clearly defined objectives, with a particular focus on building the capacity of the Haitian National Police. 18 Resolution 1927 (2010), inter alia, further requested MINUSTAH to assist the Government of Haiti in providing adequate protection of the population, and continue to support the humanitarian and recovery efforts. 19

# 13 September 2010 to 14 October 2011: extensions of mandate and reduction in troop and personnel levels of MINUSTAH

On 13 September 2010, the Special Representative of the Secretary-General for Haiti and the Head of MINUSTAH reported that progress had been made in moving the political process forward, maintaining the security gains of recent years, and supporting humanitarian and recovery efforts. While welcoming the decision by the Government of Haiti to hold legislative and presidential elections on 28 November 2010, he pointed to both the short-term and long-term challenges facing the Haitian government, including the organization of the elections, maintaining order in camps, reconstruction, and the relocation of displaced persons.<sup>20</sup> The representative of Haiti requested donor countries to fulfill their pledges in order to avoid a delay in reconstruction and an outbreak of violence by failing to meet the expectations of the population for better conditions.<sup>21</sup>

Most speakers agreed that ensuring credible, free, fair and peaceful elections was essential for achieving long-term stability in Haiti, and pointed to the critical role that MINUSTAH played in providing logistical, security, and technical support towards the electoral processes. Many speakers also emphasized their concerns regarding the

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<sup>&</sup>lt;sup>17</sup> Ibid., p. 14. <sup>18</sup> <u>S/PV.6330</u>.

<sup>&</sup>lt;sup>19</sup> Resolution 1927 (2010), paras. 4, 5, 7, and 8.

<sup>&</sup>lt;sup>20</sup> S/PV.6382, pp. 2-5.

<sup>&</sup>lt;sup>21</sup> Ibid., pp. 5-6.

situation of vulnerable groups, especially women, children and victims of sexual and gender-based violence in the internally displaced persons (IDP) camps. A number of speakers highlighted security issues related to organized crimes such as gang violence and flow of drugs and weapons into the country, which necessitated capacity building of security and rule of law institutions, notably, inter alia, the Haitian National Police.<sup>22</sup> Regarding recovery and reconstruction, several speakers stressed the importance of meeting the pledges that had been made and coordinating among donors and all actors on the ground. <sup>23</sup> The representative of the United Kingdom emphasized that while the Council had authorized additional engineering contingents for MINUSTAH, the primary focus of the Mission should remain the provision and maintenance of a peaceful and secure environment, and that peacekeeping missions should not make long-term commitment to reconstruction work.<sup>24</sup> Regarding the issue of the drawdown of the surge capacity of MINUSTAH, several speakers stated that the current level should be maintained, and the security condition on the ground, the completion of the elections, and the peaceful transition of power should be the basis for any further discussion of capacity drawdown.<sup>25</sup>

On 14 October 2010, the Council adopted <u>resolution 1944 (2010)</u>, by which it extended the mandate of MINUSTAH until 15 October 2011, while maintaining its current force levels.<sup>26</sup> The Council, inter alia, also called upon MINUSTAH to support the political process underway towards the presidential and legislative elections due to take place on 28 November 2010.

On 16 September 2011, the Special Representative of the Secretary-General and Head of MINUSTAH reported that the presidential election had been concluded

<sup>&</sup>lt;sup>22</sup> Ibid., pp. 6-7 (United States); p. 7 (Brazil); pp. 11-12 (Nigeria); p. 14 (Japan); p. 16 (Lebanon); pp. 17-18 (Uganda); and p. 18 (Turkey).

<sup>&</sup>lt;sup>23</sup> Ibid., pp. 7-8 (Brazil); pp. 8-9 (France); pp. 9-10 (Gabon); p. 16 (Lebanon); p. 19 (Turkey); and p. 20 (Uruguay, on behalf of the Group of Friends of Haiti).

<sup>&</sup>lt;sup>24</sup> Ibid., p. 18.

<sup>&</sup>lt;sup>25</sup> Ibid., p. 7 (United States); pp. 10-11 (Mexico); p. 13 (Russian Federation); p. 20 (Uruguay, on behalf of the Group of Friends of Haiti); p. 22 (Canada); p. 24 (Colombia); and p. 26 (Argentina).

