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ROUNDTABLE ON HAITI—OCTOBER 1993

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Roundtable on Haiti—October 1993, 1...

BRIEFING
BEFORE THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRD CONGRESS

FIRST SESSION

OCTOBER 20, 1993

Printed for the use of the Committee on Foreign Affairs



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FEB 15 1994

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ROUNDTABLE BRIEFING ON HAITI—OCTOBER 1993

WEDNESDAY, OCTOBER 20, 1993

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to call, at 3:50 p.m. in room 2172, Rayburn House Office Building, Hon. Lee H. Hamilton (chairman) presiding.

Chairman HAMILTON. The House Foreign Affairs Committee will come to order.

The committee meets today in open session to receive a briefing on the situation in Haiti. We will hear from the Hon. Alexander F. Watson, Assistant Secretary of State for Inter-American Affairs, and Hon. Frank Wisner, Under Secretary of Defense for Policy.

We are delighted to have you. Presiding today will be the distinguished chairman of the Subcommittee on Western Hemisphere Affairs, Mr. Torricelli.

OPENING STATEMENT OF CONGRESSMAN TORRICELLI

Mr. TORRICELLI. [presiding.] Thank you, Mr. Chairman. Thank you for joining us today.

Before inviting your comments, let me begin today's discussion by saying I think whatever issues may divide us in our approach to Haiti, we also hold many things in common. We all want to see constitutional government restored to Haiti and justice done.

I am concerned, however, that while the restoration of democracy in Haiti is important, it is not the only issue that is important to the United States. I continue to be concerned about the impact of the embargo on the people of Haiti; about whether it is properly crafted to ensure that medicines, food and material; about whether those who are responsible for the interruption of constitutional government will pay the price rather than those who already find themselves in desperate economic straits. This is true for the people of Haiti and for the land of Haiti.

I have concerns that the previous embargo has accelerated deforestation and may lead to permanent ecological damage. These are my concerns for Haiti.

Many would probably agree with my concerns for our own people and personnel. While we want constitutional democracy restored in Haiti, we also want to avoid the painful legacy in this hemisphere of impressions of American involvement and our dictation in the affairs of other peoples.

Therefore, the policy that is crafted in these next few days is important not only for restoring proper government in Haiti, but also dealing with the legacy of American involvement in the area and the welfare of the people of that country beyond the question of their political order.

I hope today's briefing can lead all of us to renewed confidence that a proper balance is being struck to achieve these objectives while avoiding potentially serious problems.

Mr. Watson, if you would like to proceed.

STATEMENT OF HON. ALEXANDER FLETCHER WATSON, ASSISTANT SECRETARY FOR INTER-AMERICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. WATSON. Thank you very much, Chairman Hamilton, Mr. Torricelli, members of the committee. I know I speak for Under Secretary Wisner when I express appreciation to you for organizing this opportunity to discuss with you this very complex and important issue.

U.S. INTERESTS IN HAITI

I thought if I might begin by describing briefly how I see U.S. interests in Haiti, describing why the administration's policy is a good one in my view, talk a little bit about the congressional involvement in the process until now, describe the Governor's Island Agreement, and get into a chronology of the most recent events to make sure we are all talking from the same background and talk a little bit about the various kinds of sanctions that are being applied.

The United States has vital interests in Haiti. Among those, in sum, are: the protection of the lives of approximately 10,000 American citizens, nearly 9,000 of whom are dual nationals, and 1,000 of whom are U.S. citizens only; to prevent the outflow of thousands of boat people to the United States from Haiti, many of whom would die in the attempt to flee; to reinforce political stability in a country which shares its small island with the Dominican Republic, a country which is itself struggling to preserve democratic practices; to fulfill the Governor's Island Agreement restoring civilian elected government to Haiti, and ending wanton violence which is destroying the fabric of Haitian society; to comply with the mandatory U.N. Security Council resolutions imposing sanctions on Haiti; to honor the U.S. and hemispheric commitment to democracy and the protection of human rights, and to discourage other violent challenges to civilian governments in the region; and to enhance U.S. influence and credibility internationally by demonstrating U.S. resolve in a region with strong historical, cultural, economic and political ties to the United States.

We believe real U.S. interests are at stake here. The United States is acting in defense of democracy with the support and collaboration of Haiti's elected President and of the U.N., the Organization of American States and individual countries of the region. We are not acting alone.

U.S. AID DESIGNED TO SUPPORT POLITICAL RECONCILIATION

Haiti's problems must be solved in Haiti in the final analysis, or they will be exported to the United States. They cannot be ignored.

Strong action now of the kind proposed by the President is a course of action likely to produce fulfillment of the Governor's Island Agreement with the least commitment of U.S. forces and risk to American lives.

The only long-term solution to Haiti's ongoing crisis is an agreement among Haitians to resolve their problems through peaceful means. The President's approach emphasizes this necessity for compromise and reconciliation among Haiti's bitterly divided political factions.

This issue has been brought before the Congress in a variety of ways, but most importantly the fiscal year 1994 foreign operations appropriations bill passed by a majority vote of both Houses explicitly endorsed the Governor's Island Agreement. It conditioned U.S. assistance for military-related civic action programs, police training or military training for Haiti on the U.N.-sponsored multilateral initiative implementing the Governor's Island Agreement.

The same appropriations bill required the concurrence of the duly elected President of Haiti in efforts involving the United States to strengthen civilian control over the military and to establish an independent civilian police force.

In May of this year, Congress was notified through the normal reprogramming mechanisms of the administration's intention to exercise its 614(a) authority to reprogram more than \$37.5 million in U.S. assistance to Haiti to further the implementation of the Governor's Island Agreement. The accompanying justification informed the Congress of the police and military training and professionalization activities to be supported.

SPECIFICS OF GOVERNOR'S ISLAND AGREEMENT

I would like to touch on what the agreement says. The agreement reached on July 3 on Governor's Island pledged President Aristide and Armed Forces Commander-in-Chief Cedras to cooperate to end the Haitian crisis.

Among arrangements and pledges made by both parties were organization of a political dialogue under U.N. and OAS auspices to resolve conflicts in the Haitian Parliament, elect a Prime Minister, and facilitate a peaceful transition; nomination of a Prime Minister by the President; suspension of the U.N. and OAS sanctions against Haiti; implementation of international cooperation for economic development, administrative and judicial reform, and modernization of the armed forces and establishment of a new police force with the presence of U.N. personnel; granting of a Presidential amnesty; adoption of a law establishing a new police force and the appointment of a new police commander by the President; early retirement of Commander-in-Chief Cedras; the return to Haiti of President Aristide by October 30; and verification by the U.N. and the OAS of these commitments by both parties.

President Aristide and General Cedras agreed that, "these arrangements constitute a satisfactory solution of the Haitian crisis and the beginning of a process of national reconciliation." They

pledged to cooperate fully in the "peaceful transition to a stable and lasting democratic society in which all Haitians will be able to live in a climate of freedom, justice, security and respect for human rights."

CHRONOLOGY OF RECENT EVENTS

If I may run through a chronology of the events in the last week or so.

On Monday, October 11, implementation of the Governor's Island Agreement, the USS Harlan County with U.S. and Canadian Seabees and heavy construction equipment on board arrived off Port-au-Prince in anticipation of beginning a project jointly with the Haitian armed forces to engage in humanitarian civic action programs working on hospitals, schools, barracks, et cetera.

The Harlan County found that the berth that it was to occupy, the only berth in the harbor that it could occupy, had been filled by another ship which we were aware of, but which we had been promised would be removed by the time we arrived. It was not removed, and the port was locked and the Port Commander, Mr. Max Paul, was nowhere to be found.

Simultaneously, there were demonstrations by a relatively small number of—I can only call them thugs—at the harbor in front of the TV cameras protesting the arrival of the ship. Those thugs were not terribly important, but what underlay them was, that is to say, the failure of will of the armed forces to comply with their invitation—it was their idea for these people to come, the Seabees to come and work with them on these projects. So there was no point in having the ship remain.

There was never thought of having a forced landing. These gentlemen were there to provide technical assistance to the Haitians. They did not want it, so the ship withdrew on October 12.

On October 13, Wednesday, the U.N. Security Council determines that actions of the Haitian military are a threat to regional peace and security and reimposes sanctions.

On October 14, Thursday, the tragic assassination of Justice Minister Malary took place.

On October 15, Friday, President Clinton held a press conference announcing that he had ordered six warships to patrol the waters off Haiti to enforce the U.N. sanctions when they came into effect; that he had ordered an infantry company on standby at Guantanamo Naval Base in Cuba.

The purpose of these actions according to the President was "to ensure the safety of the Americans in Haiti and to press for the restoration of democracy there through the strongest possible enforcement of the sanctions."

The President also called on the Haitian military to restore order and security to Haiti, to protect Haitian and U.S. citizens, and to comply with the Governor's Island Agreement.

He announced that we were developing our own unilateral sanctions to encourage compliance with the Governor's Island Agreement and many suggested that we consider taking appropriate measures to safeguard embassy personnel.

