

Prospective LOKAL Interventions
in the Communes of Carrefour, Cité Soleil,
Delmas & Port-au-Prince

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This report was prepared by Dr. Glenn Smucker as the principal product of a consultancy carried out for the LOKAL project from July 28 through August 18, 2008. The objective of the consultancy was to assist the LOKAL project team with the development of a strategy and to make recommendations for specific interventions in the four urban communes of the Port-au-Prince metropolitan area that address the results and performance indicators of the project while taking into account available project resources.

Table of Contents

1.	Background.....	1
2.	Cross Cutting Issues	2
3.	Commune Profiles.....	7
3.1.	Carrefour.....	7
3.2.	Cité Soleil.....	8
3.3.	Delmas	12
3.4.	Port-au-Prince	13
4.	Summary Findings & Recommendations	14
4.1.	Strategic Recommendations	14
4.2.	Cross-Cutting Recommendations.....	15
4.3.	Commune-Specific Recommendations	17
	Annex: Interviews and Contacts	19

I. Background

This report identifies opportunities for capacity building to support improved municipal governance in four communes of the Port-au-Prince metropolitan area. During its initial months of operation, LOKAL worked primarily with 11 targeted communes outside the Port-au-Prince metropolitan area. At its present stage of implementation, the project seeks to tailor its approach to the special needs of Haiti's largest and most highly urbanized region, the Port-au-Prince metropolitan area. This area contains over a third of the nation's population and 70% of the country's urban population. Urban communes targeted for LOKAL services include the four largest of eight communes within the metropolitan area. See features of targeted communes in the following table.

Characteristics of Four Metropolitan Area Communes Targeted for LOKAL Services

<u>Commune</u>	<u>Population</u>	<u>Urban (%)</u>	<u>Rural (%)</u>	<u>Communal sections</u>
Port-au-Prince	801,640	99.6	0.4	3
Delmas	428,590	93	7	1
Carrefour	426,054	93	7	13
Cité Soleil	151,475	73	27	2
Total	1,807,759			19

SOURCE: 4^{ème} recensement général de la population et de l'habitat : Résultats préliminaires (IHSI).

Population figures shown are undoubtedly lower than the actual population since (i) they do not take into account population growth since 2005, and (ii) the 2003 census almost certainly undercounted the population. The total population of these four communes at present is likely to be in excess of two million people. Targeted communes include 19 communal sections, mostly in Carrefour. Somewhat counter-intuitively, Cité Soleil is shown as significantly more rural than the other communes including Carrefour. This reflects a dense population of agriculturalists residing in peri-urban areas on deep alluvial soils of the lower Rivière Grise, including former HASCO sugar cane workers.¹

This consultant was asked to assist the LOKAL team to develop a strategy and recommendations for specific interventions in the four communes in keeping with project performance indicators and resources. To achieve this objective, the consultant reviewed documents and met with LOKAL and USAID Mission personnel, the mayors and key municipal staff of targeted communes, members of communal section councils (CASEC), the Director-General of the Ministry of Interior, representatives of other USAID funded projects, and other programs and projects including the UN peace keeping mission (MINUSTAH).² Criteria used to identify prospective forms of technical assistance include needs and priorities elicited from communal officials, feasibility in view of the project's resource and time constraints, the potential for sustainability, and governance indicators of the LOKAL Performance Monitoring Plan.

¹ Land owned formerly by the Haitian-American Sugar Company (HASCO) belongs presently to the Mews Group. Cane operations ceased in 1991. Former cane workers subsequently occupied significant portions of the HASCO sugar land and presently produce plantains as the primary cash crop.

² See list of contacts and interviewees appended to this report.

LOKAL is charged with providing services to 15 targeted communes out of some 140 communes in Haiti. These communes vary from small rural communes such as Acul du Nord to Haiti's largest city, Port-au-Prince. In its initial phase, LOKAL attained success in dealing with a range of communes outside of the Port-au-Prince metropolitan area; however, LOKAL program assistance to Haiti's widely varying communes cannot simply be approached in terms of one size fits all due to the sheer scale and urban density of the metropolitan area, its tendency toward political polarization, and the national political and economic dominance of the capital city, sometimes called the "Republic of Port-au-Prince."³

Therefore, the present focus of inquiry is to identify critical problem areas for which technical and material assistance can provide solutions to the needs of metro area communes. In response to this inquiry, the following discussion addresses cross cutting issues and recommendations as well as needs and opportunities by commune.

2. Cross Cutting Issues

Adaptability of LOKAL methodology of participatory evaluation.

The LOKAL team has successfully used its trademark tool to evaluate municipal capacity and training needs in 11 communes; however, it has not heretofore been clear that this tool also lends itself to needs of the metropolitan area communes, nor whether these hyper-urban municipalities - deemed high priority "hotspots" - would be open to this exercise.

The key finding here is that three of the four targeted communes in the metropolitan area, including Port-au-Prince, have expressed a definite interest in LOKAL support for participatory evaluation.

The one exception is the Commune of Delmas. Delmas officials do not express a felt need for this service as the communal administration assesses its own needs, internally, using its own human resources. The commune has shown considerable success in increasing tax revenues in what may be the most affluent property tax base in the country due to high value housing stock and the density of industrial properties. Delmas has also attracted highly qualified human resources with career interests in city management, and may well be the highest functioning commune in the country.

Furthermore, LOKAL should carefully assess its tool, methodology, and experience to date in using this tool with other communes, with a view to adapting this approach to the complexity and size of metro area communes, especially Port-au-Prince. The tool may be more readily adapted to participatory assessment of specific services and departments rather than the entire communal administration of Port-au-Prince. Given the difficulty confronted in organizing follow-up meetings with the Port-au-Prince mayor and his staff during the present consultancy, it was not possible to explore further the feasibility of using the LOKAL method of participatory evaluation on behalf of the communal administration of Port-au-Prince. In any case, for Port-au-Prince it would also be useful to carry out a professional organizational assessment of communal administration; however, this would require the use of outside consultant support rather than relying on LOKAL staff to carry out such an assessment.

