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HAITI: SOCIAL CRISIS AND POPULATION DISPLACEMENT

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Table of Contents

1	In	troduction	1
2		e Roots of the Political Crisis	
_	1 11	ic Roots of the Fontical Crisis	······································
	2.1	The May 2000 Elections	1
	2.2	Relations with the International Community	4
	2.3	Opposition Strategy and Support	
	2.4	Post-election Relations with the International Community	
	2.5	Post-election Relations with the Opposition	
	2.6	Renewed Violence: December 2001 and its Aftermath	
3	Go	overnance, Insecurity and Human Rights	11
	3.1	Crisis of Governance	11
	3.2	Human Rights Violations	
4	Ec	onomic Crisis	14
5	Mi	gration as an Alternative	16
	5.1	Migration to the Dominican Republic	17
	5.2	Migration to the Bahamas and the United States	
6	Co	onclusion	
7	Bil	bliography	23
•	11	~-~ >- ~ F / ·····	

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1 Introduction

It has been almost two years since a dispute over the outcome of senatorial elections held on 21 May 2000 plunged Haiti into a political crisis. The two principal protagonists in the dispute, the ruling Lavalas Family party (FL - Fanmi Lavalas in Haitian Creole) of President Jean-Bertrand Aristide and the main opposition coalition known as the Democratic Convergence (DC - Convergence Démocratique in French), show no signs of moving closer to an agreement that could resolve the impasse and allow for the resumption of the political process and the normal functions of government. President Aristide's Prime Minister, Jean-Marie Chéréstal, resigned in January 2002 and was replaced in March by Yvon Neptune, former President of the Senate and one of the main negotiators for FL with the opposition DC over the disputes stemming from the May 2000 elections. Resolving the political crisis is also the key to jump-starting the deteriorating economy. The major foreign aid donors, principally the United States, Canada, and the European Union, and the international financial institutions, such as the World Bank (WB), the International Monetary Fund (IMF), and the Inter-American Development Bank (IDB), have made the release of over US\$ 500 million dollars in foreign aid to Haiti conditional on resolving the political impasse. Since May 2000, the Organization of American States (OAS) and the Caribbean Common Market (CARICOM) have been trying unsuccessfully to negotiate an end to the political crisis.

As the political stalemate continues, the climate of insecurity deepens and human rights violations worsen. Leaders and members of the opposition DC and members of the press critical of President Aristide have been the targets of repeated acts of intimidation and violence by supporters of President Aristide and by the Haitian National Police (HNP) created in 1995 as the only security force in the country. There have been two armed attempts to destabilize or overthrow the government. One occurred in July 2001 when armed members of the disbanded Haitian Armed Forces attacked the Haitian National Police Academy, and the other in December 2001, when former members of the defunct army also attacked the presidential palace in Port-au-Prince in an attempted coup d'état against President Aristide. There has also been a marked increase in gang and drug related violence, and kidnappings. This increased level of violence and insecurity, whether politically motivated or not, combined with a worsening economy, has led to renewed attempts by desperate Haitians to flee these difficult conditions, either by crossing into the Dominican Republic or by taking to the high seas in overcrowded, unsafe boats towards the Bahamas and the United States.

2 The Roots of the Political Crisis

2.1 The May 2000 Elections

On 21 May 2000, Haiti held legislative, municipal, and local elections to fill approximately 7,500 offices throughout the country. This was the third polling at the national and local levels since the return of President Aristide to office by a United States-led multinational force in October 1994. That intervention removed from power the military junta that had toppled President Aristide three years earlier in a September 1991 coup d'état. As expected because of the party's popularity - candidates for President Aristide's FL swept these elections, thereby granting the FL overwhelming control of government at the national and local levels. The day after the elections, the newly formed DC, which had voiced its

criticisms before, during, and immediately after 21 May, issued a list of unsubstantiated charges of widespread fraud which it claimed rendered the elections null and void.¹

The Convergence Démocratique is a coalition of many parties, including the Organisation du Peuple en Lutte (OPL) led by Gérard Pierre-Charles, which broke from Aristide's Lavalas organization in 1996; the Espace de Concertation (EC) - a coalition of five organizations: Konfédérasyon Inité Démokratik (KID in Creole) led by Evans Paul, Génération 2004, Parti Nationaliste Progressiste Haitien (PANPRHA) led by Serge Gilles, Congrès National des Mouvements Démocratiques (CONACOM) led by Victor Benoit and Micha Gaillard, and Ayiti Kapab (AK); Mouvement Patriotique pour le Sauvetage National (MPSN), a coalition of neo-Duvalierist parties which includes Mouvement pour le Développement National (MDN) led by Hubert De Ronceray, Parti Démocrate Chrétien Haitien (PDCH), and L'Alliance pour la Libération d'Haiti (ALAH) led by Reynolds Georges; Mouvement Chrétien pour une Nouvelle Haiti (MOCHRENHA); Rassemblement des Démocrates Nationaux Progressiste (RDNP); and Parti Démocrate Haitien (PADEMH). Of these parties, the most significant in terms of relatively modest electoral support are the OPL, MOCHRENA, and the EC. Most of the others enjoy very little popular support.²

Other political organizations and interest groups, such as the Civil Society Initiative Group (GISC - Groupe d'Initiative de la Société Civile) - a coalition of business, religious, and less well-known political organizations - and representatives from the Catholic and Protestant Churches, also participated in the negotiations with Fanmi Lavalas and Democratic Convergence. But the FL and DC are the two decisive political actors in Haiti today, and it is widely recognized that an agreement between them is essential to resolve the political crisis. Therefore, the analysis in this paper will focus mostly on the actions of these two protagonists.

If the exaggerated allegations of the DC lacked credibility and hence could be dismissed as the expected complaints of sore losers, it was far more difficult to disregard the charges of irregularities and other malpractices in the electoral process enumerated by the OAS in the final report of its Electoral Observer Mission (EOM) in Haiti. The most serious problems cited in the Mission's report prior to the elections were the acts of violence that resulted in the death of seven candidates or activists of political parties. Still, the EOM declared, the elections themselves were a major success: 60 per cent of those eligible were able to cast their ballots on election day without major incidents. Most of the problems that ultimately shook confidence in the elections came afterwards. Among the most important cited by the EOM were the following: the intervention by armed groups in some electoral offices in parts of the country where they burned ballot boxes; the mishandling of vote-tally sheets that had been dumped on the streets of Port-au-Prince, Delmas, and Cap-Haitien, but later recovered; the arbitrary arrest and subsequent release of several opposition candidates, and at least three deaths related to the elections; and the lack of transparency in compiling and publishing the results of the elections in several communes. Nonetheless, the EOM concluded that even

¹ Carey, H. F., Foreign Aid, Democratization and Haiti's Provisional Electoral Council, Wadabagei: A Journal of the Caribbean and its Diaspora, fc 2002

² Arthur, C., Haiti: What is the 'Democratic Convergence'?, *Haiti Briefing*, No. 42, May 2001

though a series of irregularities may have affected the outcome in a number of local and municipal contests, the majority of the offices contested at those levels were not affected.³

The most serious and uncorrected irregularities, however, occurred at the legislative level (for the Senate and Chamber of Deputies), most notably in the senatorial elections. The OAS accepted the results for the Chamber of Deputies elections, where FL won 72 out of 82 seats. At issue in the senatorial elections was the vote counting method used by the Provisional Electoral Council (CEP - Conseil Eléctoral Provisoire) charged with presiding over and verifying the results of the elections. To be elected to the Senate, a candidate must receive an absolute majority of the valid votes cast, otherwise that candidate must participate in a second round. The EOM found that the CEP used an unconstitutional method of calculation based on the votes cast for the top four candidates only, thereby granting the winner a majority in the first round and avoiding having to go to a second round. Based on this method, 19 senate seats had been won in the first round, 18 of which went to FL candidates. However, if the calculation had been based on the total number of votes cast, as required by law, then only 8 of the 18 FL candidates would have won an absolute majority in the first round. The EOM, with the support of CARICOM, asked the CEP to modify its calculation for the remaining ten FL candidates who should have gone to the second round. The CEP, weighted in favour of FL, refused by incorrectly claiming that the method in question had been used in elections since 1990.⁴ Declaring that the CEP was preventing the votes of all candidates from being treated equally and, hence, disenfranchising millions of voters, the OAS withdrew its observer mission and refused to monitor the second round elections in June, as well as the presidential elections in November 2000.5 The United States followed suit in July by suspending approximately US\$ 600 million in foreign aid and debt relief to Haiti. Two weeks later the European Union also suspended its aid.⁶

