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BUILDING A MORE RESILIENT **HAITIAN STATE**

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Summary

In addition to demonstrating the weaknesses of Haiti's infrastructure, the earthquake that struck Haiti on January 12, 2010, exposed the weaknesses of Haiti's state institutions. To avoid a repetition of the disaster, the government of Haiti and the international donor community now need to turn to building the foundations for a more effective state.

Daunting as the current challenges are—acute problems layered on chronic ones—the need for reconstruction and the likely infusion of funding from external sources open up the possibility of creating a new basis for stability and economic growth. Following the change of government in 2004 came five consecutive years of economic growth and tentative progress toward better governance. This progress indicates that, with better policies, Haiti can recover from the effects of the earthquake and embark on a period of improved public security, social well-being, and sustained economic growth.

Prior to the earthquake, the government of Haiti broadly articulated its strategy for pursuing development and improving governance in its *Growth and Poverty Reduction Strategy Paper* (GPRSP) of 2007.¹ Building on that paper, a general strategy for reforming Haiti's economy was approved at an April 2009 donors' conference in Washington, D.C.² After the 2010 earthquake, the government prepared its *Action*

¹ Republic of Haiti (2008).

² This donors' conference followed a series of damaging hurricanes and tropical storms that struck Haiti in 2008.

Plan for National Recovery and Development of Haiti,³ which it presented at a donors' conference held in New York in March 2010.

These documents provide a vision for Haiti's reconstruction and development and identify funding needs. However, they do not provide a comprehensive, critical examination of preexisting plans in all sectors that takes into account the need to put state-building at the forefront of efforts to ignite progress. They often fail to set realistic goals and priorities; these failures risk squandering resources and, more importantly, the opportunity to set right deeply embedded problems.

The purpose of this report is to fill this gap by appraising past and current plans to improve public-service provision in Haiti and, drawing on these appraisals, providing recommendations to improve those plans. The report focuses on setting priorities for the next few years and suggesting measures that might produce palpable improvements in the provision of public services during this time frame. The report is designed to be useful to the government of Haiti as it develops detailed plans for policy and institutional reforms and to the international donor community as it determines how to support the government's efforts.

For each of the core state functions addressed in this report, we describe the principal challenges; appraise the relevant plans, policies, and initiatives; and offer recommendations, focusing on the highest priorities. We have set common criteria for the recommendations: that they be fiscally sustainable, commensurate with the administrative capacity of Haiti's government; realistic in their prospects for implementation; geared toward enhancing the effectiveness of the Haitian state; and mutually coherent. We have focused on recommending actions that could commence quickly and yield positive outcomes within the next three to five years. This summary highlights our most important recommendations.

³ Republic of Haiti (2010a).

Governance and Public Administration

Together with limited financial resources, the lack of skilled, trained, and properly organized government personnel and the lack of management systems within ministries and other government bodies are the principal constraints on the state's effectiveness. The implications of the institutional deficiencies in planning, budgeting, executing policy decisions, and managing people and resources cut across all the government activities covered in this report, including the government's ability to interact with donors. Some of the most essential changes needed to strengthen the Haitian state will require legislation, or even constitutional change.

Key Recommendations

- Provide sufficient donor funding to implement a reformulated strategy for administrative reform based on *Programme-Cadre de Réforme de l'Etat: Modernisation Administrative et Décentralisation, 2007–2012*, to which we refer in this report as the *framework program*.⁴
- Within this strategy, civil service reform deserves the highest priority. Key steps include creating job descriptions; establishing standards and procedures for hiring and firing; creating a system for merit-based promotions; setting competitive, fiscally responsible salary grades; and providing incentives tied to achieving concrete, independently monitored performance targets.
- Major donors need to employ their considerable influence in concerted, carefully focused, discreet, and subtle ways to promote the political reforms essential to any broader program of state-building.

⁴ Republic of Haiti (2007).

Justice

Haiti's justice system is deeply flawed: The courts do not carry out their constitutional responsibilities; laws are not applied and procedures are not followed; the criminal code dates from the early 19th century; prison conditions are horrific; an accused has almost no access to legal advice if he or she cannot afford to pay for a lawyer; legal professionals are often poorly educated; corruption is widespread; and relations are poor between the Haitian National Police (HNP) on the one hand and prosecutors and judges on the other. The various plans and initiatives to address these problems that have been developed since the mid-1990s have borne very little fruit.

