



## HAITI ALERT

### Searching for Haiti Policy: The Next Ninety Days

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#### Overview

- A damaging game of attrition characterizes negotiations to resolve Haiti's political stalemate.
- Aristide regime prefers dealing with the international community rather than its domestic opponents, but this sustains mistrust within Haiti. Civil society negotiating efforts are a significant new factor.
- The democratic political alternative to Aristide's Lavalas has gained ground in overcoming its credibility deficit but still lacks broad governance focus and distinctive leadership.
- International community is fatigued and fearful of Haiti going off the rails and therefore eager to reach a deal.
- Bush administration does not have its predecessor's personal ties with Aristide and prefers arms-length relationship. Yet, a distinctive policy stance and leadership has yet to emerge while the Haitian crisis deepens.
- Recent OAS-Caricom mission to Haiti and ensuing General Assembly meeting in Costa Rica endorsed revised Aristide offer to break political stalemate. Negative and swift response from broad spectrum of Haiti's democratic opposition and civil society ensued.
- Operational reality of OAS-Caricom deal faces immediate logistical, financial, and political hurdles. Real intent by Haitian regime is to trigger renewal of foreign aid flows.
- Unity of international community following Costa Rica is uncertain.
- Ninety-day outlook is grim.

#### U.S. Policy Needs

A rancid political and diplomatic stew characterizes the background to the recent OAS General Assembly meeting held in Costa Rica in early June. A Haitian proposal, in effect an update of an earlier failed approach to the OAS in March, faced an international community that was skeptical but one sensing that something eventually would have to be done. Opinions were divided as to the credibility of the Haitian plan, negotiated by Jean-Bertrand Aristide and Luigi Einaudi of the OAS, and the commitments it implied for its implementation. The United States forcefully lobbied the case and rallied an otherwise ambivalent assembly.

The heart of the deal involves a schedule of repeat elections for some senators, shortened terms for the rest of the national legislators, and a renewed effort to hold this process under the supervision of a reconstituted election council.

Consideration of the Aristide-Einaudi plan overshadowed the main item on the menu at the Costa Rica meeting which ensued from the recent Western Hemisphere summit in Quebec City: the democracy clause. The latter could define more clearly the political entry ticket for participation in the process toward hemispheric trade liberalization (FTAA) and the various socioeconomic objectives associated with it. *Democracy* is already present in the body of OAS regional agreements. Refining this further did not happen at the session in Costa Rica partly due to the difficult atmospherics surrounding the Haiti proposal. The matter was tabled for the next meeting in the fall.

The United States' relationship with Haiti needs to break out from the costly and unproductive policy thrust of the past eight years. The arrival of the Bush administration should enable Washington to start fresh, yet so far it has not really done so. The opportunity remains since the new White House does not have the kind of special relationship with Haiti's political leadership that the Clinton administration had. The United States has a long history of association with Haitian affairs and Washington's interests are worth reviewing:

- Foster modern governance through a democratically competitive political environment and a diverse civil society, accompanied by an active private enterprise, and a liberalized and transparent trade and investment flow regime;
- Eliminate regional contraband and illicit business flows, and reduce Haiti's attraction as a platform for money laundering and narcotics transshipment;
- Acknowledge Haiti's actors who appear to undermine the above interests, and isolate them from U.S. moral, diplomatic, and economic support; and
- Diversify more deeply formal and informal interaction by the U.S. Government and the international community across the Haitian political and economic spectrum, including those constituencies outside the capital city.

### *Policy prescriptions*

1. *The international community.* Resource support and diplomatic commitment cannot be considered until the Haitian regime works out a real political arrangement with the various elements of the democratic alternative and key groups representing civil society. This perennial problem has resulted in Haitian promises not being followed by credible results. In the present climate of distrust among the competing Haitian players the need to achieve a more credible Haitian negotiating process is an even more pressing priority.

In this regard the recent Aristide-Einaudi negotiations seemed to conclude by keeping the democratic opposition at arms length and taking the civil society negotiators half-heartedly. The next round of negotiations cannot commit this elementary and arrogant error. A significant degree of mobilization now exists among the senior Catholic, Protestant, and evangelical church leadership, along with a durable negotiating coalition drawn from other segments of Haiti's urban society. Lavalas leadership may find these groups an inconvenience but the United States should not play into that dangerous game. A political community without those actors is not a competitive democratic environment.

