

Mission to Haiti #3

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Report on the Elections in Haiti, June 25, 1995

Executive Summary: Independent candidates and representatives from 27 political parties contested more than 2,000 municipal and Parliamentary positions in elections in Haiti on June 25, 1995. In the pre-election period, the Provisional Election Council (CEP) judged the qualifications of nearly 12,000 candidates, and disqualified about one thousand without explanations. The process was so prolonged and contentious that the ballots had to be changed up to the last days, and there were numerous mistakes. The CEP's erratic performance led three parties to boycott the election, and virtually all to question the CEP's judgment and independence. The unresponsiveness of the CEP to legitimate complaints raised by the political parties sowed seeds of distrust in the electoral process.

The turn-out on election day was about 50% of registered voters. The U.N. provided a reasonably secure environment, although the ballot mistakes led to violence in several districts. There were many poll-watchers. The most serious problem was in the count. In violation of the law, election officials did not complete the count at the voting site or sign and seal the proces-verbaux - the summary of the results - and the ballot boxes. Of 13 elections that I have observed, the June 25th Haitian elections were the most disastrous technically with the most insecure count. I personally witnessed the tainting of about one-third of all ballots in Port-au-Prince. The best that could be said of the irregularities is that they did not appear to be a part of a centralized or

coordinated effort. Indeed, it is probably more accurate to state that Haiti's problem was that no one seemed to be in control.

In judging the election, one point of reference should be Haiti's history, and compared to 200 years of repression and dictatorship, the election represents a step out of Haiti's past. Whether it is a step forward or sideways remains to be seen.

Some in the international community would close their eyes to this travesty, but that would be unfair to the Haitian people, who together with the political parties, are the ultimate judges of the election. Thus far, 21 parties - nearly all but Lavalas - condemned the election and called for its annulment even before the results showed that Lavalas had won so many of the elections.

The international community should insist that the political parties' concerns be effectively addressed. Until then, the democratic process cannot go forward. This report recommends ways to salvage the election and regain the parties' confidence: (1) the criteria for re-holding elections should be expanded to permit more elections, and runoffs should be permitted for some Mayoral elections; (2) half of the CEP should be replaced by consensus candidates proposed by the parties; (3) a Multi-Party Commission should produce a report soon on specific ways to improve the electoral process; (4) a new electoral law is needed for a more effective, Permanent Elections Council; (5) mediation between the parties is essential; and (6) quick counts should be done.

PREFACE AND ACKNOWLEDGEMENTS

The Council of Freely Elected Heads of Government is a group of 25 former and current Presidents and Prime Ministers of the Americas, chaired by former U.S. President Jimmy Carter, and based at the Carter Center of Emory University.

The Council has been working to reinforce the democratic process in Haiti since 1987. With the National Democratic Institute, the Council monitored and

mediated the electoral process in Haiti in 1990. From the moment of the military coup in September 1991 through the Carter-Nunn-Powell negotiation in September 1994, Council members worked behind the scenes to restore President Aristide to power.

In mid-December 1994, former Jamaican Prime Minister Michael Manley and I visited Haiti, at President Aristide's invitation, and three months later, President Carter, Prime Minister Price, Senator Nunn, and General Powell visited to assess the situation and offer help. **The delegations concluded that mediation between the political parties, the Election Council, and the government was more important to ensuring a successful election accepted by all the parties than observing the elections. But there was not wide enough support in Haiti for the Council playing the mediating role that it did in 1990, and so the Council decided not to send a large, high-level delegation to the elections on June 25, 1995.**

Nonetheless, because of the continued importance of Haiti's struggle for democracy to the Council and to the inter-American community, I was asked to visit Haiti and assess the electoral process for the Council and for those who are interested. This is my personal report to the Council and to those interested in Haiti.

The election was monitored by many international groups, and most gave their judgment of the election before Haitian political parties offered their views and before the count was completed. This was unfortunate because the vote count was the most troubled aspect of an administratively disastrous election. All of Haiti's parties have now criticized the process, and virtually all but the Lavalas Platform, have called for the annulment of the elections. **Unless these parties' legitimate concerns are addressed more effectively than they have been until now, then the election cannot be considered a step forward in Haiti's journey to democracy. This report offers some specific recommendations to gain the**

confidence of the parties and the public so that the next three elections this year will be an improvement on that of June 25th.

To do the mission and write this report, I am grateful to Jean-Paul Poirier for his tireless assistance; to Kathryn Bacon, Harriette Martin, and David Carroll of the Carter Center; to OAS, U.N., and U.S. government officials, and to many Haitian friends, who represent the full political spectrum and who deserve better.

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TABLE OF CONTENTS

1. Executive Summary
2. Preface
 1. Background
 2. Pre-Election
 - Political Context
 - CEP-Induced Distrust and Confusion
 - Security
 - International Assistance
 3. Election Day: Personal Observations
 - Voting Procedures
 - The Count
 - Conversation with Mayor Evans Paul
 - Chaos in the Street
 4. Post-Election Day
 5. The Positives and the Negatives
 6. Conclusion and Recommendations
3. APPENDICES
 1. Schedule of the Meetings of Dr. Pastor, Haiti, June 23-26, 1995.
 2. List of the Political Parties and Coalitions of Haiti
 3. Electoral Calendar - proposed (2/25/95) and as implemented
 4. Letter from General George Fisher to Minister of Justice Joseph Exume, March 22, 1995 on the plot against Mirelle Durocher Bertin.
 5. Haiti - Election Funding Sources
 6. Ballots for Senator and Mayor of Port-au-Prince. (The latter ballot was found on the floor of the BED West on election night.)
 7. "Irregularities Mar Electoral Process," News Release from the International Republican Institute, June 26, 1995.

8. Departure Statement, U.S. Presidential Delegation to Observe the Haiti Election, June 26, 1995.
9. Text of the Resolution of 20 Political Parties, June 29, 1995; "The Position of the FNCD," July 3, 1995.

1. Background

Since 1987, the Council of Freely Elected Heads of Government, a group of 25 leaders from the hemisphere, chaired by former U.S. President Jimmy Carter, has worked to reinforce democracy in Haiti. In October 1987, former President Carter, Prime Minister George Price, and I visited Haiti after the assassination of a political leader to try to get the electoral process back on track, but the military aborted elections the next month. In July 1990, Ertha Pascal Trouillot, the Provisional President, invited the Council to observe the December 16th election. The Council, working with the National Democratic Institute, played a crucial role in mediating disputes between the political parties and the Election Council, and in persuading the U.N. and the O.A.S. to send security advisors and numerous observers, and to conduct a "quick count". President and Mrs. Carter and I returned at the invitation of Jean-Bertrand Aristide for his inauguration on February 7, 1991, and offered him the Council's continued support and assistance. ¹

Former President Carter's offer to the new President to assist in consolidating democracy did not elicit a response until after he was overthrown in a military coup on September 30, 1991. From then until September 16, 1994 when President Bill Clinton asked Carter, Senator Sam Nunn, and General Colin Powell to go to Haiti to negotiate with the Haitian military leaders, Council leaders actively worked behind the scenes to try to restore constitutional government to Haiti. Negotiations that weekend in September produced an agreement that led to the departure of General Raul Cedras and the return of President Aristide by October 15, 1994.

In mid-December 1994, Michael Manley, former Jamaican Prime Minister and Council member, and I visited Haiti and reported to the Council that "despite severe social, economic, and security problems, Haiti has now the best opportunity in its 200 year history to forge a democracy and construct a free-market economy that will benefit all the nation's people." Many political leaders asked the Council to monitor the elections as it had in 1990. We encouraged the political parties and the President to reach agreement as soon as possible on a Provisional Elections Council (CEP), and the President named the members shortly after we left. President Aristide told us that he hoped the Council would be "partners" and invited Carter to Haiti to discuss this with him. 2

Based on that mission and subsequent communications, President Carter led a delegation to Haiti on February 23-26, 1995 that included Prime Minister George Price, Senator Sam Nunn, and General Colin Powell, Dr. Pastor, Ambassador Gordon Streeb, the Director of the Carter Center's Global Development Initiative, and other Carter Center staff. The delegation concluded that important progress had been made since October 15th toward a more secure and civil society, but there was still a long way to go. The next crucial steps would be elections for the Parliament and municipalities, then scheduled for June 4th. Although observation of the elections would be important, the group concluded that the mediation of the electoral process between the many political parties and the Provisional Elections Council (CEP) would be far more important because unless the parties had more confidence in the CEP and the process, the inevitable technical irregularities would be perceived as a manipulative strategy and would impugn the integrity of the electoral process.

Although President Aristide praised the delegation in private and public, scurrilous graffiti and anonymous negative comments made to reporters by "Presidential aides" left the delegation uncertain whether the Council would be welcome to help. On departing, President Carter said that the Council would only

play such a role if it received formal invitations from President Aristide and the Electoral Council; if funding were available; and if the OAS wanted a supplementary delegation of observers. ³

As none of these conditions were met, the Council chose not to send a delegation to observe the elections on June 25th. Nonetheless, because of the Council's continued interest in the democratic process in Haiti, and at the suggestion of several members, I visited Haiti to assess the elections. (See Appendix 1 for a Schedule of my meetings)

2. Pre-Election

Under the 1987 constitution, the term of the Parliament that was elected in December 1990 expired on February 7, 1995. A new election was needed before then to select the entire Chamber of Deputies (83 seats), two-thirds of the Senate (18 of 27; 2 per Department, with the candidate winning the most votes earning a 6-year term; and the second most votes, a 4-year term), 1,695 local officials, and 399 mayors (each for 4-year terms). The Aristide government declared its intention to hold elections soon, but after three years in exile, the government was slow in organizing itself. The CEP first announced a date for the elections on February 20, only three days before the arrival of the Carter delegation. The election date of June 4th was later delayed until June 25th with a run-off scheduled for July 23rd.

During the February visit, the Carter delegation found that virtually all political party leaders were distrustful of the CEP. In naming the members of the CEP, President Aristide only accepted two names proposed by the political parties, and they concluded that the CEP was biased against them and partial to a party close to the government. These parties were fearful that the CEP would appoint election officials at all levels who were of similar mind. For this reason, the Carter delegation strongly recommended international mediation to work with the parties

and the CEP to ensure that the electoral playing field would be levelled sufficiently to provide each party with a sense that they had a fair opportunity to get their message to the people. Such mediation proved decisive in 1990 in getting all parties to accept and respect the results of the election.

Regrettably, this suggestion for international mediation was not approved, and instead of reducing distrust, the CEP's behavior exacerbated it. Three political parties - the MIDH, led by Marc Bazin; the MNP-28, and MODEJAH - chose not to participate; ⁴ and the CEP disqualified three other parties - the PAN, MRN, and Generation 2004. ⁵ All of the parties, even the Lavalas Bloc, were discouraged with the treatment they received from the CEP, and most of the parties were skeptical that the elections would be fair.