One may ask why, given his and FL's popularity and greater name recognition, President Aristide felt he needed to have the CEP engage in this illegal practice to ensure that his candidates won in the first round? That is, why was President Aristide so afraid of a second round? First, as Carey put it, Aristide almost got away with cheating because the OAS did not discover the flawed calculations until weeks after the results had been announced. Second, Aristide, despite his enormous popularity, feared a second round because there are many examples from other elections where well-known candidates end up losing to relatively unknown candidates in second-round voting. Aristide simply did not want to take the risk. There may also be a third reason having to do with Aristide's experience in 1990. He was elected President by a landslide, only to face a divided parliament that opposed and obstructed his initiatives, thereby contributing to an exacerbation of the tensions that finally led to the coup d'état against him. In 1995, President Aristide's successor and former Prime Minister, René Préval, was elected President, and he, too, faced a divided parliament (after the 1997 legislative elections when the OPL dominated the Senate and FL controlled the

³ Organization of American States, Permanent Council, Note du Secrétaire Général Transmettant le Rapport Final de la Mission d'Observation Éléctoral pour les Éléctions Législatives, Municipales et Locales en Haïti (Février-Juillet 2000), OEA/Ser.G, CP/doc.3383/00, 13 December 2000, pp. 2-3

⁴ Carey

⁵ Organization of American States, Permanent Council, Note, p. 4

⁶ Townes, S., Haiti Needs Help, Washington Declines, *Washington Report on the Hemisphere*, Vol. 21, No. 5, 11 April 2001, pp. 6-7

⁷Carey

Chamber of Deputies) that made it impossible for him to govern effectively. In the light of these experiences, then, Aristide was determined to govern this time with his party in complete control of government, which required him and his party to sweep all the elections.

2.2 Relations with the International Community

Despite the legitimate criticisms of the CEP's illegal counting method, the decision of the OAS to refuse to monitor subsequent elections and the continued suspension of financial assistance to Haiti by the United States and the European Union must be placed in context. There is great inconsistency in the international community's stance towards governments that violate human rights and commit electoral fraud. In the case of Haiti, for example, the US, France, other European countries, and the international financial institutions suspended financial and military aid between 1961 and 1966 after "Papa Doc" François Duvalier was "re-elected" and declared himself president for life. They resumed their assistance to that government after 1966 and continued to do so during the 15-year rule of "Baby Doc" Jean-Claude Duvalier (1971-1986), despite the fact that he "inherited" the presidency from his father, held no credible elections, and had a deplorable human rights record. Foreign aid continued in 1986 after the military took over the government and was not suspended until after General Namphy stopped the elections of 1987 and the army and armed militia attached to the military killed dozens of voters and wounded scores of others. Even though the US Ambassador to Haiti sided with Namphy on the grounds that Gérard Gourgue, a human rights lawyer and presidential candidate, was a front man for the leftist opposition coalition, the US Congress, along with other aid donors, cancelled foreign aid to the military government. The US and other aid donors made the renewal of aid conditional on the holding of free and fair democratic elections, which Aristide won by a landslide in 1990. President Aristide, however, lasted a mere seven months in office (February to September 1991) before he was overthrown by the military. Because of antipathy towards him, the foreign aid donors never released most of the aid promised to his government. Aid remained frozen during the three years of military rule after Aristide's overthrow. Despite the fact that the US government had opposed President Aristide, it could not deny the legitimacy of his election. This was also the post-Cold War era, and the US could no longer justify its support of the military junta that toppled President Aristide in the name of anti-communism.⁸

International aid resumed after President Aristide was returned to office in 1994 and turned power over to his successor in 1995. Yet, international observers, including those from the US, UN, and OAS, observed fraudulent practices in both the parliamentary and presidential elections of that year. But, as Carey argues, the 1995 elections occurred nine months after the UN-sanctioned military intervention reluctantly returned Aristide to office, and he could not run again for president for another five years. There was then a willingness to support the redemocratization process. International aid was again suspended after the fraudulent 1997 elections left a divided parliament, caused a prime minister to resign, and President Préval to suspend parliament and rule by decree. Haiti has not had a legitimate parliament recognized as such by the opposition or the international community since 1997, in contrast to the current Aristide government which came to power with a clear and overwhelming majority. 9

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⁸ Dupuy, A., Haiti in the New World Order: The Limits of the Democratic Revolution, Boulder: Westview Press, 1997, pp. 47-68 and 115-34

⁹Carey

There have also been fraudulent elections elsewhere in this hemisphere at the same time as the 2000 elections in Haiti that have not led to the suspension of international assistance. The most notorious instance is that of the Peruvian presidential elections of May 2000, where Alejandro Toledo, the opposition candidate, was denied an outright victory against incumbent President Alberto Fujimori due to widespread fraud by the latter. The OAS declared those elections to have been unfair, and, as in Haiti, withdrew its observer mission for the second round. Nonetheless, the OAS, with US approval, validated Fujimori as the winner. ¹⁰

The difference between Peru and Haiti is that the former had a president who was closely allied with the US and committed to the latter's free trade policies and war on drugs. By contrast, the US government distrusts Aristide. It has always considered him a threat to "order" and "stability" in Haiti and the Caribbean region, largely because of his past advocacy of liberation theology, his uncertain commitment to the free trade and free market reforms advocated by the US, and his professed championing of the cause of Haiti's downtrodden masses. The administration of President George W. Bush signalled its displeasure with Aristide's re-election early on by not sending a delegation to his inauguration in February 2001. Strong animosity against President Aristide continues to prevail in the US Congress, especially among vocal and conservative Republicans like Representative Peter Goss of Florida, Senator Mike DeWine of Ohio, and North Carolina Senator Jesse Helms, then chairman of the Senate Committee on Foreign Relations, who was instrumental in blocking the release of aid monies to Haiti after the elections. 11

2.3 Opposition Strategy and Support

It is in this context that the behaviour of the opposition DC is to be understood. As noted, the DC is a coalition of parties of diverse and seemingly incompatible ideologies, ranging from neo-Duvalierist, centrist, and social democratic, to former members of the Lavalas coalition and close allies of President Aristide. They are united only in their opposition to Aristide and have not proposed a common platform or programme that distinguishes them ideologically from Lavalas. The DC is supported by the conservative International Republican Institute (IRI) and other conservative members of Congress. The European Socialist International (social democratic) also offers support to some of the organizations within the coalition (OPL, CONACOM, PANPRHA) and others (RDNP) are supported by Latin American Christian democratic parties. The DC adopted a strategy of non-cooperation with the Aristide government aimed at blocking a resolution to the crisis. Its objective appears to be either to force President Aristide into a power-sharing arrangement or resign, or to drag the crisis out until the presidential elections of 2005 when Aristide will be barred constitutionally from running for a third term. Despite its demand for completely new national and local elections, however, the DC is not in a position to win an electoral contest, whether legislative or presidential.¹² At the same time, President Aristide's popular supporters blame the DC for the political impasse that has aggravated the already grim economic conditions, and hence have targeted its leaders for reprisals, with the active support of Aristide's government and local officials.

¹⁰ Finn, M., Fujimori Yields Power Just In Time, *Washington Report on the Hemisphere*, Vol. 20, No. 29, 29 November 2000, pp. 1 and 6

¹¹ Townes, pp. 6-7

¹² Grande agitation des acteurs politiques, *Haiti en Marche* [Miami], 6-12 May 2001

In addition to declaring the entire legislative and local elections invalid, the DC also withdrew from and boycotted the presidential elections, which Aristide won overwhelmingly. According to the CEP, 60.5 per cent of those eligible voted, and 92 per cent of those voted for Aristide. The DC, however, claimed that voter participation was between 5 and 10 per cent, and refused to recognize the legitimacy of Aristide's election. The DC proposed instead the creation of a three-member presidential council, of which Aristide would be a member. The council's sole responsibility would be to organize fresh all-around elections in 2003. In the meantime, a prime minister chosen by the opposition would rule by decree. When, as expected, President Aristide dismissed the offer, the DC carried out its threat to set up a "parallel administration" by declaring Gérard Gourgue as "Provisional President," and conducted a parallel inauguration ceremony with Aristide's on 7 February 2001. During his "inaugural address", Gourgue changed his mind about the military government that had denied his likely election to the presidency in 1997 and had ousted President Aristide in 1991, called for the reincorporation of the armed forces that President Aristide disbanded in 1994, and even the return to Haiti of the exiled leaders of the military junta.