<sup>26</sup> S/PV.6399.

successfully, and that while challenges to the political process remained, a reduction and reconfiguration in the force levels of MINUSTAH could now be considered. While endorsing the recommendations of the Secretary-General for a reduction in the military component of MINUSTAH by 1,600 military and 1,150 police personnel, he stressed a further deterioration in the security situation was possible should the efforts of MINUSTAH in the area of reconstruction and development be reduced. In this regard, he urged Council members as well as the international community to help stimulate investment and development efforts and make resources available to this end. <sup>27</sup>

Most speakers supported the renewal of the mandate of MINUSTAH and a gradual reduction of its personnel, provided that such a reduction would not endanger the ability of the Mission to fulfill its mandate or the stability and security of the country. Several speakers mentioned the alleged sexual exploitation and abuse by United Nations personnel and took note of the public commitment by Uruguay to conduct a full investigation in cooperation with the United Nations. <sup>28</sup>

On 14 October 2011, the Council adopted <u>resolution 2012 (2011)</u>, by which it extended the mandate of MINUSTAH until 15 October 2012 and authorized a reduction of the military component to 7,340 troops and of the police component to 3,241 police, with the affirmation that future adjustments to forces configuration should be based on the overall security situation on the ground. The Council, inter alia, also requested MINUSTAH to continue to provide support to the efforts by the Government of Haiti to build institutional capacity in the security and rule of law area, at all levels.<sup>29</sup>

20 January 2011: briefing by the Under-Secretary-General for Peacekeeping Operations

<sup>&</sup>lt;sup>27</sup> <u>S/PV.6618</u>, pp. 2-6.

<sup>&</sup>lt;sup>28</sup> Ibid., p.10 (South Africa); p. 16 (United States); p. 29 (Uruguay); and p. 30 (European Union).

<sup>&</sup>lt;sup>29</sup> Resolution 2012 (2011), paras. 2, 3, 9 and 20.

On 20 January 2011, the Under-Secretary-General for Peacekeeping Operations reported on major political developments since the first round of voting in Haiti's presidential elections in November 2010. He stated that since the announcement of the preliminary results of the elections on 7 December, Haiti had been paralyzed by political uncertainty, and efforts had been made by the Joint OAS-Caribbean Community Electoral Observation Mission to end the crisis. 30 The Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator reported on the progress achieved during the past year in responding to the post-earthquake humanitarian needs. She highlighted the efforts made to combat the ongoing cholera epidemic and emphasized the need for stability, freedom of movement of aid workers and supplies, as well as disbursement of all pledged funds. <sup>31</sup> The representative of Haiti called upon donor countries to make all pledged funds available, and requested the panel investigating the origin of the cholera pandemic to make their conclusion known soon in order to end speculation.<sup>32</sup>

During the debate that followed, Council members underlined the need of transparent and credible electoral processes as the basis for solving the political paralysis. Council members also recognized the importance of continued humanitarian assistance with special attention paid to mitigate the consequences of the cholera outbreak. Several speakers called upon donors to coordinate their activities and to fulfill their pledges while stressing the importance of national ownership in the process of recovery and reconstruction, hence underlining the need of strengthening state institutions and capacities.<sup>33</sup> Speakers also expressed concerns over the security situation, emphasizing the importance of protecting vulnerable segments of the population.

### 6 April 2011: high-level meeting concerning Haiti

<sup>&</sup>lt;sup>30</sup> <u>S/PV.6471</u>, pp. 2-3. Ibid., p. 4.

<sup>&</sup>lt;sup>32</sup> Ibid., pp. 5-6.

<sup>&</sup>lt;sup>33</sup> Ibid., p. 7 (United States); p. 11 (Lebanon); p. 15 (South Africa); p. 17 (Nigeria); and p. 19 (Bosnia and Herzegovina).