The Political Context. To understand how the anticipated technical problems became a political crisis that impugned the integrity of the election, one needs to describe the political context. In a country with high levels of illiteracy, no public opinion polls, and a large rural population, no one can know with certainty what the people as a whole believe. Nonetheless, it was widely assumed that when President Aristide returned with U.S. and international military support, he commanded an overwhelming degree of popular support. Therefore, despite the fact that 70 political parties registered with the Ministry of Justice, and 23 were permitted to post candidates for office, the most heated political fight occurred within the group that supported President Aristide, and much of their struggle was aimed to win the endorsement of Aristide. (See Appendix 2 for the list of the political parties)

The National Front for Democratic Convergence (FNCD) was the coalition that promoted Aristide's Presidential candidacy in 1990, and "Lavalas" ("landslide") was his popular slogan. The Front subsequently fragmented. Evans Paul, the popular mayor of Port-au-Prince, kept the Front, but Gerard-Pierre Charles took

the campaign slogan, establishing the Lavalas Popular Organization (OPL). With his superb organizational skills, Charles merged the OPL with the Mouvement Ouvrier Paysan (MOP) led by Gesner Comeau and the Parti Louvri Barye (PLB) led by Renaud Bernadin; together, they became the Lavalas Political Bloc. The Lavalas Bloc did not have a charismatic leader, and viewed Evans Paul, a possible Presidential successor to Aristide, as its main rival.

When President Aristide told the Carter delegation in February 1995 that he intended to stay above the political campaign, playing the role of guarantor of the democratic process, the Lavalas group was incensed, fearing that without Aristide's endorsement, Paul would inherit the movement. So they spread the word to foreign reporters that Carter had coerced Aristide into making such a statement, hoping that such a spin would keep Carter from mediating the election and induce Aristide to change his position and endorse their candidates. This is precisely what occurred. In the last month of the campaign, Aristide gave his support to the Lavalas Bloc, inviting them to the Presidential Palace and made repeated references to their new slogan - "get together around the table" - a slogan that seemed as effective as "lavalas" had been in December 1990. OPL also promoted the candidacy of a popular singer Manno Charlemagne as mayor, hoping to hurt or beat Paul.

The non-Lavalas groups feared that if Lavalas won two-thirds control of Parliament, either freely or by fraud, Aristide's supporters would change the Constitution and persuade him to run for re-election. President Aristide had pledged to President Clinton and said publicly that he would not run, but his opponents did not believe him, and his supporters prayed it was not true.

CEP-Induced Distrust and Confusion. In the minds of the non-Lavalas parties, the CEP recruited Lavalas supporters to conduct the elections and manipulated the process to favor a Lavalas victory. There is some evidence of a bias, but not

enough to justify a wholesale dismissal of the CEP. Rather the CEP's real problem was its failure to: (a) consult before making decisions; (b) explain the rationale behind its decisions; and (c) respond to the parties' complaints. This unresponsiveness to the parties reinforced the image of CEP bias and made small technical problems into large political problems.

- *Selection of Election Officials.* A total of about 50,000 election officials were chosen for the 9 BEDs (departmental level), 133 BECs (district or communal level), and 10,031 BIVs (local voting sites). The CEP did not consult or respond to the parties' concerns until the protests reached a crescendo. At that point, they changed some officials, but few, if any, of the parties were satisfied at the end of the process.
- *Registration.* The registration process began on March 26th, but because of a lack of information, few people initially registered, and the period had to be extended from April 22 until June 3rd. By the end, 3.37 million voters registered or 90% of the eligible voters. On May 17, Dr. Anselme Remy, the President of the CEP, said that about one million registration cards had been stolen. The OAS Election Mission, in an uncharacteristically blunt statement, later described Remy's comment as "unsubstantiated" but impugning "the integrity of the election [with] a negative impact throughout the electoral period." ⁶ Remy later tried to clarify the statement by saying that fewer cards had been lost, but that did not reassure. On the eve of the election, he explained that his strategy had worked: his warning caused thousands of the registration cards to be returned and deterred abuse.
- *Indelible Ink.* The best way to prevent multiple voting by people using stolen registration cards is to make sure each voter dips his thumb in indelible ink after voting. Instead of assuring Haitians by public demonstration that the ink would prevent multiple voting, a CEP was leaked, indicating that the ink could be washed off. The OAS brought the ink manufacturers to do a public demonstration, but the demonstration only involved people dipping their thumbs in ink, not trying to wash it off, and the information was not widely disseminated to the public.
- *Certifying Candidates.* The CEP reviewed nearly 12,000 candidates, and disqualified hundreds by May 17. **On June 7**, the CEP reported that of 177 candidates for the Senate, 143 were qualified; of 859 for Deputy, 716 remained; of 885 slates of three candidates each for the mayoralties, 756 remained; and of 2,688 slates of 3 candidates for CASEC's (administrative councils of the

communal sections), 2,477 remained - for a total of 10,558 candidates running under the banner of 30 political parties or as independents. The CEP did not explain its decisions and, indeed, it did not inform the candidates as to whether they were qualified or not. The CEP made some changes in response to the protests from all the parties, including Lavalas, and it continued to modify the list **through June 15th - almost one month after the ballots should have been completed and printed.** In the case of some parties, like the RDNP, the disqualifications were so numerous - almost one-third - that the fees charged to the party became exorbitant. (The fees increase when the number of candidates in a party declines.) Because candidates were not sure they were approved, and parties had trouble paying the fees, the uncertainty surrounding the electoral process heightened.

- *Mistaken Ballots, Compressed Campaign.* This haphazard process had wide-ranging and devastating consequences. The campaign period was originally scheduled between April 24-June 2, but its start was delayed until May 14 because of the delay in registration. (See Appendix 3) However, the campaign could not really begin until the official candidate list was available, and the parties never saw this list. The CEP claimed that it had a list a few days before the election, but with more than 10,000 candidates, the list was 700 pages long, and could not be distributed. If it had such a list, the CEP should have informed the candidates, whose names were either not on the list or on were under the wrong position, but it did not. The delay in certifying candidates caused mistakes to be made in the printing of the ballots, and the OAS estimated that the cause of disruptions on election day in more than one-half of the departments was mistaken ballots. (p. 16) A few days before the vote, the CEP published sample ballots in some newspapers, but most people did not know who was on the ballot until they voted.
- *Campaign Spending.* The most visible signs of the campaign were the posters. The Lavalas Bloc's posters and campaign material were most conspicuous, leading some to question how the party of the poor had more money than the other parties. Some parties believed that Lavalas received money from the state. I had asked Dr. Remy of the CEP about this issue in February, and he insisted that the CEP would establish an auditing unit to monitor expenditures and party revenues. When I asked him about this on June 24th, Remy acknowledged that they had not been able to set up such a unit or even to investigate abuses.
- *Location of Voting Sites.* The biggest mistake on registration, however, was not the number of cards that were lost or stolen, but the extent to which it confused

voters, who thought they should vote at the same site that they registered. The CEP initially reduced the number of registration centers to 3,000, but in the end, it established 10,031 voting sites. Therefore, a large number of people did not know where they should vote. Remy said that the BECs had lists of the voting sites, but no one with whom I met on election day was aware of that. On June 24th, the CEP was supposed to have displayed the registration list at the voting sites to permit the parties and voters to review it. I don't think that any party did so, and I suspect there were very few sites where it was posted. I did not see any.

- *Count.* The CEP wanted the votes counted by computer in Miami, and the Un and AID wanted it done by hand in Haiti. The compromise was that only Port-au-Prince's vote would be done by computer in Miami, but that was not implemented. This would prove to be the least of the problems concerning the count.
- *Bias?* By the election, it was widely accepted - even at the highest levels of the Haitian government - that the CEP's behavior had diminished confidence in the electoral process. Both the delays in the electoral calendar and the unresponsiveness led many parties to believe this was part of a plan to harm them. But all the parties - including the Lavalas Bloc - had complaints about the actions of the CEP, and virtually all acknowledged that many CEP mistakes, especially on the candidate certification, affected all parties. The only unquestionable sign of bias or bad faith in the campaign came a few days before the election when Haitian National Television violated an agreement with NDI to broadcast a candidates debate in Port-au-Prince in its entirety. Instead, it broadcasted selected, extremely partisan excerpts. NDI mobilized a strong protest, and it worked. National Television stopped the partisan program and fulfilled its original agreement.

Security. The most important difference between the 1995 electoral process and that of 1987 or 1990 was security. The presence of 6,000 U.N. forces - together with 900 international police monitors - and the absence of a Haitian army - provided a degree of security that the island had not experienced for decades, if ever. Nonetheless, individual candidates were threatened, and some were killed. The targets were on both sides of the political divide. Mirelle Durocher Bertin, an anti-Aristide lawyer and politician, was assassinated on March 28, three days before the arrival of President Bill Clinton and the turn-over from the U.S. - led Multinational Force to the U.N. Military Mission (UNMIH) and six days **after** a

letter was sent by General George Fisher, Commander of the Multinational Force, to Haiti's Attorney General, providing an explicit warning as to who was targeting whom. (See Appendix 4) Besides this attack, a former Deputy from the FNCD and a member of the Papaye Peasant Movement, were also killed. There were other incidents around the country, which left some people and leaders uncertain and worried on the day of the election. ⁷

International Assistance. Since 1990, the degree of electoral cooperation provided to Haiti by the international community has increased. The U.N. was primarily responsible for security, but they also provided an electoral advisory unit to the CEP. The OAS provided human rights monitors, which formed the core of the main international observer mission during the election - a total of 307 observers divided into teams of two that observed 30% of the voting sites in all nine departments and most of the 133 BECs.

The National Democratic Institute worked with the political parties to train poll-watchers and organize candidate debates. The International Republican Institute monitored the electoral process very closely and produced a thorough, extremely well-documented report on the eve of the election that demonstrated the tremendous efforts by the parties to correct a wide range of electoral problems and the utter failure by the CEP to respond to any of these complaints. The IRI was also correct in criticizing the "drift toward exclusion," which characterized the CEP's process for qualifying parties and candidates.

The IRI fielded an observer mission of about 30 people led by Rep. Porter Goss. President Clinton sent a smaller delegation under U.S. AID Director Brian Atwood. TransAfrica sent a small delegation under Randall Robinson.

Because the process was not responding to their complaints, many of the political parties were tempted to withdraw. At those moments, the international community and President Aristide mobilized and brought the leaders together. On June 3rd, for example, with the leadership of the National Democratic

Institute, the parties came together to sign an electoral code of conduct, affirming respect for the constitution and the electoral law. At the same time, 17 of the parties asked the CEP to replace some local electoral officials, but the CEP did not respond.

Elections in countries with little or no experience and less infrastructure are expensive. Almost all of the financing for Haiti's election came from outside the country - with the United States spending about \$12 million out of a total of \$16.9 million. Haiti only paid 4% of the cost. (See Appendix 5) UNMIH's airlift and helicopter support proved to be very important in getting the ballots to Port-au-Prince and from there to the districts.