Also on Friday the 15th, the new U.S. Ambassador, William Swing, arrived in Haiti.

The following Saturday, October 16, the U.S. ships arrived at station off Haiti and 30 U.S. Marines are sent to reinforce the security detachment of the U.S. Embassy. Later that day, the U.N. Security Council passed the enforcement resolution for the sanctions.

On Monday, October 18, the OAS Permanent Council endorses the recommendations of the Meeting of Foreign Ministers to reimpose OAS sanctions on Haiti and the President signed the Executive Order establishing U.S. sanctions. Ships from Canada and France joined the enforcement fleet off Haiti.

Tuesday, October 19 the U.N. sanctions entered into force and our Assistant Secretary for Diplomatic Security, Ambassador Quainton, arrived for an official visit to assess security needs of the embassy and to consult with Prime Minister Malval's cabinet.

CURRENT SITUATION IN HAITI

The situation in Haiti right now has been relatively calm. Some Haitians are leaving the capital for rural areas where they believe there may be greater safety or access to food and other provisions. Others from the countryside are arriving in the capital from areas where there could be violence perpetrated by local police and military authorities.

Both the government of Prime Minister Malval and the military authorities continue to declare their willingness to see the Governor's Island go forward.

DESCRIPTION OF SANCTIONS

I would like to describe the various kinds of sanctions. The U.N. sanctions are the reimposition of mandatory sanctions on petroleum, petroleum products, arms and related material. The United States, along with Canada, France, and Argentina and other countries will contribute naval forces to enforce these mandatory sanctions by stopping and inspecting ships entering Haitian waters.

Ships containing items prohibited by U.N. sanctions will not be permitted to deliver their cargo. The multinational forces inspecting the ships will report violations of the broader OAS sanctions discussed below to the OAS Sanctions Committee for review and possible action.

The OAS recommended—these are not mandatory sanctions—recommended to member states that they suspend economic, financial and commercial ties with Haiti and further urged member states to freeze assets of the Haitian State and to impose a trade embargo, except for humanitarian aid.

This OAS action assumes the voluntary compliance of member states. Violations of these recommendations are reviewed by an OAS Sanctions Committee for possible action.

The OAS had suspended those sanctions and then reimposed them on October 18.

With regard to unilateral action by the United States, following the U.N. Security Council determination, the failure of the Haitian military authorities to fulfill obligations under the Governor's Island Agreement constituted a threat to peace and security in the region. Thus, the United States reimposed certain U.S. sanctions against Haiti.

These sanctions include trade restrictions against Haiti and prohibit unlicensed financial and other transactions with the Government of Haiti or with individuals who are supporting violence or blocking implementation of the Governor's Island Agreement. Property of the Government of Haiti that is located in the United States or within the possession or control of U.S. persons is now blocked.

Specific targeted steps are being taken by the United States including prohibiting entry into the United States of those persons who have taken illegitimate steps to oppose implementation of the Governor's Island Agreement and blocking assets of those seeking to promote violence in Haiti.

Chairman Hamilton, Chairman Torricelli, that is my summary of where things stand at this stage of the game. I would be delighted to hear your views and counsel and advice and be able to answer any questions you may have.

Mr. TORRICELLI. Do you have a statement, Secretary Wisner?

**STATEMENT OF HON. FRANK WISNER, UNDER SECRETARY
FOR POLICY, DEPARTMENT OF DEFENSE**

Mr. WISNER. Thank you. I was very pleased that you allowed me to join today my colleague Mr. Watson appearing before this committee to add a word from the perspective of Defense.

U.S. INTERESTS IN HAITI

This has been all of us need to remember a long crisis, the Haitian crisis. Since President Aristide was removed from office, there has been a very heavy commitment of the U.S. Armed Forces to protecting our national interests during this period. Many Americans, many American vessels, have sailed the waters off of Haitian shores.

There is no other part of the government that is as vitally concerned with a successful outcome of the Haitian matter than are those who serve in the uniforms of the United States. We are concerned because, as the Assistant Secretary correctly pointed out, we have as a nation a commitment to democracy, a commitment to the stability of this hemisphere, but most of all, we have the defense of American interests to consider, for without stability in Haiti and without democracy, there is no way that nation can prosper and join the rest of the Caribbean. It will forever be a problem to itself, to us, and to the rest of the area.

Therefore, we have been pleased to watch the attempts to secure a negotiated settlement, the objectives of which would restore democracy to Haiti, to take its constitutionally elected ruler and put him back in office for the balance of his term, albeit relatively short, and to get on with the job of getting Haiti to return to the family of reasonable nations.

The Governor's Island Agreement was negotiated and produced a balance of interests between the two sides, between the Haitian authorities in Haiti and President Aristide and his people in exile. Each undertook agreements. It was a fair agreement that we put our shoulder behind to try to make certain could be implemented. But as we in the Department of Defense looked at our commitments under the Governor's Island Agreement, we made certain assumptions.

MULTILATERAL APPROACH TO HAITI

Congressman Torricelli, you mentioned one, that the United States could not intervene unilaterally to solve the Haitian problem. It had to be within a multilateral environment. That Latin American opinion would not permit a unilateral intervention, that our domestic opinion would have held that up and found it wanting, and that worldwide we would not have been able to carry the day.

We have to keep a weather eye as well, cocked on areas like the Caucasus and parts of the former Soviet Union where unilateral peacekeeping would end up being extremely destabilizing. So the United States is part of an effort to restore the very basic principles of democracy and stability to Haiti, but within an international context.

LIMITED NATURE OF U.S. MISSION

The Assistant Secretary correctly pointed out the very limited nature of the mission that we agreed to undertake. We were not sending peacekeepers to Haiti. That was not the purpose of the mission. The mission was to help the two sides implement an agreement that they themselves had agreed to, to agree to assist them in a way that would permit the military forces to be separated from politics, to be professionalized, to take the police and the military and bring them apart and use Americans and other outsiders to assist in the training and the restructuring that would permit those objectives to be accomplished.

It was not—let me repeat—a mission of peacekeeping, let me repeat.

So therefore it rested on the assumption that those forces could and should not land except with the permission and the understanding of the parties involved. We followed each step taken to implement the Governor's Island Agreement, and recognizing what was at stake for the United States, took the calculated risk, after considerable debate, after a careful reading of the intelligence, intelligence that told us throughout that the conditions would be uncertain in Haiti, even if there would not be the sort of direct threat to American military personnel that would give us final cause for further reflection.

The process broke down as the Assistant Secretary has described on 11 October, and we are faced now with a new situation. We haven't solved the problem and we have to return to a political direction to bring the parties inside of Haiti to agree that proceeding ahead with the restoration of democracy is an imperative.

CURRENT U.S. MILITARY OPERATIONS

The U.S. military is again involved in two ways, with the six ships that are off the coast of Haiti, within the 12-mile limit that is surrounding that country, enforcing a U.N. Security Council embargo, and with a reinforced marine company stationed in Guantanamo Bay that is in a position to intervene militarily if there is a direct threat to either our Embassy or the lives of American citizens in Haiti.

This is not what we want to end up with, in a sanctions regime. We want to see Haiti returned to a settlement that will restore democracy and settle the problems we have had with the island which constitute a threat to American interests. We remain committed to seeking that sort of settlement, a settlement that will achieve the very best of American interests.

Mr. TORRICELLI. Thank you very much.

[The prepared statement of Mr. Wisner appears at the conclusion of the briefing.]

Chairman Hamilton.

NO PLANS FOR U.S. COMBAT TROOPS IN HAITI

Chairman HAMILTON. Thank you, Mr. Torricelli.

Do we have any plans to send American combat troops to Haiti?

Mr. WISNER. Mr. Chairman, the President has not ruled out options, but that option is not one that we are considering. The purpose of our presence in Haiti was very strictly defined under the Governor's Island Agreement, it was a military professionalization mission. Presently the disposition of American forces is for the purpose of sanctions enforcement and for the protection of American citizens on the island should they be put in harm's way.

ASSESSING COMPLIANCE WITH GOVERNOR'S ISLAND ACCORD

Chairman HAMILTON. In your view, did Cedras and Francois renege on their commitments under the Governor's Island Agreement?

Mr. WATSON. Yes.

Chairman HAMILTON. They agreed to resign, did they not?

Mr. WATSON. General Cedras explicitly agreed to resign on October 15. Colonel Francois was to be removed from his command of the police force and be returned to the military upon passage of the legislation creating a new police force.

Chairman HAMILTON. In your judgment, did President Aristide fulfill his commitments in all respects under the Governor's Island Accord?

Mr. WATSON. Yes, sir. President Aristide has fulfilled his commitment.

Chairman HAMILTON. The amnesty was sufficiently broad that he fulfilled his commitment?

Mr. WATSON. In our view, yes, sir. That is a point of debate in Port-au-Prince. The general says this decree must be complemented by legislation, but the language of the Governor's Island Accord requires him to issue the decree according to article 147 of the Haitian Constitution and to support any legislation which may be passed on this subject. It does not require that this legislation be passed.