³ Interviews with representatives of CHF-KATA suggest a certain parallel with LOKAL efforts to devise a special strategy for the metropolitan area. For example, CHF is also seeking to adapt its approach to the thorny challenge of these hyper-urban communes, whereas initial CHF interventions emphasized the peri-urban communal sections of Port-au-Prince rather than its densely populated urban neighborhoods, except for Cité Soleil.

Hotspots & priorities

In a context of scarce resources for improved local governance, the high level functioning of Delmas administration raises questions as to the pertinence of targeting this commune as a high priority hotspot for LOKAL services. Lower Delmas was plagued by political violence in slum districts near Cité Soleil; however, the hotspot classification presently used by the USAID Mission was based on acute political polarization and violence associated with the period preceding and following the fall of Aristide. Violence continues to be a problem in the metropolitan area, including Delmas; however, political violence has tended to recede over time.⁴ If the targeting of LOKAL services were to prioritize communes most in need of capacity building, rather than their somewhat outmoded hotspot status, then Delmas - in comparative terms - should be listed at the bottom of the list rather than the top. Therefore, LOKAL should provide only limited support to Delmas, or should simply be dropped from the list of communes targeted for support.

Adapting LOKAL interventions

The recent round of interviews with four metro area communes suggests that effective LOKAL interventions in these communes will require a more labor intensive use of LOKAL technical resources compared to the first 11 communes. The working context is one in which “hotspot neighborhoods” attracted heightened interest on the part of donors due to the politically volatile impact of these neighborhoods on governance, and in some cases the virtual absence of governance. As a result of hotspot targeting, interviewees in all four communes have mentioned the procession of NGOs and projects that seek to assist them, some of whom took up time but were never seen again.⁵ This is a distinct contrast with many other communes where LOKAL has worked and which were not courted by outsiders as targets for project intervention. Furthermore, there is a broader range of actors in the metropolitan area in other terms including other government bodies and political parties, and what mayors identify as the challenge of “co-habitation” with the central government. Mayors also take note of the many NGO programs in their communes for which they have no direct knowledge or information regarding their activities. These concerns point to a need to clarify the division of labor between commune-level and central government services in the metro area, and a need for communal administrations to generate better information on non-governmental service providers for better targeting of communal development plans.

For LOKAL, the special circumstances of the metropolitan area require greater attention to synergy, and special efforts to complement rather than to duplicate or compete with other service providers. This includes CHF, IOM, and MINUSTAH civil affairs; sister cities (e.g., Port-au-Prince: Montreal and Miami, Delmas: Santo Domingo and North Miami), including various forms of *jumelage* (implying reciprocal arrangements between “sister cities”) as well as *cooperation*

⁴ The specter of political violence is still present, e.g., the food riots of April 2008. Field interviews suggest that these food riots responded to very real sharp increases in the cost of food and fuel; however, interviews also point to the political uses of these economic stressors, including the assumption that demonstrators were paid to riot, a political practice with ample precedent in Haiti. On the other hand, it is also abundantly clear that since early 2007, local residents as well as outsiders now have ready access to virtually all neighborhoods in the metropolitan area, including those classified earlier as hotspot or lawless zones (*zones de non droit*) through the end of 2006.

⁵ Members of metropolitan area also CASECs point to the “unfairness” of favoring or “rewarding” hotspot neighborhoods over others that did not riot or were less troubled by violence.

décentralisée (direct assistance to local bodies of government from various sources, including other cities outside of Haiti), and other donors such as the IDB or UNDP.

Metro area communes also have much larger budgets and more employees than other LOKAL partners; municipal personnel number in the hundreds rather than the dozens. As a result, there is considerable competition for access to mayors. These circumstances make it logistically more difficult for LOKAL staff to sit down with mayors and their staff. For example, it has proved difficult, though not impossible, to arrange follow up meetings with municipal senior staff for purposes of the present consultation, especially in the two largest of the four communes (Port-au-Prince and Delmas). This may also be due in part to a reluctance to delegate authority and a tendency not to hold staff meetings. Key staff members also appear to be very busy in the larger communes. Given these circumstances, LOKAL cannot rely solely on its present staff to strengthen the administrative capacity of metro area communes.

Mayors and their relations with other local elected officials

In Carrefour, communal sections constitute a significant proportion of the land area including 13 communal sections - 10 of which are isolated rural areas and three strongly affected by urbanization. In stark contrast, Port-au-Prince has only three communal sections, Cité Soleil two, and Delmas just one large communal section. The Carrefour mayor takes initiative to meet with CASECs from time to time. The Carrefour CASECs have also organized their own CASEC association, which meets monthly.⁶

In contrast, mayors of the other three communes are not inclined to sit down with CASECs and even less with ASECs or *Délégués de Ville* (DV). This is due in part to the ambiguity that surrounds the role of ASEC/DV in that the assembly system has never been implemented, including the legal framework. Furthermore, there is a degree of structural conflict built into relations between mayor and CASEC. Mayors are not inclined to transfer limited resources to communal sections which have their own funding arrangements with the Ministry of Interior. CASECs also note that differences in political party affiliation affect the willingness of mayors to collaborate with section councils.

On the other hand, CASECs from all four communes state that mayors generally provide small levels of funding to communal sections for holiday festivities. The Carrefour mayor has helped to arrange for communal section road repair by the public works ministry. The Port-au-Prince mayor has proposed using the network of 22 *Délégués de ville* as well as CASEC/ASEC as a base for organizing a neighborhood crime watch program. The idea of using the DV network as an organizational base could conceivably be expanded into other areas of service provision and local governance, although this raises questions about a possible confusion of roles between the deliberative role of assembly members versus using them as local agents of the municipal executive.⁷

What would motivate mayors or their staff to work more closely to together with CASECs? One motivation would be a legal obligation, or also a felt need, to consult on planning and priorities for resources and public services. Another might be property tax levies whereby communal sections stand to gain from increased tax levies within their jurisdictions. Greater collaboration could also flow from organizing around very specific shared interests, for example (i) more

⁶ COCAV, Coordination des CASEC de la Commune de Carrefour. See appended contact information.

