

**Security Council**Distr.
GENERALS/26352
25 August 1993

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING HAITI

1. The Governors Island Agreement, signed by the President of the Republic of Haiti, Reverend Father Jean-Bertrand Aristide, and the Commander-in-Chief of the Haitian Armed Forces, General Raoul Cedras, provides in paragraph 5 for "assistance for modernizing the Armed Forces of Haiti and establishing a new police force with the presence of United Nations personnel in these fields" (S/26063, para. 5).

2. As I indicated in paragraph 14 of my report to the Security Council dated 12 July 1993 (S/26063), it was my intention, following consultations with the Constitutional Government of Haiti, to put forward recommendations to the Council concerning United Nations assistance in the modernization of the Armed Forces as well as in the establishment of a new police force. In his letter to me dated 15 July 1993 (S/26085), the President of the Security Council informed me of the Council's readiness to take urgent action in this regard upon the presentation of my proposals. Pursuant to the receipt of President Aristide's letter of 24 July 1993 (S/26180, annex), I am now in a position to make the pertinent recommendations for the consideration of the Security Council. These recommendations, which are set forth below, are based on advice from Mr. Dante Caputo, the Special Envoy of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States (OAS), who has discussed them with the Constitutional Government. The "Friends of the Secretary-General for Haiti", namely Canada, France, the United States of America and Venezuela, have also made a valuable contribution in defining the recommendations in the present report.

Assistance in the police sector

3. Although the Haitian Constitution provides for a police force separate from the Armed Forces, at the present time the responsibilities of the Armed Forces of Haiti include both military and police functions. In accordance with paragraph 7 of the Governors Island Agreement, and paragraph 4 of the New York Pact of 16 July 1993 (see S/26297, annex), a law is to be adopted, on the basis of an emergency procedure, to establish a new police force. Paragraph 5 of the Governors Island Agreement calls for the presence of United Nations personnel to assist in its establishment. Pending the creation of the new force, President Aristide's letter of 24 July 1993 requested the United Nations to provide advice and assistance for the purpose of improving the functioning of the existing security forces, with particular reference to respect for human rights.

4. It is recalled that, at the request of President Aristide, an International Civilian Mission jointly staffed and funded by the United Nations and OAS was established in Haiti in February 1993 with the task of verifying respect for human rights and the eradication of all forms of violence. The civilian police personnel whose deployment in Haiti is recommended in accordance with the arrangements outlined below would benefit from the experience and information already obtained by the Mission in Haiti and would coordinate their activities as appropriate with that Mission, whose strength has now reached nearly 200 deployed throughout Haiti.

5. Pending adoption of the necessary legislation for the creation of the new police force, including the appointment of a Commander-in-Chief of the Police by the President of Haiti, in accordance with the procedure set up in article 141 of the Haitian Constitution, United Nations civilian police would assist the Government in monitoring the activities of those members of the Armed Forces who are currently carrying out police functions. These civilian police would be known as United Nations police monitors. They would establish liaison at all levels of the Haitian police force in order to provide guidance and advice, monitor the conduct of police operations and ensure that legal requirements are met and police actions correctly executed.

6. The police monitors would strengthen the international presence in Haiti, demonstrating the international community's commitment to the restoration of democracy in that country. Their deployment would also help to discourage civil unrest during the delicate process of implementing the Governors Island Agreement and the political accords contained in the New York Pact. This process has already begun and their deployment should start immediately after the new Prime Minister takes office (see S/26180, enclosure).

7. In consultation with the Government of Haiti, the United Nations would, at a later stage, assist in the establishment of a Police Academy and in the training of a new generation of police officers there. As police officers of the new civilian police organization assume their responsibilities, the United Nations police monitors would be progressively phased out.

8. For the purposes described above, it is estimated that a total of 567 United Nations police monitors will be required.

9. In order to perform their duties, the United Nations police monitors would require access to all information on the deployment of all personnel charged with civilian police functions, including control of civil disturbances, and would need to enjoy complete freedom of movement throughout Haitian territory.

10. The United Nations police monitors would also be entitled to hold discussions freely and confidentially with any person or group, including members of the Armed Forces performing police functions, of the new Haitian police force, of the Ministry of Justice and of other relevant components of the Haitian judicial system and to collect any information deemed relevant.

