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17. The situation concerning Haiti

Overview

During the period from 2012 to 2013, the Security Council held eight meetings in connection with the question concerning Haiti, including two closed meetings with troop- and police-contributing countries to the United Nations Stabilization Mission in Haiti (MINUSTAH),¹ and adopted two resolutions under Chapter VII of the Charter.² The Council heard semi-annual briefings by senior officials of the Organization on the situation on the ground, addressing political and security conditions, activities of MINUSTAH and humanitarian, recovery and development matters. The Council twice renewed the mandate of MINUSTAH for periods of one year,³ while at the same time reducing the force level. In addition, the Security Council mission visited Haiti from 13 to 16 February 2012.⁴

The table at the end of the section lists the meetings at which this item was considered, and gives information on, inter alia, invitees, speakers and decisions adopted.

Consideration of the situation in Haiti and the activities of MINUSTAH

On 8 March 2012, the Council heard a briefing by the Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, who introduced the report of the Secretary-General of 29 February 2012.⁵ He reported on: the political situation, including the resignation of Prime Minister Garry Conille after four months in office, and the continuing conflicts between the executive and legislative branches; the rule of law and security,

¹ [S/PV. 6833](#) and [S/PV. 7023](#).

² Resolutions [2070 \(2012\)](#) and [2119 \(2013\)](#).

³ Ibid. For more information, see part X, section I. with regard to the mandate of MINUSTAH.

⁴ For more information, see, in the present part, sect. 34, with regard to Security Council missions.

⁵ [S/2012/128](#).

including the establishment of the Supreme Court and efforts by MINUSTAH for strengthening the Haitian National Police (HNP); the socio-economic, humanitarian and human rights situation; and the tackling of the cholera epidemic. He also reported that the reduction of the military and police components of MINUSTAH in accordance with resolution [2012 \(2011\)](#) was to be completed by June.⁶

Speakers were generally concerned about the political stalemate and urged the Government to engage in political dialogue and to hold the next partial legislative, municipal and local elections as soon as possible. While acknowledging the relatively stable security situation and the progress in the areas of rule of law and recovery and reconstruction since the January 2010 earthquake, many speakers also stressed the need for more progress, particularly in the strengthening and capacity-building of HNP - to which MINUSTAH had been contributing - and in addressing the displaced population and protecting vulnerable groups. Several speakers expressed concerns over the resurfacing of armed former members of the Haitian armed forces which had been dissolved in 1995. The representative of Haiti hoped that his country would no longer figure in United Nations reports and resolutions as a “threat to international peace and security” as the phrase stroke fear in potential investors the country tried to attract for its sustainable development.⁷

A number of speakers opined that the size and the mandate of the future MINUSTAH should be considered on the basis of conditions on the ground, particularly the ability of HNP to take on greater responsibility. The representative of the Russian Federation was pleased that the reconfiguration of the Mission was going according to plan and held that once the reform process was concluded, the Council could assess the effectiveness of the implementation of its mandate under Chapter VII of the Charter and possibly consider additional measures.⁸ In addition, in view of the allegations of sexual misconduct by the personnel of the Mission, speakers underscored the need for the United Nations to ensure compliance with its zero-tolerance policy on sexual exploitation and abuse.

On 3 October 2012, introducing the report of the Secretary-General of 31 August 2012,⁹ the Special Representative of the Secretary-General briefed the Council on a wide

⁶ [S/PV. 6732](#), pp. 2-5.

⁷ *Ibid.*, p. 21.

⁸ *Ibid.*, p. 16.