⁷ The *Délégués de ville* (DV) are elected to represent their neighborhoods on the *municipal assembly*; however, although the DV have been elected, municipal assemblies have never been established.

adequate protection of the water supply (springs) on the slopes of Morne l'Hôpital, Turgeau, and Martissant; (ii) uncontrolled housing construction on steep slopes versus clearly defined zoning restrictions linked to the issuing of construction permits - combined with serious efforts to impose sanctions for violations, and the political will to deny building permits,⁸ and (iii) road construction and maintenance in communal sections on rural slopes with downstream effects on urban neighborhoods.

In short, relationships among local elected officials are a sensitive issue in communal governance and these relationships lack clearly defined roles and attributions. Obviously, this is an area where LOKAL is well positioned to provide training, although the felt need is generally far greater on the part of section councils than communal councils. It is worthy of note that section councils and communal councils of both Delmas and Port-au-Prince include women with special ties to women's organizations.⁹ LOKAL is also well positioned then to explore roundtable discussions to identify special training needs related to gender and the needs of women as local elected officials, including women members of both communal and sectional councils as well as ASEC and *Délégués de ville* in metro area communes.

Needs & priorities

Initial inquiry indicates that training and capacity building themes identified by LOKAL for the other 11 communes apply in varying degrees to virtually all metro area communes.¹⁰ Metro area communes generally lack development plans or land use management plans. Construction permits are issued without regard to zone based criteria for construction. Mayors may reserve the right to hire and fire at will, and municipal personnel commonly lack clearly defined terms of reference. There also tends to be a lack of continuity of personnel, especially in Cité Soleil.

The demand and needs for improved municipal services far surpass the financial resources available to any of the metro area communes contacted in the present round of interviews, including Delmas. Therefore, the priority of priorities is without a doubt fiscal management and budgets, and more accountable and transparent economic governance, including budget preparation linked to anticipated income and tax collections, monitoring disbursements in relation to budgets as a tool for program management, financial audits, expanding the property (CFPB) tax base, assigning commune personnel to monitor DGI tax collections; and integrating, budgeting and monitoring non-fiscalized accounts and taxes (*redevances*).

Tax collections also suggest specific points of entree into other closely related areas with the potential for significant impact, especially the granting of construction permits based on zoning criteria and disaster prevention.

⁸ This would require well mapped zoning restrictions. There is legal provision for zoning. In addition, Morne l'Hôpital in particular was declared a *utilité publique* by an *arrêté* dated November 17, 1978; a *zone protégée* in a law dated August 27, 1963; and a *zone d'aménagement spécial* in a 1987 decree. So far there has clearly been an absence of political will to enforce restrictions on Morne l'Hôpital despite the creation of an enforcement mechanism (OSAMH) on October 30, 1986, the *Organisme de Surveillance et d'Aménagement de Morne l'Hôpital*.

⁹ The number of women in these communes who are local elected officials is not known but should be further investigated.

¹⁰ Given the larger scale and highly urbanized character of these communes, the actual content and approach to training will need to be adapted to the special needs of each targeted commune in the Port-au-Prince metro area.

Metropolitan area mayors have organized a metro area association called Civitas. This could be a vehicle for sharing information and concerns for better urban planning including, for example, the planning of public markets and their relation to roadways, garbage disposal, etc. Virtually all mayors have new markets or are constructing new markets but generally without a broader market plan for their communes. The president has also recently created the Commission de Gestion de l'Espace Urbain de la Zone Métropolitaine, including mayors, ministries, public utilities, the *Institut pour la Sauvegarde du Patrimoine National* (ISPAN), the police, and urban planners.

The need for urban planning is absolutely critical; however, the complexity of these urban planning issues far surpasses the ability of LOKAL to respond, due primarily to budgetary limitations and the need for more specialized human resources. Furthermore, the primary underlying constraint to urban planning in the metropolitan area is lack of political will and administrative capacity to implement urban plans. Overall, the sheer complexity of urban planning in the Port-au-Prince area would argue for significantly increased levels of funding, and perhaps the development of a separate project to undertake this task.

Special fund for local government, the Fonds de Gestion et de Développement des Collectivités Territoriales (FGDCT)

A 1996 law created the management and development fund for local governments (FGDCT).¹¹ Communes are clearly not well informed regarding this fund or any mechanisms in place to obtain financing from the FGDCT managed by the Ministry of Interior. According to law, this fund is to be financed by allocations from the national budget and other funding sources independently of other national budget line items reserved for local levels of government, such as salaries. According to LOKAL staff, the national budget also includes a line item that reserves 8 million gourdes per commune; however, these funds have reportedly never been expended, or, have never been made available to the country's 140 communes.

The law provides for a commission of eleven members to manage the FGDCT fund – a representative from each departmental council (CD) and a representative of the Ministry of Finance and the Ministry of Interior; however, assemblies and departmental and interdepartmental councils (CID) have never been created. Therefore the Ministry of Interior manages this fund directly.

According to Director-General Voltaire (Ministry of Interior), FGDCT funds are to be divided among communal administrations (50%), CASEC (30%), and ASEC (20%); however, distribution of the fund according to this formula is not observed in actual practice. The fund is an important resource; however, mayors interviewed indicate that they have not received funds from the FGDCT. LOKAL and mayoral and CASEC associations should seek better information on how this fund is managed, and the associations should advocate for more effective access to the fund. Local governments are greatly under funded, and the limited disbursement on their behalf raises questions regarding political will for decentralization.

¹¹ Loi du 28 mai créant un Fonds de Gestion et de Développement des Collectivités Territoriales (FGDCT). Loi du 31 juillet 1996, établissant, en complément des recettes communales, des droits internes dénommés: Contributions au Fonds de Gestion et de Développement des Collectivités Territoriales.

3. Commune Profiles

3.1. Carrefour

Priorities

According to its annual report, and it is impressive to find that Carrefour did issue a timely annual report, the announced goals of the Carrefour administration include anti-corruption, improved security, public hygiene, image management, strengthening of administrative and financial capacity, improved traffic management, participation of civil society in municipal decision making, and harmonizing central and local government roles.¹²

Carrefour does not presently have a development plan; however, the mayor's priorities include construction of a new market at Trutier, housing for those displaced at the site of the new market to be constructed, and extension of the electrical grid. The mayor would like to acquire a municipal ambulance and a tow truck. The mayor also took note of priorities for rural areas of Carrefour including health services, schools and roads. The mayor stated that he meets periodically with elected representatives of the 13 section councils of Carrefour (CASEC).