To meet a June 25 election, ballot production should have started in mid-May, but CEP decided on May 26 to reinstate 500 rejected mayoral candidates, and kept making changes right up to June 15. The final one million of ballots was airlifted to Haiti on June 22nd. ⁸ A total of 16 million ballots were printed, and there were 800 different ballots sent to 10,031 local election sites. Voters would mark 3 or 4 different ballots: one for two candidates in the Senate; one for Deputy; one for Mayor; and in most areas, one for local councils. Only about half of the ballots - for Senate and Assembly - had photos of the candidates, and so the others - with as many as 26 names on it - were difficult to decipher, especially for the illiterate. (See Appendix 6) On June 22nd, the CEP announced that the logos of 102 independent candidates had not been printed on the ballot. Despite the social chasm that underlay the political landscape, the campaigns of the various parties were relatively mild, and there were few signs of programmatic differences. With the exception of a few party conventions, and some debates organized by NDI, the only evidence of an electoral campaign was "grafitti, advertising banners, and slogans." (OAS Report, p. 14)

3. Election Day: Personal Observations

A single observer can assemble anecdotes during an election, but to determine whether one's impressions reflect a more general picture, one needs a larger sample. The OAS report, which is the product of its 300 person observation team will be the point of reference, although regrettably that report did not offer a statistical summary or analysis of the problems encountered during the election. Accompanied by Jean-Paul Poirier, a Canadian, who has been living in Haiti and working on elections since 1987, I visited three areas on election day. I started in Petionville, the relatively affluent suburb on the hill above Port-au-Prince. I then visited central Port-au-Prince - the Argentine School where the Haitian military attacked voters in November 1987. After consulting with the OAS and UN, I visited a poor area off the main road - Delmas 32. I observed the count at the voting sites in Petionville that I first visited.

The premise underlying my choice of visiting BIVs in Petionville was that a peaceful revolution had occurred with the return of Aristide. The traditional power hierarchy had turned upside down, with the masses now on top and the rich feeling marginalized. Consistent with this premise, the representatives of the rich had the most complaints about being excluded from the electoral process, and believing that an electoral process can only work if everyone feels a part of the process, I decided to start by visiting some of the polling places where they lived and seeing whether their complaints were justified.

I was surprised by what I found. Perhaps 85% of the people voting at St. Therese Church in the heart of Petitionville were visibly poor. The turn-out by the rich and the middle class seemed small. Some of the middle class and wealthy complained that the prohibition on driving on election day was aimed to discourage their vote, but a more plausible explanation was that they were alienated from the Aristide government, confused about U.S. support for him, and feeling frightened and impotent. If they were self-aware, they would understand that those feelings have long been resident in the poor masses of the country,

and that a democratic Haiti needs peaceful participation by both the rich and poor. It is discouraging that many of those who have been most exposed to western democracy seem least aware of its meaning.

Voting Procedures. We arrived at St. Therese Church before 7 A.M., and during the next three hours, learned exactly why democracy is so problematic in a country as poor, illiterate, and polarized socially and psychologically as Haiti, but why it is also possible. About 150 people were massing in an increasingly tense crowd outside of a courtyard adjoining the Church. The gate to the courtyard, which was supposed to be the voting site, was locked, and the priest who arrived about 7:20 A.M. said that no one had asked his permission to use the courtyard, and he didn't want them to use it. The President of the BIV asked our help in convincing him, but he was determined to deliver Mass. We then helped the President to locate some tables and chairs and to set up the BIV on the sidewalk. Many people were ready to help, but few knew how, and everything took longer to organize than it would elsewhere. At 9:15 A.M., with the help of U.N. military observers, the priest finally opened the courtyard for the voting.

The voting began at about 10 A.M. and proceeded in a smooth, although not always in a technically correct way. For example, there were two BIVs in the courtyard; one counted all the ballots before the voting began, which is the correct procedure, and the other did not. The one that counted (#11048) found that there were 465 ballots for Mayor, 443 for Deputy, and 421 for the Senate. (There should have been 400 ballots for each position.) There were 402 people listed on the registration list. Five party or candidate poll-watchers, representing different parties, observed each BIV.

At about noon, we visited the Argentine Belle Grade School in downtown Port-au-Prince (#1119009-14), where there were six BIVs. While we were there, two sets of OAS observers stopped by, including one led by the Secretary General of

the OAS Cesar Gaviria, Ambassador Colin Granderson, the Director of the International Civilian Mission of the OAS/UN, and Ms. Elizabeth Spehar, the OAS Director of the Election Promotion Unit. The level of voting at the school was low; about 10-15% of those who had registered voted by noon. There were more than ten poll-watchers, and all seemed satisfied that the voting was proceeding normally.

We compared reports and notes with the OAS and then, had lunch, with Lakhdar Brahimi, the Special Representative of the UN Secretary General. The voting around the country seemed to be proceeding normally with a few exceptions. An election official from Carrefour (outskirts of Port-au-Prince) had been killed the night before, but Brahimi said that was not politically-motivated. Most BIVs opened late for a variety of reasons. The biggest problem stemmed from ballots that omitted some candidates' names; this apparently was the cause of riots and the burning or closing of at least three BECs in the north - Le Borgne, Limbe, and Dondon.

I spoke with President Aristide at about 3 P.M., and he was aware of the reports, but his general impression was that the election was going well, and he was pleased. "The incidents," he said, "will not stop the Haitian people from expressing their will, but it will still take several more years to consolidate democracy so that the elections will go without incidents." We agreed to meet the next day.

In the late afternoon, we decided to explore BIVs off the main roads and went down Delmas 32. My concern was that if many registration cards were stolen, these might be given to people to use as the voting declined in the late afternoon. What we saw was very disturbing. We visited thirteen BIVs within one-half mile of the intersection of Rue Souchet and Centreville, down very narrow, dirt roads - too narrow for our car, which we left at the intersection, and almost too narrow to

walk, given the large number of people in the street. Long lines of people - many seemed much younger than the minimum age of 18 - were waiting to vote.

All 13 BIVs had serious problems related to the registration list. Dr. Remy had told us that a person could only vote if he or she had a registration card and was on the registration list. About half of the BIVs did not have a list; all were allowing people whose names were not on the list to vote. There were party and candidate poll-watchers representing about 4 or 5 of the main parties, but few understood that what was happening was illegal. The BIVs were in tiny, dark, stuffy rooms, with people pressing in on one another. We reported what was happening at these BIVs to the OAS and asked them to send monitors during the count.

The Count. We returned to St. Therese Church for the count. After a slow start, the vote had been smooth; all the poll-watchers were still there and satisfied. About 57% of the people on the lists of both BIV's (389 of 677) had voted. The counting of the ballots went very slowly but carefully. Everyone was tired. We estimated that the counting would be completed in at least two hours. They asked if we would help them transport the ballot boxes to the BEC, and we told them we would help when we returned after listening to the debriefings of teams from the U.S. Presidential Mission at the Hotel.

At the debriefing, we learned that elections in seven BEC's had been cancelled or had not begun; the CEP promised to hold one election the next day and re-schedule the others. Most were closed because of violence that stemmed from bad ballots where candidates' names had been omitted. The general impression from all the teams was that a few incidents of violence or serious disruption occurred; most BIVs opened late with some minor technical problem; the voting was moderate; there were numerous poll-watchers. But none of the President's mission stayed long enough to witness the completion of the count.

Because so many BIVs had opened late, the CEP announced on the radio at the end of the day that BIVs should remain open for 12 hours from the time that voting began. Many opposition parties feared that this extension would be exploited by Lavalas officials to stuff ballot boxes. The delay also meant that some BIVs did not start the count until it was already dark.

The counting of four separate ballots was complicated, but not nearly as difficult as transferring the results to six copies of the process-verbaux - the summary of the results - which should be signed by all the election officials and poll-watchers. Then, one copy is posted on the BIV; a second is given to the candidate or poll-watcher representing the candidate for the Senate with the highest vote; and a third to the representative for the Deputy. The other three proces-verbaux are sealed in a special envelope and brought to the BEC with the sealed ballot boxes. The envelop is opened at the BEC; one proces-verbal is kept there; one is sent to the BED, and the last to the CEP. Poll-watchers should be trained to make copies of the process-verbaux and, if possible, to get them signed by the others. The BECs should have the results the same night in Port-au-Prince and up to 48 hours in the rural areas. The CEP was expected to aggregate and announce the results in 6-8 days.

I had always thought the count would be the most problematic. Without a quick count, and a delay of 6-8 days, there were many opportunities for manipulation and ballot insecurity, and even if no coordinated fraud occurred, the absence of trust among the political parties assured that they would believe a fraud was being perpetrated even if it were not. We returned to the BIVs at St. Therese Church at about 8:30 P.M. Everyone was gone. This was an ominous sign because we told them that we would return, and we estimated that they could not have completed the count by then, and the **proces-verbaux - the summary of the results - was not on the gate of the BIV as required by law.**

Conversation with Mayor Paul. We decided to visit campaign headquarters of KONAKOM and the FNCD because we assumed that their poll-watchers would bring the proces-verbaux there. Both were quiet, but at the FNCD, they told us how to find Evans Paul, who we had tried unsuccessfully to see the night before. We found him about 9:30 P.M. and spoke with him for about an hour. He was distraught, saying with dismay that his party's workers had been harassed and intimidated by the Lavalas Bloc and that some party workers had been arrested on trumped-up charges. He said that "an electoral coup d'etat" had occurred, and he was "ashamed of the situation. I never thought anything like this could happen." The Mayor was concerned that the Lavalas people who were election officials were stuffing ballot boxes with the ballots that had been sent in the last days.

The Mayor feared that because President Clinton had invested so much in getting President Aristide restored to power that the U.S. would not be critical. "I hope they won't approve of this masquerade, but I wonder what they will do." No one from the Administration had met with him.

Instead of dismissing the entire election, as he was inclined to do, I urged him to identify with precision all of his party's complaints and to call a meeting the next day his poll-watchers and marshal their evidence. When he had compiled a document with specific charges, he might want to call a meeting with the CEP, the OAS, and the Embassies. I suggested that he concentrate on the proces-verbaux and asked how many he expected to receive from his poll-watchers by 5 A.M. He said that none had come in yet, but they expected to receive about 1,000 of about 3,000 in Port-au-Prince at the party headquarters by 5 A.M. I said those are the key facts to verify the results and document any complaints. At that very moment, he received a telephone call from a party worker, who informed him that thousands of ballot boxes were in the street adjoining BED West - the BEC and departmental headquarters - and people were marking new

ballots and stuffing them into the boxes while taking out some other ballots. In my experience monitoring elections, I had heard thousands of rumors like these before, and 99% were inaccurate, but I learned to take all of them seriously and to encourage the parties to assess the reports with me. I asked if he would designate several of his FNCD colleagues to go with us to BED West to see for ourselves and report to him. He sent three of his people. When we arrived, we found the situation **much worse than the report.**

Chaos in the Street. One election official estimated that there were over 3,300 ballot boxes (representing 1,100 BIVs) in the street or in transit from the street into the BED headquarters. Almost all of the ballot boxes were opened, and people were sitting and counting the ballots, taking some out, putting some in. Each group was a small BIV, but by that time, it was hard to know who was a legitimate election official, a poll-watcher, or a provocateur. U.N. soldiers had suppressed the violence, and by the time we arrived, the UN had cordoned off the street. There were hundreds, perhaps thousands of ballots in the street.