⁹ [S/2012/678](#).

range of issues, including the positive developments in the political stabilization process and rule of law in Haiti, i.e., the confirmation by Parliament of the new Prime Minister Laurent Lamothe and the establishment of the Superior Council of the Judiciary overseeing the transparency and independence of the judiciary, while reporting a serious impasse in the formation of the Permanent Electoral Council responsible for organizing all elections in Haiti according to constitutional provisions. He further reported that the illegal activities of former members of the Haitian army were no longer an issue of concern, as the Haitian police, with the support of MINUSTAH, had evicted those calling for the re-establishment of the army and the payment of pensions from the 10 sites that they had occupied. Turning to the strengthening of the police, he stated that the Superior Council of HNP had endorsed the 2012-2016 plan for its police which, among other measures, called for the training of at least 1,200 new officers a year to create a police force made up of more than 15,000 officers in total. Concerning the mandate of MINUSTAH, he reiterated the recommendation of the Secretary-General in his report¹⁰ to reduce the authorized strength of troops from 7,340 to 6,270 and the police from 3,241 to 2,601, with a consequent drop in civilian personnel in accordance with the reduced scope of the activities of MINUSTAH. He further announced that MINUSTAH, together with the United Nations country team, had consulted the Government of Haiti on the conditions-based consolidation plan, which was in a working phase at that moment, so as to facilitate the concentration and reduction of the activities of MINUSTAH in a rational fashion and to head towards a final state of the Mission at a foreseeable point in time.¹¹

Speakers were encouraged by the more promising picture represented by the swearing in of a new Government, the publication of the constitutional amendments and the establishment of the Superior Council of the Judiciary, which paved the way towards the formation of the permanent electoral council. With regard to the former armed forces, many speakers also welcomed the progress on the security front as well as the increased performance of HNP, including a handover of security from MINUSTAH to HNP in camps of internally displaced people. Also, there was a general consensus as regards the renewal of the mandate of MINUSTAH for one year as the Secretary-General had recommended. In addition, many speakers were supportive of the recommendation of the Secretary-General

¹⁰ Ibid.

¹¹ [S/PV. 6842](#), pp. 2-6.

concerning the reconfiguration and consolidation of MINUSTAH as envisaged in the 2013-2016 consolidation plan. At the same time, several speakers underscored the necessity to draw down MINUSTAH carefully and on the basis of the conditions on the ground, not of a fixed timeline, without undermining the gains achieved thus far. Furthermore, a few speakers underscored the contribution of, and the importance to maintain the engineering component as well as quick-impact and community violence reduction projects,¹² while others maintained that some of the tasks of MINUSTAH should be handed over to other actors, including national ones.¹³

At its 6845th meeting, on 12 October 2012, the Council unanimously adopted resolution [2070 \(2012\)](#) commending the wide range of recovery efforts delivered in the aftermath of the January 2010 earthquake by the United Nations system in Haiti, especially the United Nations-supported housing and debris removal programmes and the successful use of the military engineering units of MINUSTAH. Acting under Chapter VII of the Charter, the Council extended the mandate of MINUSTAH until 15 October 2013, while reducing the overall force level of MINUSTAH to 6,270 troops and 2,601 police.¹⁴ The Council also took note of the conditions-based consolidation plan of MINUSTAH and acknowledged the value of focusing the activities of the Mission on a core set of mandated tasks achievable within a reasonable time frame. It also recognized that a stable political and institutional environment was crucial for stability and the progress of recovery and reconstruction efforts, and called on all the relevant political actors in Haiti to work cooperatively for the installation of the national Permanent Electoral Council as established in the constitutional amendments and for the realization of the partial legislative, municipal and local elections that were now overdue.

On 20 March 2013, in presenting the political, socio-economic and security situations in Haiti in line with the report of the Secretary-General dated 8 March 2013,¹⁵ the Acting Special Representative of the Secretary-General for Haiti stated that the six-month reporting period had been one of impasse in the political domain, epitomized by the lack of progress in creating the electoral council due to the significant differences remaining among the

¹² Ibid., pp. 17-18 (Colombia); p. 20 (South Africa); p. 24 (Brazil); and p. 29 (Chile).

¹³ Ibid., pp. 20-21 (United Kingdom); and p. 21 (Russian Federation).

