

The election impasse in Haiti

The run-off in the 2015 presidential elections in Haiti has been suspended repeatedly, after the opposition contested the first round in October 2015. Just before the end of President Martelly's mandate on 7 February 2016, an agreement was reached to appoint an interim President and a new Provisional Electoral Council, fixing new elections for 24 April 2016. Although most of the agreement has been respected, the second round was in the end not held on the scheduled date.

Background

After nearly two centuries of mainly authoritarian rule which culminated in the [Duvalier](#) family dictatorship (1957-1986), [Haiti](#) is still [struggling](#) to consolidate its own democratic institutions. A new [Constitution](#) was approved in 1987, [amended](#) in 2012, creating the conditions for a democratic government. The first truly free and fair elections were held in 1990, and won by [Jean-Bertrand Aristide](#) ([Fanmi Lavalas](#)). He was temporarily overthrown by the military in 1991, but thanks to international pressure, completed his term in office three years later. Aristide replaced the army with a civilian police force, and in 1996, when succeeded by [René Préval](#) ([Inite/Unity Party](#)), power was transferred democratically between two elected Haitian Presidents for the first time. Aristide was re-elected in 2001, but his government collapsed in 2004 and was replaced by an interim government. When new elections took place in 2006, Préval was elected President for a second term, Parliament was re-established, and a short period of democratic progress followed. A food crisis in 2008 generated violent protest, leading to the removal of the Prime Minister, and the situation worsened with the [2010 earthquake](#). After a controversial campaign, [Michel Martelly](#) ([Répons peyizan](#)) was elected President in 2011. Gridlock between the executive and the legislative, and the absence of [long-overdue](#) parliamentary elections subsequently contributed to degradation of the political situation.

Haiti's political system and parties

Haiti is a presidential republic, where the President is head of the executive and also presides over the Council of Ministers. He appoints a Prime Minister, who must then be confirmed by Parliament. The President is elected for a five-year term of office, and his power is limited to two non-consecutive terms ([Article 134.3](#) of the Constitution). If, after the first round of presidential elections, no candidate obtains an absolute majority, or a 25% lead over his immediate challenger, then a second round must take place. Constitutional amendments passed by two consecutive legislatures enter into effect when the next President takes office. Legislative power is held by a bicameral [National Assembly](#), with a 119 member [Chamber of Deputies](#) renewed every four years, and a 30 member [Senate](#) with a six year mandate, one third of which is renewed every two years. Deputies and Senators are elected in single-member constituencies, with a second round if they obtain less than 50% of votes, or less than 25% advantage over the next candidate.

A general [feature](#) of the Haitian political system is the large number of parties and their ideological non-differentiation. Many of them have only presidential candidates or National Assembly candidates. Many parties appear only on the eve of elections and disappear after. It is not uncommon that presidents [create](#) their own party while in power: Jean-Claude Duvalier founded CONAJEC; Aristide founded [Fanmi Lavalas](#); Préval (first elected under Lespwa) founded the [Inite \(Unity\)](#) grouping; and Martelly (elected as [Répons peyizan](#)'s candidate) created the Tèt kale Haitian Party ([PHTK](#)). This favours popular distrust in fair, non-fraudulent electoral processes. Another feature is the [weak participation](#) rate (only in the 1990 presidential elections was this slightly over 50%), and near systematic boycotting of electoral results, despite strong international validation. Besides those created by presidents in power, parties are created around political personalities (RNDP, Leslie Manigat; MIDH, Marc Bazin; PDCH, Sylvio Claude; PSCH, Grégoire Eugène; MDN, Hubert Deronceray); grouping popular organisations (KID of Prime Minister Evans Paul; KONAKOM,



Victor Benoit); or party groupings created for the elections (FNCD or ANDP). There were 58 [presidential candidates](#) in October 2015 (54 men and four women).