People were carrying ballot boxes into the BED building, which was even more frenzied than in the street. There were thousands of unmarked ballots on the floor in the hallways in the BED; most were packaged in a thin plastic, but many packages were open, and anyone could pick up hundreds of unmarked ballots, as I did a few, without anyone saying anything. In some of the rooms, ballots were being counted, and I personally witnessed one official with a stack of unmarked ballots on his lap. I asked what he was doing, and he said in an obviously embarrassed way, that he was just looking to check the names of the candidates.

I met with senior elections officials, including Jessie Manigat, who is a member of the CEP; the executive secretary of the CEP; and Laurent Bossuet Auborg, then Controller General of the CEP. The election officials explained that the people

had brought their ballot boxes to the BED because they did not have light in the BIVs and were frightened, and they were completing the count there. **They acknowledged that the count should have been completed at the BIV, and the boxes should have been sealed.** They initially seemed unaware that the process was being abused, and so I asked them to go outside into the street and meet with the FNCD officials. I suggested they set up an informal monitoring unit with the FNCD and an OAS monitor to go around to each group and ensure that the completion of the count was done in a fair way. They agreed reluctantly to go to the street, but they soon got into a heated argument with the FNCD representatives. After claming both sides, we jointly talked with several groups, and found some trying to honestly complete the count, and others dishonestly trying to manipulate it. By this time - around midnight - people were exhausted, hungry, and thirsty; most poll-watchers had returned home as did most elections officials.

After about thirty minutes of interviewing groups of people in the street, counting ballots, both Auborg and the FNCD workers accepted two points. First, most people were there because they were afraid or needed light. They were trying to complete the count that the law required them to have done in the BIV. Second, the most vulnerable and important part of the election - the count - was not being observed by poll-watchers or anyone, and the possibilities of fraud and manipulation were very high.

We left and went to the OAS headquarters to report on what we had seen and done. At about 1:30 A.M., I called Brian Atwood, the head of the U.S. Presidential Mission to describe the situation and urge him to prepare a critical report the next day. I had seen IRI staff at BED West but no one from the Presidential mission. I also suggested to Atwood that he have someone from the Embassy or the Presidential Mission meet with Evans Paul. We then returned to Paul's office to report on what we had seen and done. He appreciated our efforts.

The next day, I presented a report of what I had seen to the IRI delegation and to the Presidential mission. At the IRI press conference, Rep. Porter Goss said that the failures with the electoral process that they had identified on the eve of the election had borne bitter fruit. (See Appendix 7 for IRI Press statement) They identified the numerous and serious irregularities that they had witnessed the previous day, and concluded it would be "impossible to verify the results of the election." Goss blamed the CEP for the confusion.

Brian Atwood then met the press at the U.S. Embassy. He also identified many of the problems - procedural and administrative - before and during the election and the problems in the counting. But he concluded that his delegation "saw little evidence of any effort to favor a single political party or of an organized attempt to intentionally subvert the electoral machinery." He disputed Goss's comment that the elections could not be verified, and he concluded on a positive note: **"I believe the vast majority of the elections will be accepted by the political parties... This has been a major step forward for democracy in Haiti.** There are problems, but we assume they will be worked out, and the country can proceed to new elections, a runoff, and a Presidential election." (See Appendix 8)

I did not agree with that positive note, particularly on whether the political parties would accept the result. Before my departure, I met with President Aristide. He had a positive assessment of the election - similar to Atwood's - although he too acknowledged the numerous "technical and administrative" problems that occurred.

He asked for my assessment, and I told him that regrettably, I thought the election was much worse than he indicated. I told him that I did not think the parties would accept the election unless he and the CEP worked closely with them in the next few days to identify and discard all the results in BECs that had been tainted and to concentrate on trying to get the clean elections accepted. I

also urged him to get in direct contact with Evans Paul and several of the other leaders of the political parties. President Aristide thanked me for my advice and for the continued involvement by the Council. He said that he would call a meeting with the political parties, but he thought it would be appropriate for Dr. Remy to call such a meeting first.

With the largest and best-trained group of observers in all 9 departments, the OAS was the only institution capable of assessing the problems and conduct of the election at all levels throughout the country. Their observers visited about 30% of the 10,031 BIVs as well as all the BECs and BEDs on election day and afterward. Based on the reports that they received, the OAS estimated that the voter turn-out was about 50%, and their Report of July 12 reached the following conclusions: (1) In the vast majority of BIVs, all the elections personnel were present, but they were not welltrained. They started slowly, but learned during the day. (p. 18) (2) Poll-watchers were present in every BIV that they visited. (3) People generally did not vote secretly, and the ballot boxes were rarely sealed at the beginning or the end of the vote, as required by law. (p. 19) (4) BIVs were attacked "in isolated instances;" some BEC material was destroyed. (p. 22) Unfortunately, the OAS Report did not provide a statistical analysis of their sample that would have permitted one to know, for example, which parties had poll-watchers, how many BIVs and BECs were attacked, or what percentage of BIVs sealed their ballot boxes, etc.

4. Post-Election Day

By 8 P.M., on June 27th, the OAS reported that 95% of the BIVs had transported their materials to the BECs, and that 65% of the BECs had transported their material to the BEDs. By July 4th, the materials had all been transported to the BEDs. In certain cases, the count was complete, and the results were forwarded to the CEP.

The reports that the political parties received about the problems during the election and afterwards were very discouraging. On June 27, Aristide met with the political parties to discuss their concerns and promised that the CEP would have a response in 48 hours. When the CEP failed to respond, on June 29, twenty political parties, including KONAKOM, a member of Aristide's government, denounced the election as a fraud, made specific complaints about the conduct of the election, warned that the results would not be accepted, called for the annulment of the election, and urged a new election conducted by a different CEP. After the assassination of one of their candidates, on July 3rd, the FNCD, led by Evans Paul and Senator Turnep Delpe, joined the other parties and announced that they would "reject the election results whether they are favorable or not." The FNCD demanded the annulment of the elections and called for new ones under a new CEP. (See Appendix 9 for press communiques)

Although the CEP had announced that elections in Jean-Rabel would be held on June 26th, they were postponed indefinitely, as the CEP did an assessment of the number of elections that would need to be redone. By July 9, the CEP had announced that based on the following three criteria, 21 elections would be re-run on July 22nd: (1) where elections did not occur; (2) where ballots had been destroyed; and (3) where at least 50% of the BIVs did not function in a BEC. The runoffs were postponed until perhaps August 13. The opposition parties argued that the criteria were inadequate, and they issued a communique on July 10, demanding a reorganization of the CEP and new elections in other areas.

Seventeen days after the election, on July 12th, at 2:00 A.M., the CEP finally began releasing results. Two of nine departments had not yet reported their results, but of the rest, Lavalas (OPL) was the clear victor, winning four Senate seats outright (more than 50%), and being among the top 2 in every race except West, where the Independent had strong ties to OPL. The FNCD came in second in 5 Senate races, and KONAKOM in 2. For the Assembly, Lavalas won 14 seats

outright. Of the 49 other races, Lavalas led in 37 and was represented in 7 more; FNCD led in 5 and was represented in 10 more; KONAKOM led in 2 and was represented in 4 more. PANPRA led in 1 and was represented in 3 more.

The publication of the results did not quell the parties' protests; indeed, it seemed to promote their unity. On July 13, they repeated their call for a new CEP and new elections, but they went further, with the PAIN leader comparing the election to those under Duvalier, and KONAKOM's leader, saying that the result "reflected a manipulation of the elections by Lavalas." Evans Paul proposed a National Dialogue on the future of democracy in Haiti.

On July 14, the CEP released results for the principal Mayoral elections. Lavalas won 64 of the 84 elections; FNCD won 9; KONAKOM, 3. The CEP announced that Manno Charlemagne had won the election in Port-au-Prince by a 45-18% margin against Evans Paul, but it said nothing about the tainted count in BED West, which involved as many as one-third of all the votes in Port-au-Prince; nor did it say anything about what had happened at Delmas 32.

5. The Positives and the Negatives

Before a comprehensive evaluation of the election is possible, one needs to assess the positive and negative aspects of the election. **on the positive side, what went right?**

1. This was the second free election in Haiti's history that allowed the people of Haiti to choose more than 2,000 officials, who will govern the country and be accountable to the people rather than the single leader in Port-au-Prince or the macoutes in small rural towns. The point of the election was to install a responsive and responsible local administrative structure and national congress, and the election helped people to understand that.
2. Despite the complexity of the election, a history of power centralized around a single leader, and the lack of experience with local or Parliamentary democracy, about 50 percent of the Haitian electorate voted.

3. While there were some violent incidents, by and large, this was the most secure and peaceful election in the country's history. The presence of a UN Military Mission and the absence of a Haitian army were the twin reasons.
4. There were numerous candidate and party poll-watchers at the vast majority of voting sites. Some were there because they were paid, but many because they were interested in monitoring and contributing to the process. **This represents the foundation for building a civil society.** The decision by a business association (CLED) to contribute \$15,000 to each of the five major political parties to help pay for the poll-watchers was also very positive.
5. Most of the election officials seemed dedicated and honest, although poorly trained.
6. While three political parties boycotted the election, at least 23 others participated.
7. The presence of many international observers helped the Haitians to understand the importance that the international community attached to their elections and helped ensure that no one would hijack the elections.
8. The UNMIH played a crucial role transporting ballots and election officials around the country and assuring the security of voters.

On the negative side of the ledger, what went wrong?