The commune solicited bids from Groupe Croissance to conduct an organizational assessment of municipal administration and to propose a plan for economic development; however, the municipality cannot afford the cost of these studies (around 13,000 dollars).¹³ This is indicative of the interest that Carrefour has shown in organizational assessment, a felt need that lends itself to participatory evaluation using the tool devised by LOKAL.

Communal administration

A follow up session with the Carrefour Director-General and other department heads focused on the needs of municipal administration. Department heads took note of the organizational chart, staffing pattern and an operations manual for communal administration.¹⁴ The staff also mentioned weaknesses in the municipal regulatory framework which the present mayoral council has sought to rectify by issuing a dozen *arrêtés municipaux* regulating public events, signage, construction permits, installation of antennas, relocation of market traders (Bizoton), an official logo, an effort to increase property tax collection by offering amnesty (this *arrêté* was not approved by the Ministry of Interior), creation of a Council of Notables to sustain continuity beyond the term of office of elected officials, the local manufacture and management of plastics, prohibition of construction along the coastal littoral, and regulations governing new constructions.¹⁵

Communal administration includes a *Conseil Technique des Directeurs Sectoriels* (CTDS) in which department heads meet to make decisions on administrative matters, including hiring and firing of personnel. These decisions are subject to non-objection by the mayoral council. This is unusual among communal administrations generally. It would be useful to observe how this actually works in Carrefour, including more detailed information on specific issues discussed and

¹² See annual report, Bilan annuel: Mairie de Carrefour, 23 mars 2007 – 23 mars 2008.

¹³ This figure is based on consultant review of terms of reference and two proposals submitted to the Carrefour commune by Groupe Croissance

¹⁴ This consultant observed an organizational chart but was unable to see or review an operations manual.

¹⁵ See *Bilan annuel: Mairie de Carrefour, 23 mars 2007 – 23 mars 2008*.

decisions taken. The Director-General stated that no recommendations made thus far by the *Conseil Technique* have sustained an objection by the current mayoral council.

Carrefour has had the benefit of continuity of some key personnel over time, including the director of fiscal operations who has been there since 2001. Property taxes have reportedly doubled since the present communal administration became more directly involved in tax collection. Municipal personnel presently sit at the DGI office to verify tax collection.

Prospective measures to build capacity

An important administrative constraint in Carrefour is (i) the lack of a computerized data base for tax collection and financial management, and (ii) the juridical inability to enforce payment of delinquent taxes, as DGI alone has legal recourse at present to enforce payment.

Training needs identified by staff include budgeting, software for tax collection and data base and financial management, land use management and urban planning.

Staff requested assistance (i) to establish sister city ties for "coopération décentralisée." The senior staff and the mayor both expressed an interest in LOKAL assistance in (ii) participatory evaluation for capacity building and (iii) the identification of training needs.

There is evidence from the recent interviews that key members of the senior staff of Carrefour are responsive interlocutors for LOKAL support services, including the Director-General as well as the commune's human resources and fiscal service directors. The Director-General followed up consultant interviews with a phone call asking when LOKAL would be available to take the next step in a partnership with Carrefour to build administrative capacity.

3.2. Cité Soleil

Priorities

The commune has prepared a planning document identified as a development program; however, it is more of a vision statement.¹⁶ It projects a five year time line and states general, lofty goals - a new sense of citizenship, tolerance, respect for common property, democratic institutions, rehabilitation of urban space, rational and participatory management, provision of social services, and the enabling conditions for employment generation. Stated priorities are education, culture, social services, legal establishment of communal boundaries, the promotion of investment, land use planning, and institutional strengthening. The mayor notes that education and employment are the overriding social needs of his commune, and that access to schools is an especially high priority for his constituents. Access to more adequate housing is also a high priority.

Planning

In terms of a more detailed action plan, the vision statement proposes the development of a *Plan de Réhabilitation Urbaine de Cité Soleil*. The commune has not created such a plan; however, the central government contracted a Canadian firm to produce an urban development plan for Cité Soleil, the Daniel Arbour study (November 2007). The plan is a technical assessment including

¹⁶ See document entitled, *Programme de développement de la Commune de Cité Soleil*.

priorities and a system of zoning based on technical criteria including the presence of flood plains. USAID has used the plan as a reference for investments in Cité Soleil, including construction of the *Wout Nef* extension to La Saline.

At the time interviews were undertaken for this report, the Cité Soleil directors of planning and administration had not yet seen this plan. USAID should make a copy available to commune staff, preferably as a contribution to a documentation center. LOKAL staff should also make direct use of the Daniel Arbour study in participatory needs assessment together with communal officials, including discussion of the proposed system of zoning and its applicability to the process of issuing building permits. This type of technical analysis is a useful tool and much needed for the entire metropolitan area. Not all elements of the study are readily implementable or necessarily adapted to local social and political realities. Furthermore, it is a technical study and not a participatory assessment of needs and priorities; however, it is a great advantage for Cité Soleil administration to have access to such a study, and it should be closely scrutinized together with commune planners.

The Director of Administration stated his interest in setting up a results oriented management system for communal administration, including the preparation of a medium and long term action plan linked to strengthening of the commune's administrative capacity. He noted that it was an "insult to be given rice to distribute" rather than assistance to develop a coherent plan to strengthen the commune's long term capacity to provide services, including a larger and better trained staff.

Institutional strengthening

The mayor points out that he is the first elected mayor of Cité Soleil, a young commune with feebly developed institutions.¹⁷ In terms of public services, the mayor notes that road maintenance (*voirie*) is presently almost entirely dependent on short-term labor intensive employment funded by donors, and that the commune does not have the capacity to maintain this service independently on a regular basis. According to the mayor, and the commune's vision statement, priorities for strengthening communal administration include the creation of a documentation center, specialized training for professional staff, equipment for municipal services (maintenance, health, computers), modernization of the *mairie*, and construction of a new city hall.¹⁸

According to the mayor's chief of staff, *strengthening the fiscal department is essential to avoid permanent dependency on outside donors. He cites a need for training in budgeting and financial management.* Other donors have not provided training in this sphere of municipal administration.¹⁹ The chief of staff also stated that the commune has not benefited from FGDCT funds administered by the Ministry of Interior.