2.4 Post-election Relations with the International Community

Such a defiant starting point foreshadowed the failure of the attempts by the OAS and CARICOM throughout 2001 to broker an agreement between the government and the opposition that would lead to a resolution of the political stalemate. Before it left office, the Clinton administration had negotiated an eight-point agreement with President Aristide that, if implemented, would lead to the renewal of financial and other assistance to the government of Haiti. Two of the eight points dealt with resolving the disputes of the May 2000 legislative elections and the formation of a new provisional electoral council. The other six points dealt with issues of governance, including: combating drug trafficking and money laundering, curbing human rights violations and reforming the judicial system, curbing illegal migration, pursuing economic reforms, and creating a more broad-based and inclusive government.¹⁵ When the Bush administration took over in January 2001, it accepted the eight-point agreement as a basis for resolving the conflict, but, in the words of Secretary of State Colin Powell, "We don't rule out that we might have other conditions or things we might want to add to that". 16 No one in Haiti misunderstood the message that Powell was sending to President Aristide: either negotiate an agreement that satisfies the demands of the US, the international financial institutions, and the DC, or your government will continue to be denied legitimacy and financial assistance.

2.5 Post-election Relations with the Opposition

It is within the framework of this agreement that the Aristide government entered the OAS-brokered negotiations with the DC in 2001. Several OAS-CARICOM-mediated meetings during the year failed to yield a definitive agreement between FL and DC. Nonetheless, the negotiations made clear that the main obstacle to a successful resolution to the conflict remains the DC, which at every turn either refused to endorse agreements that were arrived at

¹³ Aristide Wins by a Landslide, but Doubts Remain over Legitimacy of Elections, *Caribbean & Central America Report* [London], 5 December 2000, p. 1

¹⁴ Haiti: Parallel Presidents Jockey for Power, *Caribbean & Central America Report* [London], 20 February 2001, p. 3; Townes, pp. 6-7

¹⁵ Haiti, Government of Haiti Memo to CARICOM on Progress Made under the 8-Point Agreement, February 2002 (unpublished document); Townes, pp. 6-7

¹⁶ Townes, Haiti, pp. 6-7.

in the negotiating process, or issued new demands that it insisted had to be met before it could agree to endorse any proposed resolution. For example, under pressure to show some movement toward resolving the impasse, President Aristide wrote a letter to the OAS outlining the steps he would agree to or had already taken. They included the resignation of seven FL senators whose elections had been challenged in the May 2000 elections; reducing the terms of the senators elected in May 2000 and the terms of the entire Chamber of Deputies by two years; holding elections for those senators elected in May 2000 and for the entire Chamber of Deputies in November 2002; and reconstituting the CEP in line with OAS recommendations (see below). President Aristide's letter was accepted by the OAS General Assembly on 5 June 2001, but summarily dismissed by the DC and the Haitian Catholic Church. Further negotiations took place in June and July without agreement being reached, primarily because either the DC or the Civil Society Initiative Group introduced new demands that FL could not accept without conceding, contrary to the OAS findings, that the entire legislative and local elections of May 2000 were flawed. Is

Then, on 27-28 July 2001, armed members of the former Haitian Armed Forces attacked the Haitian National Police Academy and three other police stations, killing five police officers and wounding fourteen others. Dominican authorities arrested 11 former members of the Haitian Armed Forces who were allegedly connected to the incident. These events intensified the mistrust between the government and the opposition, as the former accused the latter of complicity in the attacks, and the opposition charged that the government was using them to crack down on its supporters.¹⁹

In an attempt to bring the year-long negotiations to a successful resolution, the OAS presented what it called "Elements of a Compromise Proposal" that reflected the concerns of the two sides, and which it believed to be the "basis of a fair deal that could work". ²⁰ The OAS further recognized that the FL was willing to agree to combined legislative and local elections in March 2003, and on the status of local officials who engaged in abusive behaviour once an agreement was signed. The OAS considered the Lavalas proposal to be "a serious offer" that could lead to a solution, but only "if the opposition showed greater flexibility". ²¹

The OAS "Proposal" contained the following main points:

- the DC recognizes and accepts the results of the presidential elections of November 2000;
- FL agrees to holding new legislative and local elections in January 2003 at a time to be decided by the new CEP;

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¹⁷ Organization of American States, Permanent Council, Fifth Report of the Mission of the Organization of American States to Haiti, OEA/Ser. G, CP/doc.3541/02, 8 January 2002; Aristide and OAS Reach Agreement on Proposal for Fresh Elections, *Caribbean & Central America Report* [London], 12 June 2001, p. 1; Council on Hemispheric Affairs, Hypocrisy at the OAS as Lima Declaration May be Applied, 15 January 2002 (Press Release), http://www.coha.org [accessed 20 March 2002].

¹⁸ Organization of American States, Permanent Council, Fifth Report

¹⁹ Organization of American States, Permanent Council, Fifth Report; Et si la vérité etait ailleurs!, Haiti en Marche [Miami], 5-11 August 2001

²⁰ Organization of American States, Permanent Council, Fifth Report

²¹ *Ibid*.

- the CEP would be comprised of nine members representing FL (1), DC (1), other political parties (1), the religious institutions (3), the judiciary (1), employers' organizations (1), and human rights organizations (1);
- either by presidential decree or the next elected parliament, the tasks and acts performed by the officials elected in May 2001 would be ratified;
- in January 2003 the new CEP would organize elections for the entire Chamber of Deputies, two-thirds of the Senate, and municipal and local elections, and would be empowered to reject any candidate for office it deemed unworthy of standing in the elections;
- those who were elected to the legislature in May 2000 would remain in office until their elected successors assumed office;
- in addition, after signing the accord, a number of local officials agreed upon by FL and DC would be removed from office for their abusive behaviour and be replaced by appointed interim officials until new elected officials assumed the vacant offices.²²

2.6 Renewed Violence: December 2001 and its Aftermath

Matters stood there in early December 2001 when new acts of politically motivated violence rekindled the distrust between the DC and FL, and gave the former new reasons to walk away from the negotiations and add new demands. On 17 December 2001, a group of armed men in the uniforms of the former Haitian Army attacked the Presidential Palace in Port-au-Prince in an attempt to overthrow the government of President Aristide. The national police regained control of the palace after an exchange of gunfire with the assailants that left eight people dead, including five of the attackers. Soon after the attack, angry supporters of President Aristide who blamed the DC for the attempted coup d'état reportedly took justice into their own hands and launched reprisals against the homes and offices of opposition leaders. Members of the press critical of the government also came under attack. As many as 40 or more went into hiding, and several others either sought refuge in various embassies in Port-au-Prince or fled Haiti to seek asylum in other countries.

For its part, the DC quickly accused President Aristide of staging the coup d'état to justify cracking down on the opposition, a view that seems to be shared by some US and Latin American diplomats despite the lack of evidence to substantiate this claim. From what is known so far, the coup d'état was carried out by former members of the Haitian Armed Forces, some of whom were also allegedly involved in the July attack against the National Police Academy. One of the alleged leaders of the coup d'état, former Haitian Army Sergeant Pierre Richardson, was apprehended by authorities in the Dominican Republic. He, in turn, reportedly implicated other members of the defunct armed forces in the attempted coup d'état, one of whom, Guy François, a former colonel in the Haitian Army, is being detained by the Haitian police, and another, Guy Philippe, also an ex-soldier and former Cap-Haitien police chief, fled Haiti and is now being detained in the Dominican Republic. Because the two countries do not have an extradition treaty, Dominican authorities have refused to hand over Philippe to Haitian authorities and were reportedly looking for a third country willing to accept him.²³

²² *Idem*, Appendix III, Elements of a Compromise Proposal

²³ McCarthy, M. M., Haiti: Political Situation Worsens, *Washington Report on the Hemisphere*, Vol. 22, No. 3, 4 February 2002, p. 6; Maguire, R., Haiti's Troubles Continue, *Nueva Sociedad* [Caracas], January 2002

Be that as it may, the US government, which believes - in the words of a State Department official - that "the events of December 17 demonstrated a failure of the Haitian government to protect its people from mob violence", ²⁴ put pressure on the OAS to invoke the Inter-American Democratic Charter in order to compel President Aristide to reach a negotiated settlement with the DC. If invoked, the Inter-American Democratic Charter, adopted in Lima on 11 September 2001, could have, under its Articles 20 and 21, suspended Haiti's right to participate in the OAS and introduced "necessary diplomatic initiatives, including good offices, to foster the restoration of democracy". ²⁵ Basically, that would involve sending foreign mediators to negotiate an agreement between Aristide's FL and the DC. ²⁶