1. Instead of building confidence in an electoral process, the government and the CEP - by their words, actions, and inactions - eroded confidence. Instead of building bonds with the political parties by listening to their concerns and complaints and responding in an expeditious and helpful manner, the CEP stiffarmed the parties and never responded to their complaints.
2. International observers did not play the crucial role of mediation that could have brought the political parties into the process and that would have led them to accept and respect the electoral process and the results of the elections.
3. The registration process was handled very poorly and was extended far too long. Even the CEP acknowledged that it was prone to abuse.
4. The CEP spent too much of too little time judging candidates for office. This not only shrunk the time candidates needed to campaign and the CEP needed to train election officials and poll-watchers, but it created the most volatile problems on election day with mistaken ballots. As a result of mistaken ballots, violence led to the cancelling of about 17 elections.
5. The CEP never developed a procedure to confirm the voting sites or to inform voters where to vote.
6. Inadequate training of election officials meant that BIVs usually opened late, and few understood the significance of ending the count at the voting site, sealing the boxes, and completing and signing the proces-verbaux. This was the major reason why the parties rejected the results, even before they were announced, and it is a justifiable reason for questioning many of the results, including at least one-third of the votes of Port-au-Prince.
7. The failure of the international community to do any quick counts left the entire election drifting, uncertain which results were valid and which weren't. A quick count for a Parliamentary and municipal election would be very different from

- one for a single, Presidential election. It would not be possible to estimate all the results, but a selected sample could have lifted the political parties' level of confidence that there was no systematic effort to manipulate the count.
8. The CEP failed to learn from mistakes in 1990 or even in 1995. Indeed, the CEP seemed to un-learn the success of 1990, which was that all the political parties accepted and respected the results because all of them had been engaged in the electoral process from its beginning to the end by the international mediators. On the eve of the election, former President Carter asked each of the Presidential candidates whether the process had allowed them to get their message to the people and whether they would accept the results if the international observers declared it a fair election, and they lost. Only one of the Presidential candidates, Jean-Bertrand Aristide, who entered the race at the end, had reservations about committing himself to this formulation, but since the others committed themselves, and they lost, the reluctance of Aristide was less important. In 1995, the CEP kept repeating the mistake through the election and beyond of announcing unrealistic timetables. On the day of the election, the CEP announced a rerun the next day at Jean-Rabel; that was postponed in order to be held with the other reruns on July 22nd, but that date also seems optimistic.

6. Conclusion and Recommendations

There was much good and bad about the June 25th election in Haiti, but overall, of thirteen elections that I have observed, the June 25th Haitian elections were the most disastrous technically, and the counting process was the worst.

Although not part of a delegation, I personally witnessed more instances of fraud than I had ever seen in an election. The best that could be said of the fraud and the irregularities is that these specific instances did not appear to be a part of a centralized or coordinated effort. Indeed, it is probably more accurate to state that Haiti's problem was the opposite: no one seemed to be in control. The CEP blamed the international organizations, who blamed the CEP. Everyone pointed fingers at the other; no one assumed any responsibility.

Many of the irregularities that occurred on June 25th were predicted six months before by the Council/Carter Center's December mission, but inadequate time and attention were given to addressing the problems constructively. There were many lost opportunities. The absence of international mediators, however, might be the most decisive oversight because at the end of the election, the parties had no trust in the process. This is not surprising since the CEP and the government

had failed to respond to any of their complaints over the previous six months. Without any trust or experience in the democratic process, the parties naturally interpreted the high number of irregularities as part of a conspiracy of fraud.

No one was working to build trust. The U.S. and the international community stepped in a couple of times to keep the train from going off the cliff, but no one of stature or power was there to repair the tracks and guide the train in the right direction.

Before making a judgment on the election, we need to ask: compared to what? Compared to the United States, Costa Rica, Chile, or Spain - the elections were a dismal failure; even compared to its neighbor, the Dominican Republic, which has witnessed a good deal of fraud in recent elections, the Haitian election does not fare well. But these are unfair comparisons. **The point of reference should be Haiti's history**, and compared to 200 years of repression and dictatorship, the elections offer hope and the second chance Haitians have had to take their destiny in their own hands. **In brief, the June 25th election is a step out of Haiti's past. Whether it is a step forward or sideways remains to be seen, but it is already clear that Haitians have a long journey ahead of them toward democracy.**

Haiti started on the road to democracy in 1990 and, after falling off in September 1991, was helped back on the road by a unique and important partnership between its people and the international community. Today, Haiti is stuck again on the road to democracy, and everyone has an obligation to put the train back on the tracks and provide a little help to get started. The June 25th election is only the first of three critical elections in 1995 - the next being the rerun, the runoff, and the Presidential election.

The current situation in Haiti poses the most difficult challenge for the Haitian people and the international community. Given all of the resources that A.I.D. has invested in Haiti and all of the work of the OAS and the UN, it is not surprising that they want Haiti to move as quickly as possible to the next election, and are prepared to overlook the magnitude of the electoral failure. In an otherwise commendable report, the OAS reached a rather tortuous, obviously negotiated conclusion that the election "established a foundation which, although shaky, provides the basis for further positive progress..." (p. 32)

Despite this convoluted language, the OAS had the courage that the U.S. has not yet shown of defining the appropriate criteria for judging the election: the acceptance by the people of Haiti and the political parties. Of course, all but the Lavalas Party has declared the election a fraud and requested its annulment. The international community will not help Haiti's democratic process by being silent or dishonest. It has a responsibility to insist that the political parties' concerns be effectively addressed. Until then, the democratic process cannot go forward.

In the spirit of respect for the sovereign democratic process of Haiti, let me offer some ideas or suggestions for ways the electoral process could be improved:

Recommendations:

1. **Reruns: The Next Step.** The CEP criteria for permitting reruns of the election are too narrow. While the magnitude of irregularities - especially regarding the count - were so great as to permit one to consider dismissing the entire election, that is not practical nor necessary. What is needed is an expanded set of criteria for determining reruns and some flexibility for determining runoffs. The candidates whose names were either not on the list or on the wrong list should be given another chance. Political parties should be encouraged to identify the 40 or 50 BECs that should have election reruns.

2. **National Dialogue: Flexible Solutions.** President Aristide should call for a National Dialogue of representatives of the six major political parties and a few other distinguished Haitian and international representatives to try to fashion imaginative and flexible solutions for some of the more complicated electoral problems. For example, I personally witnessed the compromise of one-third of the ballot boxes in Port-au-Prince. Instead of repeating the entire election with twenty candidates for Mayor, the National Dialogue should consider a runoff of the two leading candidates, Charlemagne and Paul. There would be time for a campaign and a debate, and the nation would benefit from that. The elections for Senator and Deputy should require a runoff even if the leader obtains more than 50% of the vote. Although the Constitution does not call for a runoff for a Mayoral election, the circumstances of the June 25th election call for some flexibility. Another item on the agenda of the National Dialogue would be changes in the composition of the CEP. Perhaps, half of the members should be replaced by consensus candidates proposed by the political parties. In some ways, because so many elections are tainted, changing the CEP might be the easiest way of assuaging the concerns of the parties.

3. **Multi-Party Task Force on Election Modifications.** President Aristide should consider appointing a Task Force composed of representatives of the major political parties and international mediators skilled in conducting elections. This Task Force should produce a report for the Haitian people in two weeks, identifying precisely each of the problems in the election and providing specific recommendations on ways to solve them for the next round.

4. **Specific Proposals.** To assist the efforts of this Task Force, let me identify some of the problems and suggest solutions:
 1. **Voting Sites**
 - Problems: The CEP did not get permission to use all the BIV sites, and the public was not certain where to vote.
 - Solutions: Before the election, BEC Presidents should visit each BIV site with the President of the BIV, and should ask the owner of the property to sign his or her name to a form authorizing the use of the site for the election. If the owner of the property refuses to sign the form, the BEC and BIV President should find another location. The list of all the BIV sites and their locations should be published in the newspapers, and posted at the BEC, the registration sites, and the BIV site at least 4 days before the election. The ballot boxes should have the number of the BIV written on it by the officials.
 2. **Training and Practice**

- Problem: Neither the elections officials nor the poll-watchers were adequately trained. Officials were not paid, and they did not bring any food or water to the sites.
- Solution: The CEP should conduct a practice run one week before the election - on a Sunday. BIV officials should set up their site in a way that guarantees a secret ballot and permits a smooth flow of people. The officials should concentrate on how much time it takes to open the site, how to do the count, and how to write the proces-verbaux. They should make sure they bring enough food and water and decide ahead of time how to allocate responsibilities when individuals take breaks.

3. **Completing the Vote**

- Problem: Because the BIVs started late, the CEP decided to extend the voting. This was a mistake that contributed to a compromise of the count.
- Solution: The voting should not be extended. At 6 P.M., the President of the BIV should take the registration card of every individual, who is waiting on line to vote. Each of those individuals should vote, but no one else. In virtually all cases, that should assure that the count would be started by 7 P.M.

4. **The Count**

- Problems: This is the most sensitive and important stage in the election. There has not been enough lighting or security. The proces-verbaux is too complicated, and few officials or poll-watchers understand what to do with it.
- Solutions: At least ten candles (instead of 2) should be included in the election packet. The proces-verbaux needs to be re-designed to make it simpler, and it needs to be tested on election officials with minimal education. Poll-watchers should be given copies of proces-verbaux, which they can fill out at the conclusion of the count when the President of the BIV calls out the results. Everyone should sign the proces-verbaux, and one should be posted outside the BIV. The boxes and the proces-verbaux should be sealed, and a small team of officials and trusted poll-watchers should be charged with bringing the boxes and the proces-verbaux to the BECs and subsequently the BEDs.

5. **Institutional Memory.** Although it had an election in 1990, a runoff in 1991, and an election on June 25, 1995, Haiti does not seem to be learning from these experiences. To move forward, some institutional memory is essential. After the runoffs of the Parliamentary elections, the President and the new Parliament should concentrate on establishing a Permanent Elections Council that builds from the experience of the past and includes people who have learned from the

past experiences. The new Chairman should be a person with experience either in organizing an election or some other large and complicated exercise.

6. **Changes in the Electoral Law.** The Special Commission ought to make recommendations for revisions in the Election Law and the way in which the Elections Council works. Most of the worst mistakes made by the CEP in the June 25th election stemmed from their disqualifying candidates. The CEP did not have time to respond to legitimate complaints from the parties; they spent so much time on the certification process that they slowed the entire electoral calendar, leading to tragic mistakes on the ballot. One can understand why Duvalierists are illegitimate, but the best way to show that the people who may have had some association with the old regime have no standing today is to defeat them in a free election. That won't be hard. Why not let everyone, who can pay a certain fee or has garnered a certain number of signatures on a petition, run for office? Let administrative staff take the fees and the applications, and let the Elections Council focus on more important responsibilities or parts of the electoral calendar, such as auditing party expenditures and revenues.

7. **Mediation.** The OAS, UN, or U.S. and other governments should help mediate between the parties, the government, and the Elections Council, or they should encourage a non-governmental organization to do this.

8. **Sample Counts.** International Observers should do a quick count not just for the Presidential election but for other elections as well. Obviously, a quick count for an election of 2,000 positions is not possible, but a select sample could permit some security to those who are afraid that the election was stolen.