The commune organizational chart includes three departments – the *Direction Administrative et Financière*, the *Direction des Affaires Sociales*, and the *Direction de la Planification et Gestion de Territoire* (planning and territorial management). The latter department includes a *Service d'Urbanisme* (city planning). The service director stated that his service has few funds or equipment, and needs training and additional inspectors to monitor building permits, particularly since much of the

¹⁷ Two previous mayors were appointed.

¹⁸ The current building now used as the principal offices of the commune is not owned by the municipality.

¹⁹ Charles Lominy (MINUSTAH) has provided training in record keeping, but both Mr. Lominy and the Cité Soleil Director of Administration & Finance state that this training is not sufficient.

new construction of houses in Cité Soleil takes place on weekends when inspectors are not on the job.

On property taxes and the issuing of construction permits: The mayor notes that it is difficult to extract property taxes from owners of poor quality slum houses, particularly if prospective tax payers have not previously paid property taxes. Nevertheless, according to the mayor, tax collection and a higher functioning fiscal department are critical to improve municipal administration.

The Director of Finances and Administration stated that between October 2007 and August 2008, only 13% of communal revenues were derived from property tax collections (674,000 gourdes), and primarily from business properties rather than residential properties. The lion's share of tax revenues (86%) derived from the sale of *patentes* (4,562,000 gourdes), and only 2% from construction permits (80,000 gourdes).²⁰ Despite the poor housing stock which translates to a poor tax base, it is clear that CFPB taxes are dramatically under collected. Only limited efforts have been made to identify taxable properties, and far less information is available on outlying districts compared to central commune areas. Potential tax revenues might well be higher on many outlying properties not currently included in the property tax list, including Cité Soleil communal sections marked by productive irrigation works that generate higher quality housing stock than many urban areas of Cite Soleil.

Revenues from the issuing of building permits are also dramatically under collected. The municipal administration deals with two categories of land: private property, and state land leased to private citizens (*domaine privé de l'état*). Cité Soleil actively exercises greater control over state land than it does private land, especially for the issuance of construction permits. According to the *Directeur des Domaines*, the law assigns communes responsibility for direct management of *domaine privé de l'état* located with the commune border, although the tax office (DGI) retains overall authority for leaseholds on such lands.

The leverage that the commune exercises over domaine privé de l'état may be a point of entrée into better use of construction permits as a tool to create and enforce zoning restrictions as well as to enhance revenue collection and strengthen its fiscal department.

For example, zoning restrictions on construction of housing in flood plains should also be taken into account in the issuing of construction permits for new housing. An NGO called Food for the Poor is reportedly constructing some 200 houses in Cité Soleil, and plans to construct additional houses in the future. In principle, this type of housing project would lend itself to a municipal policy of zoned relocation of people living in flood plains.

Aside from property taxes, the business tax (*patentes*), and construction permits, the commune also has non-fiscal income vulnerable to mismanagement and corruption. *These slush fund revenues should be included in the commune budget.* The various fees for service (*redavances*) could potentially be a significant source of revenues for the commune, including new taxes, e.g., a tax on the commerce in well water hauled by truck from Cité Soleil to other neighborhoods throughout the metropolitan area.

The chief of staff identifies internet access as a high priority for communal administration. In general, the communal administration needs additional computer equipment and software accompanied by training; however,

²⁰ It was impressive to note that the Director of Administration and Finances (Ernest Maisie) and the *Director of Fiscalité* could rapidly produce current figures on tax collection during field interviews.

this type of support should be targeted primarily at fiscal and accounting services and the planning and municipal engineering services. Furthermore, this type of assistance should target the Municipal Annex along the national road, and the municipal services it houses, rather than the main city hall.

The main city hall had received material assistance including office furnishings and computers in 2007.²¹ During two consultant visits to this facility, there was visible evidence of these computers and furnishings; however, there was little evidence of work being done, and the computers were not in use. Some apparently no longer functioned. On the other hand, during two visits to the Municipal Annex, there was evidence of a great deal of activity. Elected officials and other high level personnel were present and working, including the fiscal and accounting services. Clearly, the Annex is where things happen administratively. When queried about this, the mayor stated that the main city hall was only used for “political” purposes.

What special interests of Cité Soleil involve the interests of other communes or would require inter-communal collaboration? When asked about the recent creation of a presidential commission on the metropolitan area, the mayor expressed the view that this was “political” and not very useful.²² On the other hand, the mayor mentioned fundamental inter-communal disagreements over commune boundaries, particularly with the neighboring communes of Tabarre and Delmas. He also pointed to anarchic management of the Truitiers dump, noting that Truitiers is the dumping ground for garbage from the entire metropolitan area, yet the commune receives no remuneration and does not control the dump. The mayor also mentioned an unfunded TPTC proposal to generate revenues through managing and recycling garbage. The mayor held out the prospect of demonstrations (“*dezòd*”) if progress could not be made regarding communal control over Truitiers.

Boundaries & tax base

According to the mayor and the vision document, the commune’s “organizational” priority is the establishment of clearly defined boundaries. The mayor notes that the commune was created by presidential decree in June 2002; however, no law has formally defined its boundaries. Boundaries are of special concern to the communal administration in order to expand its tax base, primarily poor slum dwellers, to include high value industrial properties that currently pay taxes to the Commune of Delmas.²³ In keeping with this goal of an expanded tax base, the vision statement proposes a zoning strategy to establish 11 geographic zones within a redefined communal boundary including the Mews and SONAPI industrial parks and the old aviation field.²⁴

The vision statement further proposes neighborhood and zone representation on a commune-wide development committee, the *Comité d’Organisation et de Développement Intégré*. According to the Cité Soleil chief of staff, the communal administration has not implemented this system of local committees nor the development committee. Furthermore, neither commune officials nor the vision statement link this system in any way with deliberative bodies of local government (the

²¹ IOM supplied office equipment and furniture through a grant of 21,592 USD in 2007.

