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HAITI AT A CROSSROADS

A REPORT
TO THE MEMBERS
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LETTER OF TRANSMITTAL

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, June 22, 2010.

DEAR COLLEAGUES: This report by the committee majority staff is part of an ongoing examination of the effectiveness of the relief and recovery effort in Haiti in response to the January 12, 2010, earthquake.

On May 25, 2010, the Senate Foreign Relations Committee passed the Kerry-Corker Haiti Empowerment, Assistance and Rebuilding Act of 2010, S. 3317. This bill authorizes \$2 billion over 2 years to support the sustainable recovery and long-term rebuilding of Haiti. The legislation establishes a policy framework that emphasizes just, democratic and competent governance and investments in people, particularly women and children. It tasks the U.S. Agency for International Development to put together a comprehensive rebuilding and development strategy for Haiti. And it establishes a senior Haiti policy coordinator responsible for advising and coordinating U.S. policy toward Haiti.

The committee takes seriously its responsibility to oversee the expenditure of the funds that the U.S. Government has pledged and spent in Haiti, and to ensure that the administration has the policy, personnel, and processes in place for effective use of funds within the strategy. While any sustainable strategy for rebuilding Haiti must be Haitian-led, given the dire circumstances in Haiti and the decimation of Haiti's civil service, the United States and other donors must take an active role in guiding the reconstruction process. This report highlights 10 critical issues for Haiti's rebuilding that require urgent attention by the Government of Haiti and the Obama administration.

The report is based on extensive staff interviews with State Department, USAID, Haitian civil society and NGOs, U.N. officials, Haitian Government ministries, as well as site visits to hospitals, health clinics, schools, temporary settlement camps and emergency relocation camps.

Five months after the earthquake, Haiti is at a crossroads. The Haitian Government is faced with daunting challenges in many areas—infrastructure, resettlement, job creation, education, health, justice and security—and it must confront these challenges with reduced capacity. It is essential that the United States and the international donor community improve their coordination and help an under-resourced Haitian Government make important policy decisions and address key rebuilding challenges before any more time passes.

Sincerely,

JOHN F. KERRY,
Chairman.

HAITI AT A CROSSROADS

EXECUTIVE SUMMARY

Haiti needs to be rebuilt in a sustainable way that considers the long-term future of the country and the people. This needs to be a Haitian-owned process, led by the Government of Haiti, but circumstances demand strong and strategic support from the donor community.

Five months after a devastating earthquake struck Haiti on January 12, 2010, leading to the deaths of approximately 230,000 people and the displacement of millions, there are worrisome signs that the rebuilding process in Haiti has stalled. Haiti is at a significant crossroads, with limited time to enact key policies and programs that will allow the country to build a more sustainable and prosperous future. As the sense of immediate crisis has subsided, so has the sense of urgency to undertake bold action—the “reimagination” of Haiti hoped for months ago—and the commitment to prevent a return to the dysfunctional, unsustainable ways of life past.

The donor community, working with a devastated and often overwhelmed Government, has done a remarkable job in the relief phase, forestalling potentially disastrous humanitarian consequences, and providing consistent access to food, water, medical supplies, shelter and other basic services. The U.S. Government response in particular has contributed to the overall success of international humanitarian efforts—it is important to acknowledge the tremendous time, effort, and energy expended getting people into safer conditions in the immediate aftermath of the earthquake.

However, the reconstruction remains uncertain. Rubble is still strewn all over the streets, the majority of buildings are damaged if not collapsed, and informal tent settlements—in penurious conditions—have sprouted everywhere. Emblematic of the stalled rebuilding effort is the Presidential Palace, which remains conspicuously in ruins, without any signs of scaffolding or construction.

Plans for moving the displaced population out of tent cities and into more durable shelter, not to mention permanent housing, remain in early draft form. This is particularly alarming given the onset of the hurricane season. Even a modest hurricane could kill many thousands. The current rainy season also threatens lives by increasing the spread of communicable diseases, particularly in the squalor of the camps.