¹⁴ For more information, see part X, section I, with regard to the mandate of MINUSTAH.

¹⁵ [S/2013/139](#).

executive and legislative levels and the high judicial council. The MINUSTAH consolidation plan as had been agreed with the Government of Haiti, which was annexed to the above-mentioned report,¹⁶ outlined four key objectives for the three years from 2013 to 2016: accelerated development of HNP; strengthening of a permanent electoral council once it was created; strengthening of the rule of law and respect for human rights, with a priority on reinforcing basic accountability and oversight mechanisms; and supporting key national and local governance reforms, as well as helping key national stakeholders to achieve consensus on inclusive political processes and institutional reforms to create conditions for socio-economic development. The consolidation plan also set out a limited number of benchmarks for each of the four areas that could be realistically attained by 2016.¹⁷

Most speakers emphasized the importance of holding free, fair, inclusive and credible local, municipal and senatorial elections by the end of 2013 which would bolster stability and socio-economic development, and urged political leaders to avoid further delays. Speakers also highlighted the ongoing need to strengthen the capacity of HNP as one of the priorities for MINUSTAH and called for the continued assistance of the international community for support to create professional police forces. The conditions-based consolidation plan for MINUSTAH was welcomed by the majority of speakers. The representative of the United States considered the consolidation plan as a living document that would evolve in response to developments on the ground and adjustments to the MINUSTAH mandate.¹⁸ The representative of the Russian Federation stated that while his delegation supported the proposal to focus the mandate of the Mission on a number of attainable objectives, the announced goals and measurement indicators were ambitious and required future discussion among Council members.¹⁹ The representative of Mexico was concerned that the actions that had been successful in the past, such as the quick impact projects, had been left out in the consolidation plan.²⁰

The representative of Guatemala opined that the mandate of MINUSTAH should determine its budget, not the other way around and argued that there should be no further reductions in the number of uniformed personnel.²¹ Similarly, the representative of Brazil

¹⁶ Ibid.

¹⁷ [S/PV. 6936](#), pp. 2-4.

¹⁸ Ibid., p. 5.

¹⁹ Ibid., p. 19.

²⁰ Ibid., p. 27.

²¹ Ibid., p. 12.

maintained that financial consideration must not be the driving force behind the reduction of the United Nations presence in Haiti.²² The representative of France held that while a hasty departure should be avoided, the indefinite continuation of a peacekeeping operation of that magnitude was not an option and that the prospect of its departure should serve as a catalyst.²³

On 28 August 2013, the Special Representative of the Secretary-General for Haiti, in her briefing, stated that the overall security situation in Haiti had remained relatively stable with a decrease in both civil unrest and major crimes, and that further strengthening of HNP remained a critical stabilization benchmark. The continued delay in the holding of long-overdue elections was a source of increasing concern, as scepticism regarding the likelihood of holding the elections in 2013 rose, posing a series of risks to the stabilization process. On the consolidation plan of the Mission, the Special Representative reported that the military and police components of MINUSTAH had completed the mandated reduction of their personnel in accordance with resolution [2070 \(2012\)](#). She further stated that President Martelly and Prime Minister Lamothe had expressed support for a phased withdrawal of the Mission as the capacity of national institutions increased. She concluded that Haiti was at a critical juncture as progress in security and stabilization and economic developments could be jeopardized by the instability resulting from the polarization linked to the election stalemate and therefore MINUSTAH continued to work to convince national stakeholders to hold elections as soon as possible and to agree that the continuity of institutions was in their best interest and that of the nation.²⁴

Speakers in general recognized the steps that Haiti had taken toward stabilization, such as the establishment of the Transitional College of the Permanent Electoral Council and the submission of a draft electoral law to the Parliament which were important to the holding of long overdue elections. Many speakers also were aware of the remaining challenges in the process of electoral preparation and reiterated their call to hold the elections as soon as possible, urging the political actors to reach consensus and to create the necessary conditions for elections to be held. They also stressed the need to end the climate of impunity, to support

²² Ibid., p. 22.