2. Haitian political negotiations. Several items are on the table but any solution needs to abide by the principle of a package deal or nothing:

*Reconstitution of a credible CEP:* The political constituency formula to create a CEP over which Haitians are arguing may be eased if, as in many other countries, the election council was headed by someone of genuine distinction—an individual with unblemished technical credentials, political standing above the fray, credibility with the international community; and management and organizational skills to run the show.

A second consideration relates to the *attitude* of the regime's leadership. Lavalas and its senior leadership have a tendency to assume that the CEP process is their game, another mechanism in a winner-take-all strategy. The result was all too apparent last year when the CEP president and distinguished elder jurist, Leon Manus, refused to certify bogus results and under death threats was forced into political exile in the United States. International criticism was muted. If Washington hopes to achieve results, it will have to ensure that this does not happen again. If it is serious, it might even suggest that Manus would be an acceptable candidate to head the new CEP.

*Partial repeat of senate elections:* As time passes, this may end up being a symbolic victory. Many have forgotten that an earlier Haitian proposal endorsed by the democratic opposition and civil society groups had been to repeat all elections (local, municipal, and parliamentary) in 2002 in exchange for recognizing the legitimacy of Aristide's presidency. Why the OAS-Caricom accepted less several months later and packaged it in a complicated electoral calendar is troubling.

The core of the deal entails the resignation of seven senators involved in suspect elections in 2000, as well as the scheduling of legislative (Assembly and Senate) elections next year and 2003. This presumes a viable CEP as well as electoral security. The Aristide-Einaudi deal does not address the security issue directly, although it promotes the notion of an OAS mission to encourage an open-ended Haitian political dialogue toward democratization. The OAS is hopelessly ill-equipped to provide the requisite buffer against the political intimidation and violence that have characterized Haitian elections. Its track-record in this area throughout the 1990s was poor and the mission had to be adjudicated to the United Nations, and ultimately U.S. political leadership.

A defining character to this process would be for Haitian authorities to provide moral and political leadership, as opposed to the threatening agitation of populist rhetoric. One example would be for them to acknowledge in some form the uncertainties surrounding the *November* 2000 presidential contest. Likewise, Lavalas leadership should join in a multiple condemnation of the climate of intimidation and the deteriorating human rights environment since Feb. 7, 2001. The United States should not abstain from expressing its strong views in this area, repeatedly and at the most senior level of the Bush administration.

### 3. *U.S. strategy.*

- No political support or economic and diplomatic resources unless there is a wider and transparent compromise among the key actors in the political stalemate.
- Replace the continuing U.S. reluctance to reach out to Haiti's political alternatives and civil society with a U.S. policy that engages and strengthens Haiti's true supporters of democracy and freedom.
- Revitalize a strategy of an international coalition framed by these more durable U.S. policy principles. This includes sustaining a purposeful engagement through the OAS, but multilateralism without clear U.S. strategic leadership is unlikely to be successful in Haiti. The United States may want to keep policy on Haiti at arms length but sooner or later the White House either will be asked to support and enforce Haiti policy solutions not entirely of its own making, or will be held accountable for their failures.

#### *Related Policy Elements*

1. Haiti policy should not be driven and defined by one Haitian personality, a characteristic of U.S. engagement for the past decade. Jean-Bertrand Aristide is a remarkable and principal national figure. However, sound U.S. policymaking does not have to be totally anchored to one policy option and the political fortunes of one leader. Recent U.S. experiences with Russia, Indonesia, Zaire and Congo, and even Mexico are varied reminders.

2. The United States should be viewed as working with the underdog, the weak, the entrepreneurial, and Haiti's regional and local leadership, not the representatives of a corrupt new elite (the "CNE's") occupying positions of power in government and the influence peddlers that flow from it. This represents a real barrier to any significant resumption of international assistance, let alone U.S. aid. Haiti's government finances are a mess and one way to clear the air is to force some of this into the open before further international funding comes forth.

A small *Haiti International Development Commission* (HIDC), sanctioned by Haiti's five largest aid donors, led by non-governmental free-market development and democratic governance expertise, and funded with foundation support, could work through the underbrush of a few key development initiatives and begin to coordinate their implementation. The HIDC could also be a point of contact for the multitude of individual private voluntary organizations (PVOs) operating in Haiti, and as well as a possible avenue for Haiti's growing diaspora.