APPENDIX 1

Schedule of Dr. Robert A. Pastor

Elections in Haiti

June 23-26, 1995

Friday, June 23, 1995

Noon-1:30 - Talked with Christian Nadeau, IFES, on plane

2:00 P.M. - Arrived in Port-au-Prince

2:00-3:00 - Met and worked with Jean-Paul Poirier, America's Development Foundation

3:00-3:15 - Meeting, OAS HQ with officials, apply for credentials
3:30-5:00 - Meeting with Tanya Domi, Director of Haiti Office, National Democratic Institute for International Affairs, and Gerard Le Chevallier
5:45-7 P.M. - Meeting with Ron Gould and Lori Wells, Director and Deputy Director, OAS Election Observation Mission, Haiti
8:00-11:00 P.M. - Meeting with Marc Bazin, President of MIDH

Saturday, June 24

7:30-8:30 A.M. - Breakfast with Vicki Huddleston, Deputy Chief of Mission, U.S. Embassy; and Dr. Morton Halperin, National Security Council. Joined by Congressman Porter Goss (Rep.-Fla), Leader of International Republican Institute Observer Delegation
8:30-9:10 A.M. - IRI Pre-Election Press Conference
9:30-10:45 A.M. - Meeting with Lakhdar Brahimi, Special Representative of the UN Secretary General; General David Kinzer, Commander, UNMIH; and Dong Nguyen, Head of UN Electoral Unit
11:30-12:30 - Meeting with Brian Atwood and the U.S. Presidential Delegation to Observe the Elections in Haiti; and with Randall Robinson and the TransAfrica Delegation
1:00-2:00 P.M. - Meeting with Gerard Pierre Charles, Director of the Lavelas Population Organization; Rene Theodore; and other political party leaders
2:00-3:30 P.M. - Meeting with Anselme Remy, President, Provisional Elections Council
4:00-5:00 P.M. - Meeting with Leslie Delatour, Governor, Central Bank of Haiti; and with Lionel Delatour, Economic Consultant to CLED (business association)
5:00-6:30 P.M. - Meeting with Jean-Claude Bajeux, Minister of Culture, leader of KONAKOM
7:00-8:15 P.M. - Meeting with Leslie Manigat, former President, Leader of RDNP; and with Mirlande Manigat, candidate for Senator

9:00-10:00 - Discussion with Rep. Porter Goss and IRI and Presidential Mission delegates [Evans Paul, Mayor of Port-au-Prince, had to cancel dinner because of urgent meeting with CEP]

Sunday, June 25, 1995

Observation of elections in Petitionville and Port-au-Prince

11:00-Noon - Consultations with Cesar Gaviria, OAS Secretary General; Mr. Colin Granderson, head of Un/OAS Civilian Mission

12:30-2:00 P.M. - Lunch with Lakhdar Brahimi, UN

2:15 P.M. - Phone conversation with President Jean-Bertrand Aristide

2:30-7:30 P.M. - Observation of election and Counting

7:30-9:00 - Debriefing of U.S. Presidential Delegation

9:30-10:45 P.M. - Meeting with Mayor Evans Paul and FNCD leaders

11:00 P.M.-12:45 A.M. - Vist at BED West

1:00-1:30 A.M. - Return to FNCD Headquarters to Report

1:30-2:30 A.M. - Visit of OAS Headquarters; Phone Conversation with Brian Atwood

Monday, June 26th

7:00 A.M.-9:30 A.M. - Meetings with U.S. Presidential Delegation and IRI Delegation - IRI Press Conference

10:00-11:15 A.M. Presidential Delegation Press Conference

11:15 A.M.-11:30 A.M. Meeting with Press

Noon-12:35 P.M. - Meeting with President Jean-Bertrand Aristide, Minister of the Presidency Leslie Voltaire at Presidential Palace

1:00-2:15 P.M. - Visit to America's Development Foundation - Phone Calls to Political Party Leaders, U.S. Ambassador Swing

3:10 P.M. - Departure from Haiti

APPENDIX 2

PARTIAL LIST OF POLITICAL PARTIES AND COALITIONS OF HAITI

More than 70 political parties were registered with the Ministry of Justice.

Twenty-three parties and coalitions were authorized by the CEP to participate in the June 25th election. Below are the main parties and coalitions; the ones with * are most important.

*ALAH

Alliance pour l'Avancement et la Liberation d'Haiti This party, led by Reynold Georges, is influential in the Central Plateau, but does not enjoy broad-based national support.

*BPL

Bloc Parti Lavalas - sometimes called the Platform Parti Lavalas. Coalition of three parties led by the OPL and including MOP and Parti L'Ouvri-Barye, led by Renaud Bernardin.

CDSH

Centre Democratique Social Haitian

CREEDO

Coalition Reformiste pour le Developpment d'Haiti avec la Democratie et l'Ordre

*FNCD

Front National pour la Convergence Democratique The FNCD is a coalition of groups that originally supported Aristide. Its main leaders are Evans Paul and Turneb Delpe.

FULNH

Front Unifie de Liberation Nationale d'Haiti

Gener. 2004

Generation 2004. De-certified by CEP

GMRN

Contains elements from Rene Theodore's Mouvement de Reconstruction National and the old Haitian Communist Party

*KID

Konvensyon Inite Demokratik. KID is a political party led by Evans Paul, the Mayor of Port-au-Prince and part of the FNCD coalition.

*KONAKOM

Komite Nasyonal Kongre Mouvman Demokratik Originally part of the coalition that elected Aristide, KONAKOM remained apart from the FNCD and LAVALAS to present its own candidates. Its leaders include former Minister of Education Victor Benoit and human rights activist and current Minister of Culture Jean-Claude Bajeux.

MACIH

Mouvement d'Action de Changement Integral d'Haiti

MDN

Mobilization pour le Developpment National The MDN falls on the more conservative end of the political spectrum and is led by Huber de Ronceray

*MIDH

Mouvement pour l'Instauration de la Democratie en Haiti -- Marc Bazin created and led this party which received the second largest percentage of the vote in the 1990 elections, but boycotted the 1995 election.

MKN
Mouvement Koumbite National

MNP-28
Mouvement National Patriotique du 28 Novembre Boycotted the 1995 election

MODEJAH
Mouvement Democratique pour l'Avancement de la Jeunesse Haitienne.
Boycotted the 1995 election.

MODEL-PRDH
Parti Revolutionnaire d'Haiti

*MOP
Mouvement d'Organization du Pays Greger Jean-Louis leads this party which joined the Lavalas coalition for the 1995 elections

*MRN
Mouvement pour la Reconstruction Nationale Rene Theodore heads this party which, though it is a successor of the Haitian communist party, now supports liberal market practices. Was decertified by the CEP

*OPL
Organization Politique Lavalas. Led by Gerard Pierre Charles, using the LAVALAS slogan of Aristide's 1990 campaign. It is the main part of the coalition of Bloc Politique Lavalas. Their slogan is "get together around the table"

PADH
Parti Alternitif pour le Developpment d'Haiti

*PAIN
Parti Agricole Industriel National PAIN is a center-right party whose support comes mainly from the south due to the legacy of Louis Dejoie who ran against Duvalier in 1957. Louis Dejois II now leads the party.

*PAKAPALA
Camp Patriotique et de l'Alliance Haitienne

PAN
Parti Authentique National

*PANPRA
Parti National Progressiste Revolutionnaire Haitien Headed by Serge Gilles, this Social Democratic group opposed the FNCD in 1990 as a member of the ANDP coalition, but it separated itself from MIDH, denouncing the coup in 1991.

PAPP
Parti des Associations Populaire et Politique

PARADIS
Parti Haitien de Dieu

PARAN
Parti du Ralliement National

*PDCH
Parti Democratique Chretien Haitien

- The PDCH is a left-of-center party whose leader, Sylvio Claude was killed in 1991. The current leader is Joachim Pierre.
- PLR-BC
Parti Liberal Republicain-Bloc Centriste
 - PNDPH
Parti National Democratique Progressiste d'Haiti
 - PNH
Parti Nationaliste Haitien
 - PNR
Parti Nationaliste Republicain
 - PNT
Parti National du Travail
 - PRDH
Parti Revolutionnaire Democrate Haitien
 - PRH
Parti Revolutionnaire Haitien
 - PROP
Parti du Rassemblement des Organizations Populaires
 - PSH
Parti Socialiste Haitien
 - PUDH
Parti Unifie Democratique Haitien
 - RDC
Rassemblement des Democratres Chretiens
 - *RDNP
Rassemblement des Democratres Nationaux Progressistes Leslie Manigat, who served as president for one month in 1988, leads the RDNP.
 - UCH
Union des Constitutionnalistes Haitien
 - UPAN
Union des Patriotes pour l'Avancement National
 - UPDC
Union Patriotique des Democratres Chretiens
 - UPD
Union des Patriotes Democratres
 - URN
Union pour la Reconciliation Nationale

Appendix 3

Electoral Calendar Haiti

1995 Legislative and General Elections

Proposed (2/95) and Final Timetable

The following is the time-table for the June 25 elections in which CASECS, Municipal Councils, 2\3 of the Senate and the full Lower-Chamber were to be elected.

February 21-23: Receiving BED 1 candidates' names

February 27: Nomination of BED members and publication of BED member lists

March 5-14: Recruitment of BEC 2 members

March 15: Nomination and installation of BECs

March 11-14: Identification of voting sites

{Delayed to March 14-20; but never confirmed}

March 14-20: Training Seminar for BEC staff

March 15-20: Recruitment of registration and voting officials

March 16-24: Distribution of registration materials

March 20-22: Training Seminar for members of BI 3

March 20-30: Training Seminar for BED members

March 26- April 22: Voter Registration

{Actual: extended twice to June 3, although many sites remained open until June 9}

March 27- April 3: Candidate Filing

{Actual: March 30- April 22}

March 28- April 6: Examinations and challenges to candidates' registration

{Actual: April 3- June 15}

April 24: Publication of candidate lists; campaigning begins

{Actual: Campaign theoretically opened on May 14: in fact candidate lists were not available until days before the election, and in some cases, on the day of the election}

May 15- June 14: Production and distribution of ballots

June 2: Campaigning ends

{Actually ended on June 23}

May 26- June 3: Distribution of voting materials

{Actual: June 15- June 25}

June 20-24: Actual training of BIV officials
June 4: First round of elections
{Actual: June 25}
July 22: Re-Run of 16 Elections
June 25: Run-off elections, if required
{Actual: Scheduled for August 13}
November 26: Presidential Elections
February 7, 1996: Inauguration of new President of Haiti

APPENDIX 4

DEPARTMENT OF DEFENSE
Headquarters, Multinational Forces
Port-au-Prince, Haiti, 09383-0090

March 22, 1995

Commanding General
Honorable Jean Joseph Exume
Minister of Justice
Port-au-Prince Haiti

Dear Minister Exume:

The Multinational Forces have recently been presented with allegations and evidence concerning a possible conspiracy to murder a prominent Attorney who has been critical of the current Government. Although we have not fully investigated all aspects of this case at the present time, the following information is provided so that your Government may immediately undertake an appropriate investigation of this matter. Because another Minister of the Government is alleged to have been involved in this conspiracy, I have also notified President Aristide of this matter.

