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### What Is the Best Use of the International Community's Resources; Responding to Disasters or Trying to Strengthen Fragile States?

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# What Is the Best Use of the International Community's Resources; Responding to Disasters or Trying to Strengthen Fragile States?

#### **Abstract**

The recent earthquake in Haiti is, beyond doubt, a truly tragic event. The impact of the quake in terms of the physical destruction of buildings and infrastructure, the massive loss of life, and the inability of the government to respond all demonstrated how fragile the Haitian state is. While Haiti is probably at the extreme end of fragility, it is not alone in terms of states struggling to survive in difficult conditions. And when something unexpected hits a fragile state, the response of the international community is crucial, because the impact is so much greater and the state's own ability to respond so severely limited.

#### Keywords

Human rights, Haiti, Humanitarian aid, Natural disasters, Development

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## What is the Best Use of the International Community's Resources; Responding to Disasters or Trying to Strengthen Fragile States?

#### by Richard Burchill

The recent earthquake in Haiti is, beyond doubt, a truly tragic event. The impact of the quake in terms of the physical destruction of buildings and infrastructure, the massive loss of life, and the inability of the government to respond all demonstrated how fragile the Haitian state is. While Haiti is probably at the extreme end of fragility, it is not alone in terms of states struggling to survive in difficult conditions. And when something unexpected hits a fragile state, the response of the international community is crucial, because the impact is so much greater and the state's own ability to respond so severely limited.

In Haiti the current emphasis is, quite rightly, on response. But it is also appropriate for the international community to consider what can be done to support fragile states with regard to preventative measures so that, when emergencies do occur, the impact is not as devastating. Of course there is no way to prevent all disasters, be they natural or man-made, and no matter where such events occur the destructive impact will be substantial. But in fragile states ( <a href="the term">the term</a> fragile being used in a general sense and potentially including crisis states or failed states), where the public infrastructure is of poor quality in all aspects, where the government is unable or unwilling to do anything about improving this infrastructure, where the society is already suffering from endemic poverty, and where there is any combination of civil unrest, conflicting political factions, and susceptibility to natural disasters, the impact of a catastrophic event is, quite simply, a catastrophe. Ensuring there is an effective and adequate response to such events is all well and good, but would it not make more sense to focus more on preventative measures to strengthen fragile states, so that they are less fragile and hopefully less susceptible to the destructive impact that natural disasters bring

One potential response to this suggestion might be that the international community has been making a substantial contribution to Haiti's development, as demonstrated by aid and development funding over the years. But for the most part, it appears that these measures have been ineffective, and McDonald's explanation of the history of international involvement in Haiti makes it clear that a purely responsive approach has not worked. As she explains, "it is hard to identify another country that has had as many peacekeeping forces, stabilization operations, and crisis responses at work in the last three decades." Despite this, it remains a state "rife with the unfinished business of international operations that have come before." In light of recent events, it is legitimate to ask how three decades of involvement by the international community have, to all appearances, resulted in no discernable evidence of Haiti being able to develop even the most basic infrastructure or government systems. Of course no state is immune to difficulties in coping with disasters, but the collapse and destruction of Port-au-Prince's high-security prison, the Presidential Palace, and the UN headquarters are all indications that the international community's involvement in the country has not been all that positive. McDonald raises the idea that the current disaster is "at a critical moment of opportunity and that now more than ever the support of the international community is needed to consolidate Haiti's nascent stability." She rightly describes this as a "bitter opportunity," but also as the moment "to secure a more consistent and lasting commitment to Haiti's political and social stability. Above all, this disaster

is a reminder that the patchwork response to Haiti's problems that ebbs and flows with its crises must end now."

As recent events demonstrate, when it comes to fragile states, international organizations need to be more than just transitional efforts that shy away from imposing any substantive domestic economic, political, or social arrangements. The common view of international law is that state sovereignty precludes international organizations from taking on a direct role in governance, as doing so would deny the population the ability to determine their own destiny. This view has become tempered over the years through ideas such as the responsibility to protect or for the purpose of <u>saving strangers</u>. Furthermore, there are even specific cases of crises involving fragile states and territories that have escalated to such intensity that international organizations took on the authority of administering the territory; this occurred in Bosnia, Kosovo, and East Timor/Timor-Leste. But it <u>has been shown</u> that even in these cases, the involvement of international organizations was always viewed as transitory. Substantive efforts were only dedicated to responding to the most immediate problems and the organizations withdrew as soon as possible.

In principle, this feels like the right way to go; societies should be able to develop and determine their own futures. But it is equally clear that, in some cases, the capability of a state to develop and ensure the basics of society is not there. These states are often very unstable and international organizations are already present in response to a crisis which often ends up being a long-term presence. The United Nations Stabilization Mission in Haiti (MINUSTAH) has been in the country since 2004, with other UN missions preceding it dating back to 1993. MINUSTAH's budget in its first year was just short of 400 million dollars and its budget for 2009-2010 topped 600 million dollars. This figure is clearly going to rise substantially for the next few years, with no real prospect of the UN force departing in the near future. Furthermore, the UN is not the only international organization working in Haiti; the Organization of American States (OAS) and the Caribbean Community are also undertaking activities. Given the amount of money and resources being provided by these international organizations, should they not take a more active role in building a state that is capable of handling basic, necessary functions? If a more proactive position is not adopted, international organizations (and, by extension, the states that constitute these organizations) will continue to spend colossal amounts of money on emergency response without ever contributing to effective prevention-based developments.

The idea of an international organization essentially taking over the functions of a state will be disagreeable to many. The experience of the UN in East Timor/Timor-Leste demonstrated the difficulties of international administration, such as the limited connection between the international body and the local population, the problem of creating a dependency culture, and the possibility of undermining local developments in governance. But, with regard to certain cases, we must realistically ask what kinds of alternative solutions there are. Given the US history of intervention in Haiti, any talk of an external force taking control there will be disquieting. But the UN is already in Haiti, directly involved in trying to bring peace and security to the state. It is also clear that, in Haiti's current condition, there is no way the Haitian people will have the opportunity to effectively rebuild their lives, not just from the immediate disaster, but over the long term. The UN or an appropriate regional organization should adopt a more proactive role of direct control and administration of the state if necessary to ensure that

government and social structures do develop. If the matter is handled appropriately, with lessons learned from past territorial administrations undertaken by the UN, then efforts can be directed at strengthening the fragility of the Haitian state. To say this action would be contrary to the Haitian peoples' right to self-determination is wrong, as the current levels of corruption and ineffective government are serious obstacles to any effective self-determination developments.

When the next disaster hits a fragile state, the international community will be there to respond to events. But over the long term, would it not be more effective if the international community actively sought to develop fragile states into more stable entities?

Dr. Richard Burchill is the Director of the McCoubrey Centre for International Law, School of Law, University of Hull. His research interests cover the promotion and protection of democracy in international law including human rights protection. He is the author of <u>Defining Civil and Political Rights: The Jurisprudence of the United Nations Human Rights Committee</u>, 2nd ed. (2009, with Alex Conte) and the editor of <u>Democracy and International Law: Library of Essays in International Law</u> (2006) and has published widely in international journals and edited collections.