On 6 April 2011, the Council held a high-level meeting following the second round of presidential and parliamentary elections in March 2011. The Secretary-General briefed the Council on achievements and challenges in the areas of ensuring political election and stability, assisting the judicial system, providing security, advancing recovery and reconstruction, and combating the cholera epidemic.<sup>34</sup> The United Nations Special Envoy for Haiti reported on the achievements and challenges of the Reconstruction Commission as well as a variety of partnerships aimed at the recovery and reconstruction of the country. He presented several recommendations in areas such as national capacity building, fund disbursement and expenditure, and non-governmental organization (NGO) involvement.<sup>35</sup> The President of Haiti called on Haiti's future executive and legislative leaders to govern in a spirit of peace, openness, inclusion, dialogue, and respect for the rights of association and expression. He urged donors to hasten disbursements, while emphasizing that drug trafficking, a source of political instability in his country, needed to be tackled globally. 36 The Secretary-General of OAS reported that the post-election challenges divided the executive and legislative branches in the country, and stressed the need for ongoing political dialogue among all relevant actors. He also noted that there was an apparent shift in the approach of donors that was aimed more towards bilateral planning and use of resources, than at multilateral coordination. He called on the international donor community to provide the funds that were pledged to the Reconstruction Fund, and to harmonize their bilateral activities.<sup>37</sup> The President of the Inter-American Development Bank (IADB) highlighted the role of IADB in developing education programmes, assisting in infrastructure building, and development of the private sector. <sup>38</sup> The Special Representative of the Caribbean Community for Haiti (CARICOM) emphasized that strong, robust, and flexible institutional capacity was a "sine qua non" for sustainable development, good governance, and security. He emphasized the need for coordination to fulfill the urgent

<sup>&</sup>lt;sup>34</sup> S/PV.6510, p. 5. Ibid., pp. 6-9.

<sup>&</sup>lt;sup>36</sup> Ibid., pp. 9-11.

<sup>&</sup>lt;sup>37</sup> S/PV. 6510 (Resumption 1), pp. 6-8.

<sup>&</sup>lt;sup>38</sup> Ibid., pp. 8-9.

needs of the population.<sup>39</sup> The representative of the European Union urged the national authorities and political stakeholders to make further efforts towards achieving political stability. He also emphasized the issue of security and expressed support for MINUSTAH and the work of the Haitian National Police in guaranteeing the rule of law. He further pledged European assistance in development and called for coordination of international assistance while stressing national leadership in reconstruction efforts.<sup>40</sup>

During the debate, speakers focused on how the international community could better contribute towards the reconstruction, security, and development of the country. Speakers urged the political stakeholders in Haiti to step up their efforts so that the electoral process could rapidly reach a successful conclusion. Many speakers emphasized the importance of national ownership of the reconstruction and development efforts through the strengthening of capacity and institution building. Several speakers stressed the need to address the security situation, especially the protection of vulnerable groups and expressed continued support for the work of MINUSTAH with the Haitian National Police to ensure law and order.

At the end of the meeting, the Council adopted a Presidential Statement<sup>41</sup> by which it, inter alia, stressed the importance of completing the electoral process in a peaceful, credible, and legitimate way. It underlined the connection between development, security, and strengthening of democratic institutions in Haiti, and expressed its concerns at the situation of vulnerable groups.<sup>42</sup> The Council also called upon the donor community to fulfil without delay all pledges and encouraged all reconstruction donors to channel their efforts through the Interim Haiti Recovery Commission.<sup>43</sup>

<sup>39</sup> Ibid., pp. 9-11.

<sup>&</sup>lt;sup>40</sup> Ibid., pp. 15-16.

<sup>&</sup>lt;sup>41</sup> S/PRST/2011/7.

<sup>&</sup>lt;sup>42</sup> Ibid., paras. 3, 4, 6, and 7.

<sup>&</sup>lt;sup>43</sup> Ibid., para. 10.

## **Meetings: the question concerning Haiti**

Meeting and date	Sub-item	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decision and vote (for-against-abstaining)
6261 19 January 2010		Draft resolution submitted by all Council members and Argentina, Canada, Chile, Guatemala, Peru and Uruguay (S/2010/29)	Argentina, Canada, Chile, Guatemala, Haiti, Peru, Uruguay			Resolution 1908 (2010) 15-0-0
		Letter dated 18 January 2010 from Mexico concerning the situation in Haiti following the earthquake (S/2010/27, annex)				
6274 19 February 2010			Haiti	Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Under-Secretary-General for Peacekeeping Operations	All invitees	
6303 28 April 2010	Report of the Secretary-General on the United Nations Stabilization Mission in		10 Member States <sup>a</sup>	Special Representative of	All Council	