An MNF contract interpreter named Mr. Claude Douge provided information that he had recently been given a weapon (\$\$Word\$\$) by Mr. Patric Moise. He also told us that Mr. Moise related that he had been hired by Minister of the Interior Beaubrun to assassinate Mirelle Durucher Dertin. He then surrendered the weapon to the MNF. Patric Moise is known to the Multinational Forces to have both the training and capacity to commit such an act, Mr. Douge told us that Mr. Moise and others would be coming by his house during last Sunday evening to conduct \$\$Word\$\$ of Mr. Berlin's house and workplace. Mr. Douge told us that Patric and the others would be in a gray Isuzu Trooper. At the appointed time and place, we apprehended Mr. Moise and others in a gray Isuzu Trooper as they arrived at Douge's home. The vehicle was registered to the Ministry of the Interior, Mr. Patric Moise was accompanied by his brother Eddi, Mr. Michellel Nicholas, and Mr. Jean Joseph St. Claire. When apprehended, these individuals had papers in their possession which contained the telephone number of Minister Beaubrun and Mrs. Berlin's name on a list of lawyers who may have participated in the coup d'etat.

Mr. Douge's information was partially confirmed by his wife, who when independently questioned, related that Mr. Douge had told her of the plot, and by Mr. Nicholas, who told us that he went with Patric Moise to pick up the Isuzu Troopes directly from Minister Beaubrun (who Nicholas said handed the keys to Patric Moise on Saturday night, March 18). Mr. Nicholas and Mr. St. Claire also confirmed that Mr. Patric Moise met the Minister and others at the Ministry of the interior throughout this past week.

The Multinational Forces have detailed Mr. Patric Moise, Mr. Eddi Moise, Mr. Nicholas, and Mr. St. Claire at police station 2. Mr.

Douge and his wife have been detained at one of our facilities, although the MNF does not believe that Mrs. Douge is other than a witness in this case. The MNF will make these individuals available for such investigation as you deem warranted and will also provide you with access to the evidence in this case (documents, car, and weapon).

We'd not know whether or not these allegations are true. However, the fact that a Minister has been implicated is especially serious. These allegations and initial questioning results are being reported through channels and will come to the attention of U.S. officials. I have also advised the United States Ambassador of this matter. For that reason, I ask that your investigation of this matter be swift and complete and that the Multinational Forces be provided with the results as soon as possible. We also believe it would be appropriate for you to notify the intended victim in this case of the threat so that she might take appropriate measures for her self-protection.

As always, the Multinational Forces will provide such assistance as may be appropriate upon your request.

Sincerely,

George A. Fisher
Major General, U.S. Army
Commanding General
Port-au-Prince Haiti

APPENDIX 5

Haiti - Election Funding Sources - as of 5/22/95

<i>Contributor</i>	<i>Pledged Amount (as of 3/27/95)</i>	<i>Availability, Current and Projected</i>	<i>Assistance Provided</i>
Haiti	\$ 889,000 Gdes 10,000,000**	• \$ 889,000	• Salaries of CEP & its staff
United States	\$ 11,500,000	• \$ 6,900,000 to UN • \$ 2,600,000 to IFES • \$ 500,000 to NDI/AIFLD • \$ 200,000 to IRI • \$ 1,300,000 *	• TA to CEP through UN • Ballots and Training • Voter Education/Registration • Observer work • Incremental to the UN
Canada	\$ 1,400,000	• \$ 1,400,000	• Election Materials • Civic Education
UNDP	\$ 100,000	• \$ 100,000	• Civic Education
Mexico	\$ 25,000	• \$ 25,000	• Computer TA to CEP
European Union	\$ 1,300,000	• \$ 1,300,000	• Poll workers salaries • Monitoring Unit
France	\$ 1,000,000	• Confirmed	• Salaries
Japan	\$ 500,000 150,000	• Confirmed	• UN Election Trust Fund, • Radio Nationale repair • and expansion
Totals	\$ 16,864,000	\$15,214,000	



















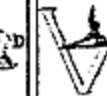







* To be conditioned on strong efforts to create a permanent Electoral Council prior to the November elections.
 ** Line of credit from Central Bank. To be reimbursed against foreign assistance.

REPUBLIK DAYITI
ELEKSYON
1995

51

DEPATMAN LWES

SENATE

 JOSEPH JOCELYN TURNER DELPE	 EDDY JEUNE	 JUDEHO ROMAISE ALFRED	 LUCILE PETIT			 WESSIER COMANDEF	 PASTEUR ANTOINE LEROY	 JEAN CLAUDE CHRISPHONT
FNCD	FNCD	FULNH	FULNH	KONAKOM	KONAKOM	LAVALAS	NDN	PAIN
								
								
 RAYMOND PIDU	 PAUL DEMOSTHENES	 MARIE DENISE CLAUDE	 FRITZ PIERRE		 JEAN ACHARD DUGAS	 PHILO COLIXTE	 ALTHEA RIVIERA ST-LOUIS	 JUSSIER JEAN-CYPRIEEN
PAIN	PANPRA	PDCH	PDCP	PNCH	PNJT	PNR	PNR	PNT
								
								
 POLYNICE BASTIEN	 JEAN AUGUSTE BELL'ERICE	 FRITZ BISSEREHT	 MIRLANDE HIPPOLYTE MANIGAT	 ERNST MOISE	 ATHANASE JN LOUIS	 ROBERT OPORT	 JEAN-ROBERT SABALAT	
PSR	PSR	RONP	RDNP	UPAN	UPD	UPDC	IND	BILTEW SENATE
								BILTEW SENATE
								BILTEW SENATE
								ELEKSYON 1995

REPUBLIK DAYTI
ELEKSYON
1995

MTT /
DEPATMAN LWES
2EM SIKONSKRIPSYON POTOPRENS
KOMIN POTOPRENS

MAJISTRA

EVANS PAUL	BEVARD PIERRE LOUIS	TYLER ANNELE PASQUET	MICHAEL ROGER SKULLARD	JACQUES FREDERIC	REYNALD EDOUARD	ROCHER JULIE	DELMA DOMINIQUE LIMERICHA	ENIST DELPHINE CANTON	JEAN DANIEL PETIT	JUDE L. JEAN JACQUES	DANIEL M.J. JEAN BAPTISTE	WELDE DIDACH	JOSEPH EMMANUEL CHARLEMAGNE	JEAN EDOUARD FRANKLIN	WILL COLLAINE	PATRICK KENNY	ROBERT MALLORY	GEORGES KIERE PAUL	JOSEPH PASCEN FRENAL
PAUL MARC MAIRE	WICKER STEPHANE	AUGUSTE EDOUARD	JULES CAHILL	YVES ROYAL	JEAN GERARD JACQUESICE	JEAN FRANCOIS ARISWIND	PIERRE MAYES EDYNE	MARIE FLORENCE GABRIEL	JEAN JEAN CHRISTOPH GERGISE	EMMANUEL FRANCOIS	JEANNE THERESE WILFRED BEULIENE	PAULINE DANIE	JOSEPH CHARLES	FRANCOIS JOSEPH	JEROME MAIRE PIERRE	FRENEL JACQUES	CLAUDE TEJON	MAIRE LEON WILLIAM	EDUARD DANIEL
WAVE CHARLETT EAGLE DORISSEAN	YVES ROBERT	MARIE PIERRE	PIERRE ANDRE MANGE ROSE MAMAN RAULIE	JEAN ALBERT ROUSSEAU FRANCOISE	CLAUDE DAVID	EDOUARD MAGAS	BERNARD SERAPHIN	RENE LAURENCE	COLLAINE M. PIERRE LADAN	DANIEL JEAN DANIEL	JEAN RENE AUGUSTE	DELANCE JEANNE	JEAN MICHAEL WELCHER	EMMANUEL LAMBERT	WILFRED PIERRE LOUIS	MAIRE BOURNE	CLAUDE ETIENNE	WOLFE SIBERS	ALMAIRE JANVIER
IND	FULM	GHAN	KONAKOM	NDN	PAIN	PANPRA	POCH	PNT	PSR	UPAN	UPO	UPOC	IND	IND	IND	IND	IND	IND	IND

For Immediate Release

June 26, 1995

Contact: Bev Ward
Delmas 33, No. 34
Port-au-Prince, Haiti
(509)46 28 81
Shirley Green
(202) 408-9450

IRREGULARITIES MAR ELECTORAL PROCESS

Good morning. This is our second press conference. On Saturday, the International Republican Institute (IRI) released its pre-electoral assessment in which we expressed our concern over a number of issues. They include the implications of the failure of the electoral authorities to create an open,

transparent and verifiable process; the disqualification of parties and candidates; the lack of adequate training for electoral workers; and the failure to conduct any civic education to encourage voter participation. Today, all of us here have seen the consequences of these failings.

I want to underscore the fact that our delegates are still in the field throughout the nine departments sending in reports. Election day has only recently come to an end and the counting continues. Our serious concern about the total lack of ballot security is being borne out as I speak. We received reports from our delegates early this morning who observed disturbing irregularities at the BEC level. I have asked our delegation to determine the extent of these abuses for our evaluation of the count. The problems in this electoral process can only complicate the strengthening of democracy in Haiti.

Frankly, the Haitian people deserve better. We saw their remarkable dignity and endurance yesterday while trying earnestly to participate in an arbitrary process. We share a common objective with others in the international community--we all want a better Haiti and a stronger democracy here. IRI is not here to certify this election. Only the Haitian people themselves have the right to determine the legitimacy of this process. Already several major parties have issued statements challenging the integrity of the process. We must take their judgements seriously. Let me share with you our observations about yesterday's events. We received radio and telephone reports from IRI delegates in the field from Les Cayes to Fort Liberte. Together, the IRI delegates have visited during the course of election day about 500 BIVs. Our delegates in Jacmel and Jeremie reported an election we had hoped for--sufficiently organized, whose irregularities were overcome by the Haitian people and the electoral workers themselves. For myself, the only normal process I observed was at Cabaret, which is doubly ironic because it used to be Duvalierville, the former dictator's Potemkin Village. Our delegates

throughout the departments in the north reported graphically about the closing of BIVs, the intimidation of politicians and the burning down of the BEC in Limbe.

Today in Port-au-Prince our delegates observed the use of xeroxed ballots, and early this morning we witnessed tally sheets being intentionally altered and ballots being substituted with newly marked ballots. This occurred in the Delmas BEC, not 10 minutes from where we are today. This raises the serious possibility of the political manipulation of this election.

So let me take a step back and point out a positive aspect of these elections. Throughout the country, all of us were surprised and impressed by the significant presence of political party observers. I would like to give credit to the Haitian private sector who filled a crucial void by providing the necessary support to field these pollwatchers. The Center for Free Enterprise and Democracy (CLED) deserves credit for putting this bold initiative together in 48 hours.

Let me now summarize our grave concerns:

- **Security:** The international military served as a deterrent to widespread violence for these elections. However, the issue of personal security for those participating in this political process remains a serious concern. This issue has permeated every step of the process, affected the quality of the campaign, the environment in which this election occurred and clearly lessened voter participation. It was magnified yesterday by threatened electoral workers and intimidated and harassed candidates. Yesterday, violent incidents closed BIVs in Port-au-Prince, Limbe, Port de Paix, Don Don, Ferrier, Jean Rabel, Carrefour and Cite Soleil. These actions disenfranchised an undeserving Haitian population. Without visible security, BIV authorities were forced to close the polls and in other cases voters went home without casting their vote.
- **Voter Materials:** The CEP failed to deliver and distribute voter materials in the necessary time frame. Many BIVs also received incomplete election material packages. This resulted in countless delayed BIV openings. This created enormous voter frustration and even postponed the elections in La Chapelle.
- **Unpaid Election Workers:** As noted in our pre-electoral assessment, the failure of the CEP to pay thousands of electoral workers was attributed as one of the reasons for absenteeism which delayed and closed many BIVs. Demonstrations were reported in several departments.