The current situation

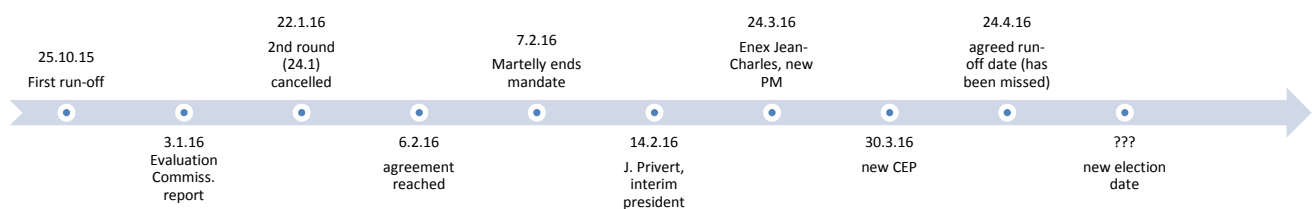
According to article [134](#) of the [Constitution](#), 'the term of the President ... begins and ends on the 7 February following the date of the elections', and 'the presidential election takes place on the last Sunday of October of the fifth year of the presidential mandate'. On 25 October 2015, the [first electoral run-off](#) was held as planned, together with the second round of the [legislatives](#), and [Jovenal Moïse](#), chosen by Martelly to succeed him as [PHTK](#) candidate, came out ahead. After being postponed twice, the second round was finally scheduled for 24 January, but Moïse's main rival, [Jude Célestin](#) (Ligue Alternative pour le Progrès et L'Emancipation Haitienne, [LAPEH](#)), denounced the October results as [fraudulent](#) and called for new elections. Other candidates supported Moïse, with demonstrations on the streets leading to the indefinite suspension of the second round for fear of violence. Ironically, Celestin had been accused of vote rigging by [OAS experts](#) before the second round of the 2011 elections, which he lost to Martelly. A five-member [evaluation commission](#), appointed by the President in December, [concluded](#) the need for political dialogue and to find a consensus.

The political agreement for institutional continuity

On 5 February 2016, just before President Martelly was due to step down, an [agreement](#) was reached and signed with the presidents of the two chambers of the National Assembly to ensure continuity: an interim President would be elected by Parliament for a term of up to 120 days, while the then Prime Minister ([Evans Paul](#)) remained in power until the appointment of a new provisional Prime Minister. The provisional government would subsequently ensure a new Provisional Electoral Council ([CEP](#)) tasked with organising new presidential elections on 24 April, after which the new President would take office on 14 May 2016.

New interim President and provisional electoral council (CEP)

On 2 February 2016, the Haitian Parliament chose Senate president [Jocelerme Privert](#) (Fanmi Lavalas) as the new [interim President](#). On 24 March, Privert appointed [Enex Jean-Charles](#) as new Prime Minister, and the [new CEP](#) was chosen a few days later. Nevertheless, and given the little time left, both Privert's chief of staff, [Jean Max Bellerive](#), and the new Prime Minister were careful to [avoid committing](#) to respecting the electoral timetable. In the end, the run-off deadline [was missed](#) again, and a new date will have to be chosen. While the October results were endorsed by the international community, donors and observers, the opposition, local observers and much of civil society have insisted on the need for [verification](#) of the October vote. Interim President Privert has [declared](#) his intention to create an electoral evaluation and verification [commission](#), which would have [up to 30 days](#) to finish its work.



The EU observation mission

Invited by the Haitian government, on 12 July 2015 the European Union deployed an election observation mission ([EOM](#)) to the 2015 general elections in Haiti, led by Elena Valenciano, MEP (S&D, Spain) and composed of 80 observers (both long and short-term) from 25 EU Member States and Norway. Its [aim](#) was to observe: the first round of the legislative elections (held on 9 August 2015); the second round of the legislative elections, the first round of the presidential election and the local elections (held on 25 October 2015); as well as the second round of the presidential elections (initially due on 27 December 2015). After having observed the first round of the presidential elections, they [concluded](#) that the procedure followed international standards.

A European Parliament [delegation](#) of six MEPs presided by Izaskun Bilbao (ALDE, Spain) joined the EOM for the October presidential elections and shared its conclusions; it should also follow the second round when it is finally held. On 3 February 2016, Regional Policy Commissioner [Corina Crețu](#), on behalf of the High Representative, Federica Mogherini, made a [Statement](#) to the EP plenary, describing the situation, praising the work of the EOM and stressing the risks of institutional vacuum and legitimacy issues the impasse could generate.