²³ Ibid., p. 16.

²⁴ [S/PV.7024](#), pp. 2-4.

HNP in accordance with the 2012-2016 development plan, and to address the humanitarian situation in the country.

Speakers also supported the recommendations of the Secretary-General to extend the mandate of MINUSTAH for another year and to further reduce the troop strength by 15 per cent, with some emphasizing the necessity to do so carefully, in line with the security and political conditions. The representative of the United States agreed with such withdrawal, provided that MINUSTAH maintained a robust, quick-reaction capacity.²⁵ The representative of the United Kingdom reiterated his position that the tasks undertaken by the engineering units in supporting quick-impact projects, such as road repair, well drilling, draining and canal cleaning and water distribution, should be handed over to others, including the local private sector,²⁶ while others underscored the utility of the quick-impact and community violence reduction programmes,²⁷ with some explicitly calling for the continuation of those programmes by MINUSTAH.²⁸ Furthermore, the representative of the United Kingdom welcomed the decision of the Secretary-General to explore the option of a transition to a smaller, more focused assistance mission by 2016, while underscoring that MINUSTAH's continuing presence in Haiti remained necessary for now and that any significant change to the configuration should come with credible benchmarks to ensure the capacity of the Government of Haiti to shoulder increasing responsibility.²⁹ The representative of the Russian Federation also supported the Secretary-General's proposals to consolidate MINUSTAH and its transformation into a smaller mission with a narrower mandate.³⁰ In this context, the representative of Guatemala held that withdrawal of MINUSTAH must be responsible to ensure that the Mission would never have to return.³¹ In a similar vein, the representative of Haiti emphasized the importance to consider all possible scenarios for disengagement in order to avoid a repetition of history, while welcoming the fact that the Council had determined that Haiti no longer constituted a threat to international peace and security.³²

²⁵ Ibid., p. 5.

²⁶ Ibid., p. 12.

²⁷ Ibid., p. 11 (Rwanda); p. 24 (Brazil); and p. 31 (Chile).

²⁸ Ibid., p. 5 (United States); and p. 25 (Mexico).

²⁹ Ibid., p. 12.

³⁰ Ibid., p. 14.

³¹ Ibid., p. 16.

³² Ibid., p. 21.

At the 7040th meeting, on 10 October 2013, the Council unanimously adopted resolution [2119 \(2013\)](#) noting with concern that elections preparations were still experiencing delays which would affect the holding of elections in 2013. Acting under Chapter VII of the Charter, it extended the mandate of MINUSTAH until 15 October 2014 and reduced further the overall force levels to 5,021 troops, while retaining the police at 2,601 personnel.³³ By the same resolution, the Council also requested MINUSTAH to continue to implement quick-impact projects that contributed in building a secure and stable environment and enhance national ownership and the trust of the Haitian population towards MINUSTAH as well as to pursue its community violence reduction approach. It also took note of the ongoing implementation of the conditions-based consolidation plan of MINUSTAH and welcomed the efforts by the Special Representative of the Secretary-General for Haiti to support the political process under way.

After the adoption, the representative of the United Kingdom held that MINUSTAH was the clearest example of a mismatch between the needs on the ground and the tools available to the Council to address them, in view of the fact that over 5,000 military personnel would be in a country where there had been no military conflict in recent times. He further argued that continuing provision of quick-impact projects after ten years of its mandate was troubling and therefore, that there was scope for a more accelerated drawdown, in particular, of engineering personnel.³⁴

³³ For more information, see part X, section I, with regard to the mandate of MINUSTAH.

³⁴ [S/PV.7040](#), p. 2.