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Meeting and date	Sub-item	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decision and vote (for-against-abstaining)
	Haiti (MINUSTAH) ( <u>S/2010/200</u> )			the Secretary-General and Head of the United Nations Stabilization Mission in Haiti (MINUSTAH), Assistant Secretary- General of the Organization of American States, Acting Head of the delegation of the European Union to the United Nations	Members and all invitees <sup>b</sup>	
6330 4 June 2010		Draft resolution submitted by 13 Member States <sup>c</sup> ( <u>S/2010/277</u> )	Argentina, Canada, Chile, Guatemala, Haiti, Peru, Spain, Uruguay		Haiti	Resolution 1927 (2010) 15-0-0
6382 13 September 2010	Report of the Secretary-General on MINUSTAH ( <u>S/2010/446</u> )		Eight Member States <sup>d</sup>	Special Representative of the Secretary- General for Haiti, deputy head of the delegation of the European Union	All Council Members and all invitees <sup>e</sup>	
6399	Report of the Secretary-General on	Draft resolution	Argentina,		Haiti	Resolution 1944

Meeting and date	Sub-item	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decision and vote (for-against-abstaining)
14 October 2010	MINUSTAH ( <u>S/2010/446</u> )	submitted by 13 Member States <sup>f</sup> ( <u>S/2010/519</u> )	Canada, Chile, Ecuador, Guatemala, Haiti, Peru, Spain, Uruguay			(2010) 15-0-0
6471 20 January 2011			Haiti	Under-Secretary-General for Peacekeeping Operations, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	All Council members and invitees	
6510 6 April 2011	Haiti: A renewed commitment by the international community  Letter dated 31 March 2011 from the Permanent Representative of Colombia to the United Nations addressed to the Secretary-General (S/2011/218)  Report of the Secretary-General on MINUSTAH (S/2011/183)		20 Member States <sup>g</sup>	United Nations Special Envoy for Haiti, Secretary General of the Organization of American States, President of the Inter-American Development Bank, Special Representative of the Caribbean Community for Haiti, acting Head of the Delegation of the	Secretary- General, all Council members and all invitees	S/PRST/2011/7

Meeting and date	Sub-item	Other documents	Rule 37 invitations	Rule 39 and other invitations	Speakers	Decision and vote (for-against-abstaining)
				European Union to the United Nations		
6618 16 September 2011	Report of the Secretary-General on MINUSTAH ( <u>S/2011/540</u> )		Argentina, Canada, Chile, Guatemala, Haiti, Spain, Uruguay		All Council members and all invitees	
6631 14 October 2011	Report of the Secretary-General on MINUSTAH ( <u>S/2011/540</u> )	Draft resolution submitted by 11 Member States <sup>h</sup> ( <u>S/2011/637</u> )	Argentina, Canada, Guatemala, Haiti, Peru, Spain, Uruguay			Resolution 2012 (2011) 15-0-0

<sup>&</sup>lt;sup>a</sup> Argentina, Canada, Dominican Republic (the), Colombia, Guatemala, Haiti (Prime Minister), Norway, Peru, Spain and Uruguay.

<sup>&</sup>lt;sup>b</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti (comprising Argentina, Brazil, Canada, Chile, France, Mexico, Peru, United States and Uruguay).

<sup>&</sup>lt;sup>c</sup> Argentina, Austria, Brazil, Canada, Chile, France, Guatemala, Japan, Mexico, Peru, Spain, United States and Uruguay.

<sup>&</sup>lt;sup>d</sup> Argentina, Canada, Chile, Colombia, Haiti, Norway, Peru and Uruguay.

<sup>&</sup>lt;sup>e</sup> The representative of Uruguay spoke on behalf of the Group of Friends of Haiti (comprising Argentina, Brazil, Canada, Chile, France, Mexico, Peru, United States and Uruguay).

<sup>&</sup>lt;sup>f</sup> Argentina, Brazil, Canada, Chile, Ecuador, France, Guatemala, Japan, Mexico, Peru, Spain, United States and Uruguay.

<sup>&</sup>lt;sup>g</sup> Argentina, Australia, the Bahamas, Canada, Chile, Cuba, Dominican Republic (the), Guatemala, Haiti (President), Honduras, Israel, Japan, Mexico, Nicaragua, Norway, Peru, Republic of Korea, Spain, Uruguay, and Venezuela (Bolivarian Republic of).

<sup>&</sup>lt;sup>h</sup> Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, Spain, United States and Uruguay.