

AMNESTY INTERNATIONAL

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Amnesty International's recommendations to UN and Security Council on field presence in Haiti

Amnesty International has written to the United Nations (Head of Department of peace Keeping Operations), and to all members of the Security Council to make recommendations for the establishment of the future United Nations field presence in Haiti. In letters dated 29 and 31 March 2004 respectively addressed to Mr Jean-Marie Guéhenno, the Under-Secretary-General of the Department of Peacekeeping Operations and to all members of the Security Council.

Amnesty International has made the following recommendations:

In resolution 1529 (2004), the Security Council authorized the deployment of a Multinational Interim Force for Haiti and requested the Secretary-General to submit recommendations for establishing a follow-on United Nations (UN) force. The Council also asked the Secretary-General to elaborate a programme of action for the UN to assist, inter alia, in promoting the protection of human rights and the development of the rule of law. The resolution stressed that all parties must respect international law, including human rights law, and that there will be individual accountability and no impunity for violators.

Amnesty International urges the UN to ensure that a strong human rights component is reflected in the mandate, composition and structure of the future UN presence in Haiti. In particular, we recommend the following:

- that the UN field presence be grounded in respect for human rights, with a proactive and comprehensive rights-based approach to all aspects of its mission. Just as the assessment team was multi-disciplinary, so should the UN field presence address the full spectrum of human rights, recognizing the interdependency of all human rights. The UN should address justice and rule of law issues as well as humanitarian needs and economic development aimed at reducing poverty.
- that one element of the field presence be a strong, independent and well-resourced human rights monitoring and advisory presence that draws upon existing UN expertise in this area. The human rights presence should be designed in such a way that it can feed back to and inform the functioning of the other parts of the UN mission, in particular the technical assistance and other institution building work. It must also have a mandate for independent and public reporting, so that its expert and substantive human rights analysis can inform the Security Council and the overall international debate on Haiti.
- that the UN mission is established in a well coordinated and integrated manner which draws upon the strengths, experience and expertise of the specific international, regional and domestic actors, and agencies that will contribute to the mission. In the area of protecting human rights and rule of law

institution building, the UN's own experience, and that of the International Civilian Mission in Haiti (MICIVIH) in particular, of relevant national institutions and of Non Governmental Organizations should be drawn upon. To be sustainable, any long-term plans should be drawn up in consultation with Haitian government and civil society actors, with agreed objectives, work plans and benchmarks. Haitians must be consulted and closely involved in the development of these programs, and the support and cooperation of essential official institutions must be sought.

- resolution 1529 emphasized that there will be individual accountability for human rights violations. The UN should give immediate attention and provide resources to ensuring that there is no impunity for rebel leaders and others committing abuses of human rights or international humanitarian law or for those who have been indicted or convicted of grave human rights violations in the past. This requires priority to strengthening a professional police and to building an independent judiciary and judicial institutions, as well as prisons. These efforts must be well integrated as past experience shows that international actors, whether multilateral or bilateral, lacked an integrated and coordinated approach in crucial areas, notably in policing and police training as well as judicial reform, leading to confusion and lack of efficiency. Effective cooperative relationships between the various actors should be established at executive level and in the field.

- there is a pressing need to disarm armed groups resorting to violence. Efforts must also be made towards the reintegration of those who are disarmed. Programs aimed at building bridges between different communities and groups and which promote dialogue and trust also need priority support.

- past experience shows the wisdom of including Creole speakers in every field-based component of the mission. The mission should seek to include as many staff as possible who can communicate in Creole, and should have the capacity to offer intensive training to those who are unable to do so.

Amnesty International believes that an effective UN presence, supported by an international community committed to long-term sustainable reform in Haiti, can play a major role in helping to establish the secure and stable environment that has so long eluded the Haitian people. For this reason, we will be closely following the discussions around the mandate and structure of the forthcoming UN mission, and we may make further contributions as the process unfolds.