PROSPECTS FOR PARLIAMENTARY ACTION

Chairman HAMILTON. Apparently, parliament has not moved on the question of amnesty?

Mr. WATSON. That is correct, sir.

Chairman HAMILTON. Are they expected to?

Mr. WATSON. At this time, it does not look promising for parliamentary action on either legislation for an amnesty or for legislation creating a new police force.

DATE FOR RETURN OF PRESIDENT ARISTIDE

Chairman HAMILTON. Do you expect President Aristide to return to Haiti on October 30?

Mr. WATSON. That is certainly the intention of the international community, including the United States, sir.

Chairman HAMILTON. As far as you know at this time, that will happen?

Mr. WATSON. I don't want to speculate too deeply into the future, but the intention is that the Governor's Island Accord, which stipulates that he should be back on October 30 should be implemented fully.

FUTURE OF GENERAL CEDRAS AND COLONEL FRANCOIS

Chairman HAMILTON. If President Aristide returns, do you think that General Cedras and Colonel Francois are under any danger with respect to their personal safety?

Mr. WATSON. I think that General Cedras and Francois should be removed from the positions that they are holding now. General Cedras should be removed from the armed forces by resigning before President Aristide returns.

One of the reasons for having the deployment of the police monitors and trainers, chiefly Canadians and French and from other countries, and military Seabees and trainers, was to create an atmosphere in which all parties in Haiti would feel more comfortable and would not perpetrate violence against each other.

PURPOSE OF SANCTIONS

Chairman HAMILTON. The theory behind the imposition of sanctions is that they will bring the parties back to the negotiating table; is that your hope here?

Mr. WATSON. I would put it slightly differently. I would say the purpose of the sanctions is to persuade General Cedras and Colonel Francois and other members of the high command to comply with their obligations under the Governor's Island Agreement.

Chairman HAMILTON. You are hopeful and you believe that that will be sufficient, these sanctions, to achieve such compliance?

Mr. WATSON. We certainly are hopeful. The last time sanctions were imposed it was only a matter of days before the armed forces leadership sought out the U.N./OAS representative, Mr. Caputo, to begin the process which resulted in the Governor's Island Accord.

Chairman HAMILTON. Do you have any concern that the sanctions will trigger a mass exodus from Haiti?

Mr. WATSON. Of course, we have concerns. There are exceptions to the sanctions for humanitarian assistance. Under the U.N. sanctions, the mandatory sanctions only affect petroleum and petroleum products and arms and related material; there is a specific explicit exception for propane in small containers for use in household heating and cooking.

The OAS sanctions, which are broader although only recommendatory, include exceptions for humanitarian assistance and our own humanitarian assistance programs on a bilateral basis will continue.

TARGETING OF SANCTIONS

Chairman HAMILTON. Mr. Torricelli mentioned targeting the sanctions. Have you devised these sanctions in such a way that they will alleviate hardship as much as possible and target the penalties on those responsible?

Mr. WATSON. We are doing that in cooperation with the government of President Aristide and Prime Minister Malval. Not all the people that were targeted the first time around will necessarily be targeted this time at the request of Aristide and Malval.

There is another provision in the United Nations sanctions which allows for exceptions to be made if the President or the Prime Minister so requests. There is concern on the part of many of the humanitarian assistance organizations that even though food stuffs and medicines will be able to come in that the shortage of fuel may handicap their ability to deliver those to people.

The last time sanctions were imposed, ways were found to obviate that problem. We are confident that can be done this time as well.

Chairman HAMILTON. Thank you.

GUIDING PHILOSOPHY BEHIND HAITI POLICY

Mr. TORRICELLI. Thank you, Mr. Chairman.

The American people tend to give this government broad latitude in the conduct of foreign policy, generally trusting the judgments made in lending its support when required. But rather than conducting policy anecdotally, it is usually part of a broader philosophy, from the containment of communism to assuring in the Persian Gulf that aggression not be rewarded.

This is an unusual opportunity in a moment of crisis for administration officials to communicate with the Congress and American people about the nature of our policy in Haiti. Please describe what the guiding philosophy toward Haiti is and what it signals to other leaders and people of other potential crises about what guides the foreign policy of this administration.

Mr. WATSON. Let me take a crack at that. I think our objectives here and our basic philosophy are pretty clear. We are trying to defend and protect what we perceive to be real and legitimate U.S. interests, as I tried to outline in my presentation, in a multilateral context which will bring as much pressure to bear as possible in the situation at the least risk to U.S. citizens, either civilians or military, and at the least possibility of any sort of direct intervention, military intervention by anybody in Haitian affairs. So therefore the principal instruments have been the sanctions which, as you noted, are a blunt instrument and need to be refined in order to be focused on the appropriate people and to protect the others, and also a strenuous diplomatic and political effort to bring about a Haitian solution to a Haitian problem.

Mr. TORRICELLI. Those are the tools, not the philosophy. The philosophy is that this was done pursuant to national interest. Na-

tional interest in this instance is defined as the preservation of democracy.

Mr. WATSON. That is one of the interests, sir. Certainly preservation of democracy in Haiti and throughout the hemisphere and throughout the world is in our interest; it is to protect the lives and the welfare of 1,000 American citizens and 9,000 dual nationals. It is to try to prevent a situation so desperate in Haiti that people flee in a massive outmigration.

Mr. TORRICELLI. So the philosophy that is guiding the administration in its foreign policy is that we will seek sanctions or apply extraordinary pressures if democracy is interrupted or American nationals are threatened anywhere in the world? That is the foundation of the policy?

Mr. WATSON. I would like to address Haiti and say that, yes—

Mr. TORRICELLI. That is what I was trying to get you not to do, because it is the impression I think of many people in this country that policy is being designed as situations evolve. Foreign policy should be conducted with some guiding philosophy. It is that which I was asking you to enunciate.

CONCERN ABOUT IMPACT OF SANCTIONS

Let me address the question of tools. You describe the sanctions as a bit of a blunt instrument. It appears to me that they actually have the subtlety of a shotgun. My concern with this is that there is an internal contradiction. We are engaging in contradictions against Haiti because we rightfully believe that the military leadership has total disregard for the Haitian people and yet the philosophy of the sanctions is that the military leaders will reverse their course because of the punishment these sanctions cause to the Haitian people.

I believe that the military leadership of Haiti has absolutely no concern for the impact of sanctions on the Haitian people. Sanctions make sense to the extent that they seize assets or deny visas or otherwise punish the oligarchs of military leadership. But to the extent they have an impact on the broader Haitian people, causing epidemics, enormous suffering and famine and encouraging people to flee to the sea where they may lose their lives, sanctions are not only ineffective, but they shock consciousness in other national objectives.

DEFENSE OF SANCTIONS REGIME

Mr. WATSON. I think that our overall objectives are restoration of democracy, respect for human rights in the hemisphere and the protection of U.S. national interests in terms of the migration, in terms of protection of U.S. citizens and enhancing the credibility of the United States in defense of these interests. I think those are legitimate interests.

We are trying to do that in a way that is least likely to put our people in harm's way, to try to find a lasting and local solution, not something you impose from the outside. On the sanctions, we are trying to target the sanctions as sharply as possible on the individuals that we think are responsible for the current situation.

We are trying to find, and we think we have been reasonably successful at this in the past, ways to have humanitarian excep-

tions for the mass of the Haitian people so that the damage done to them will be minimal while the sanctions are targeted at other people.

NEED FOR COUNTRY-SPECIFIC RESPONSE

Mr. WISNER. Congressman, I would adjust a couple of thoughts to what Mr. Watson has just said. Coming back to your core question, is there an overall context for American policy in this regard, and I would say, yes, that the U.S. interests are affected when democracy fails in the world and when instability ensues in its wake.

This does not mean, however, that we use the same means to deal with each situation. Each situation is different. The degree of immediate threat to the United States is different, and that will call into question, that will define to an important degree just how we react.

In the Haitian situation, I would argue that we have an obligation to respond on the basis of broad principle, but we have an obligation to respond on the basis of very practical necessity. I am struck, as I am certain that you are, that the Caribbean today is a group of independent democracies with two exceptions. We have an interest in seeing that they make available to their citizens the access to prosperity and that they are not exporting their citizens in desperate circumstances at great loss of life toward American shores.

Therefore, we ought to try to seek that in our own interests and the interests of the people who are suffering. There is a point at which U.S. broad interest and principal and practical interests certainly come together. In terms of the way this is being pursued, I can only add to Secretary Watson's views that we have chosen very careful, limited measures to respond to the crisis.

POLITICAL MESSAGE OF SANCTIONS

We have chosen military means that are not violent ones. We are not, as I said earlier, peacekeepers and we have been extremely careful in the way we have designed the sanctions. The purpose of those sanctions has an economic purpose and I suggest it also has a political one.

The political purpose that it has is to underscore to the authorities in Haiti that they are generally isolated in the world, that the world takes their circumstances seriously enough that a number of nations are not only prepared to limit trade and economic contact, but many others are prepared to send vessels forward to enforce that sanction.