Even before the earthquake, Haiti faced significant developmental challenges. Fewer than 30 percent of Haitians had access to electricity, with roughly half of users tapping into the national grid illegally. There were longstanding problems with garbage and solid waste removal. Clogged canals presented serious and recur-

ring risks of flooding. As one official noted, it is hard to separate what is due to the poverty levels that predated the earthquake and what is due to the earthquake itself, in a country where approximately 80 percent of the country lived on less than \$2 a day, even before the earthquake.

The enormous difficulties that confronted Haiti for decades have only been compounded by the devastation of the earthquake, adding urgency to the critical issues that have the potential to derail the effort to rebuild the country if they are not adequately addressed in the coming weeks.

TEN CRITICAL ISSUES FOR HAITI'S REBUILDING

- *Establish a feasible, comprehensive rebuilding strategy.* While the Haitian Government's Action Plan for National Recovery and Development in Haiti represented a good start, much more work is needed to translate broad concepts into implementable programs that will catalyze and guide the rebuilding process. Haitians are waiting for more concrete guidance on everything from where displaced persons can resettle and how the education system will be rebuilt to plans for economic decentralization and private sector investment. Fundamentally, Haitians want to know how they are going to be able to earn a living and send their children to school. Right now these questions remain unanswered. The lack of a plan and the failure to build political support for one makes even small obstacles seem difficult.
- *Build leadership and capacity in the Government of Haiti.* The Government of Haiti was decimated by the earthquake, losing civil servants, senior leaders, the Presidential Palace and most of the ministry buildings. Haiti and its leaders remain in shock and mourning, and there is a sense of national exhaustion and frustration caused by the fact that the earthquake hit just as certain positive trends were developing. It is understandable that having lost so many of its own personnel in the earthquake, the Government of Haiti has limited capacity, but Haitians need to be reassured that their Government is resolutely leading the rebuilding process and is executing a well-thought-out plan. Likewise, the donor community needs a viable partner who will lay out priorities, appropriately guide reconstruction activities, and make the political commitment necessary for success.
- *Empower the Interim Haiti Recovery Commission.* While many details still need to be sorted out about how the IHRC will function, this should not be an excuse for delaying its full establishment and allowing it to become fully operational. The IHRC represents perhaps the country's best near-term prospect for driving rebuilding. While an acting executive director has been designated for the short term, a search is ongoing for a permanent executive director, and the Commission needs to be staffed up as soon as possible with technical and administrative experts. Further, donors need to line up behind the IHRC and quickly achieve consensus on how it will operate. The Commission represents an opportunity to change the way of doing business in Haiti—an expertise-based approach that

builds political consensus—and it is essential that it operate with focus, discipline, and decisiveness.

- *Address the resettlement issue.* Addressing the hundreds of thousands of Haitians trapped in temporary or informal settlements is the major recovery issue. This already is an emergency situation, and it threatens to get much worse. Everyone recognizes that the status quo is unacceptable and unsustainable, yet key land-policy decisions have been inexplicably delayed. Solutions need to be offered for moving displaced people out of the dozens of tent cities that have cropped up. There is land available, but land tenure issues must be resolved. The longer Haitians continue to live in makeshift camps, the harder it will be to reintegrate them into communities and take down the camps. Security challenges in the camps have been manageable because people have hope for a better future, but risks will increase if a sense of desperation sets in.
- *Hold elections expeditiously.* It is imperative that Haiti's fragile democracy is not imperiled further by the January earthquake, or by the necessary postponement of parliamentary elections originally scheduled for last February. A Presidential decree formally initiating a process for Presidential and parliamentary elections in November is apparently imminent, but the tasks ahead are immense, including registering voters in a country where so many government records were lost. A legitimate and democratically elected government is an essential precondition for laying a strong, sustainable foundation for Haiti's future.
- *Donors need to speak with one voice and improve coordination.* There is too much fragmentation in the donor community and too much disagreement. Conflicting messages are going to President Préval and the Government, leading to confusion and mixed signals on important issues. The donor community needs a unified and consistent voice to represent its interests with the authority to make necessary decisions to push the process forward. Many agree that the U.N. Special Envoy, former President Bill Clinton, may be in the best position to assume this role. The donor community also needs to confront significant coordination problems and determine the best way to align its priorities within an overall rebuilding framework. Current donor efforts are marked by excessive fragmentation and a proliferation of approaches and strategies that are undercutting recovery and rebuilding.
- *Coordinate U.S. assistance efforts with the Government of Haiti and other donors.* As the U.S. Government puts together its development strategy and begins to program money for different rebuilding priorities, it is important that our efforts complement other donors and support the Government of Haiti's development framework. In other contexts, there has been a tendency to operate outside the main development framework, leading to redundancies and overlap. Because the United States is such a big player in Haiti's rebuilding, it is important that U.S. efforts are well-coordinated internally (this includes imminently naming an overall coordinator for assistance to