Key Recommendations

- With assistance from donors, the Haitian government needs to create and implement a comprehensive system for managing cases that links the police, prosecutors, judges, and prisons.
- The Haitian government should create a special pretrial detainee review mechanism to resolve the large number of cases of illegally prolonged detention.
- The Haitian government, with donor support, should establish a property-dispute resolution mechanism. Putting in place an accelerated procedure for determining asset ownership is essential to reducing obstacles to reconstruction and economic activity. In conjunction with this, work that is under way to address serious gaps in birth, death, and identity registration should be completed expeditiously.

Security

Efforts to reform the security sector in Haiti have faced three main, related challenges: the volatile security situation and the limited ability of the state to assert its authority, the lack of consistent government

commitment to police reform, and the low level of institutional development within the HNP.

In mid-2006, when police reform began in earnest, the HNP consisted of just 7,000 badly equipped, poorly trained officers. The HNP lacked the abilities to keep records on current and former police officers, manage its finances, and set and enforce internal controls. Low salaries and poor working conditions for the majority of police officers contributed to corruption and criminal activity within the force. Though progress, especially in recruitment, training, and vetting, has been made, the HNP still lacks the capacity to respond effectively to Haiti's internal security threats without external assistance.

Key Recommendations

- Providing public security must remain at the forefront of the Haitian government's priorities. The Haitian government and the international community should agree to keep United Nations (UN) peacekeepers for at least the next five years and to then reduce the international military and police presence only gradually.
- The government of Haiti and donors should focus on building the HNP's administrative capacity.

Economic Policy

Haiti's primary economic challenge is generating economic growth. It is the poorest country in the Western Hemisphere, with a per capita income of less than one-quarter of the average for Latin America and the Caribbean. Haiti is poor in great part because of its difficult environment for business. The process of registering a business is one of the most complex and lengthy in the world and is relatively costly. Registering changes in title for property is even more onerous. The difficulties Haitians face in engaging in economic activity have stifled economic development.

Key Recommendations

- To accelerate economic growth, the Haitian government should quickly eliminate unnecessary procedures involved in registering businesses and property and reduce the cost and length of time needed to complete the remaining steps.

Housing and Infrastructure

The earthquake had a devastating effect on housing in Haiti. Although the tent cities have been an effective stopgap measure, providing permanent housing for the displaced is urgent because the hurricane season has begun. In addition, infrastructure (roads, ports, airports, electric-power system, water, and sewage) will need to be improved and maintained if Haiti is to enjoy sustained economic growth and the health and well-being of its citizens are to improve. Expanding infrastructure is not just a question of building new highways and power plants. Systems are required for maintaining infrastructure once built and, as importantly, for ensuring that utilities charge and collect enough revenues to cover the costs of services they provide. In many respects, the current parlous state of Haiti's infrastructure is due more to the failure to ensure that infrastructure is well maintained and operated than to lack of money for the construction of new projects.

Key Recommendations

- The Haitian government, together with the donor community, should accelerate removal of rubble. This is the single most important step toward reconstruction of housing and infrastructure that the Haitian government and donors can take.
- The Haitian government should eliminate restrictions on the operations of private container ports.
- To ensure that electric power is available for businesses and households, the Haitian government should move to full cost-recovery pricing and decentralize and enforce collection of bills owed.

Education

Overall low quality, lack of access, and little oversight characterize the country's education sector. As a result, Haiti has no coherent system of education. Enrollment rates and levels of educational attainment are low; although many children experience *some* schooling in episodic spells, an alarming number do not obtain a complete basic education. The 2008 hurricanes and the 2010 earthquake greatly exacerbated the weaknesses in education. In addition to the effects on students and teachers, more than 80 percent of school buildings in Port-au-Prince were destroyed.

Key Recommendations

- To help close the gap in quality between private and public schools and to increase access to schools, the Ministry of Education and Training (Ministère de l'Éducation Nationale et de la Formation Professionnelle, or MENFP) should subsidize private-school teacher wages to be on par with those of public-school teachers. These subsidies should be conditioned on teaching in an accredited school that charges capped (minimal) fees to families.