²² “Ann pale bagay serye, ann kite sa” (“Let’s talk about something serious, leave it be – it’s not worth discussing”).

²³ The area of Cité Soleil, formerly known as Cité Simone, was initially settled in the 1960s and expanded rapidly during the 1970s and 1980s. It was initially a part of the Commune of Port-au-Prince and then Delmas in the 1980s, and was created as a separate commune in 2002.

²⁴ See pages 4-5 of the Programme de Développement de la Commune de Cité Soleil. It would be highly inappropriate for LOKAL to be drawn into these politically sensitive boundary issues.

urban *assemblée municipale* composed of in part by *délégués de villes*, and the communal section assembly, as provided by the Constitution).

On relations with CASEC and other local elected officials: The mayor says he is subject to pressures from *délégués de villes* to be paid some type of salary. He says relations could be improved by creating a task force of local elected officials to share information and discuss priorities.

In follow up interviews with commune officials, the director of planning and urbanization stated that commune priorities include installation of an irrigation pump in a communal section, well drilling to increase the supply of potable water, and expansion of the electrical grid.

A Cité Soleil CASEC noted that no taxes are presently collected on well water supplied to water trucks coming into Cité Soleil from other communes, and that his communal section houses the primary garbage dump (Truitiers) for the entire metro area and supplies water to the broader metro area but derives no tax revenues from either service. These revenue opportunities constitute a shared vested interest between mayoral council and CASEC that could motivate the two to sit down together, something they rarely do.

Human resource management

The mayor states that *improving the quality of human resources is a very high priority for institutional strengthening of commune administration*. Clearly, a weakness of Cité Soleil administration is its high turnover of staff. The post of secretary-general has been filled three times since the mayor took office. Staff positions are sometimes rotated for reasons of patronage rather than merit. According to administrative staff, the mayor makes all decisions regarding hiring and firing, and the human resources officer has very little to do with it.²⁵ The commune needs a human resource policy based on merit, continuity, defined terms of reference, and career opportunity.

For initial interviews in the present study, the most effective interlocutor has been the mayor's chief of staff who is a political appointee. Despite staff weaknesses, there are human resources on staff with a strong background of training and experience in communal administration, including the director of administration and the director of *fiscalité*, both of whom had worked earlier for the commune of Delmas. The recent interviews in Cité Soleil show evidence of a core group of key staffers who would welcome support from LOKAL for capacity building and who appear to take their work seriously.

3.3. Delmas

This commune has a reputation for being the highest functioning communal administration in the country. The commune has 700 employees and collected some 145 million gourdes in tax revenues between April 2007 and March 2008, a 39 percent increase over the previous year.²⁶ It has issued municipal *arrêtés* dealing with the handicapped, consumer protections for food and pharmaceutical products, property taxes on unimproved land, portable public address systems, regulation of advertising signs, illegally parked and abandoned vehicles, uncontrolled animals, sanitation surtax on new construction, telecommunication towers, and establishment of a zone where building is prohibited.

²⁵ This is hardly unique to Cité Soleil. It is reportedly the standard practice in most communes.

²⁶ See annual report, Conférence/Bilan Mars 2007-Juin 2008, Visa Lodge (24 juin 2008).

Delmas' municipal program is based on 8 pillars: development of a management plan, restructuring communal administration, potable water and sanitation, development of partnerships locally, nationally and internationally, social integration and promotion of youth, respect for authority, management of risks and disasters, and citizen responsibility.

Priorities stated by the mayor include construction of a new marketplace at Delmas 32 and construction of a new city hall. The mayor is also interested in building the capacity of a municipal communications service and carrying out public campaigns for improved sanitation and reforestation.

The commune does not yet have a municipal development plan. It has created a citizens advisory committee to assist, among other things, with the development of municipal management plan (*plan d'aménagement*).²⁷ The commune has not commissioned technical assistance for the creation of such a plan.

The mayor and secretary-general of the commune do not see a need for LOKAL assistance in participatory evaluation of its communal administration. The Secretary-General (SG) expresses some interest in outside support to help build the capacity of a municipal communications service. The SG also indicates that the commune would like to use its corps of some 130 fiscal agents to provide micro-finance services. He also floated the idea of assistance to help set up a municipal security and intelligence service (*service de renseignement*).

This commune should no longer be considered a high priority for the LOKAL package of services tested elsewhere in the country. There may be a basis for establishing a partnership around the development of a municipal communications service. It does not seem appropriate for LOKAL to support the development of a local government micro-credit service using the commune's fiscal agents nor to provide assistance for an intelligence service.

3.4. Port-au-Prince

Haiti's capital city does not have a municipal development plan or strategy for urban planning. It does have a *Plan d'Action de Port-au-Prince*.²⁸ In October 2007, Port-au-Prince signed a protocol of collaboration whereby the city of Montréal agreed to provide technical assistance to Port-au-Prince in five areas of interest over a five year period (2008-2013): governance and institutional strengthening, equality between men and women, city planning and urban revitalization, transfer of expertise, and rehabilitation of infrastructure. Proposed actions for institutional strengthening under this protocol included assistance in the development of a strategic plan, updating a municipal manual of procedures, reorganization of the human resource service, review and update of the legal framework, and development of a system for managing municipal records and archives.

In terms of priorities, the mayor of Port-au-Prince expressed an immediate and pressing need to reconstitute the city's fiscal department destroyed in the April 2008 food riots, including the loss of all records and virtually the entire database for property taxes (CFPB). He estimates the cost of reconstituting the fiscal department and its infrastructure at \$600,000 US. The fiscal

²⁷ The advisory committee is called the Comité Multi Sectoriel de Consultation.

²⁸ The text of this plan was not available for review during the time frame of the presence consultation; however, the mayor has promised to make it available to LOKAL.

department was housed in an annex on the Champs de Mars and the building was severely damaged along with the loss of its contents. He also noted that the historic city hall in downtown Port-au-Prince was presently unusable due to disrepair, and estimated it would cost 71 million gourdes to repair.²⁹

The mayor also expressed the need for an urban development plan (*plan d'urbanisme*). He indicated that the commune and the Ministry of Planning were not collaborating in any way around city planning. He also noted that relations with the Ministry of Interior tended to be conflictive and that the commune had received no funding thus far from the FGDCT.