- Haiti), and that we continue to provide vital leadership to the donor community and support to the Government of Haiti.
- *Rebuild Haiti's decimated civil service.* Haiti's bureaucracy and civil service suffered a triple blow from the earthquake. Almost all the ministry buildings were damaged or destroyed due to their proximity to the epicenter of the quake, immediately killing a huge number of civil servants and shattering the backbone of Haiti's Government. As of today, most ministries are operating out of makeshift offices, including basic tents. Computer systems are not functioning, electricity is threadbare, and basic supplies are hard to come by. Moreover, most civil servants have yet to receive any salaries since the earthquake struck. There is a significant risk that many will begin leaving the government and searching for alternate sources of income if salaries are not restored soon, further diluting the government's capacity. Stabilizing Haiti's public sector must be a top priority, and donors should work with the Government of Haiti to get payments flowing again to the civil service, including to critical personnel such as doctors, nurses, and teachers, many of whom have not been paid since before the earthquake.
 - *Maintain security gains.* The successes of the U.N. security mission and police training programs have been widely recognized. Right before the earthquake struck, security was one of the success stories in the country, with neighborhoods such as Cité Soleil having gained significant stability. The challenge of maintaining security has become more difficult and an increase in gang violence has been noted in recent months. It is vital that the Government and international community continue to build the capacity of the Haitian National Police and that key justice sector reforms are pushed forward. These include addressing indefinite pretrial detentions and confronting alleged prison and human rights abuses. Continued international support for the U.N. Stabilization Mission in Haiti (MINUSTAH) is essential, though the international community must ensure that MINUSTAH's mandate is not stretched beyond an achievable and definable set of objectives.
 - *Bring the broader Haitian community into the rebuilding process.* While many look to the Government of Haiti to provide guidance and leadership for rebuilding, it is equally important that Haitian civil society and others outside the government participate in the reconstruction. Rebuilding the country should not be politicized, but should be an inclusive process that attempts to build a functional, equal, and responsible society. The Government of Haiti must embrace civil society, Haitian nongovernmental organizations, and the private sector as it rebuilds; without broader inclusion of Haitian stakeholders, the formation of a "reimagined" Haiti will be difficult to achieve.

DISCUSSION

The following provides a longer discussion of the issues raised above, based on a series of meetings, interviews, and several committee staff visits to Haiti, both before and after the January earthquake.

What is the rebuilding strategy for Haiti? At the March 2010 donors conference, the Government presented its “Action Plan for National Recovery and Development in Haiti” (http://www.haiti-conference.org/Haiti_Action_Plan_ENG.pdf), which delineated four broad areas of priority for rebuilding: territorial (roads, watershed, infrastructure, urban redevelopment), economic (agriculture, private sector investment, electricity), social (housing, education, health), and institutional (democratic governance, justice and security, public administration). This represented an important step forward at the time and provided a good blueprint for guiding implementation and more specific programming. Unfortunately, progress on planning seems to have stalled since then, and specific plans to move forward on implementation of these four priority areas have not yet been issued. As a result, key decisions remain in flux and critical humanitarian issues related to shelter and resettlement are not resolved. Even if longer term rebuilding issues require additional time and deliberation, short-term imperatives should be acted upon with greater urgency. We advise the following:

- Work from the Government of Haiti’s Action Plan to flesh out specific implementation details. There is an agreed upon development framework for Haiti rebuilding. The Government of Haiti, donors, and NGOs now need to come together and determine specific details of this plan in order to begin implementing key priorities. While most agree on broader principles of rebuilding, the success or failure of rebuilding ultimately rests on specific programs, activities and projects.
- Agree upon a timetable and hold stakeholders accountable. Key stakeholders need to come together and decide on an implementation timetable—i.e., by a certain date a full resettlement strategy will be agreed upon and by a subsequent date, the Government will promulgate necessary land policy regulations to allow camp inhabitants to transition back to permanent housing and permanent communities.
- Come up with a short-term priority list and enforce a rigid implementation schedule. Even while longer term issues require further thought and deliberation, there is consensus on some key issues that need to move forward in the next 3–6 months, especially with regard to resettlement. These issues need to be expedited and resolved as soon as possible.

Capacity of the Government of Haiti. The ability of the Haitian Government to lead an effective, credible and legitimate rebuilding process has been debated extensively. Some interlocutors believe that Haiti’s national leaders lack the political will to lead, but all observers readily concede that the Government lacks the human, financial, and technical resources to take a decisive role in shaping recovery and development efforts—and it clearly needs international help. There are many factors behind this:

- *Presidential leadership.* The effort to rebuild Haiti must be led by Haiti’s Government, starting with President Préval. To date, the Government has not done an effective job of communicating to Haitians that it is in charge and ready to lead the rebuilding effort. President Préval should take a more visible

and active role, despite the difficulties confronting his government. One of the President's main priorities has been to remove the informal Champs de Mars settlement, which sits in front of the ruined Presidential Palace and sprang up after the earthquake. His leadership and commitment to tackle a broader array of priorities in the near future is crucial.

- *Key Government deputies are not empowered.* President Préval can help enormously by providing vital support to deputies assigned to lead the Government rebuilding efforts. It is important that the President empower his lieutenants to make key development decisions about where to permanently house displaced citizens, where to allocate resources, and how to prioritize rebuilding. As a result of the current consolidation of decisionmaking power, many parts of the process have been beset by paralysis because donors do not have the green light to move forward on critical issues and their government counterparts do not feel empowered by President Préval to sign off on important tasks and decisions.

Interim Haiti Recovery Commission (IHRC). The IHRC is touted by many in Haiti as the best near-term solution for galvanizing the rebuilding process and moving things forward. The idea behind IHRC is to create an efficient mechanism separate from the bureaucracy of Haiti's line ministries that will sit key donors together with government officials and allow for swift decisions and implementation of development priorities. As the President's top economic advisor indicated, an executive director of the IHRC would work with a technical team of 60 people (including Haitian, expatriate and international experts and advisors) to vet donor and NGO proposals as they come in, as well as to fill in the specifics behind the Government's rebuilding framework. The executive director would be the first screen for approving projects forward or declining to advance them. The executive director's recommendations would then be forwarded to either the full IHRC board (which is chaired by Prime Minister Jean-Max Bellerive and U.N. Special Envoy Bill Clinton, and comprised of an even balance of donor representatives and Haitian representatives from the government, parliament, and civil society) or to a partial board for projects requiring less money. If the projects were independently funded, then the process would conclude. If the projects required funding from the multidonor trust fund, then they would be screened by its board before funds were finally released and the project approved. There are several concerns with this setup and the general evolution of the IHRC:

- *Is it overly bureaucratic?* Multiple checks are essential for transparency and accountability, but this must also be balanced with efficiency. The outlined process has the potential to dramatically slow things down through cumbersome bureaucratic obstacles at a time when Haiti cannot afford to delay its rebuilding. At a certain point, one questions if the added value of yet another board signoff is worth the delay in time. It is strongly recommended that key stakeholders involved in the IHRC, particularly the Government of Haiti and donors, consider streamlining and consolidating boards into a single approval process, and that specific fast-track authority for small-

er projects be given to the executive director and a core “advisory board” to speed up the process. This is an area in which breaking with past Haitian practice is absolutely essential.