Health

Approximately 40 percent of Haitians lack access (both physical and financial) to health care, particularly in rural areas of the country. Many health-care facilities are outdated, and much of the medical equipment is old or broken. The Ministry of Public Health and Population (Ministère de la Santé Publique et de la Population, or MSPP) does not have systems in place to track health status and monitor quality of care and has little human capital or administrative capacity to carry out its functions. A lack of not only doctors and nurses but also administrative professionals has been a major challenge. Prior to the earthquake, the health sector was receiving the largest amount of foreign aid of all service sectors in Haiti. Such extensive donor involvement has created

a management challenge for the government that it has been unable to overcome: the need to coordinate, regulate, and oversee the plans and activities of donors and local nongovernmental organizations (NGOs) engaged in health-care delivery in Haiti.

Key Recommendations

- In light of the MSPP's lack of capacity and funding, it should shift the operation of all health centers and hospitals to NGOs and other private institutions. The MSPP should establish a performance-based contracting mechanism for these operations and the provision of health services throughout the country.

Donor Cooperation

As the poorest country in the hemisphere and the only one that has experienced a decline in per capita gross domestic product (GDP) over the past three decades, Haiti has been a focus of concern for donors of humanitarian and development assistance for two generations. Despite a major commitment of donor resources, Haiti's economic, social, and political situation has worsened. The January 2010 earthquake has been followed by an extraordinary increase in promised resources for and attention to the international effort to assist Haiti's recovery and long-term development. As the response to the disaster took shape, donors and the Haitian government adopted the slogan "building back better." The government's postearthquake action plan⁵ presents a new-to-Haiti architecture for managing the large flows of assistance pledged at the March 2010 donors' conference. A key element is the creation of a short-term joint Haitian government/donor commission, the Interim Haiti Recovery Commission (IHRC).⁶

⁵ Republic of Haiti (2010a).

⁶ Earlier, the IHRC was referred to as the Interim Haiti Reconstruction Commission. For current information regarding the IHRC, see IHRC (undated).

Key Recommendations

- Donors should focus on making the IHRC an effective body by agreeing that all major donors, including the United States, will submit all project and program concepts to the IHRC for coordination and will adapt them in accordance with Haiti's and other donors' plans and preferences. If donors and the government do not use the IHRC to make decisions, the commission may become no more than an information exchange.
- The United States, as the largest bilateral contributor, should better organize itself to engage politically with the Haitian government through appointment of a full-time, high-ranking special coordinator or envoy. Similarly, a handful of major bilateral and multi-lateral donors should organize themselves for more-coordinated political engagement with Haiti's leaders through the creation of a "friends" or "contact" group for Haiti.

Conclusion

Hope for a more prosperous and peaceful future for the Haitian people lies in building a more effective, resilient state. The discussions of challenges throughout this report show that Haiti's state institutions are riddled with weaknesses in the areas of human resources, organization, procedures, and policies. The appraisals of reform plans and initiatives in this report acknowledge that devising lists of measures needed to repair the state's weaknesses is relatively easy but that formulating strategies to address those weaknesses is hard—and implementation is even harder.

This report supports the development of a Haitian state-building strategy by recommending how to build on existing plans for improving institutions and the delivery of public services and by proposing state-building priorities. Plans that do not set priorities and detail sequencing and responsibilities are unlikely to have much impact on government policymaking and donor funding decisions. If priorities are not set, the government's ability to carry out any plans is compro-

mised. And broad plans with an abundance of objectives enable donors to justify whatever projects they wish to fund, leading to incoherent donor interventions.

The priorities proposed in this report are based on what is necessary, feasible, and sustainable by the Haitian government over the long term. Among the many desirable reforms and initiatives, these changes stand out as meriting the greatest degree of political and policy attention by the government of Haiti and donors, as well as full funding.

While this report focuses on practical steps that can be taken to strengthen Haiti's state institutions, it should not be read as implying that state-building is a purely technical process. State-building is intimately connected with politics. Without executive decisiveness and legislative action, state-building cannot proceed. Thus, a considerable burden rests on the shoulders of Haiti's political leaders, who will need to rise to the challenge of overcoming a history of fractiousness, patronage, and indecision. Donors and international organizations can help ease that burden—not only by providing financial resources but also by promoting political consensus and encouraging adherence to strategic plans.