In the end, however, the OAS adopted a weaker version of the Charter. The OAS noted that President Aristide condemned the violence of 17 December and thereafter, that the Haitian government initiated an inquiry into the events, and that it had shown a willingness to work with the international community to resolve the political crisis. Consequently, the OAS called on the government and all political parties to condemn all forms of political violence and to work towards bringing an end to them. The OAS further called on the government to bring to justice those who participated in the violence of 17 December and thereafter; to investigate all politically-motivated crimes; to pay reparations to individuals and organizations who suffered damages related to the December violence; and to create a climate of security conducive to the resumption of OAS-sponsored negotiations between the government and the opposition parties to reach an agreement.²⁷

The DC seized on the opening created by the attempted coup d'état of December and its aftermath to withdraw from the negotiations and go on the offensive against President Aristide. It is now insisting that no negotiations can take place until new security conditions spelled out in the OAS resolution of 15 January are met, a thorough investigation of the events of 17 December and subsequently has been conducted, the culprits identified and punished, and the victims of the ensuing violence have been compensated.²⁸ To bolster its support from the Bush administration, the DC sent a delegation to Washington, in late January 2002, to meet with Assistant Secretary of State for Western Hemispheric Affairs, Otto Reich, and other State Department officials. Paul Denis, a member of OPL and a spokesman for the DC, declared the meeting with Reich and others a total success: "We have found the Americans very receptive to the views of the Convergence. They have also shown their understanding for the struggle we are waging for democracy."²⁹ In February, an IRI delegation led by Georges Fauriol went to Haiti to meet with and offer its support to DC leaders. According to Hubert De Ronceray, leader of the MDN and member of the DC leadership, the IRI reaffirmed its support for the DC's continued opposition to President Aristide, but it also wanted to see the DC go beyond resistance to become a viable alternative

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²⁴ McCarthy, p. 6

Organization of American States, Inter-American Democratic Charter, Lima, 11 September 2001, http://www.oas.org/charter/docs/resolution1_en_p4.htm [accessed 8 January 2002]

²⁶ Council on Hemispheric Affairs, Hypocrisy; McCarthy, p. 6

²⁷ Organization of American States, Permanent Council, The Situation in Haiti, OEA/Ser.G, CP/RES. 806 (1303/02) corr.1, 16 January 2002

²⁸ BBC Monitoring Service, Haiti: FL, Convergence Suggest Subjects, Conditions for Negotiations, 1 February 2002, quoting Radio Metropole [Port-au-Prince], 31 January 2002

²⁹ Haiti Press Network, Des dirigeants de l'opposition reçus au Département d'Etat, 20 February 2002, http://www.haitipressnetwork.com [accessed 20 February 2002]

to Lavalas. That, De Ronceray acknowledged, was what they were working on becoming.³⁰ Given the DC's confidence that it enjoys the support of the Bush administration and of the IRI, it is likely to insist even more that President Aristide agree to form a "transitional government", or enter into some type of "power sharing" with the DC as a precondition to resolving the political crisis.³¹

The DC's hardened attitude was revealed in its reaction to the recently concluded meeting of the Caribbean Heads of State in Belize on 3-5 February 2002, which issued a call for the international community to release the foreign aid that Haiti desperately needs. The CARICOM Heads of State argued that the unblocking of the aid monies was justified because the Aristide government had taken concrete steps to move the political process forward, and called on the opposition parties to respond positively to the government's initiatives. Another concern of CARICOM is that continuing to withhold foreign aid to Haiti is detrimental to its already shattered economy, and that this could only compel more Haitian "boat people" to take to the high seas toward the Bahamas, either to settle there illegally, or as a staging post to the United States.³² The United States, however, remains opposed to the renewal of foreign aid and recently blocked the release of some US\$ 200 million from the Inter-American Development Bank to Haiti. Taking a view opposed to CARICOM's, Secretary of State Powell maintained that President Aristide had not done enough to resolve the political crisis and that "we would have to hold [him] and the Haitian government to higher standards of performance before we can simply allow the flow of funds into the country". 33 Paul Denis, the DC's spokesman, praised Powell's statement, which he saw as reflecting a "good understanding of the situation in Haiti", and as also vindicating the position of the DC that "Aristide can draw the conclusion that he is unable to manage this country, that he has no legitimacy and should therefore decide to withdraw to allow the country to reach a consensus". 34 Countering that Secretary of State Powell's argument was simply leading to a dead end, CARICOM Secretary General Edwin Carrington warned that "What you have is a situation where you never get what you call all parties agreeing. Now if the US is waiting for all parties agreeing, you might as well call it a day. It is not going to happen."³⁵ The DC, in short, is counting on the US government's continuing refusal to renew aid as the only means by which it can continue to oppose President Aristide, undermine his government, and block a resolution to the crisis. Put differently, without direct or indirect external support, the DC would more than likely cease to be a major political force in Haiti.

Pressure to end the foreign aid sanctions against Haiti, however, seems to be mounting, as is the desire on the part of the OAS to move the political crisis toward a resolution.

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³⁰ BBC Monitoring Service, International Republican Institute Officials Meet Haitian Opposition Leaders, 20 February 2002, quoting Radio Metropole [Port-au-Prince], 19 February 2002

³¹ BBC Monitoring Service, Haitian Opposition Criticizes Black Caucus Stance on Sanctions, 23 February 2002, quoting Radio Metropole [Port-au-Prince], 22 February 2002

³² Caribbean Community, Communique Issued at the Conclusion of the 13th Inter-Sessional Meeting of the Conference of Heads of Government of the Caribbean Community, Belize City, 3-5 February 2002, http://www.caricom.org [accessed 6 February 2002]

³³ Reuters, US Resists Caribbean Appeal for Aid to Haiti, 7 February 2002

³⁴ BBC Monitoring Service, Haiti: Convergence Urges Aristide to Withdraw so as to Let Country Move Forward, 9 February 2002, quoting Signal FM Radio [Port-au-Prince] 8 February 2002

³⁵ Saunders, C., Head of Caribbean Community Criticizes U.S. Stance on Haiti, South Florida Sentinel [Fort Lauderdale], 8 February 2002

Representatives of the US Congressional Black Caucus went to Haiti recently to meet with President Aristide and joined CARICOM in urging the unblocking of the foreign aid monies, arguing that not doing so perpetuated an injustice against Haiti. In their discussions with the Haitian government, the representatives of the Black Caucus emphasized the need to work on the issues of security, justice, the war against crime and international terrorism, Haitian migration to the US, and to improve the situation in Haiti by the end of March 2002. These views echo the eight-point agreement between the departing Clinton administration and incoming Aristide administration at the end of 2000, and which the Bush administration endorsed with a caveat. What is noteworthy in them is the absence of a mention of the necessity to resolve the disputed May 2000 elections, and it remains to be seen if these views signal a shift as well in the Bush administration's approach to the crisis.³⁷

Perhaps it is coincidental that the OAS, too, seems to be taking a similar approach that no longer relies primarily on the holding of new elections as a *sine qua non* to the renewal of aid. In his latest visit to Haiti, where he met with both the Aristide government and the Convergence, OAS Assistant Secretary General Luigi Einaudi, who has been the OAS's principal mediator for the past two years, concluded an agreement with the Haitian government for a "Special Mission" to work, in collaboration with CARICOM, to "strengthen democracy in Haiti". The work of this Mission will cover the areas of "security, justice, human rights and the development of democracy, good governance, and institution building". 38

To that end, President Aristide replaced his former prime minister with Yvon Neptune, former Senator, President of the Senate, and principal negotiator for the FL in the disputes with the opposition. In presenting his program of government to parliament, Neptune pledged to make as one of his top priorities the resolution of the two-year old political impasse. While Neptune was quickly approved by the FL-dominated parliament, many of the grassroots organizations that support Aristide opposed his nomination and ratification on the grounds that he is not a strong advocate for the poor. For its part, the DC also sees Neptune as a non-starter, given the latter's past criticisms of the opposition and the international community whom he blamed for the current crisis. ³⁹ The crisis, therefore, is likely to continue.

3 Governance, Insecurity and Human Rights

3.1 Crisis of Governance

At the root of the political crisis is also a crisis of governance, which is, in turn, caused by the factionalization, conflicts, and corruption within the ruling Lavalas party and at every level of government, and the inability of President Aristide to maintain control and exercise clear leadership over his party and government. President Aristide may not be directly responsible for all the politically motivated criminal acts committed by local officials, his grassroots supporters, or the police. But he has failed to take an unconditional stance against such acts and has even encouraged vigilantism under the guise of his so-called "zero option policy" in

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³⁶ Convergence serait aussi pour la reprise de l'assistance, *Haiti en Marche* [Miami], 6-12 March 2002

³⁷ On parle de moins en moins de nouvelles élections, *Haiti en Marche* [Miami], 6-12 March 2002, pp. 1, 5-6

³⁸ *Ibid*.