- *Who is in charge?* Since the March donors conference, which established the IHRC structure, it is still unclear what resources the IHRC has at its disposal to start moving resources in support of key development priorities, and who is empowered to make the necessary leadership decisions. While President Préval and former President Clinton have supported Gabriel Verret as the acting executive director of the IHRC, a formal search process is underway to find a more permanent executive director. Until an executive director is officially named, the acting executive director has very little authority to actually implement critical time-sensitive decisions.
- *Donor disagreements.* There are clear disagreements among donors about how the IHRC approval structure should work, which entity has ultimate sign-off for disbursement of funds from the multidonor trust fund, and how much discretion should be given to the IHRC secretariat. If not resolved, these disagreements threaten to slow funding. It is difficult to pressure the Government of Haiti to move expeditiously when donors themselves lack consensus about the structure of the IHRC.

Constructively addressing the resettlement issue. Adequately addressing the hundreds of thousands of Haitians residing in temporary or informal settlements has arisen as the major recovery issue for the country, and the paralysis in decision-making bodes poorly for speedy resolution. Moreover, the longer Haitians continue to reside in makeshift camps, the harder it will be to reintegrate citizens into communities and take down the camps. Experts estimate that 200,000 Haitians could move back into homes labeled “green” (deemed to be safe from collapse) right away, and that another 125,000 could be housed in semi-permanent transitional shelters (“T-shelters”) in the next month. Unfortunately, this resettlement is delayed because of several factors, including lack of clarity on land policy (i.e., whether displaced persons owe full back rent to landlords despite not living in leased houses for the last 5 months), as well as significant customs delays for getting essential construction and building material into the country. Meanwhile, in the camps, there is a reluctance to improve services—to provide more latrines, better security, food assistance, and access to schools—due to the concern that more Haitians will be drawn from their communities and move into the camps in order to get these services (however unpleasant and dangerous conditions may be). The land policy stalemate must be overcome as soon as possible to encourage Haitians to move out of the camps en masse and rebuild their lives in regular communities. In the longer term, the Government needs to consider more permanent solutions to the problems that plague Port-au-Prince, including land scarcity, overcrowding, and an unsustainable strain on services. In particular, this means seriously considering the concept of “decentralization,” and whether to invest significant resources into developing alternate economic centers away from the Port-au-Prince.

CONCLUSION

Haiti is at a critical crossroads five months after the earthquake. The United States and the international community are faced with tough choices about how best to support the Haitian Government to rebuild the country and provide desperately needed services to the Haitian people. While many immediate humanitarian relief priorities appear to have been met, there are troubling signs that the recovery and longer term rebuilding activities are flagging. With the rainy season well underway and the hurricane season rapidly approaching, time is running short on a host of critical policy decisions, ranging from resettlement to infrastructure rehabilitation.

The Government of Haiti, led by President Préval and Prime Minister Bellerive, faced difficult odds even before the earthquake, and restoring government capacity will be a long-term effort. Operational capabilities aside, however, the Haitian nation desperately needs the leadership and vision that the President and Prime Minister were elected to provide. The government needs to assertively guide the next phase of Haiti's rebuilding, implement a viable development strategy, and take decisive steps to move Haiti onto a more sustainable reconstruction path.

Likewise, international donors have an important role to play in supporting the rebuilding effort and helping to stand up the IHRC by providing critical technical and administrative capabilities. The donor community must minimize fragmentation and speak in a more cohesive and unified fashion. The last thing Haiti can afford is a donor community beset by disagreements and cacophony of approaches.

Key decisions must not be delayed while the Haitian Government reorganizes itself; time is of the essence, and getting the IHRC up and running should be an immediate priority.

Ultimately, this must be a Haitian-owned process, and the success or failure of rebuilding lies with the citizens of the country, from the community level up through the national government. But, given the circumstances, donors will have to play an essential role in assisting Haitians with picking up the pieces of their country and building a more sustainable, responsible, and just future.