The British have added a ship, the Canadians and French are involved, ourselves, others in the hemisphere have offered to come forward. There must be weight in that message.

FREEZING OF HAITIAN ASSETS

Mr. TORRICELLI. You should know that the Associated Press has reported that Prime Minister Malval has said that he is going to resign in 10 days if the plan is not implemented by that point.

Concerning those parts of the sanctions which I do favor—the freezing of assets at this point—have other countries in fact frozen the assets of Haitian military leaders?

Mr. WATSON. I am not sure whether they have.

Mr. TORRICELLI. With all this talk about freezing assets, if a Haitian military leader still has assets in U.S. banks, they are not only despots, but stupid. It is hard for me to believe that they would retain money in American institutions.

Do these principal military leaders in fact still have U.S. bank accounts?

Mr. WATSON. I would have to check. I don't know.¹

Mr. TORRICELLI. As of this date, you do not know whether other allied nations have frozen the assets?

Mr. WATSON. I don't know. We have approached them and asked them to take similar actions to ours.

Mr. TORRICELLI. Would you let the committee know that tomorrow, Mr. Secretary?

Mr. WATSON. Yes, sir.

[The information follows:]

Under the U.N. Security Council Resolutions 841 and 873 all states are required to freeze the funds of Haiti's de facto authorities. This resolution, however, does not name specific individuals.

The Resolutions of the OAS Foreign Ministers, beginning in October 1991, and which came back into effect on October 18, also recommend the freezing of assets of such individuals. The Government of Canada, which has implemented regulations to freeze the assets of such individuals, has also recommended that OAS member states share information on those individuals which each state has deemed to fall into the category of impeding the restoration of democracy, with a view to establishing a joint OAS list. This matter will be considered in the OAS Embargo Committee. The United States has shared the Treasury's list of targeted Haitian leaders with all OAS members.

On November 3 the Department of State cabled the eight nations having the most significant financial ties with Haiti requesting that they freeze the assets of the Haitian leaders whose assets have been blocked by Treasury's Office of Foreign Assets Control. These include the most prominent military leaders. Attached is a copy of this list. To date, the Swiss Banking Commission has ordered the freezing of General Cedras' assets and has distributed the list of targeted individuals to Swiss banks. The Government of the Bahamas has stated that it never unfroze the assets blocked during the previous round of sanctions. We are awaiting responses from other nations, and the Department will take appropriate measures to ensure the broadest possible support for our policy of targeted sanctions.

PROBLEMS AT PORT WERE PREDICTABLE

Mr. TORRICELLI. Mr. Hastings was in Haiti only 2 days ago. He reported that in his judgment there was some predictability to the problems at the port, that in fact on his trip, it was somewhat evident that there were going to be problems.

Should we not be concerned that in the planning of this operation, either from an intelligence or diplomatic perspective, we were left wanting and therefore these problems were inevitable?

Mr. WATSON. Let me comment if I may.

As I mentioned in my opening remarks, we are aware that the man that runs the port, Max Paul, had moved another ship into the berth where the Harlan County was to go when it came in with its construction equipment and the Seabees. He promised us that it would be out by the time our ship came.

¹The information appears in the appendix.

The judgment was made that we should proceed on the basis that this would happen and to not go simply because the berth was filled, we should move ahead and we should test them. When they arrived there and the port was locked and Max Paul was nowhere to be found and the other ship was in the berth, it became apparent it wasn't just Max Paul, but the military leadership with whom he has very close alliance were not going to cooperate with our ship.

This was confirmed by sending the thugs out to shoot guns in the air and demonstrate there. We always knew there was a possibility of this, but throughout this entire process, we have always had to test, test and push the parties, particularly the military leadership, into meeting their obligations, and that is what we were trying to do this time. We were disappointed but not overly surprised when this occurred.

Mr. WISNER. I think Mr. Watson has covered the point that I would have made. I make just one additional comment; throughout, our assessments, and they were current right up to the moment the vessel was in sight of land, were that the situation, particularly as it moved from that day forward to the end of the month when President Aristide was due to return, was going to be very unsettled.

There was no way to assume it would have been otherwise. But the threat to American military personnel was not a substantial threat and the risk of pressing the case and bringing the military to face their commitments under the Governor's Island Agreement was a risk well worth running if we were ever going to achieve the basic objective, the restoration of democracy in Haiti.

Mr. TORRICELLI. Mr. Smith.

PRESIDENT ARISTIDE'S HUMAN RIGHTS RECORD

Mr. SMITH. Thank you, Mr. Chairman. I have a couple of questions and I will submit additional ones for the record.

As we all know, President Aristide received an overwhelming majority, something like 67 percent of the vote. The effort to restore democracy and to reinstate him certainly covers both the Bush and now the Clinton administration. But there have been some concerns and let me also say that there is no doubt that human rights abuses have escalated and have markedly increased since the coup.

No one would dispute that; it is a tragic fact of life. There were concerns that we had.

Secretary Watson, you testified in May in answer to the question would you agree with human rights activists that Aristide incited popular violence when he was in power, your answer was that there was ample evidence that President Aristide incited intimidating or violent behavior among his followers. Then you pointed out that our Ambassador and others have pointed out that that is repugnant and that we abhor those tactics.

In light of the amnesty that has been issued, although it has not been ratified by the legislature and maybe it doesn't have to be, are we at all concerned or do we have concrete assurances, and how can we convey that to those who might use some of that past behavior as a rationale to justify their abominable behavior in Haiti?

Do we have the assurances from the President that when he gets back he will adhere to these human rights principles?

Mr. WATSON. Yes. We have assurances from President Aristide in all of his conversations with us and including his excellent speech this afternoon at the Inter-American Development Bank, he has talked about reconciliation and eschewed revenge. He has tried to say that we should move the country forward again.

In addition to that, Congressman Smith, one of the central ideas throughout the entire process was to have the international human rights monitors there. Unfortunately they were withdrawn last week. They are now sitting in Santo Domingo. They could be redeployed if a decision was made to do that. They serve an invaluable purpose keeping an eye on human rights around the country. It is widely believed that they had a major impact.

They were never bothered or threatened until very recently. They had a major impact on the human rights situation and we would anticipate that they would remain there even after President Aristide returned. The presence of the police monitors and trainers and military Seabees and the trainers is also designed to have an international presence which we hoped would have a stabilizing effect on all parties in the region.

As Secretary Wisner said, this is a difficult situation. There are always going to be risks, but in our judgment, the risks as we see them are worth taking.

ASSESSING INTELLIGENCE COVERAGE OF HAITI

Mr. SMITH. Secretary Wisner, did we have in your opinion adequate intelligence assets deployed to ascertain whether the threat might exist when the Harlan County would have docked?

Mr. WISNER. Yes, in my judgment our intelligence coverage of Haiti throughout these months has been first rate. We have deployed adequate assets. We have a good reading of the situation. That doesn't mean we have a perfect reading.

We did not predict that there would be a demonstration in the port at the time. We knew there was going to be an unsettled environment that we were coming into.

CONTINGENCY PLAN FOR ARRIVING U.S. MILITARY

Mr. SMITH. Was there a contingency plan to protect engineers and others who might off-load?

Mr. WISNER. Of course. We operated on an assumption that the Haitian military who were to be the hosts of the American military were obviously not candidates to turn around and deal in a hostile manner with the arriving American military. They nevertheless had all the necessary precautions including the right rules of engagement.

We had in our mind contingencies not only of how they could be evacuated rapidly, but if they came into harm's way, how we could reinforce. Those dispositions have been strengthened since the vessel was turned back.

We are in a stronger position today to move in to protect citizens who might or our Embassy that might be in the way of a threat.

Mr. SMITH. Thank you.

Mr. TORRICELLI. Mr. Oberstar.

POLICY ON U.S. TROOPS IN HAITI

Mr. OBERSTAR. Thank you, Mr. Chairman.

Secretary Watson, is it the administration's policy today as expressed last week that the United States has no intention of using U.S. troops in Haiti?

Mr. WATSON. It is the intention of the administration to see what we can do to get the Governor's Island Agreement implemented, and that includes, to my knowledge, some presence of both police and military, in Seabee form if the conditions appropriate for their deployment exist. That is my understanding of where we stand at this point.

Mr. OBERSTAR. It is my conclusion from your statement that the United States has no intention of using military force to invade Haiti and defeat the army and do something decisive; correct?

Mr. WISNER. I made an earlier statement when Congressman Hamilton was here that the President has not ruled out any options. The plans of the United States are as Secretary Watson articulated them with the addition that American naval vessels are deployed around the Haitian coast for reinforcement purposes if American lives are threatened, but there is no plan to go beyond that.

THE CASE FOR U.S. MILITARY INTERVENTION

Mr. OBERSTAR. Clearly Haiti presents a unique dilemma for the United States. Our conscience will not let us walk away, or as the Haitians would say, do a Pontius Pilate washing our hands of Haiti.

On the other hand, our domestic politics and our strategic assessment will not allow us to go into Haiti and do anything interventionist that would be decisive. I would say that this is a policy doomed to failure. It is a dance of death for the Haitians.