³⁹ BBC Monitoring Service, Haiti: Highlights of Radio Metropole News, 15 March 2002, quoting Radio Metropole [Port-au-Prince], 14 March 2002, and, Haiti: Highlights of Signal FM Radio News, 15 March 2002, quoting Signal FM Radio [Port-au-Prince], 14 March 2002

his speech of June 2001. In that speech, President Aristide urged the police and citizens to take the law into their own hands and bypass the judicial system if they caught someone committing a crime. Human rights organizations have rightly and roundly condemned President Aristide for encouraging and condoning such acts, which can and have spilled over into politically-motivated deeds. His government's interference with judicial authorities in their attempts to investigate, arrest, and prosecute their perpetrators raise serious concerns about his commitment to respecting and protecting the rights of Haitian citizens.

President Aristide's reliance on the police and his grassroots supporters to intimidate the opposition is part of a dual strategy he has used to win and maintain power. Knowing that there are no alternatives to winning power than through legitimate democratic elections, Aristide aims to monopolize elected offices as much as possible so as to govern alone or with a weakened opposition. Fearing a return of the military or an independent police force that could act against him, Aristide wants to monopolize the means of violence as well. To that end, he must politicize and control the police force, and maintain a popular base of support he can call on when necessary to intimidate his opponents. President Aristide, in other words, fears a genuine democracy and independent branches of government that exercise checks and balances on his authority. Governing without an effective opposition and checks and balances, however, opens the door to abuses of power and widespread corruption by government officials, and facilitates the emergence of rival factions and power struggles within the governing party itself. Under such conditions, responsible, accountable, and effective government becomes impossible.

This is exactly what has happened under Aristide's rule. Despite his promise to "democratize democracy" and to bring transparency, honesty, and an end to impunity, his government has continued and even deepened the practices of those of his predecessors. Internecine conflicts among rival factions of the ruling party and corruption have made governing impossible. Prime Minister Chérestal, for example, was forced to resign in January 2002 after members of the ruling FL party in parliament accused him of using US\$ 1.7 million of public monies to buy an official residence when one had, it appeared, already been purchased. Drug traffickers reportedly pay off public officials to use the country to transship cocaine to the US. Police officers and elected officials with close ties to President Aristide are implicated in drug trafficking, kidnappings, and bank robberies. People arrested for drug trafficking, including alleged Colombian traffickers, have been released without trial. Vast sums allocated for micro-projects or road construction, whether from domestic or foreign sources, are allegedly not used for those purposes and are unaccounted for. Elected and other government officials have been implicated in a scandal involving the redistribution and sale of rice imported duty free and exempt from consumer taxes that cost the government millions of dollars in revenue. Members of the Chamber of Deputies have allegedly embezzled money from that body's accounts. In addition, mayors in towns throughout the country stand accused of theft and mismanagement of their budgets.

3.2 Human Rights Violations

Throughout the country during the period under consideration, the human rights situation has significantly deteriorated. Local FL officials and members of the police have allegedly persecuted, arbitrarily arrested, and physically abused members of the opposition, including sometimes their family members. Supporters of President Aristide and the police are reported to have disrupted peaceful demonstrations by opponents of the government, and ransacked or burned the offices and private residences of opposition leaders. Sometimes members or supporters of the opposition have been killed. FL supporters have also allegedly attacked and

threatened members of several independent unions who have grievances against the government for violations of workers' rights. The police has either not issued arrest warrants for the arrest of those suspected of involvement in some of those crimes, or the government has failed to bring to justice some of its local officials implicated in some others.

Although radio stations and the press continue to criticize the government freely, FL officials and leaders of pro-Lavalas grassroots organizations have allegedly threatened members of the press who have been critical of the government. As mentioned previously, many journalists and broadcasters have either suspended their commentaries or reporting of events, gone into hiding, or fled the country for their safety. Several others have been killed, including the well-known journalists and radio broadcasters Jean Dominique and his security guard who were assassinated in April 2000, and Brignol Lindor, who was killed in December 2001. The Dominique murder remains unsolved because the government has dragged its feet, interfered with the judicial process, or not offered the necessary protection to the investigating judge, who fled the country to escape reported death threats against him. The Senate has also refused to lift the immunity of FL Senator Danny Toussaint, whom the judge named as a suspect in the case, for fear of reprisals against senators by Toussaint's supporters. No one has been arrested in connection with the Lindor assassination even though eyewitnesses revealed the names of the three members of the pro-Lavalas grassroots organization who allegedly committed the murder.⁴⁰

Similar processes of factionalization and conflicts are also occurring among pro-Lavalas grassroots organizations that perpetrate violent criminal acts with impunity. In one such incident in June 2001, members of rival gangs in neighbouring slums near Port-au-Prince engaged in a dispute over land, which left 17 people dead, 19 others injured, and more than 135 houses looted or burned. No one was arrested. Instead, President Aristide held a meeting with the residents of the two slums in the National Palace to urge them to resolve their conflicts. More recently the President held a similar meeting with representatives of several neighbourhoods in another Port-au-Prince slum who had engaged in violent confrontations. Again, no arrests were made.

The level of insecurity has reached the President himself. Following the 17 December 2001 attack on the National Palace where the palace guard offered little resistance to the attackers, distrusting his own police force, and fearing for his own personal safety, President Aristide turned to a foreign company to protect him. In short, as Michèle Montas, widow of the murdered journalist and once ardent defender of the Lavalas movement, Jean Dominique, said recently in a radio editorial, the Lavalas government has been transformed into a "balkanized State where weapons make right, and where hunger for power and money takes precedence over the general welfare, causing havoc on a party which, paradoxically, controls all the institutional levers of the country".⁴¹

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⁴⁰ United States, Department of State, Country Reports on Human Rights Practices for 2001: Haiti, Washington, 2002, http://www.state.gov [accessed 18 March 2002]; National Coalition for Haitian Rights, Human Rights in Haiti - December 2001, New York, 2001, http://www.nchr.org/hap/haiti office [accessed 11 March 2002]

⁴¹ Montas, M., Is Another Assassination of Jean Dominique About to Take Place?, *Radio Haiti* [Port-au-Prince], 3 March 2002. See also Where Racketeers Rule a Rickety Island Becomes Yet More Unstable, *The Economist* [London], 31 January 2002; Associated Press [Port-au-Prince], Diplomats Say United States Cancelling Travel Visas for Several Haitian Officials, 5 March 2002; With Prime Minister Out, Hot-Seat Has Few Takers, *Haiti Progrès* [New York], 20-26 February 2002; Corruption et criminalité menacent de tuer par étouffement le Pouvoir Aristide, *Haiti en Marche* [Miami], 3-9 February 2002; Le Président Aristide rencontre les protagonistes de Cité-Soleil, *Haiti en Marche*, [Miami], 6-12 March 2002, p. 7; Haiti Press

4 Economic Crisis

The political crisis, which is responsible for the suspension of essential foreign aid to the Haitian government, the crisis of governance, and the climate of insecurity have contributed in no small measure to the worsening of the economy. Private investments, both foreign and domestic, have decreased significantly, and currently stand at about ten per cent of GDP. Wealthy Haitians are increasingly reinvesting their wealth outside of Haiti. At the root of the economic crisis are also Haiti's class structure and the economic policies advocated by the foreign aid donors and the international financial institutions.

Haiti is a deeply divided society. At the upper end of the class structure, 4 per cent of the population possess 66 per cent of all assets in the country. This class, in partnership with foreign investors, also benefits exclusively from the privatization of public enterprises advocated by the US government and the international financial institutions. A joint US-Haitian consortium bought the national flour mill, the Minoterie d'Haiti, when it was privatized in 1997, and a Swiss, Colombian, and Haitian consortium obtained a controlling share of the national cement manufacturer, Ciment d'Haiti, in 1999. Privatized assets, however, do not always remain in operation. In 1987, for example, when one of the wealthiest Haitian families bought the national sugar mill, it immediately shut it down, laid off its large labour force and deprived domestic sugar farmers of their market. The family then turned to importing cheaper sugar from the US, which it then sold at a higher price than that of local sugar. Thus, in addition to being a change from a public to a private monopoly, the privatization policies contribute to the deepening class polarization by allowing a small wealthy elite to concentrate even more assets in fewer hands without much benefit to the national economy or Haitian consumers.