3. The U.S. mission in Haiti has been faithfully fulfilling its role under difficult circumstances. Along with the USAID (U.S. Agency for International Development) mission, a substantial renovation might be considered to reflect a new form of disciplined engagement on the part of Washington.

#### *Negotiating Attrition*

Months of fruitless discussions between the international community and various actors in Haiti's political stalemate came to a head in early June with the Organization of American States General Assembly meeting in Costa Rica. The offer extracted from Haiti may be narrowly hopeful but the atmospherics are troublesome. Jean-Bertrand Aristide and his regime appear reluctant sponsors of their own proposal, let alone a democratic process. The international community's attitude toward Haiti is variously fatigued and accommodating-not a good combination.

The shuttle diplomacy of the OAS-Caribbean Community [Caricom] team did not win over the confidence of the Aristide regime's political opponents, and was only marginally more successful regarding civil society intermediaries (led by church and business groups). In the end, surprisingly, the disjointed but gutsy political opposition and some of its civil society allies were blamed for sustaining a political stalemate originally triggered by the Lavalas political constituency now in power. This is a strange turn of events and says volumes of the international community's commitment to democracy.

It also underscores Aristide's remarkable stamina with Washington's rudderless Haiti policy and exploitation of this environment as the situation is no more resolved now than it was a month ago. To insure success Aristide's U.S.-based lobbying is going through some transformation, including a hire from among Washington's lead law firms, Patton Boggs. The shift toward a democratic majority in the U.S. Senate also diminishes somewhat the perceived early sting of a

Republican administration. In the interim, the latter has yet to assemble its own Latin American/Caribbean policy leadership, adding further credence to the notion that current Haiti policy is shaped by a framework inherited from the Clinton White House.

The outlines of the OAS-Caricom deal includes three significant operational parts: the reconstitution of an electoral council (CEP) with credibility for all political participants, the resignation of roughly a third of the Senate due to disputed vote counts, and the scheduling of legislative (Assembly and Senate) elections for next year and 2003. Also suggested is the establishment of an OAS-Caricom mission in Haiti to provide sustenance to these tasks.

Can and will the interested parties follow up on these proposals? The deal poses a challenge and potential political turbulence for the Lavalas regime in the short run. There may be a price to pay to force Lavalas senators to resign early. But a tactical retreat now may break down the opposition's sense of purpose and insures international sympathy for Haiti's dire economic needs.

For the opposition the challenge is to regroup either to insure the success of the Costa Rica agreement without losing their collective political shirts or to provide an as yet unspecified alternative. There is also the so-called "zero option," which entails sitting on your hands and waiting out the presumed self-destruction of Aristide's political apparatus.

The key actor here is the *Convergence Democratique*, a somewhat eclectic coalition of parties [including former Aristide ally, Gerard Pierre Charles-OPL, the MOCRHRENA-representing a growing protestant/evangelical constituency, perennial pretenders to national office such as Leslie Manigat's RDNP, and also Hubert Deronceray, and sub-coalitions-*Espace*]. Standing off to the side is also the opposition's not entirely satisfying political creation of an alternate president to Aristide, old-line prominent human rights advocate, Gerard Gourge. While able to oppose the Costa Rica deal, this political apparatus will also quickly need to hit back with counterproposals of its own.

For Haiti's civil society and the mediating role it has attempted to play in recent months, the future is uncertain but critical. With its back to the wall, whom does it trust and how can it capitalize on its own residual credibility? In the short run civil society's more durable actors (particularly the *Initiative de la Societe Civile* - ISC) will likely focus on providing some political transparency to the reconstitution of the CEP. Their role is not as trivial as some in the international community would make it out to be. While private sector groups have become increasingly squeezed economically, the constituency to watch comes from church leaderships.

For the international community, and the United States in particular, the short-run challenge is the implementation, enforcement, and verification of what is at this stage a rather tenuous arrangement. Washington is perceived, correctly, as a key actor behind the OAS/Caricom deal, and the United States will probably draw in a reluctant UN endorsement at the level of the secretary general. Beyond that enthusiasm is limited. Two indicators of international community response will appear fairly quickly. One relates to the notion that a CEP can be pulled together by June 25. This is highly unlikely and suggests a rush job that can only benefit Aristide. A second indicator relates to the international community's level of response to the need for some form of electoral security apparatus. Without adequate security, the political response to the electoral calendar will grind to a halt.