- **Administration Capability:** As noted in our pre-electoral assessment, electoral workers received minimal or no training on their duties and procedures. This resulted not only in lengthy delays but jeopardized the security and secrecy of the process.
- **Secrecy of the Ballot:** There was widespread disregard for the secrecy of this process. IRI and other delegates reported that the ballot box seals were rarely used. Additionally, the setup of most BIVs did not afford voters secrecy in marking their ballots.
- **Security of the ballot:** The most flagrant lack of control occurred from the point of the count to the BEC level. Upon arrival of the ballots at the BECs, observers reported a lack of control of used and unused ballots. The most egregious examples of this known to IRI occurred in the Delmas BEC where clean ballots were marked and substituted for ballots that had arrived from the BIVs; tally sheets were altered.
- **Disqualification of Candidates:** The thoroughly arbitrary process of qualifying candidates led to serious consequences which we anticipated in our pre-election report. While some argued that the number of candidates that were disqualified was not statistically significant, it proved on election day to destabilize the electoral environment in certain areas. The results of this ranged from a low voter turnout in Saint Marc where five candidates for magistrate were left off the ballot to Jean Rabel, where it was reported that followers of independent deputy candidate Henry Desamour burned ballots and closed BIVs because his name did not appear on the ballot.
- **Voter Turnout:** IRI delegates reported low to modest voter turnout in the BIVs they visited. If this remains the case, we believe that it is a consequence of a compressed election timetable, a lack of civic education, and frustration with the electoral process.

It was important for Haiti and the international community to hold this election, but holding an election is simply not enough. The purpose of this election was to create layers of government that can serve as checks and balances on each other and decentralize power as envisioned by the 1987 Constitution. That is why it was important to have an inclusive procession, not one marked by exclusion.

It has been IRI's intent throughout this process to be thorough, independent, objective and constructive. In this regard, IRI will maintain a presence in Haiti through the final round of elections and will make recommendations for the formation of the permanent electoral council.

**DEPARTURE STATEMENT U. S. PRESIDENTIAL DELEGATION TO
OBSERVE THE HAITI ELECTIONS**

June 26, 1996

Port-au-Prince, Haiti

CONTACT: Russell Porter (202) 647-4274

or Stan Schragger (509) 22-5762

Yesterday's elections represent a step in the building of democracy in Haiti. A peaceful balloting process occurred in a country where violence has so often marked past elections. This feat is truly impressive when one considers that but nine months ago Haiti was under the yoke of a military dictatorship. However, the process was affected by irregularities and administrative flaws that need to be addressed for the second round and the future.

Members of the presidential delegation visited five of Haiti's nine departments and more than 300 polling sites. We observed a complicated balloting procedure, involving elections for more than 2100 legislative, mayoral and local council offices. Dedicated polling officials and pollwatchers representing 25 political parties surmounted various obstacles in allowing the Haitian people, in most localities, to choose their representatives.

Procedural and administrative problems before and on election day, nonetheless, prevented citizens in several municipalities from expressing their voting preferences. The failure to include the names of certain approved candidates on the ballots contributed to the cancellation of elections in seven communities and created disquiet in other areas. We also have received critical reports regarding the failure to follow proper procedures during the initial counting phase, with most serious consequences in the Department of the West, which covers the Port Au Prince area.

Despite repeated misunderstandings over the actions of election officials at all levels, the delegation saw little evidence of any effort to favor a single political party or of an organized attempt to intentionally subvert the electoral machinery.

At many points, the Provisional Electoral Council's actions and public statements raised questions about the credibility of the process. The most significant of the problems was the failure to explain the reasons candidates were rejected.

Political parties raised these and other concerns relating to the transparency of the elections in their contacts with the delegation.

President Aristide and his government performed a positive role in repeating often the theme of reconciliation. In meeting with some rejected candidates and in a public statement on the eve of the elections, the President demonstrated his concern over the controversies surrounding the process and underscored his desire to be President of every Haitian citizen.

We wish to emphasize that this electoral process is far from over and thus a definitive evaluation is premature. The counting of ballots and the adjudication of electoral complaints are pending. There may even be a need to rerun elections in certain jurisdictions. We will remain in close contact with other observer delegations, most notably the Organization of American States, which has organized coverage of these elections throughout the country.

A determined effort is required to remedy the most significant problems affecting the electoral process before the next round of elections. Sincere consultations with a broad range of political parties and transparent decisionmaking by the electoral authorities should have occurred and are indispensable to strengthening Haiti's democratic institutions. The government also should consider carefully the recommendations of the United Nations, various observer delegations and technical election experts who have worked closely with their Haitian counterparts in assisting the electoral process. In this context, we note the very positive role that the United Nations Mission in Haiti during the entire transition period.

Despite the problems associated with the pre-election period and observed on election day, the Haitian people voted freely and seemingly without fear. Haiti is now one step closer to establishing a functioning parliament and viable local government.

It is our firm belief that further steps to correct the identified problems will encourage a perception of fairness about this process, despite the inevitable difficulties of conducting an election in Haiti. The Haitian people have demonstrated that they have earned the respect associated with participating in the individual act of casting a ballot. For our part, we will continue to work with the government and people of Haiti in supporting the strengthening of democratic institutions in this country.

APPENDIX 9

EXCERPTS FROM PROTESTS BY POLITICAL PARTIES

1: Resolution of Twenty Political Parties, June 29, 1995

The Political Parties met to examine the irregularities of the parliamentary, municipal, and local elections of June 25, 1995.

1. "Denounces the poor administration, the irregularities, the fraud, and the manipulations which marked the elections of June 25, 1995," claiming the violation of articles 104, 105, 111, and 113 of Haitian electoral law. Citing Article 104, the parties claim that certain polling places were kept open past the appointed time, 6pm. Citing Article 105, they claim that the count was not effected according to the proscribed legal procedures in the presence of representatives of the political parties. Citing Article 111, they claim that the procedure of posting proces-verbaux was not observed. Citing article 113, the parties affirm that the results of the elections were not processed at the appropriate BEDs and BECs in the presence of members of the political parties. They add that the disturbing disappearance of one million ballots disrupted voting in all nine departments.
2. Warns of the consequences of accepting the results of the elections and calls for the annulment of the elections everywhere that there were problems with materials, delays, violence, or manipulation, that is to say in all of the nine departments on all levels of the election.

3. Calls for a new composition of the CEP in the spirit of compromise originally conceived when Aristide met with all the political parties and with names submitted from the parties for workers in the BEDs BECs, and BICs.
4. Asks for a review of the list of candidates that were disqualified from running and that the parties receive equal air time in the media for campaigning.
5. Asks that the country make use of the USCE or Unity of Supervision and Electoral Control which was conceived before the first round of the elections.

signed by

PANPRA, RNDP, KONAKOM, PNT, MDN, MRN, PDCH, PAIN, MODEL-PRDH, MKN, ALAH, UPD, MNP-28, UPUR, PNR, PON, PSR, PNCH, PAPP, PADH. The document remains open to be signed by UPAN and the FNCD, which were unable to attend the meeting.

II. The Position of the FNCD - July 3, 1995

"The FNCD denounces again the numerous irregularities, the fraud, and the violence which stained the electoral process of June 25, 1995 on a national level." It blames the abuses on a small group that is trying to systematically control the government apparatus.

After having met with the candidates that the FNCD was presenting for various offices, and with representatives from all nine department, Mr. Paul and Mr. Delpe have decided to reject the election results whether they are favorable or not.

They then list three demands:

1. the annulment of the elections in all nine departments which were unsuccessful due to serious faults in the process and many incidents of violence
2. the recall of all electoral officials
3. the organization of new national elections so that the country can move forward with a practical political agenda and escape the socio-economic crisis that exists presently.

The statement concludes by denouncing the assassination of M. Henoc Jean-Charles and calls on all its supporters within and outside of Haiti to remain mobilized for democracy and change.

(signed)

Evans Paul

Mayor, Port-au-Prince

(signed)

Turneb Delpe Senator

Notes

Note 1: See *The 1990 General Elections in Haiti: International Delegation Report*, by the Council of Freely Elected Heads of Government and the National Democratic Institute for International Affairs (Washington, D.C.: NDI, 1991).

[Back.](#)

Note 2: See Council of Freely Elected Heads of Government of the Carter Center of Emory University, *Assessment Mission to Haiti, December 11-14, 1994*, January 1995). [Back.](#)

Note 3: See Council of Freely Elected Heads of Government of the Carter Center of Emory University, *Mission to Haiti # 2, February 23-26, 1995* (The Carter Center: Atlanta, Georgia, March 1995). [Back.](#)

Note 4: Bazin had come in second in the Presidential election on December 16, 1990 with 14% of the vote. That compared to Aristide with 67%, and Louie Dejoie II, who came in third in a field of 11 candidates with 4.9% of the 1.64 million voters. [Back.](#)

Note 5: The most disputed disqualification centered around Rene Theodore, who had once been proposed by Aristide as a possible Prime Minister. Theodore's Movement for National Reconstruction (MRN) split into two factions - one under his leadership and the other under Rony Modestin. The CEP disqualified the MRN, and then after protests, proposed that each group modify its name to participate in the elections. Modestin agreed and was approved; Theodore insisted that as a founder and leader of the MRN, a change in names would harm

his party's chances, and he rejected the proposal. In an interview with the author, Theodore claimed that the real reason for his disqualification was personal revenge by the President of the CEP and several Lavalas leaders, who opposed his efforts in the late 1980s to persuade the Communist Party - to which they all belonged - to accept the legitimacy of elections. [Back.](#)

Note 6: OAS Election Observation Mission, *Report on the June 25 Elections* (Port-au-Prince, July 12, 1995), p. 30. [Back.](#)

Note 7: See Human Rights Watch/Americas, *Haiti: Human Rights Conditions Prior to the June 1995 Elections*, Vol. 7, No. 6, June 1995, pp. 5-12. [Back.](#)

Note 8: These facts were provided by Christian Nadeau, Ag. Director of the Americas Program, International Foundation for Elections Systems (IFES), June 23, 1995. IFES provided most of the technical help related to printing and shipping of the ballots. [Back.](#)

Note 1: BED: Bureau Electoral Departemental. There are nine regional level BEDs in the country. [Back.](#)

Note 2: BEC: Bureau Electoral Communal. There are 133 communal or district level electoral bureaus. [Back.](#)

Note 3: BI Registration Sites. There were supposed to have been 9,000, but they were reduced to 3,000. [Back.](#)