One reality overshadows all that happens in Haiti. I can say this born of my years of living there, being associated with Haiti, that the Duvalierists and the Macoutes that they spawned will never allow economic and military power to slip from their grasp in Haiti.

The only way it will happen under these circumstances and from what we have seen is for the United States to have the resolve to go in and defeat the army, disarm the Ton-Tons Macoutes, establish the only elected President this country has had in its history and then your statement will have some validity that we want a Haitian solution to a Haitian problem.

There cannot be a Haitian solution to a Haitian problem under these circumstances. Either we intervene militarily and do something decisive or the sanctions that are being imposed will have the most pernicious effect upon those whom we wish to help and the least effect upon those whom we wish to influence. This is the same Haitian military that in 1987 allowed an intervention in the election to massacre people standing in line innocently waiting to vote, the same Haitian military that later installed their own President, the same Haitian military that installed another regime.

There was one brief moment of opportunity for Haiti when in December of 1990 there was an election, and for me it was a great experience to talk to Haitians, to say, why did you vote? They said,

"We voted for freedom." For them that meant to get out from under the thumb of oppression, the Ton-Tons Macoutes.

They didn't vote to better their economic condition, to have a better Haiti. They voted to get rid of the Macoutes and Aristide offered them that opportunity. The Macoutes and the Duvalierists understood that.

That is not to say that Aristide is spotless. I think he made some very serious misjudgments in the way he handled the military after assuming office. After all, it was he who put Cedras in the position that he occupies now. But he is duly elected and the only way we are going to have a continuity of democracy and a hope for something of democratic tradition in Haiti is to restore that democracy, and I tell you that unless we are prepared to take military action against the army, it will not happen.

There will be nothing but a series of repeats, and that is my judgment, and I say it in sadness, and I know the reservations that the Defense Department has and that you and the State Department have about a protracted military engagement that will result in guerrilla warfare and a war of attrition against the Americans, and we know something of that with the U.S. military intervention in 1915. It took 6 or 7 years for us to suppress that, but we did not leave a very substantial legacy either.

Roads and bridges are not enough. We needed to leave something more than that, a tradition of democracy, and we didn't. That was perhaps beyond our perspective at that time, but now we do have an opportunity, and I tell you that a very small, but well planned contingent of American forces in Haiti would dissolve that army in a very short period of time, and I think they have the resources to know where the guns are in the Ton-Tons Macoutes and to disarm them and to put them out of commission.

Then we don't need a battalion of Seabees to rebuild roads and build a water system for Port-au-Prince. The Haitians are capable of doing that if we give them the money and technical guidance and bring back the thousands of Haitians who are gifted and talented and trained, working for the U.N. and for the World Bank and International Monetary Fund and all around the world, and give them assurance that there will be security if they come back to Haiti, they will see that the job is done.

That is my prescription for returning democracy, stability and economic opportunity to Haiti. I don't expect you to respond.

I thank you.

REPORTS ON RESIGNATION OF PRIME MINISTER MALVAL

Mr. TORRICELLI. Thank you, Mr. Oberstar.

Gentleman, I suggested to you that there were announcements out of Port-au-Prince by the prime minister concerning his decision to resign in 10 days, I did not ask you to comment or otherwise confirm the information.

Could you do that, and then I will yield to Ms. Snowe?

Mr. WATSON. I have seen the same press reports you have. I have no further information than you have. I didn't have time to call our Embassy to confirm that. If I may say that all those who have been dealing with Prime Minister Malval say that he has been extraordinary, his performance has been extraordinary in this

most difficult circumstance. He has been a rock of firmness and good judgment and resolve and patriotism.

Mr. TORRICELLI. His judgment comes as something of a surprise. Is this not a grand plan unfolding; is this an individual judgment he has made and his contribution to resolving the crisis?

Mr. WATSON. That is how I interpret it.

Yes, this is a personal judgment. He had always planned not to stay on for too much longer beyond President Aristide's return, maybe a couple of months or so. He wanted to get back to his regular life. Recently his resolve had stiffened, but I can't tell you exactly why he made the remark.

Mr. TORRICELLI. Thank you. Ms. Snowe.

INTELLIGENCE ASSESSMENT OF THE SITUATION IN HAITI

Ms. SNOWE. Thank you, Mr. Chairman.

Mr. Secretary, getting back to the issue of intelligence, there is something that is still not clear. Did we anticipate there would be a possibility that we would not be able to dock at the port?

Mr. WISNER. Congresswoman, indeed we did. There was a risk and we calculated it was a risk worth running. As I said earlier, the intelligence assessments going back to the beginning of the year always were very clear that the accord would be hard to put into effect. If you could negotiate it, it would be hard to put into effect, and as it was put into effect, there would be the possibility of increased levels of violence.

As we got closer to October, the community's warnings were specific that an unsettled condition would take place. At no point did we find ourselves thinking that the American forces per se would be at risk.

CIRCUMSTANCES SURROUNDING ATTEMPTED DOCKING

Ms. SNOWE. What advance communications did we have with the military to ensure that security would be provided at the port? I guess what I don't understand is did you anticipate that this would be the scenario in the event they didn't provide the security, that we would be forced into retreat? That wasn't exactly the kind of scenario that provided us with any advantages or benefits.

Mr. WISNER. We knew that there was a risk to be run, that if the military authorities in Haiti refused to live by their word and complete their commitments under the agreement, then we would not be engaged as peacekeepers; we would pull back because it was not a peacekeeping mission. It was a mission to facilitate the implementation of Governor's Island.

Ms. SNOWE. I understand that, but did we have any communications with anybody prior to docking?

Mr. WISNER. Yes, indeed.

Ms. SNOWE. So we were aware there was no one there to provide security—at what point did we know that they are not prepared to provide the security?

Mr. WISNER. The first signal was the vessel parked in the bay and then the arrival of the thugs.

Ms. SNOWE. We didn't have advance intelligence to tell us there was another vessel blocking our entry?

Mr. WATSON. Yes. We raised that with the Director of Port, Max Paul, and he acknowledged that had happened, but promised it would be out of there by the time the Harlan County came and that there wouldn't be any problem.

We weren't sure whether to believe him or not. He is not a savory character by any means. We had to test that because you have to keep pushing these people or they will backslide. So there was no choice, but to bring the Harlan County in there on the assumption they would keep their word.

The demonstration was not the reason the ship withdrew. The point was they were there to support the professionalization of the armed forces and the police which was included in the Governor's Island Accord. Our people were deployed to Haiti as technicians to assist in this effort. When it was clear from their behavior—allowing the port to be locked and allowing the thugs to dance around without any action by the armed forces—that they were not willing to go along with their own invitation, there was no point in having our people there and they departed.

Ms. SNOWE. Did the embassy have any forewarning that there would be a hostile reaction to our arrival?

Mr. WATSON. I don't think the embassy had a specific forewarning that those thugs would be out there. It was a relatively small number of them at the time when they left the embassy to go there.

But I want to stress that there was not a major security problem. That was not the issue. The issue was basically the failure or will on the part of the military to comply with their own obligations under their own invitation.

Ms. SNOWE. Unfortunately, the end result did not create that. That may have been the intentions but it certainly looked differently. I don't think it put us in the most positive light.

Mr. TORRICELLI. Ms. Snowe, we have two problems. Firstly, there is a vote. Secondly, Secretary Watson has to go to the Senate. Four Members have not yet asked questions. In the few minutes we have left, I wonder whether we could go as quickly as possible.

I am sorry, Ms. Snowe, but I think it is the only way to get this done.

Ms. SNOWE. That could have been held to the previous ones as well.

Mr. TORRICELLI. We didn't know there was going to be a vote or that the Secretary had to leave.

Ms. McKinney.

U.S. TRAINING OF HAITIAN MILITARY

Ms. MCKINNEY. Do you know if members of the Haitian military have received training in Fort Benning, Georgia since the coup?

Mr. WATSON. To my knowledge, no.

Mr. WISNER. No, we don't know that.

Ms. MCKINNEY. It is my understanding that that has been the case.

Mr. WISNER. If you could give us the information you have, I would be delighted to double check it. We have no record of it at the moment.

Ms. MCKINNEY. I will.

[The information follows:]

Since the coup in 1991, no Haitians have been brought to the United States for military training. At the time of the coup, however, 12 Haitian noncommissioned officers were in the United States taking technical courses under the IMET program. These Haitians have since returned to Haiti.

DRUG TRAFFICKING IN HAITI

Ms. MCKINNEY. What specific findings does the United States have with respect to drug trafficking in Haiti and could you provide me with a copy of any reports that have been done?

Mr. WISNER. There is drug trafficking, but our best estimate is that it is substantially below that which takes place in other transit nations in the area.

LIST OF HAITIANS SUBJECT TO SANCTIONS

Ms. MCKINNEY. Are we willing to add to the list of people who will be subject to sanctions?

Mr. WATSON. The list is being compiled right now, and I believe—I would have to check. I believe there are some names on this list of sanctions that were not on the previous list.

