

Haiti: Despite Flawed Electoral Process, International Community Support Continues Unabated

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While Haitian President Michel Martelly has [unilaterally scheduled](#) long-delayed elections for October 26, 2014, the composition of the electoral council continues to cause controversy in Haiti. The current problems stem from the [deeply flawed electoral process in 2010](#) that saw Martelly emerge victorious after the [intervention of the international community](#). There have yet to be elections since then, with one-third of the 30 member Senate having their terms expire in 2011 while some 130 local mayors have been replaced by Martelly appointments. Another one-third of the Senate and the entire lower house will see their terms expire in January 2015 if elections are not held. In a "[frequently asked questions](#)" document released last week, the Institute for Justice and Democracy in Haiti (IJDH) provides a legal analysis of the reasons behind the delays and why the current electoral council is unconstitutional. In an accompanying press release, IJDH notes:

According to Mario Joseph, managing lawyer for the Bureau des Avocats Internationaux, "Prompt elections are much needed, but elections will only remedy Haiti's political crisis if they are run fairly by a constitutionally-mandated electoral council. President Michel Martelly has delayed elections for three years because he does not want to lose the political control he has enjoyed without full parliamentary oversight."

Joseph explains that "The current Provisional Electoral Council (CEP) put into place by President Martelly per the El Rancho Accord is unconstitutional." The El Rancho Accord, which rules the government's plan for elections, has not been approved by Parliament and the procedure for selecting a CEP conflicts with the Haitian Constitution. The CEP only has seven of the required nine members due to these legitimacy concerns. Parliamentarians and political opposition call the El Rancho Accord a political coup d'état.

Despite the problems associated with the "El Rancho Accord," the international community [has been supportive of the process](#). After praising the accord in March, the U.N. issued a statement in early May, co-signed with the "Friends of Haiti" grouping of countries, warning "that certain important decisions to advance toward the holding of the elections have yet to be made." Days later Martelly announced the formation of the electoral council, unilaterally. In early June, the date of October 26 was announced by the government, even though the electoral body is tasked with scheduling elections. Last week, after meeting with Martelly, the Secretary General of the [OAS committed](#) "to back the holding of free and fair elections, in a process planned for October." The OAS also said they would send an electoral observation mission.

The international community is also providing the lion's share of the funds for the election. IJDH, for its part, has called on the U.S. and other members of the international community to "support rule of law and democracy by conditioning election funding on a lawful and independent electoral council that can run fair and inclusive elections." Haiti's last several elections have been criticized for not being inclusive, as several political parties – including the most popular, Fanmi Lavalas – have been arbitrarily kept off the ballot under various pretexts.

The U.S. has [pledged \\$10 million toward the elections](#), but a review of contract spending shows that a significant portion of this has already been allocated and spent in coordination with a previous electoral body that no longer exists. In April of 2013, USAID awarded \$2.3 million to the International Federation of Electoral Systems (IFES) and the National Democratic Institute (NDI) for "electoral process support." In April 2014, the award was raised to \$3.4 million. An IFES [press release](#) from October 2013, well before elections had been scheduled, notes that the organization had signed a memorandum of understanding with the Transitional College of the Permanent Electoral Council (CTCEP) to provide technical assistance. The CTCEP has since been replaced by the electoral body that emerged from the controversial "El Rancho Accord." Repeated requests for comment to clarify IFES's support have yet to be answered.

Additionally, a [USAID factsheet](#) reports that \$6.5 million will go toward "pre-election planning and capacity building for the" CTCEP. Those funds are part of a multi-donor [project run by the United Nations Development Program](#) (UNDP). Previously called "Support to Electoral Process in Haiti: 2012-2013", the only recent update to the project's webpage has been to change to dates to "2013-2014." Overall, the UNDP project will have a budget of \$32 million and had already spent over a \$1 million as of October 2013. It remains unclear if the donors – the U.S., Brazil, Canada, Mexico and the EU – have already deposited their contributions with the UNDP.

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