APPENDIX

HAITI AT A CROSSROADS



Fig. 1: The Presidential Palace in Haiti remains in ruins, and there are no signs of demolition or reconstruction underway. Several containers and makeshift buildings are being used as temporary meeting spaces on the grounds of the Presidential Palace. June 8, 2010



Fig. 2: Tents and primitive structures in the Ancien Aéroport Militaire Camp house approximately 50,000 residents. Sites are becoming increasingly permanent, with slabs of corrugated metal reinforcing flimsy walls and tarps. June 7, 2010



Fig. 3: Adolescent boys play in the Ancien Aéroport Militaire Camp. The boys in the foreground are standing on a set of showers that were installed several weeks prior by an international NGO. The night before staff's visit, criminal gangs had torn down the showers, leaving just the concrete slab. Gang violence and criminality are on the upswing at the camp. In addition to harassing the camp population, gangs have targeted the water delivery, latrines, showers, and sanitation facilities provided by NGOs. Crumbling buildings affected by the earthquake are in the background. June 7, 2010



Fig. 4: Women stand in line with their children at a medical clinic run by an international NGO at the Ancien Aéroport Militaire Camp. Disease remains a big problem in Haiti, but health care has actually improved since the earthquake due to the influx of outside aid money. While minimal, the services provided in the camp are often better than services Haitians can access outside of the camp, creating an incentive for people to remain in camps for the longer term and presenting a serious challenge for reintegrating people back into their communities. June 7, 2010



Fig. 5: Tabarre Issa Emergency Relocation Camp is one of the few planned relocation sites for people who were displaced by the earthquake. This photograph illustrates the impressive organization of the camp, with adequate space between tents, sufficient sanitation facilities, and lighting around the roads. While the emergency relocation camp concept has been successful when implemented, the system as a whole lacks the resources to sufficiently address the overwhelming needs of Haiti's population. More land needs to be identified for resettlement and relocation of displaced people, but until thorny land tenure issues are resolved, Haitians will continue living in the squalor of makeshift tent camps, such as the Ancien Aéroport Militaire Camp. June 8, 2010



Fig. 6: “T-shelters,” semi-permanent transitional shelters, are being constructed at many relocation sites, including at the Tabarre Issa Emergency Relocation Camp. While durable, the T-shelters have been more expensive than budgeted, and their construction has been delayed due to supplies being held up by Haitian Customs officials. It has been estimated that 125,000 T-shelters have been donated (which could house up to 600,000 people), but the land upon which to build and place them has yet to be identified by the Government of Haiti. June 8, 2010



Fig. 7: School children in Port-au-Prince walk amidst the rubble to get to their classrooms. Education remains a huge challenge in Haiti. The earthquake destroyed an estimated 4,228 schools as well as the Ministry of Education building itself, leading to the deaths of around 38,000 students, 1,347 teachers, and 180 education personnel. One of the principal challenges in the education sector in Haiti is that 85% of the schools are private and unregulated, with little or no oversight by the Government of Haiti. The vast majority of schools are ineffective, have no money to pay for teachers, few teaching materials and an unstructured curriculum. Approximately 80–90% of university facilities in Haiti were demolished by the earthquake. The lack of higher education, vocational, and professional training is a huge and widening gap for Haiti. June 8, 2010



Fig. 8: Piles of files from the Ministry of Education rescued from their collapsed building are stacked outside in a semi-protected area, not sheltered sufficiently to be protected from the rain. Many important records, such as international exam scores, matriculation records and qualification tests for teachers were lost in the earthquake and many of the files that did survive are strewn across rooms and piled in corners. The destruction of so many records creates enormous challenges for teachers and students in Haiti's educational system. June 8, 2010



Fig. 9: Even five months after the earthquake, rubble blocks and slows travel on roads in many parts of Port-au-Prince, leading to horrific traffic congestion and continuing to make sections of the city impassable. Rubble removal is the first critical step towards reconstruction; it is a precursor to accessible roads, ports, airports, as well as improved infrastructure such as water, sewage and electrical systems. Until the rubble is removed, Haitians will not be able to return to their pre-earthquake communities. June 8, 2010