As I mentioned previously, there are some names that were on the previous list that are not on this list, largely at the request of the Government of Haiti.²

CONTROL OF PORT

Ms. MCKINNEY. Two additional points. Does Michel Francois control the port and is it true that there are reported 3,000 people on his payroll there at the port?

Mr. WATSON. Our understanding is that Max Paul as the Director of the Port is a confederate of Michel Francois and they are in cahoots on this. He is really an unsavory character.

Who controls whom in this den of spiders I am not sure, but they are in cahoots with each other.

Ms. MCKINNEY. What is Plan B? How does the United States plan to help Francois and Cedras leave Haiti, or at least their positions? Is there a Plan B?

Mr. WATSON. The plan, the intention of the international community and clearly that of the United States is to continue to try to press them to honor their commitments under the Governor's Island Accords.

Ms. MCKINNEY. Mr. Chairman, I have additional questions. Is it OK if we submit—

INTERNATIONAL COMPLIANCE WITH EMBARGO

Mr. TORRICELLI. I have also asked Secretary Watson to provide information tomorrow on international compliance with the embargo. Given the nature of the crisis unfolding, if you would try to provide all requested information as quickly as possible.

Mr. Hastings.

²The information appears in the appendix.

QUESTIONING PROSPECTS FOR COMPLIANCE WITH ACCORD

Mr. HASTINGS. Mr. Chairman, briefly, Secretary Watson, if the agreement has been breached, why are we seeking to enforce it?

Mr. WATSON. We are trying—

Mr. HASTINGS. Do you agree that the Governor's Island Accords have been breached by Cedras and Francois?

Mr. WATSON. Yes.

Mr. HASTINGS. Why are we exercising a policy to suggest that these are the people that we are going to ask to live up to an agreement that has already been breached?

Mr. WATSON. Because we want to persuade them that they should honor it. General Cedras, for what this is worth, continues to maintain that he respects and wants to fulfill the Governor's Island Accord.

He has a different interpretation of it, but we are pushing him to meet those—

Mr. HASTINGS. Let me share with you a conversation between Senator Graham and myself that took place with Mr. Cedras and Chargé Mickey Hubbleson at the instance of Mr. Pezzullo calling on Tuesday of last week and seeking to have him to agree to let the Harlan County come in and provide the necessary protection for it and to sign an agreement with General Cedras.

Cedras' reply was "Chargé, you always come with sanctions," and he laughed. That is what he is going to continue to do.

Mr. TORRICELLI. Mr. Payne.

SECURITY FOR PRIME MINISTER MALVAL

Mr. PAYNE . We met several weeks ago with Prime Minister Malval. I would not be surprised if he is interested in resigning because there is virtually no security. Is there any way to provide adequate security for him?

Mr. WATSON. We have been in close touch with him on this on several occasions. We have discussed with him various possibilities. We are providing some armored vehicles for him which the Haitians have purchased. They should be there shortly.

Our Assistant Secretary of State for Diplomatic Security arrived there yesterday to look at the security of our own mission there, the embassy and other components of the mission, but he also will be in touch with members of Mr. Malval's cabinet to see what else we might be able to do.

EFFECTIVE DATE OF AMNESTY

Mr. PAYNE. Does amnesty go to October 30 when wanton killings could happen, or was there a date certain that amnesty would apply from before that date?

We don't have time to discuss the question of whether amnesty was agreed to or not by Aristide.

ATTEMPTS TO DISCREDIT PRESIDENT ARISTIDE

The other question that I was happy to hear the administration say was a lot of hogwash, as you know, was that the CIA has been spreading rumors about the mental stability of President Aristide. They used the fact that 7 or 8 years ago when he was a parish

priest, the Macoutes came in and shot up his church, killed a bunch of parishioners as he was giving mass. A group surrounded the priest and got him out of the church and saved his life. The CIA said he was depressed for a week or so and therefore he is emotionally unstable.

I don't know how I would react. I probably would still be depressed.

I don't need a comment. It is just that when we hear these obnoxious stories that are spread to discredit, I think that it is the responsibility of the administration to talk about what circumstances surrounded a particular incident and where the rumors start.

Thank you.

Mr. TORRICELLI. Mr. Menendez.

Mr. MENENDEZ. Mr. Chairman, first I want to say that I am distressed that we have to conduct hearings in a manner in which we have to rush to judgment in order to get answers. I personally hope we can have these gentlemen back—

Mr. TORRICELLI. Given the nature of this crisis, I assume we are going to hold similar meetings until this is resolved.

THE NEXT STEP IN HAITI

Mr. MENENDEZ. I certainly hope so. I am going to lay my questions out and maybe we can get a detailed answer afterwards.

One is on purely an informational basis for us to know how we are operating. I understand that Colonel Francois's brother Evans is actually the one who controls Haitian ports, not Max Paul. If that is the case, how could we have expected, when we are seeking his departure, to have had an expectation that we would not have problems?

Two, why are we going through this charade again? If in fact we are expecting voluntary departure and if we get some promises that voluntary departure will take place and it does not, what are we ready to do and what is our expectation if there is no voluntary departure? Are we expecting popular uprising to take place in order for us to accomplish the democratic goals?

What are we prepared to do if either voluntary departure does not take place, and popular uprising is another possibility—if we are asked by President Aristide is it the administration position that they are ready to send a military force if we are asked by the United Nations? Is it the United States' position that we are ready to send a military force or are we going to wait and see for ever and ever or are we going to have a plan?

That is what I would like to know.

Mr. WATSON. To answer your first question—

Mr. MENENDEZ. I have a problem. I don't want to lose my vote, but I would love to hear your answer. If we can get it in writing, I would love to see what those answers are.

Mr. WATSON. I will be glad to give you a call or give it to you in writing.

Mr. MENENDEZ. I prefer in writing.

[The information follows:]

QUESTIONS SUBMITTED FOR THE RECORD BY CONGRESSMAN MENENDEZ AND
RESPONSES THERETO

Question 1. I understand that Colonel Francois' brother Evans is actually the one who controls the Haitian ports, not Max Paul. If that is indeed the case, how could we not have expected to have problems with the authorities at the port as we have stated our objective of seeing that Col. Francois leaves Haiti?

Answer. The port is controlled by the National Port Authority, which is headed by Max Paul. However, we do hold Lt. Col. Francois, chief of police for Port au Prince, responsible for security in all of Port au Prince, including security at the port.

Question 2. Why are we going through this charade? We talk about the voluntary departure of Cedras and Francois, but what is our expectation if there is no voluntary departure?

Answer. Our policy is aimed at resolving the crisis in Haiti through the continued pressure of sanctions levied against those Haitians who continue to block the return of democracy to Haiti and the reinstatement of President Aristide to Office. We anticipate that the oil embargo complemented by unilateral sanctions imposed by the United States and others will force the recalcitrant military leaders to comply with their obligations under the Governors Island Accord. When sanctions were imposed in June, they did succeed in bringing the Haitian military to the negotiating table.

Question 3. If we are asked to do so by President Aristide, is it the position of the administration that we are ready to send in military force, if we are asked to do so by the United Nations?

Answer. Early in his administration, President Clinton clearly established his policy goal in Haiti and the means he would actively pursue to achieve it: the return of democracy and President Aristide through a negotiated process. He committed the United States to take the lead in developing a strong international coalition under U.N./OAS leadership to bring both parties to the negotiating table. The result of this broad based international effort was the Governor's Island Accord and the Pact of New York, which committed the Haitian parties to adhere to a schedule of steps for restoration of constitutional government and the return of Aristide. The first four steps in the process were taken, albeit with some delay, including the assumption of power by a constitutionally empowered Prime Minister and the suspension of U.N. sanctions.

When the military did not live up to their commitments under the accords, the United States supported the reimposition of U.N. sanctions on Haiti. Our policy is to see the terms of the Governor's Island Accord fulfilled by all parties.

President Clinton is firmly committed to the return of democracy to Haiti through a negotiated process. The President, however, has not ruled out any options in the event that a threat to the safety of U.S. citizens in Haiti arises.

Mr. TORRICELLI. Thank you for being with us. We look forward to seeing you in a few days unless and until this crisis is resolved. Thank you very much.

[Whereupon, at 5:05 p.m., the committee was adjourned.]

PREPARED STATEMENT

UNDER SECRETARY FRANK WISNER'S STATEMENT FOR HOUSE FOREIGN AFFAIRS COMMITTEE 20 October 1993

Thank you, Mr. Chairman for this opportunity to provide a description of the Defense Department's activities as we work to implement the President's Haiti policy.

In 1990, as the Committee is well aware, Reverend Aristide was elected President in Haiti by two out of every three votes cast. A short seven months later, he was ousted by a military coup.

It has been the clear policy of this Administration, as it was with the previous one, to return President Aristide to his rightful office.