All of these proposals are anchored by two strategic assumptions weighted down by almost fatal uncertainties. First, the OAS/Caricom Haiti agreement requires that several elections be held in quick succession in a country whose recent electoral record is so dismal that it is at the heart of the current stalemate. Political intimidation and electoral insecurity will not be overcome simply with technical assistance-it requires a change in attitude among Haiti's political leadership and most notably that associated with the levers of the current government.

**Second**, with Haiti's legal economy evaporating day-by-day and government finances dysfunctional, the real negotiating driver for the Haitian regime has been to trigger international economic assistance and broader business investment. Whether Washington and other key capitals have the policy fortitude to require verification and real political progress before significant disbursements is uncertain. Without that, the more likely scenario is that foreign resources designed to reconstruct Haiti's bankrupt electoral process will end up being props for a brittle regime.

Easy money in the short run may be channeled through the Inter-Development Bank and to a degree the World Bank although those sources are far from unanimous in their thinking about Haiti. Key European governments and the European Union represent another source but they have since last year represented a fairly hard line on Haiti policy-more hard-nosed than Washington and in some cases more directly tied to Aristide's opponents. None of the above does much in the short term for Haiti's modern business community whose base has been shrinking dramatically in the past year but whose more socially-conscious political profile has also increased.

All of this represents a policy trap, with the opening argument being that Haiti needs money to accomplish what the international community is demanding of it. For its part the international community would love to find a way to wash its hands of the Haiti problem.

A more credible response is likely to be a gradual approach, in which only good deeds are rewarded. Lack of action or deviation from the agreement would actually trigger reconsideration of the OAS/Caricom framework by Washington and the international community. If nothing else, the U.S. Congress will require verification before a dime is spent. Capitol Hill has in place several certification requirements linked to the holding of free and fair elections, human rights violations and unresolved political crimes, and cooperation against drug trafficking before there can be a resumption of aid flowing from the U.S. government.

Continuing threats to Haiti's civil society and political opposition leadership suggest that these various restrictions will not be easily lifted. Arguably, the environment in Haiti in the past year has dramatically deteriorated. This includes the intimidating and unstable populist character of Lavalas, whose amorphous popular base can be manipulated so easily by Aristide but might also spin out of control.

Also disconcerting are the machinations surrounding high-profile murder cases (most notably media figure, Jean Dominique). There is also the arbitrary nature of the police and uses of arrest warrants, (most recently involving such diverse cases as Jean Gabriel Fortune, a member of the opposition *Democratic Convergence*, and the former military chief in the late 1980s, Prosper Avril). Troubling is the public theatre involving aspiring senators and senior associates of the Lavalas movement (such as Dany Toussaint) and the murky political and financial relationships--and rumors that frame much of what happens around the presidential palace in Port-au-Prince (such as the role of senior Lavalas *don*, Yvon Neptune, and others). This environment embodies many dynamics of Haiti's past rather than the basis for a democratic future--let alone socioeconomic well being for the majority of Haitians. A worrisome indicator in this regard is the increasing momentum in the exodus of Haiti's remaining professional and managerial class, not to mention young people with skills.

A sad commentary on the *entire* Haitian political leadership is that so soon after the 1994 intervention that restored Aristide to office could a unique opportunity to instill a modicum of social order and economic development coherence be wasted away. To be blunt, many in that leadership appear to have forgotten the remarkable good will and resource base expended by the international community on behalf of Haiti's livelihood--existence, really-- half a decade ago. Washington and its partners in the international community in this unhappy enterprise are most singularly united in their frustrations over Haiti policy. The same cannot be said about having any consensus on what to do about it.

Haiti's troubles have a regional character to them and, as such, Washington's interests are ultimately never too far. In other words, U.S. management of policy toward Haiti cannot be totally devolved to others in the multilateral community. The dynamics of the recent OAS meeting Costa Rica allude to less than unanimous initial support for the Haiti proposals. The United States and senior OAS leadership mostly framed these proposals, with supporting roles from Caribbean countries. This is potentially a step backward from the relative unity of opinion across Haiti's international interlocutors that had existed in the previous 12 months. In policy on Haiti, perceptions may not be accurate but they are influential and for now--despite a presidential change in the White House-- U.S. policy remains married to Jean-Bertrand Aristide.