It was not possible to pursue further discussion of communal administrative needs due to the unavailability of the mayor and key personnel during the present consultation.³⁰ Nevertheless, the mayor expressed interest in the LOKAL approach to participatory evaluation. LOKAL could also provide a training and material assistance package to help reconstitute the fiscal department; however, this will require ongoing dialogue with the mayor, and more detailed information on the needs in this sector as LOKAL does not have funding available to cover the entire \$600,000 cost. A MINUSTAH representative who has provided some training and technical assistance to Port-au-Prince noted that the communal administration did not have its own computer network, and that it would cost \$29,000 US to furnish city hall with a computer network, including the needs of the fiscal department. A LOKAL training and material assistance package could be useful for this objective as well, but this will also require further investigation.

4. Summary Findings & Recommendations

4.1. Strategic Recommendations

1. *Improved economic governance as the overriding priority.* As a general strategy, give priority to the establishment of more accountable and transparent economic governance. LOKAL support for capacity building should focus heavily on putting fiscal houses in order - the heartbeat of municipal services and therefore the highest order of priority. This should include improved management of tax collections, budget preparation and reporting, linking budgets to sources of income, budgeting and budget monitoring, integrating and tracking non-fiscal accounts, audits, and computer based financial management.
2. Improved economic governance also requires close working relations between communal administrations and the DGI: For example, Carrefour municipal personnel presently sit physically at the DGI office to verify tax collection. This strategy clearly has the potential for improved fiscal management, including greater transparency. Close partnership with the DGI, or perhaps a change in the regulatory framework, is required to enforce payment of delinquent taxes. Only the DGI is authorized to pursue delinquent tax payers in a court of

²⁹ The old city hall was constructed in 1925 under the US occupation authority. The mayor showed this consultant and the LOKAL director architectural plans and a letter to the US Ambassador requesting funding for the restoration of this historic building. He indicated that no response to his request had been received to date.

³⁰ The LOKAL COP has subsequently held discussions with the mayor on potential areas of assistance. During these discussions, the mayor requested assistance in the organization of a municipal forum of elected officials to review roles and responsibilities for each level of governance and establish a common vision on how the municipal council, CASEC, ASEC and DV officials might more effectively collaborate on governance and development issues.

law, according to Carrefour officials. LOKAL should seek further information on the Carrefour approach to working with the DGI to improve financial controls over tax collection and to enforce payment of taxes, and assess prospects for wider applicability of such measures by other communes.

3. *LOKAL assistance as a package.* There should not be stand-alone training or stand-alone material support without direct application and follow-up in response to specific presenting problems or services within commune administrations. Play to LOKAL strengths: a flexible package linking participatory needs assessment with training, technical assistance, and material support.
4. As a general rule, prioritize prevention and a long range systems approach over short term efforts to remediate problems.
5. *Synergy.* Use an approach that complements services offered by other service providers, for example, (i) the CHF 100,000 USD budget line item available to metro area communes. Assist Cité Soleil to develop a proposal to CHF that includes capacity building and training support as appropriate from LOKAL. (ii) Link LOKAL capacity building with technical assistance available from a MINUSTAH civil affairs trainer assigned to the communes of Port-au-Prince and Cité Soleil.³¹

(iii) Develop synergy with technical assistance offered by sources of *coopération décentralisée* or by sister city programs such as Montreal/Port-au-Prince.³²

4.2. Cross-Cutting Recommendations

6. *Zoning and construction permits.* Explore the feasibility of using tax collection as a point of entry into other closely related spheres of city management, especially (i) zoning linked to construction permits, and (ii) the use of explicit criteria for issuing permits based on norms and standards consistent with Haitian realities. At commune level administration, this will of course require the political will to reject or withhold construction permits that do not conform to standards. LOKAL advice and discussion with communes should specifically address this point as a limiting factor, and explore concrete incentives for doing so. For example, a commercial *patente* – issued by communes – is required for other dealings with the tax office and customs house. Therefore, traders are motivated to apply for the *patente*.

The ability to establish and implement zoning is absolutely critical to urban planning; however, any LOKAL assistance in this area will require additional information and assessment going beyond the ability of this limited consultation to investigate. It also will require specialized expertise in the area of tax law, zoning, and related institutional arrangements.

7. *Facilitate access to planning documents.* Refer municipal officials to existing urban planning documents such as the Daniel Arbour study of Cité Soleil which includes recommendations for zoning, or pertinent studies of environmental problems in the metropolitan area.³³

³¹ This post is presently occupied by Charles Lominy of the MINUSTAH civil affairs office.

³² Some make a distinction between sister city programs between “peer” cities versus international assistance that goes directly to municipalities (*coopération décentralisée*).

8. *Metropolitan area association of mayors.* LOKAL should explore further the option of providing limited assistance to Civitas, the association of metro area mayors, in how to approach urban planning; however, LOKAL is not presently well situated to go beyond an initial presentation by an urban planning specialist to interested mayors, and should not take on the task of providing ongoing technical assistance for urban planning.
9. *Special needs of women as local elected officials.* Explore together with woman members of sectional and communal councils, ASEC and *délégués de villes*, any special training needs, including human rights, the special needs of female constituents and women's organizations, and efforts to increase the number of women as local elected officials. This recommendation applies to both metro area communes as well as all communes targeted for LOKAL services. Before acting on this recommendation, LOKAL will need to census all women elected officials in partner communes.
10. *Municipal ordinances.* LOKAL should take a special interest in strengthening the ability of partner communes to make better use of municipal ordinances (*arrêté*) as a tool for improved commune administration. For training in the preparation of municipal ordinances, recruit human resources from Delmas and other high functioning communal administrations to share experiences and assist with the training of less experienced communes. LOKAL should also explore needs for technical assistance for knowledge of best practices, and knowledge of regulatory norms and standards pertinent to the issuance of *arrêtés municipaux* in specialized areas of need.
11. *Parallel versus constitutional structures.* There is a tendency to create parallel structures within communal governance, especially with a view to linking civil society organizations with local government and to advise and set priorities. These parallel structures may be created by communal administrations (e.g., the "sectors" proposed for Cité Soleil, or the urban planning committee in Delmas) or by projects (e.g., KATA committees, PRODEP committees). These structures tend to duplicate or run parallel to Assemblies and constitutional provisions for representation and participation.