At the other end of the class structure, 70 per cent of the population possess about 20 per cent of revenues. Haiti's per capita income has declined for the past decade at a rate of about five per cent per year and is now at US\$ 250, less than one-tenth of the Latin American average of US\$ 3,320.⁴⁴ Two-thirds of the population (about 4.8 million) live in rural areas; 80 per cent of them are poor, and two-thirds of those are extremely poor. Life expectancy is 57 years compared to the average of 69 for Latin America. Only about 20 per cent of school age children actually attend school; 25 per cent of children are vaccinated, and 25 per cent of the population have access to safe water. These extreme social inequalities, combined with the crisis of governance, increasing criminality, violence, and insecurity create an explosive situation in the country.

Over the past decade, Haiti has been experiencing a generalized devaluation of its labour force and marginalization of its economy. The devaluation of Haitian labour and the

Network, 7 Février 2001 – 7 Février 2002, une nouvelle année de gâchis politique, 6 February 2002, http://www.haitipressnetwork.com [accessed 7 February 2002]; Haiti: PM Resigns amidst Corruption Scandal, *Caribbean & Central America Report* [London], 19 February 2002

⁴² Economist Intelligence Unit, Country Profile: Haiti, 2000-2001, London, 2000, p. 46

⁴³ McGowan, L., Democracy Undermined, Economic Justice Denied: Structural Adjustment and the Aid Juggernaut in Haiti, Washington DC: The Development GAP, January 1997, p. 21

⁴⁴ World Bank, *Haiti: The Challenge of Poverty Reduction*, Vol. 1, Washington, August 1998, p. 1

⁴⁵ *Ibid.*; Haiti, Ministère de la Planification et de la Coopération Externe, *Bilan Commun de Pays pour Haiti*, Port-au-Prince, n.d., p. 10

marginalization of its economy stem from a combination of factors, among which the following may be seen as the most important. Both the agricultural and industrial sectors have declined, and Haiti's annual average GNP growth rate has been either stagnant or negative during the past 20 years. The labour force is largely uneducated and unskilled, and there is a low level of infrastructural development and of technological advance in the methods of production. Decreasing agricultural productivity has led to a long term decline of the cash crops, such as coffee, a decline in the real prices to agricultural producers, and a low level of savings and decapitalization of their assets. The public sector is very weak, and is characterized by systematic corruption, the absence of agricultural or industrial policies, and the government's inability to meet the basic needs of its citizens in terms of health care, nutrition, education, housing, employment, and income.⁴⁶

The decline of agriculture is due both to domestic and external factors. The relatively small size of the average landholdings of the farmers (1.23 hectares), the inability to adopt better techniques of production and environmental protection measures, the absence of technical, infrastructural, and financial services, and competition from smuggled or cheaper imports are a combination of factors in the degradation of the agricultural sector. While a few large, mostly foreign owned plantations covering about 10 per cent of the cultivated area, produce coffee and sisal for export, Haitian farmers have largely abandoned the production of traditional cash crops like coffee, sisal, cacao and sugar in favour of subsistence crops like rice, maize, beans, millet and sorghum. Yet, Haitian agriculture can only meet a little over 50 per cent of the domestic demand for food, with the difference made up by food imports or food aid.⁴⁷

Falling world prices for traditional exports such as coffee have had a detrimental effect on domestic production. Coffee production, which since the nineteenth century has been the most important export crop in Haiti, has been in decline since 1982. As mentioned above, receiving less and less for their production of that commodity, small farmers have shifted their production to other domestic crops. Rice production, a major staple of the Haitian diet, has also suffered from the trade liberalization measures adopted since 1986. Before the 1980s, Haitian rice farmers satisfied the domestic demand for the crop. Since the mid-1980s, however, as a result of both the food aid program and the trade liberalization measures, rice production fell steadily to the point where by 1995 Haitian farmers could only produce about 50 per cent of domestic needs. Subsidized rice imported from the US now make up the difference, to the detriment of Haitian rice farmers. Equally as significant is the fact that a single US rice corporation, in partnership with a Haitian subsidiary, has a monopoly on rice imports.

The manufacturing sector has also experienced a steady decline since the 1980s. In the 1970s assembly manufacturing industries for export to the United States were attracted to Haiti because the Haitian government offered the usual concessions of tax and tariff exemptions on imports used in the production process, an abundant supply of cheap labour, and tax exemptions on profits. Despite the optimistic predictions of the proponents of the export assembly industries as a development strategy, these industries resolved neither the

⁴⁶ Haiti, Ministère, pp. 3-4

⁴⁷ *Idem*, pp. 4-5; *Economist Intelligence Unit*, p. 48

⁴⁸ *Ibid*.

⁴⁹ McGowan, pp. 24-5

unemployment situation nor the poverty of the majority. The wages of the mostly female workers in the assembly industries were kept deliberately low to maintain Haiti's "comparative advantage". In 1998, the wages of workers in that sector were less than 20 per cent of what they were in 1981. Yet, despite all these advantages, the assembly industry has declined since 1984, and the strategy that was once advocated by the World Bank and other international financial institutions as the model that would generate economic development was later recognized as incapable of performing that role. From a high of 18 per cent of GDP in the 1980s, the manufacturing sector in 1998 accounted for only 7 per cent. There has been some recovery in that sector since 1998, and it currently employs an estimated 30,000 people in the production of textiles, leather goods, electronics, and handicrafts. Other manufacturing industries, such as those involved in the production of foodstuffs, household goods, and building materials have declined, but those involved in public works and construction have experienced significant growth since 1994. 50

The decline of agriculture and manufacturing production has also led to a shift in the composition of the labour force and of the primary sources of employment in favour of the informal sector. The ratio of the working population to the population available for work is 46 per cent, which means that the majority remains unemployed. But most people who are working now find employment in the informal sector rather than in agriculture, the formal private or manufacturing sector, or the public sector. Thus, in 1999, whereas 44.5 per cent of the working population, or around 1.2 million people, were engaged in agriculture, 2.8 per cent, or 78,000 people were in the formal private sector, 1.3 percent or 36,000 people were in the public sector, and 51.4 percent, or nearly 1.5 million people were in the informal sector. Looked at differently, the informal sector now employs around 93 per cent of the nonagricultural working population. The informal sector, in turn, is comprised of three sub sectors: micro-industrial and commercial enterprises, family enterprises, and services. Microcommercial enterprises occupied nearly 50 per cent of those involved in the informal sector. Twenty-two percent were employed in micro-industrial enterprises, and 28 per cent were in services. But 68 per cent of those three types of activities were family and hence non-salaried enterprises, and 32 per cent were salaried enterprises. It is worth pointing out, however, that although 32 pe reent of those working in the informal sector are wage earners, their wages remain extremely low and precarious. The informal sector, then, can be best understood as a means of survival for a majority of working people who cannot be meaningfully employed in agriculture or the so-called modern sectors rather than as an alternative engine of growth for the Haitian economy.⁵¹

5 Migration as an Alternative

Since the late 1970s Haiti has become a migrant society. Rather than exporting its traditional agricultural or manufactured goods, Haiti is now exporting its labour. The decline of agriculture compels rural inhabitants to migrate, initially toward the urban centres, principally the capital city of Port-au-Prince. Even though the population of Haiti is still predominantly rural, the degree of urbanization has increased dramatically from 12 per cent in 1950 to 42 per cent in 1999. The bulk of that rural-to-urban migration has been to the capital city of Port-au-Prince, which has grown from a city of just over half a million people in 1971 to 720,000 in 1982, and approximately 2 million in 1995. Given the absence of a planned infrastructure and services, this agglomeration has given rise to a chaotic situation in the metropolitan area,

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⁵⁰ Economist Intelligence Unit, p. 49

⁵¹ Haiti, Ministère, pp. 47-9; World Bank, *Haiti*, p. 10

characterized by hyper population density, extremely unsanitary and unhealthy living conditions in sprawling ghettos or *bidonvilles*, and a high degree of insecurity and violence. Port-au-Prince, where two-thirds of the population live on less than US\$ 25 per month, and less than 40 per cent have access to clean drinking water, has become one of the poorest cities in the world. Haiti's secondary cities and other smaller urban areas have not grown as fast as Port-au-Prince. But, as in Port-au-Prince, the absence of infrastructures, services, and resources from the government means that they all share similar problems if only on a reduced scale.⁵²