These are the compelling reasons for doing so:

- Protecting constitutional democracy is of fundamental importance to our country and its citizens.
- The overall maintenance of stability in our hemisphere is of critical importance to the President and to this government.
- Establishment of constitutional democracy in Haiti is crucial to long-term stability which will prevent migration and its attendant loss of life at sea from occurring.
- Restoration of Aristide is an important step in this process since he was elected by a popular vote of 67% and is the constitutional head of state. The Haitian people want him to return.
- Stabilizing Haiti and improving its government is a first and necessary step toward creating conditions for respect of human rights and democracy to flourish.
 - Foreign investment and economic growth, necessary for the survival of any democracy, would only be possible in a stable situation.
 - As touched on above, this is also necessary for dealing with fundamental weaknesses in the Haitian economy that spur

migration. Migration can have a direct and very negative impact on the U.S., in addition to leading to loss of life at sea.

- And let us not forget that there still are several thousand Americans living in Haiti. It is our job to protect them from harm.

As Secretary Watson explained, the Governor's Island agreement set the framework achieving President Aristide's return. Among its unambiguous guidelines are:

- restoration of a legitimate Parliament (done);
- nomination of a prime minister by Aristide (done);
- confirmation of prime minister by Parliament (done);
- suspension of UN embargo (done);
- foreign aid and police/military professionalization assistance (suspended);
- amnesty granted for political misdeeds associated with the coup (done);
- creation of a new police force and appointment of a new police chief (awaiting Parliament action and Francois departure);
- Cedras retires, appointment of successor by Aristide (not done);
- and,
- Aristide's return to Haiti (Oct 30).

The driving force behind the Governor's Island agreement is the international community's complete rejection of the naked, anti-democratic grab for power by the military. The Governor's Island agreement was the best diplomatic accord possible.

DoD's mission is to support the UN's military professionalization effort as called for in the Governor's Island agreement. It is not a combat or a security mission. Our mission is not configured for that role.

We are to provide Sea-Bee construction engineers to renovate military and civilian clinics, build new barracks outside of Port-au-Prince for the military and other related civic action construction projects. The trainers are to provide basic, non-lethal training and teach respect for human rights and civilian authority.

This professionalization program is totally dependent upon the Haitian government and military actively cooperating with us. It is designed to be performed in concert with a willing and receptive Haitian military. It will

not work under any other circumstances. For example, the Haitian military and police are to provide our personnel with security.

Those circumstances changed abruptly on 11 October, the day the USS Harlan County was to arrive. The Haitian military had promised to provide dockside security for the arrival of personnel. This proved untrue. First, a cargo vessel blocked the pier, despite earlier assurances that the pier would be reserved for our use. Second, a crowd of thugs appeared at the main gate, demonstrating in a hostile manner and blocking our Charge from access to the port facility to greet the ship. The USS Harlan County, blocked from docking, was ordered to depart the next day when it became apparent that access was not going to be granted and that the military was not going to cooperate with our mission and follow through on its commitments to the Governor's Island agreement.

Despite early progress in moving the accords forward, the process is now off-track. The military has failed to maintain its part of the agreement. But while we have moved the Harlan County from Haitian waters into port at Guantanamo Bay, our efforts to revive the Governor's Island agreement continue.

In reaction to the military's failure to follow through on its commitment, the UN has imposed an embargo on weapons and oil (small quantities of oil for cooking are exempt) to force the military into compliance with the Governor's Island agreement. The OAS has also imposed trade restrictions. President Clinton has, in turn, imposed unilateral sanctions (e.g., freezing of financial assets, suspension of visas) against selected individuals who support the military. In short, the international community and the U.S. Government have reacted very strongly to the military's failure to comply with the Governor's Island agreement.

I would like to report on several actions the Administration has undertaken in recent days to support the UN in its efforts to save the agreement.

Let me be clear on the principals which define our current military involvement.

- As noted above, we are fully committed to helping enforce the UN sanctions which became effective earlier this week in order to gain the military's compliance with the agreement.

- Our vessels are there only to enforce the sanctions and are not to intervene in the internal affairs of Haiti. This deployment of Navy ships is not an invasion force.
- Use of our military assets in a high-profile effort to support the sanctions sends a strong signal that the Administration is intent on restoration of Haiti's fledgling democracy through the UN effort.
- Specifically, we have deployed six U.S. Navy vessels to waters immediately around Haiti to:
 - enforce UN sanctions against the de facto regime within Haiti's 12-mile limit, putting pressure on the military to abide by the terms of the Governors Island. Though the UN Security Council has endorsed a naval presence to enforce sanctions, these U.S. vessels will remain under U.S. command and flag;
 - if enforcement requires boarding foreign merchant shipping, that task will be performed by U.S. Coast Guard personnel aboard Navy ships, as is usually the case in counternarcotics operations.
- These DoD deployments will demonstrate a strong and unwavering U.S. commitment to the UN effort to establish constitutional democracy in Haiti through the Governor's Island agreement.
- As the President announced last Friday, we have deployed a reinforced rifle company (Marines) with aviation assets to Guantanamo Bay Naval base to assist in protecting American lives and interests in Haiti should they become endangered.
- Let me be explicit that this force is to protect American lives and property should that become necessary, not intervene in Haiti.
 - The amphibious assault ship USS Nassau, which is already at Guantanamo for routine training, will provide transport for the Marines if required as well as providing a command and control platform for RADM Harold Gehman, who will serve as Joint Task Force Commander reporting to CINCUSACOM. RADM Gehman's normal assignment is Commander of Cruiser-Destroyer Group Eight based in Norfolk.
- At this present time, there is no immediate threat to American lives or property in Haiti. In fact, the overall security situation is quiet.

Nevertheless, we have deployed 26 additional Marines to the Embassy in Port au Prince to provide protection if required.

CONCLUSION

Let me conclude by stating that DoD is acting to support the Administration's intent to stand firm with the UN and other members of the international community in demanding the compliance of the Haitian military with the Governor's Island agreement. Through our unique abilities, we are helping enforce the embargo against Haiti, and we are prepared to safeguard American lives and property if necessary.

We stand firm on seeing the establishment of constitutional democracy in Haiti with the first step being the restoration of Aristide as President. This serves both the interests of the United States and the people of Haiti: through the establishment of constitutional democracy, respect for human rights, and the growth of economic institutions, Haitians are less likely to take to the high seas in unsafe craft and risk death, preventing trouble for us here at home. We want to see the Governor's Island agreement work. It is in the best interests of all parties to achieve stability in Haiti.

APPENDIX

Question: Do othe principal Haitian military leaders still have U.S. bank accounts?

Answer: We have blocked the assets of 41 Haitians, 32 of whom are military leaders. The list incudes General Cedras, Colonel Francois, and other principal military leaders. The entire list is contained in the following Department of the Treasury documents.

TREASURY NEWS



Department of the Treasury

Washington, D.C.

Telephone 202-622-29

FOR IMMEDIATE RELEASE
October 21, 1993

Contact: Peter O'Brien
(202) 622-2960

TREASURY BLOCKS ASSETS OF OPPONENTS OF DEMOCRACY IN HAITI

The U.S. Treasury Department has blocked the assets of 41 individuals who have obstructed the restoration of democracy in Haiti, perpetuated or contributed to Haiti's violence, or provided material or financial support to these activities. The list includes many senior military and police officials, some of whom were members of the illegal regime which seized power in 1991, and others who are involved with the "attaches" or are their financial patrons.

This action blocks all assets of these individuals within United States jurisdiction and effectively prohibits transactions with them. This is the first blocking action taken under the authority of Executive Order 12872, which went into effect just before midnight on October 18. It begins the process of identifying and blocking those individuals who are involved in obstructing the international community's determination to restore democracy to Haiti or are involved in the violence in Haiti.

In announcing this action, R. Richard Newcomb, Director of the Office of Foreign Assets Control, said "It is essential that economic sanctions against Haiti be as firm as possible to convey to the military and police in Haiti the cost of defying the Haitian people's choice of a democratic government, the international community's determination to support that exercise of democracy in Haiti, and to stop the violence that oppresses Haiti's political process."

These measures against the opponents of Haitian democracy complement the remaining elements of U.S. sanctions which were reinstated in full on October 18. These sanctions prohibit most trade and financial transactions with Haiti, restrict access to U.S. ports for vessels calling in Haiti for transactions that would be prohibited by the U.S. sanctions, and continue to block assets of the Haitian government and the de facto regime.

Violations of the Haiti embargo carry maximum criminal penalties of \$500,000 per count for corporations, \$250,000 for individuals, and 10 years in prison for individuals, including corporate officers. OFAC also may levy administrative civil penalties of up to \$10,000 per violation.

The list of blocked individuals and entities of Haiti may be expanded or amended at any time, as new information becomes available to the Treasury Department. Persons with information on individuals or firms violating the Haiti sanctions may call 202-622-2430, or questions about licensing may call 622-2480. All calls will be kept confidential.



