

Haiti's Police Reform: Can Slow Progress be Sustained?

Executive Summary

When US troops returned President Jean-Bertrand Aristide to Haiti in 1994, putting an end to the military regime that had deposed him three years earlier, the creation of a new police force was an immediate priority of both Haitian and international policy-makers. President Aristide abolished Haiti's abusive and despised military and a major international program began which sought to create Haiti's first civilian and professional police force -- the Haitian National Police (HNP). Over 5,000 cadets were recruited and trained, and the first contingent was deployed in July 1995.

Alarming, members of the new police committed serious human rights violations in the first months of its existence, and continue to violate human rights violations to this day. Importantly, our monitoring has found no evidence to suggest that these abuses are deliberately or systematically ordered by police or political authorities. The HNP Inspector General has investigated and punished police abuse, firing 163 police for various infractions to date. This is revolutionary in Haiti, where security forces have acted with complete impunity for decades. In past reports we have found police abuse to reflect a number of institutional weaknesses, including inadequate training, absent and weak police leadership, lack of equipment, poor administration, and inexperience. Some of these problems may have been inescapable in a process of creating an entirely new police force from scratch over a couple of years.

The National Coalition for Haitian Rights (NCHR) and the Washington Office on Latin America (WOLA) have monitored the police reform process in Haiti since its inception. In January 1997, we published "The Human Rights Record of the Haitian National Police" jointly with Human Rights Watch/Americas. WOLA also published prior reports in March 1996 and September 1995. Through our reports, we have identified problems and urged Haitian government and police authorities and international donors to address them promptly. This report finds many issues of concern carrying over from our January 1997 report. Notably, the Haitian National Police (HNP) continue to violate human rights, killing at least 29 people during 1997, beating and mistreating hundreds of others. New problems of corruption and politicization in the HNP are emerging rapidly. Importantly, we still find no evidence that human rights violations and other police crimes are the result of a systematic policy ordered by police or political authorities. The HNP Inspector General (IG) continues to investigate police abuse and crimes, though we are disturbed that he does not appear to punish many cases of police beatings. We are also concerned that the IG has ceased to issue detailed reports on his activities, now only issuing summary statistics that do not allow independent verification.

Human rights violations continue at a roughly steady level despite ongoing investigations and sanctions of abusive police. This indicates that there are institutional weaknesses and external factors driving abuse which cannot be addressed through internal discipline alone. HNP leadership resolved the problem of "multiple forces" outside their control and police authorities have filled the leadership vacuum we noted in January. However, ongoing supervisory and administrative weaknesses have contributed to a serious lag in reducing police misbehavior over the last year. HNP authorities propose to implement institutional audit processes which fall under the mandate of the Inspector General. While we recognize the urgent need to improve oversight to strengthen regional and local police leadership, we are alarmed that this implies reduced attention to human rights issues by the IG's already-overwhelmed office. We are also concerned that HNP leaders have not paid more attention to community policing as a means to improve often-difficult police-community relations and as a potentially cost-effective crime-fighting strategy in Haiti's seriously under-policed environment.

The HNP is clearly more confident and capable. The police's ability to stand up to threats -- both crime and anti-democratic provocation -- will depend on their ability to address the problems identified here and consolidate a new ethic and way of doing business while the current, relatively propitious environment exists. At this time, a simple change in political and police leadership could easily undo the gains that have been made. With ongoing international assistance, the HNP can continue to progress. In the long term, however, the sustainability of police reform will depend on a resolution of the current political crisis and advances in the larger institutional context.

Recommendations

(1) The HNP must demonstrate a policy of zero tolerance for all human rights abuse. The Inspector General must seek to investigate and punish cases of mistreatment and beatings. Such disciplinary issues should be a priority for departmental and local HNP commanders and their record in implementing discipline should be a key factor in evaluating institutional audits and in personnel reviews and promotions policies. While we agree that HNP administrative audits will be important for holding local commanders accountable for supervision and discipline, we insist that the investigative function of the IG not be reduced. The IG plays such a central role in controlling police abuse that we believe the government of Haiti, the HNP and the international community should find the resources to increase the size of the IG so that it can reasonably perform both functions. Finally, the IG must publish regular, detailed reports identifying the quantity, nature and status of cases under investigation, including the names of police involved and the nature and place of the alleged violation.

(2) The Minister of Justice must subject police to the rule of law. Given the failure of local judicial authorities to prosecute cases of police killings and abuse, the Ministry of Justice should appoint a temporary special prosecutor for police abuse as recommended by MICIVIH (the International Civilian Mission in Haiti). This should not become a permanent position nor be allowed to become a "special police" court, rather it should be a remedial measure designed to prosecute cases investigated and forwarded by the HNP Inspector General.

(3) The government of Haiti should fully fund the Office of the Protector of Citizens (OPC). Haitian government authorities should strongly support the OPC's role in channeling accusations of police abuse to the HNP IG and judicial authorities, and in overseeing internal police investigations conducted by the IG. The government of Haiti should provide the OPC with the resources to establish a civilian complaints review board with its own staff and resources.

(4) HNP authorities should work with MICIVIH and international donors to develop a long-term strategy to evaluate community policing and develop a program appropriate to the Haitian context and oriented to address issues of police arrogance and crime fighting as well as community relations. Concurrently, both police academy and ongoing field training should emphasize the mission of the HNP to serve and protect the people and develop a set of standards for community interaction, including patrols on foot or bicycle, school visits, availability to the media, meetings with local organizations and authorities, and working with neighborhood watches.

(5) International assistance programs should be targeted to assist the HNP with the administrative command and control problems we have highlighted in this report.

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