11. The United Nations police monitors would be entitled to submit recommendations regarding particular cases or situations and to make inquiries with the appropriate authorities regarding those recommendations. They would also institute a programme of information and education aimed at explaining the

tasks entrusted to them and promoting an understanding of, and respect for, the new civilian police force.

Assistance for the modernization of the Armed Forces

12. As proposed in President Aristide's letter of 24 July 1993, it is further recommended that the United Nations provide assistance for a military modernization programme in the form of training teams and a unit of construction engineers. The training teams would consist of 12 trainers per team, with an average of 60 trainers being present in Haiti at any given time. The teams would be rotated frequently as training in one subject was completed and training in another began.

13. The teams would provide training in non-lethal skills for officers and non-commissioned officers, at the general staff, regional and unit levels. The programme would be phased to meet training requirements determined through coordination between the Chief of the United Nations Mission and the Government of Haiti. Its purpose would be to train Haitian soldiers in skills relevant to what will become their primary missions in accordance with article 266 of the Haitian Constitution as responsibility for internal security is transferred from the Armed Forces to the new civilian police force. It would thus include the development of military engineering capability (e.g. road-building, well-drilling) and skills in areas such as disaster relief, search and rescue, and surveillance of borders and coastal waters.

14. As a foundation for this training, the United Nations would work with the Haitian Government to develop a modern code of conduct, reform the military justice system, and improve the effectiveness of the Inspector General of the Armed Forces.

15. In addition to the training programme, a military construction unit, with a strength of approximately 500 all ranks, would be deployed to work with the Haitian military to carry out construction projects relevant to the modernization of the military and of benefit to the civilian population. These projects have been designed, in consultation with the Haitian Government, to give military personnel on-the-job training in relevant construction and engineering skills. They include:

- (a) The construction of new barracks;
- (b) The conversion to civilian use of military facilities no longer required by the Armed Forces in execution of their newly defined mission;
- (c) The renovation of medical facilities;
- (d) The repair of roads and drilling of wells in rural areas.

These projects would be completed within six to eight months. Additional projects might be developed if such was the wish of the Haitian Government.

United Nations Mission in Haiti

16. The tasks described above would be carried by the mission to be known as "United Nations Mission in Haiti". This Mission would be under the command of the United Nations, vested in the Secretary-General under the authority of the Security Council. It would be headed in the field by a Special Representative of the Secretary-General, namely the Special Envoy who already oversees the activities of the International Civilian Mission and who would coordinate the activities of the two missions. The Special Representative would report to the Secretary-General on the United Nations Mission in Haiti. The civilian police component would be headed by a Police Commissioner reporting to the Special Representative. The military component, consisting of military trainers and a unit of construction engineers, would be headed by a Commander who would also report to the Special Representative.

17. As regards the concept of operations, the United Nations Mission in Haiti would establish its headquarters in Port-au-Prince and sub-headquarters in different parts of the country as required for its operations. In order to carry out its functions, the Mission would, as already noted, need to have freedom of movement and communication and enjoy the other rights that would be necessary for the performance of its task. Its personnel would also have to be granted all relevant privileges and immunities under the Convention on the Privileges and Immunities of the United Nations. Should the Security Council decide to establish the Mission, it would be my intention to initiate consultations with a view to concluding a Status-of-Mission Agreement along the usual lines.

18. The personnel for the civilian police and military components of the Mission would be provided by the Governments of Member States at the request of the Secretary-General. They would use their national uniforms, with United Nations headgear and accoutrements, and would carry side-arms for their own protection.

19. I shall, as soon as possible, submit, in an addendum to the present report, a statement on the financial and administrative implications of the Mission described above, the costs of which are provisionally estimated at approximately US\$ 37 million for an initial period of six months.

20. On the basis of the present report, the Security Council is recommended to authorize the establishment and immediate dispatch, as soon as the conditions set up in the Governors Island Agreement are met, of the United Nations Mission in Haiti for an initial period of six months. The duration of the Mission would be subject to periodic review, in the light of the progress achieved in the restoration of democracy in Haiti.