### *The 10-year Crisis*

Arguably, Haiti's political crisis since the late 1980s has never moved much beyond the starting gate of elections. Qualitatively, the latter have deteriorated despite manifold efforts by patient Haitian voters and the technical support of the international community to draw out coherent governance from these exercises. If Jean-Bertrand Aristide has been one constant in this unrewarding effort, the mixed quality of his political opponents has been the other. His early opponents, the Haitian armed forces, were both violent and hopeless at the job of governance. Haiti's civilian non-Lavalas political constituencies have by and large not been stellar winners either. While often courageous and principled, this diverse community has been most notably deficient in its ability to coalesce from individual positions of weakness into coalitions of strength.

Haiti's governing sociopolitical paradigm remains the past with no viable vision of the future. The incumbent in the presidential palace, remarkable man that he is, and the populist mantra that is the heart of his Lavalas movement, are characteristically traditional. Lavalas has in fact become more of a personality cult and as such is devoid of any instincts toward modern societal institution building. As a political movement it has continuously reinvented itself in the past decade, shedding competing allies along the way and creating new opponents. This environment highlights personal charisma over the rule of law and yields almost no leadership accountability. To make matters worse, Haiti's current governing structure is by all accounts penetrated by corruption--political and moral--and criminality. To characterize all of this as a functioning government is therefore charitable.

Yet, in wake of the messy elections in May 2000 this has begun to change. The multiple elements of the non-Lavalas community merged at least to sustain the *Convergence Democratique* as a tactical negotiating instrument. The opposition has stacked out much stronger unified positions and unspecified popular support than most observers expected. In practice, this political alternative has stung Aristide's return to office, paralyzing the expected populist cakewalk. The resulting stalemate has had a detrimental affect on an already dysfunctional society, with the best and brightest, the desperate as well as the more entrepreneurial, leaving on an airplane or by leaky boat.

Last year's electoral process was marred, first in the spring, by an intimidating pre-election environment and post-election counting fraud for the parliamentary contest. Then in November the presidential contest was a fraud of a different kind. The problem turned out to be not so much that the opposition boycotted the event but that few Haitians bothered to vote—maybe 10 percent of the eligible voters participation rate, but no one knows for sure. Actually, since the fall of the Duvalier regime in 1986 no Haitian election (including those that brought Aristide to office in December 1990) has generated final consolidated and verifiable results. This is very symptomatic of the real nature of Haiti's problems and the challenge facing decisionmakers in Port-au-Prince and abroad. The depth of crises in 2001 is deepened not so much by the mismanagement and political miscalculation of the past 12 months but the cumulative effect of a decade-long pattern of abominable governance.

Despite the absence of international support, in November 2000 the presidential contest was held nonetheless and brought Aristide back to office in a sea of controversy and a desert of credibility. What has ensued is a strategy of attrition, with Aristide hoping to avoid having to face his domestic political opponents while bargaining a deal with the international community. The latter has by and large forced him to face his home front, but a viable domestic dialogue has developed little traction in circumstances shaped by the cumulative crises noted above. Mistrust is deep and this has strategic implications for the international community.

Remarkably, the current crisis has brought out a renewed societal effort, with various elements of civil society, churches, and the private sector attempting to mediate alternating versions of compromise political outcomes. The most durable of these groups is the *Initiative de la Societe Civile* (ISC), which has found itself repeatedly squeezed between unproductive Haitian political dialogues and an international community taking its efforts only half-seriously.

Sadly, all of this has generated not only limited results but also sustained distrust. The mediating role of the OAS and Caricom, and now indirectly, the United States, although admirably led and initially conceptualized, has itself come under suspicion for promoting a solution that is at minimum operationally very difficult. The ISC's critique of the Costa Rica agreement also highlights the opaque nature of the final stages of the negotiations by the senior OAS envoy (Ambassador Luigi Einaudi, assistant secretary general, and an American) and Haitian authorities, leading to cries of foul play by much of Haiti's non-Lavalas community. This could have been avoided.

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