As a result of the economic deterioration summarized above, it has become increasingly difficult for many to sustain their lives in the rural or urban areas. Emigration - legal or illegal - has become a necessary and permanent alternative. It is estimated that more than 1.6 million Haitians (or about 19 per cent of the population) now live abroad, with about 800,000 in the United States and Canada, 70,000 in the French overseas territories of the Caribbean, 60,000 in the Bahamas, and about 700,000 in the Dominican Republic.⁵³ Migration is not only a safety valve or an alternative to unemployment and poverty. It is also becoming an increasingly important lifeline for the economy itself. The remittances that Haitian emigrants send back to Haiti are estimated at between US\$ 300 and US\$ 600 million per year. These remittances become even more important if one adds to them other non-cash or in-kind transfers such as food, clothing, furniture, appliances, and even cars. As the World Bank notes, however, estimates of remittances may be unreliable because those who receive them may underreport them to avoid paying taxes, avoid becoming targets of theft, or protect the identity of the emigrants who may be living abroad illegally. Whatever the exact amount of remittances, however, there is little doubt that they are vital to the survival of large numbers of families, as well as sustaining certain economic activities, such as construction and the import and retail sectors.⁵⁴

On the negative side, one could say that insofar as emigration is a self-selective process, the tendency is not for the very poor to emigrate, but rather those who are marginally better off socially, are experiencing some degree of upward mobility, and whose education and skills are at or above the national average. To the extent that such emigration becomes permanent, then, it constitutes a drain of skills and important human resources from the country, thereby making Haiti even more reliant on the use of foreign personnel and know-how, as seen, for example, in the proliferation of foreign NGOs to provide essential health, technical, and other social services to the population. Migration also has a gender dimension which in turn affects households and families. Insofar as men are most likely to emigrate abroad, this has given rise to a higher percentage of female-headed households in the urban areas. Such households now comprise about 36 per cent of all households.⁵⁵

5.1 Migration to the Dominican Republic

It is in this context that one can understand relations between Haiti and the Dominican Republic, and the processes that are leading to a greater integration of their economies. Unlike the high risks of crossing the seas to the Bahamas or the United States, it is relatively

⁵³ Haiti, Ministère, pp. 38-9; World Bank, *Haiti*, p. 12; Latin America, *Migration News*, Vol. 9, No. 3, 3 March 2002, http://migration.ucdavis.edu [accessed 20 March 2002]

⁵² *Idem*, p. 9

⁵⁴ Haiti, Ministère, p. 7; World Bank, *Haiti*, p. 12

⁵⁵ World Bank, *Haiti*, p. 12

easier and much less risky to cross the border into the Dominican Republic. As the World Bank noted in its recent poverty assessment in the Dominican Republic, many factors encourage Haitians to migrate to the neighbouring country. On the Haitian side, they include conditions of widespread poverty, high rates of unemployment which lower the opportunity costs of migration, the degradation of agriculture which can no longer sustain the rural population, a significant difference in incomes between the two countries, and the existence of networks among Haitians living in the Dominican Republic and prospective migrants. The factors of insecurity and political instability could also be added. On the Dominican side, there is a constant demand for cheaper and unskilled Haitian labour, and it is relatively easy and inexpensive for Haitians to cross the border. ⁵⁶

As mentioned above, approximately 700,000 Haitians live in the DR. A majority, estimated at between 250,000 and 300,000, live there permanently but without documentation. Another 250,000 to 300,000 are the children of Haitian immigrants born in the DR who have no clearly defined legal status, that is, are not recognized by Dominican authorities as Dominican citizens. Of the estimated 700,000 Haitians living in the DR, only between five and twelve per cent have legal documentation. Another 15,000 to 20,000 Haitians receive temporary work permits to work in the *zafra* or sugar harvest season and are supposed to return to Haiti afterwards. Many, of course, do not return. Even though they have been outlawed, networks of recruiters, known as *buscones*, collaborate with Dominican authorities to smuggle Haitians across the border to supply the *bateyes* (sugar plantations) with a more or less permanent labour force. ⁵⁷

Historically recruited to work in the *zafras* during the 1930s by the State Sugar Council (CEA - Consejo Estatal de Azúcar), Haitian immigrants and their descendants have now penetrated other sectors of the Dominican economy, including construction, tourism and domestic services, various agricultural sectors such as coffee, cacao, bananas, rice, raisin, and tomatoes, and the informal economy and the retail selling of clothing, shoes, and other consumer items.⁵⁸

Whether they live and work in the *bateyes* or in the urban areas, most Haitians live in conditions of poverty or extreme poverty. Haitians also face racial discrimination and have been victims of a variety of abuses, ranging from assassinations, physical abuse, exploitation, denial of basic human and labour rights, destruction of their identification papers and periodic massive deportation or repatriation to Haiti, including Dominicans of Haitian descent, without prior notice or due process. Haitians, including children, have been subjected to forced labour on the *bateyes*, and are paid in vouchers that cannot be cashed and can only be used in sugar company stores. Cane cutters, whose wages are determined by the amount of cane cut, were routinely underpaid by their employers who rigged the scales. Haitian women who work in the *bateyes* face even greater discrimination by being paid half of men's wages. They are also denied legal documentation for themselves and their children, the right to

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⁵⁶ World Bank, *Dominican Republic: Poverty Assessment: Poverty in a High-Growth Economy (1986-2000)*, Washington, 17 December 2001, p. 51; Colbert, R., Les Haitiens seraient une menace socioéconomique et écologique pour la République Dominicaine, selon les Forces Armées voisines, *Alter Presse*, 15 February 2002, http://www.communica.org/medialternatif/alterpresse [accessed 19 March 2002]

⁵⁷ Organization of American States, Inter-American Commission on Human Rights, *Country Report – Dominican Republic, Report on the Situation of Human Rights in the Dominican Republic*, 7 October 1999, http://www.cidh.oas.org [accessed 20 March 2002]; World Bank, *Dominican Republic*, p. 52; Colbert

⁵⁸ Organization of American States, *Dominican Republic*; World Bank, *Dominican Republic*, p. 52; Colbert

housing and health services, and are victims of sexual abuses.⁵⁹ That Haitians continue to emigrate to or remain in the DR under such conditions can only be explained by the even more desperate situations they face in Haiti.

If Haitians are marginally better off in the DR than they would be if they remained in Haiti, their exploitation in the DR contributes to the growth of the Dominican economy and benefits the Dominican elites who employ them. By contrast, Haitian immigration hurts unskilled Dominican workers by keeping their wages low, and they also compete with them for access to public goods, such as health services and other social programs that are already less available to the poor. It is not surprising, then, that the issue of Haitian migration to the DR is a source of tensions within the DR and at the forefront of relations between the two countries. The Dominican press constantly talks of the threats that Haitians pose to the DR, and tensions between the Dominican Army and the government are mounting over the recruitment of Haitians to work in the *zafras*. To that end the two governments have signed an agreement to legalize the status of Haitians born in the Dominican Republic by issuing them their birth certificates, and issuing identification cards to others who have been living there without proper documentation. Another Haitian presidential commission is working with its Dominican counterpart to verify the boundaries between the two countries and recommend improvements in border controls.

Underlying these initiatives, of course, is the realization by both sides of the growing interdependence of the two economies. While there continues to be a demand for Haitian labour in the DR, Haiti has become the second most important market for DR exports and reexports after the US. Re-exports are those goods imported to the DR and then exported to Haiti. Dominican exports and re-exports to Haiti are currently valued at between US\$ 80 and US\$ 100 million a year, and plans are underway to create a "trade corridor" to increase bilateral trade between the two countries. Haiti also re-exports to the Dominican Republic, including items originally exported from the Dominican Republic that are being recycled back into the DR through legal and illegal channels and sold by small Haitian and Dominican retailers. Some of these practices are leading to charges of dumping by Dominican entrepreneurs whose sales are undermined by these cheaper re-imports. 63

Despite the ill treatment of Haitian immigrants, the increasing demand to curb their migration, and the periodic mass deportation of Haitians to Haiti, the government and elites of the DR know that the Dominican economy would suffer serious consequences without the presence of cheaper Haitian labour. Likewise, the Haitian government understands the necessity of Haitian migration, as well as the importance of the economic and trade relations between the two countries. To that end, the two sides are working to find ways to continue to tap the abundant supply of cheap Haitian labour while reducing the flow of Haitian immigrants to the DR, protecting Dominican wages, and pursuing the integration of the two

⁵⁹ Organization of American States. *Dominican Republic*

⁶⁰ World Bank, *Dominican Republic*, p. 53

⁶¹ Le règlement de la question du statut des descendants d'Haitiens en République Dominicaine est-il pour bientôt?, *Haiti en Marche* [Miami], 6-12 March 2002, p. 9