DEPARTMENT OF THE TREASURY
WASHINGTON

OFFICE OF FOREIGN ASSETS CONTROL
HAITIAN TRANSACTIONS REGULATIONS
31 C.F.R. Part 580

GENERAL NOTICE NO. 2

NOTIFICATION OF BLOCKED INDIVIDUALS
OF HAITI

General Notice No. 2 announces the names of 41 individuals who have been determined by the Treasury Department to be Blocked Individuals of Haiti. The persons identified on the attached list are included for one or more of the following reasons:

- A. They are persons who seized power illegally from the democratically elected government of President Jean-Bertrand Aristide on September 30, 1991, or who since the effective date of Executive Order 12775, acted or purported to act directly or indirectly on behalf of, or under the asserted authority of, such persons or of any agencies, instrumentalities or entities purporting to act on behalf of the *de facto* regime in Haiti or under the asserted authority thereof, or any extra constitutional successor thereto; or
- B. They (1) have contributed to the obstruction of the implementation of United Nations Security Council Resolutions 841 and 873, the Governors Island Agreement of July 3, 1993, or the activities of the United Nations Mission in Haiti, (2) have perpetuated or contributed to the violence in Haiti, or (3) have materially or financially supported any of the persons listed in B. (1) or B. (2), above.

This action by the Office of Foreign Assets Control is pursuant to the authority of Executive Order No. 12775 of October 4, 1991, Executive Order No. 12779 of October 28, 1991, Executive Order No. 12872 of October 18, 1993, the International Emergency Economic Powers Act, 50 U.S.C. 1701 et seq., and sections 580.303 and 580.307 of the Haitian Transactions Regulations, 31 C.F.R. Part 580.

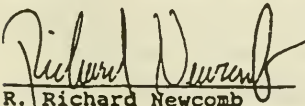
U.S. persons are prohibited from engaging in transactions with these individuals unless the transactions are licensed by the Office of Foreign Assets Control. Additionally, all assets within U.S. jurisdiction owned or controlled by these individuals are blocked. U.S. persons are not prohibited, however, from paying funds owed to these entities or individuals into blocked Government of Haiti Account No. 021083909 at the Federal Reserve Bank of New York, or, pursuant to specific licenses issued by the Office of Foreign Assets Control, into blocked accounts held in the names of

the blocked parties in domestic U.S. financial institutions.

WARNING: This list is not all-inclusive and will be updated from time to time. Unlicensed transactions with entities and individuals who fall within the definition of the *de facto* regime in Haiti found at section 580.303 of the Haitian Transactions Regulations are prohibited.

NOTE: Section II ("Blocked Entities of the *De Facto* Regime in Haiti") of Appendix A to the Haitian Transaction Regulations, as amended on August 31, 1993 (58 Fed. Reg. 46540), remains in full force and effect.

Issued:



Oct. 20, 1993

R. Richard Newcomb
Director

Office of Foreign Assets Control

DEPARTMENT OF THE TREASURY
WASHINGTONBLOCKED INDIVIDUALS
OF HAITI

ATOURISTE, Antoine, Colonel; Delmas 31, Rue Verly 9, Port-au-Prince, Haiti; 4141 N.W. 5th Avenue, Miami, FL 33127, U.S.A.; Passport No. 79-039396; DOB 03 Jul 51.

BEAUBRUN, Mondesir, Colonel; Delmas 75, Port-au-Prince, Haiti; DOB 10 May 49.

BEAULIEU, Serge; Haiti; U.S.A.

BIAMBY, Philippe, Brigadier General; Haiti; DOB 21 Sep 52.

CAZEAU, Jean-Lucien, Lieutenant Colonel; Haiti; DOB 04 Jan 51.

CEDRAS, Raoul, Lieutenant General; Haiti; 6501 S.W. 113th Avenue, Miami, FL 33173, U.S.A.; DOB 09 Jul 49.

CHAMBLAIN, Louis Judel; Haiti.

CLERJEUNE, Leopold, Colonel; Delmas 31, Rue E. Laforest, Port-au-Prince, Haiti; Passport No. 90678797; DOB 24 Aug 50

CONSTANT, Emmanuel "Toto"; Haiti; DOB 27 Dec 56.

DEEB, Joel; Haiti; U.S.A.; DOB 28 Jun 54.

DORELIEN, Carl, Colonel; Haiti; Passport No. 82-57899; DOB 24 Jan 49.

DOUBY, Frantz, Colonel; Rue Cheriez 9, Rue 4 No. 8, Port-au-Prince, Haiti; 1900 Newkirk Avenue, No. 5E, Brooklyn, NY 11226, U.S.A.; DOB 19 Jan 48.

DUFRESNE, Jean Roland, Major; Haiti; DOB 11 Jun 56.

DUPERVAL, Jean-Claude, Major General; Haiti; DOB 19 Feb 47.

FRANÇOIS, Evans Macfarland; Haiti; Dominican Republic; Passport No. 466-91; Diplomatic Passport No. 92-012658; DOB 06 May 52.

FRANÇOIS, Joseph Michel, Lieutenant Colonel; Route Aeroport, Rue Bergera, Imp. Beauchamp No. 2, Port-au-Prince, Haiti; Passport No. 81151112; DOB 08 May 57.

GEDEON, Jean Evans, Lieutenant-Colonel; Haiti; DOB 11 Apr 44.

GEORGES, Reynold; Haiti; DOB 16 Oct 46.

GERMAIN, Henri P., Lieutenant-Colonel; Haiti; Brooklyn, NY, U.S.A.; DOB 06 Sep 51.

GROSHOMME, Belony, Colonel; Haiti; 2422 Marpoc Street, Hollywood, FL U.S.A.; Passport No. 81-161845; DOB 12 Feb 48.

GUERRIER, Derby, Lieutenant-Colonel; Drouillard Sarthe Village, Port-au-Prince, Haiti; 71 Webster Street, Irvington, NJ 07111, U.S.A.; Passport No. 85-271932; DOB 14 Oct 49.

JOANIS, Jackson, Captain; Ruelle Alix Roy, Imp. Telemaque No. 22, Port-au-Prince, Haiti; 942 Barlow Road, Apt. D, Fort Belvoir, VA 22060, U.S.A.; DOB 25 Oct 58.

JOSAPHAT, André Claudel, Lieutenant Colonel; Haiti; DOB 17 Aug 56.

JUSTAFORT, Serge, Major; Haiti; DOB 12 Jun 55.

KERNIZAN, Marc, Major; Delmas 45, No. 8, Port-au-Prince, Haiti; DOB 05 Sep 55.

LASSEGUE, Pierre Philippe; Haiti; U.S.A.

LEONIDAS, Bernardo R., Lieutenant-Colonel; Rue Oscar No. 23, Port-au-Prince, Haiti; Brooklyn, NY, U.S.A.; DOB 28 Feb 42.

LOISEAU, Joel, Major; Haiti; DOB 11 Nov 54.

MAYARD, Henry (Henri) Max, Brigadier General; Haiti; DOB 07 Feb 47.

PAUL, Max; Bourdon, Impasse Iginac No. 7, Haiti; 1019 Lenox Road, Brooklyn, New York 11212, U.S.A.; La Saline Boulevard, P.O. Box 616, Port-au-Prince, Haiti; P.O. Box 1792, Port-au-Prince, Haiti; Passport No. 90-705113; DOB 17 May 45.

POISSON, Bernadin, Colonel; Haiti; DOB 16 Feb 48.

PRUD'HOMME, Ernst, Colonel; Haiti; DOB 22 Sep 54.

RENAUD, Lener, Major; Haiti; DOB 22 Mar 56.

ROMAIN, Franck; Haiti; DOB 29 Jan 36.

ROMULUS, Dumarsais, Colonel; Haiti; DOB 18 Aug 48 (or) 16 Aug 48.

ROMULUS, Martial P., Colonel; Haiti; DOB 26 Feb 49.

SAINVIL, Ramus, Colonel; Delmas 68, Rue C. Henry No. 2, Port-au-Prince, Haiti; 1040 Carroll Street, Apt. 4K, Brooklyn, NY 11225, U.S.A.; Passport No. 84-161640; DOB 15 Sep 52.

SIMON, Estimien, Lieutenant Colonel; Haiti; DOB 03 Mar 41.

SYLVAIN, Diderot Lyonel (Lionel), Colonel; Haiti; DOB 10 Jun 50.

VALME, Marc, Major; Avenue Martin Luther King No. 152, Port-au-Prince, Haiti; Passport No. 81-142979; DOB 05 Dec 53.

VALMOND, Hébert, Colonel; Haiti; DOB 17 May 49.



DEPARTMENT OF THE TREASURY
WASHINGTON

NOTE: The following is provided to alert the public that Section II ("Blocked Entities of the *De Facto* Regime in Haiti") of Appendix A to the Haitian Transaction Regulations, as amended on August 31, 1993 (58 Fed. Reg. 46540), remains in full force and effect.

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(f.k.a. BANQUE NATIONALE DE LA RÉPUBLIQUE D'HAÏTI)

Angle rue du Magasin de l'État et rue des Miracles, BP 1570, Port-au-Prince, Haïti.

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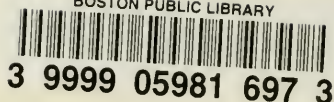
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