Meetings: the question concerning Haiti

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV. 6732 8 March 2012	Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (MINUSTAH) (S/2012/128)		Brazil, Canada, Chile, Haiti, Japan, Peru, Senegal, Spain, Uruguay	Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, Head of the Delegation of the European Union to the United Nations	All Council members and all invitees ^a	
S/PV. 6842 3 October 2012	Report of the Secretary-General on MINUSTAH (S/2012/678)		Argentina, Brazil, Canada, Chile, Ecuador, Haiti, Japan, Mexico, Peru, Spain, Uruguay	Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, Head of the Delegation of the European Union to the United Nations	All Council members ^b and all invitees ^c	
S/PV. 6845 12 October 2012	Report of the Secretary-General on MINUSTAH (S/2012/678)	Draft resolution submitted by Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Paraguay, Peru, Spain, United States, Uruguay (S/2012/743)	Argentina, Brazil, Canada, Chile, Haiti, Paraguay, Peru, Spain, Uruguay			Resolution 2070 (2012) 15-0-0 (adopted under Chapter VII)
S/PV. 6936 20 March 2013	Report of the Secretary-General on MINUSTAH (S/2013/139)		Brazil, Canada, Chile, Haiti, Japan, Mexico, Peru, Spain, Uruguay	Acting Special Representative of the Secretary-General for Haiti and Interim Head of MINUSTAH, Head of the Delegation of the European Union to the	All Council members ^d and all invitees ^e	

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV.7024 28 August 2013	Report of the Secretary-General on MINUSTAH (S/2013/493)		Brazil, Canada, Chile, Colombia, Haiti, Japan, Mexico, Peru, Spain, Trinidad and Tobago, Uruguay	United Nations Special Representative of the Secretary-General for Haiti and Head of MINUSTAH, Deputy Head of the Delegation of the European Union to the United Nations	All Council members and all invitees ^f	
S/PV.7040 10 October 2013	Report of the Secretary-General on MINUSTAH (S/2013/493)	Draft resolution submitted by Argentina, Brazil, Canada, Chile, France, Guatemala, Morocco, Peru, Rwanda, Togo, United States, Uruguay (S/2013/597)	Brazil, Canada, Chile, Haiti, Peru, Uruguay		United Kingdom	Resolution 2119 (2013) 15-0-0 (adopted under Chapter VII)

^a Uruguay spoke on behalf of the Group of Friends of Haiti, comprised of Argentina, Brazil, Canada, Chile, Colombia, France, Guatemala, Peru, the United States and Uruguay. The Head of the Delegation of the European Union to the United Nations spoke on behalf of the European Union and its member States and Albania, Bosnia and Herzegovina, Croatia, Iceland, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia, Turkey and Ukraine aligned themselves with his statement.

^b Guatemala was represented by its Minister for Foreign Affairs.

^c Uruguay spoke on behalf of the Group of Friends of Haiti. The Head of the Delegation of the European Union to the United Nations on behalf of the European Union and its member States and Albania, Bosnia and Herzegovina, Croatia, Georgia, Iceland, the former Yugoslav Republic of Macedonia, Moldova, Montenegro and Serbia aligned themselves with his statement.

^d Guatemala was represented by its Minister for Foreign Affairs.

^e Uruguay spoke on behalf of the Group of Friends of Haiti and the deputy Head of the Delegation of the European Union to the United Nations on behalf of the European Union and its member States and Albania, Armenia, Bosnia and Herzegovina, Croatia, the former Yugoslav Republic of Macedonia, the Republic of Moldova, Montenegro, Serbia and Ukraine aligned themselves with his statement.

^fUruguay spoke on behalf of the Group of Friends of Haiti. The Head of the Delegation of the European Union to the United Nations spoke on behalf of the European Union and its member States, and Albania, Armenia, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro, Serbia, Turkey and Ukraine aligned themselves with his statement. Trinidad and Tobago spoke on behalf of the 14 States members of the Caribbean Community (CARICOM).