This tendency suggests a special training opportunity for LOKAL as Haiti revises and then seeks to implement once again the law on *collectivités territoriales*. The challenge is for LOKAL to translate in practical terms the opportunity offered by assemblies as a channel for citizen participation in local governance.

12. *Mayors and other local elected officials.* Promote active collaboration between mayors and other local elected officials including CASEC, ASEC, and DV. In the process, emphasize the division of labor around clearly defined roles and responsibilities, and promote the use of practical problem-solving approaches as a basis for collaborating around concrete, shared vested interests.

For example, the Mayor of Cité Soleil and the CASECs from rural districts do not generally sit down together or collaborate; however, in the course of this consultancy, independently of each other, the CASEC representing Truitiers and the Mayor of Cité Soleil both identified the Truitiers garbage dump as a high priority concern. In this case,

³³ See Gerald Holly, *Les problèmes environnementaux de la Région métropolitaine de Port-au-Prince*, 1999, and, Régine Louis, Kareen Laplanche *et al.* 2006. *Identification de risques environnementaux dans la région métropolitaine de Port-au-Prince*, Université de Quisqueya, Port-au-Prince.

shared vested interests related to garbage (opportunity for income, tax implications, value-added garbage management, pollution) could serve as a basis for joint planning.

13. *Fonds de Gestion et de Développement des Collectivités Territoriales (FGDCT)*. Communes are not well informed regarding procedures for leveraging funding from the FGDCT controlled by the Ministry of Interior. In the context of its assistance to the associations of mayors, LOKAL should seek to establish the FGDCT as an important policy issue that merits a serious lobbying effort to ensure transparent management of the funds and dialogue with the intended beneficiaries as to its allocation.
14. *Municipal liaison and privileged point of contact*. In general, in the process of carrying out this consultancy, it has proven easier to use personal, face to face contacts with metro area mayors and key personnel rather than relying primarily on impersonal scheduling of appointments via receptionists. To foster effective working relationships, LOKAL should make it a point to establish close working ties to at least one well placed contact person in addition to the mayor in any given commune. This contact can then serve as the primary channel or liaison for project interventions and collaboration.

In particular, for the communes of Port-au-Prince and Delmas, the development of a well defined basis for partnership will require additional follow-up by the LOKAL Director or Deputy Director. For Delmas, the key point of contact in this regard should be the Secretary-General (see contact list in annex).³⁴ For Port-au-Prince, it appears that the Chief of Staff could serve that role, but follow-up contacts should initially be addressed directly to the mayor.

For the communes of Carrefour and Cité Soleil, LOKAL staff members other than the Director/Deputy-Director will be able to ensure follow up, particularly to organize sessions devoted to participatory evaluation of communal administration.³⁵ In Carrefour, the municipal Director-General is a reliable liaison and point of contact. In Cité Soleil, this role is played by the mayor's Chief of Staff, and also, at a secondary level, the Director of Administration who has a strong background of communal administrative experience and appears comfortable with open discussion of issues and needs; however, initial follow-up should go through the Chief of Staff who exercises greater effective authority over service and department heads than either the Secretary-General or Director of Administration.

4.3. Commune-Specific Recommendations

15. *Metro area applicability of the LOKAL institutional capacity evaluation method: Cité Soleil & Carrefour*. Use the LOKAL method of participatory evaluation to assess needs and training requirements in Cité Soleil and Carrefour. The mayors and key staffers in these communes have expressed an interest in the LOKAL participatory evaluation tool to assess needs.
16. *Port-au-Prince*. Explore further with Port-au-Prince the use of the LOKAL method of participatory evaluation to assess communal administrative needs and training requirements. The mayor has expressed an interest in this effort; however, at the time of the consultancy

³⁴ The outer receptionist at the Canapé Vert annex also proved very helpful when communications broke down due to the mayor's unavailability for follow-up meetings.

³⁵ For ongoing communications related to training and participatory evaluation, Ulrick Jean-Claude is well placed to follow up in Carrefour and Cité Soleil. The LOKAL engineer Irnel Joseph participated in consultant meetings in Cité Soleil and should further assess needs for material support.

the mayor had not facilitated the follow up meetings required to further explore this in detail. In any case, explore the use of the LOKAL method of participatory evaluation to assess the needs and training requirements of the Port-au-Prince fiscal department which was destroyed in the April food riots.

17. Explore the cost and feasibility of material and training support to re-establish the Port-au-Prince fiscal department, including database management for tax collection, property census, accounting, and budgeting. LOKAL should follow up initial discussion of this need with a more detailed assessment, including solicitation of a brief proposal for LOKAL assistance.
18. *Delmas*. Based solely on the criterion of need, the fourth commune, Delmas, should be considered a lower priority than the other three communes due (i) to its high level of administrative functioning, and (ii) its lack of interest in the LOKAL method of participatory evaluation – particularly if used to assess its overall needs as a municipal administration.

For Delmas, in lieu of applying the LOKAL tool to assess overall needs, the LOKAL team should further explore the cost and feasibility of supporting a specific sector of interest identified by Delmas, such as a strategy for communicating with constituents and the creation of a municipal communications service.³⁶

19. *Cité Soleil*. LOKAL should target Cité Soleil as a high priority for capacity building. In addition to needs assessment and participatory evaluation, a high priority focus of LOKAL assistance to Cité Soleil should be the fiscal, accounting, and planning services located in the administrative annex. This should include training and material support for filing systems, records, archives and database management as well as digital spreadsheets, budgeting, and financial management. Currently non-fiscal revenues (*redevances*) should be monitored, budgeted, and audited. The offices for planning and city engineering should receive material support accompanied by training.³⁷

³⁶ This follows up an initial discussion with the Secretary-General.

³⁷ LOKAL Engineer Innel Joseph has made an initial rapid assessment of needs for material support (see Innel Joseph email notes in this regard).

Annex: Interviews and Contacts

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Barbara Ellington-Banks

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