⁶² Haiti: PM Resigns ..., p. 3

⁶³ Used Clothing Imports from Haiti, *DR1.com: Daily News*, 7 March 2002, http://www.dr1.com [accessed 20 March 2002]; Moving Ahead on the Hispaniola Fund Plan, *DR1.com: Daily News*, 6 March 2002, http://www.dr1.com [accessed 20 March 2002]

economies. A plan is underway to create free trade zones in Haiti along the border with the Dominican Republic with the participation of Haitian and Dominican investors. The idea is to create a division of labour between Haitian and Dominican assembly industries, where, in the case of the garment industry, for example, the unskilled, lower wage sewing labour would be performed in Haiti and the more advanced, more skilled, and higher wage processes would be reserved for the DR. Transportation, roads, ports, and communication infrastructures between border towns would need to be improved or expanded. It is estimated that 4,000 new jobs would be created when the plants are fully operational.⁶⁴

While clearly advantageous to the investors who would participate in these free trade zones. their creation would not resolve the underlying problems of underdevelopment and migration. In fact, they may have the opposite effect of spurring even more migration, as the establishment of export assembly industries in Port-au-Prince has shown. One of the immediate negative effects of creating the free trade zones near the Dominican border may be on the small Haitian farmers. The current plans to build the plants, roads and other infrastructures near the border town of Ouanaminthe in the northeast of Haiti, for example, envision taking over some of the most fertile farms in the region. This would require the eviction of the small farmers who own or lease them. According to the organizations defending the rights of small farmers in the area, the jobs created in the free trade zones would not pay the expropriated farmers who would work in them more than what they now earn from the cultivation of their farms. This is because the farming conditions, the fertility of the soil, and access to markets are favourable to farmers in that region. The free trade zones would also accelerate the process of ghettoization already underway in the town of Ouanaminthe (and other secondary towns and cities throughout Haiti) by encouraging rural to urban migration, and, as in Port-au-Prince, create an oversupply of labour that would keep wages low. Lastly, the organizations realize, the industries established in the free trade zones would remain there only for as long as they do not find better opportunities somewhere else. Hence, in the light of the experience of free trade zones established elsewhere, the ones proposed for the Haitian-Dominican border area would not bring greater benefits to their populations, either in the short or the long term. The problem would not be solved even if, as the organizations are suggesting, the free trade zones were established in less fertile or less cultivated areas.⁶⁵ Given the decline of Haitian agriculture in general and its inability to sustain the lives of 80 per cent of the rural population, the process of ghettoization would continue, as would the migration of Haitian labour.

5.2 Migration to the Bahamas and the United States

The Dominican Republic is not the only country concerned with the increasing and illegal migration of Haitians. The Bahamas and the United States, two other countries that have been main destination points for Haitian migrants, have been taking measures to stop the flow of illegal immigrants by implementing special policies, including interception on the high seas, that reduce access to asylum. From the standpoint of the Bahamian government, Haitian immigrants are costly to the Bahamas economically, in terms of services and in their repatriation. The estimated 60,000 Haitians who live in the Bahamas represent about 20 per cent of that country's population. According to Bahamian Minister of Labor and

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⁶⁴ Haiti: PM Resigns..., p. 3

⁶⁵ Un projet de zone franche dans une plaine cultivable proche de la frontière avec la République Dominicaine, *Alter Presse*, No. 5, 18 March 2002, http://www.comunica.org/medialternatif/alterpresse [accessed 20 March 2002]

⁶⁶ Latin America, Migration News

Immigration Earl Deveaux., the majority of Haitians who emigrate to the Bahamas, like those who go to the United States or the Dominican Republic, tend to be at the "lower end of their economic and educational platform". This means that the "expense and long term improvement in their ability to contribute to [the society that is absorbing them must be] borne by the taxpayers in that society". This being the case, the Bahamas finds it difficult to continue to absorb more Haitian immigrants, arriving by the hundreds each month, and has been detaining and repatriating those they apprehend. In 2001, Bahamian authorities repatriated close to 8,000 illegal immigrants, the majority of them Haitian. In January 2002, Bahamian authorities detained around 860 Haitians. The costs of Haitian immigrants to the Bahamas are the main reasons why its government is so keen on seeing the political crisis resolved and economic aid released to Haiti. As Bahamian Prime Minister Hubert Ingraham put it, "unless something happens in Haiti to give hope to the Haitian people, larger numbers of them are going to be coming out and that is what we are seeing".

The US government has also been taking steps to deter further illegal Haitian migration. Since the 1980s, the US government has pursued a policy of returning Haitians intercepted at sea to Haiti before they reached US soil. Most recently, the US Coast Guard repatriated 65 Haitians intercepted at sea, and more than 900 rescued at sea since October 2001 have been returned. The United States argues that it implements these special procedures on humanitarian grounds to discourage Haitians from risking dangerous journeys by boat to reach United States soil. Intercepting Haitian immigrants, however, also prevents them from reaching the US and claiming asylum. Those who managed to reach the US and were able to convince an officer of the Immigration and Naturalization Service (INS) that they had a "credible fear of persecution" were usually released on parole until their case could be heard in court. That practice changed in December 2001 when a sailboat loaded with 187 Haitians reached the South Florida coast. Since then, many Haitians reaching US shores have been detained even after they passed the first credible fear interview. It is estimated that more than 200 Haitians are now being detained by the INS. In addition to being detained indefinitely, the INS has been speeding up their asylum proceedings, a practice that immigration lawyers argue prevents asylum seekers from obtaining legal representation and being able to make a credible case for asylum. This new practice is clearly designed to deter other would-be illegal immigrants or asylum seekers.⁷⁰ In addition to violating international legal standards regarding the rights of asylum seekers and refugees, by reverting to its 1980s practice of holding asylum seekers behind bars⁷¹ the US government is also contradictory. In its latest report on human rights practices, the US State Department criticizes the Aristide government for violating the human rights of Haitian citizens. At the same time, the US Coast Guard systematically intercepts and returns Haitians fleeing that government and denies those who reach US soil the right to make a case for asylum.

⁶⁷ Thompson, L., Haitians Overwhelm Bahamas, *Nassau Guardian*, 14 January 2002

⁶⁸ Thompson; Saunders

⁶⁹ Lightbourne, K., PM Says Relaxed U.S. Policies Would Help Haiti's Problem, *Nassau Guardian*, 9 February 2002

Associated Press, US Changes Detention Policy to Discourage Haitian Refugees, 19 March 2002; Reuters [Miami], Haitian Women Asylum Seekers Complain about US Prison, 14 March 2002; Cruel and Discriminatory: How the INS Treats Haitian Asylum Seekers, *Miami Herald*, 10 February 2002

⁷¹ Amnesty International, *USA: Lost in the Labyrinth: Detention of Asylum-seekers*, London, 1 September 1999, http://www.web.amnesty.org [accessed 21 March 2002]

6 Conclusion

Haiti is currently experiencing a crisis of multiple dimensions. The immediate roots of the crisis are no doubt political, stemming from the stalemate between the FL government of President Aristide and the multi-party coalition DC over the disputed elections of May 2000. The foreign aid donors and the international financial institutions, which follow the lead of the United States, have also made the release of aid monies conditional on the resolution of the political crisis. The withdrawal of aid, moreover, encourages the recalcitrance of the DC in reaching an agreement with the Lavalas government, thereby giving it a virtual veto power over the negotiating process. At bottom, however, the struggle between FL and DC is a struggle for control of the state that historically has served as the principal avenue for the social mobility of the middle class. Because of its better organization and its greater popular support, FL is able to monopolize political power at all levels and use that power to intimidate the opposition. For its part, lacking an organizational and popular base, the main opposition DC is not capable of winning power via the electoral process. It therefore can only rely on powerful external actors to withhold support for the government by not renewing foreign aid, and hence prolong the crisis of governance in the hope that the internecine conflicts within the FL will intensify, and that the corruption of its officials and its worsening human rights record will ultimately undermine its legitimacy and popular support.

Haiti's woes, however, are also caused by other factors. Among them are Haiti's class structure and its extreme polarization of wealth and poverty, a state structure that serves as a means of private enrichment for those who hold office rather than serving the needs of the majority through the provision of essential public goods and the development of human and physical infrastructures, and economic policies and practices that have reinforced the underdevelopment and marginalization of the economy and impoverished the vast majority. For an increasing number of Haitians, and for the Haitian economy itself, migration has become a necessary alternative. Thus, whether it is for "political" or "economic" reasons, Haitians will continue to flee the country, legally or illegally. Resolving the immediate political crisis, curbing violence and human rights abuses, creating a climate of security, and restoring legitimacy in government by strengthening democratic practices and the rule of law – all are essential first steps to any process of economic reconstruction. As the Prime Minister of the Bahamas put it, these steps will give Haitians hope that exit is not the only viable option.

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