

# *Assessment Mission to Haiti*

The Carter Center

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## Executive Summary

A mission of the Council of Freely-Elected Heads of Government, an informal group of 25 leaders of the Americas, based at the Carter Center of Emory University, visited Haiti from December 11-14, 1994 at the invitation of President Jean-Bertrand Aristide. The mission was led by Council member and former Jamaican Prime Minister Michael Manley and Dr. Robert Pastor, Executive Secretary of the Council and Director of the Carter Center's Latin American and Caribbean Program. The purpose of the mission was to assess the country's

political and economic climate and explore whether the Council could assist in democratic consolidation and economic development. The mission met with the President and Prime Minister, leaders from Parliament, political parties, business, the military, and the international community.

The mission concluded 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. What makes the current period different and more promising is the invitation that Haitians have extended to the international community to help and the ample support given in response. Although President Aristide was restored to power on October 15th, progress is already evident. Nonetheless, the prospects for consolidating democracy are uncertain and will depend on decisions made in Haiti and the international community during the next 1-5 years.

The military situation is secure and likely to remain so while the Multinational Force (MNF) stays. The transition to UN control in March will be smooth if the UN force remains alert and quick to respond to political violence. The greatest threat to democracy will occur when the international force leaves, particularly if it is before February 1996. The training for the Interim Security Public Force is going well, and most of these forces are being received favorably by the Haitian population. The International Police Academy is ready to begin training its first recruits in early 1995. Understandable concerns by all sides about the present and future security forces remain a continuing source of tension. The Aristide government believes the MNF is not disarming the attaches with sufficient vigor; others, including many Haitian military officers, fear that Aristide is trying to replace the army with his own.

The political situation is complicated and tenuous now and likely to worsen during the course of the year because of (a) the country's profound social and economic

divisions; (b) weak institutions; (c) the lack of consensus among the political elite on basic democratic principles; (d) the failure of political leaders to build national parties; and (e) the country's lack of experience in democratic governance.

Due to these factors, administering Parliamentary elections will be very difficult, and indeed, the process of establishing an Elections Commission (EC) was dangerously slow. Much of the mission's time was spent with political leaders trying to overcome mutual suspicions and stimulate a consensus that would facilitate the establishment of an EC. While many opposition leaders are increasingly fearful of President Aristide's popular support, they were willing to accept elections for the Parliament as soon as possible. The mission discussed the need to establish the EC with President Aristide, and he understood the urgency. Within five days of the mission's departure, he established the EC, and the nine members were named. The EC will decide the date for the election based on the amount of time needed to prepare for it. We estimate that elections are unlikely before early April.

A major political challenge during the campaign period will be to work with party leaders to help them to understand that irregularities and delays are more likely due to administrative inadequacies than to government conspiracies. The U. N., which is helping the government organize the elections, is eager for the Council to play a role in keeping the administrative and political process moving and on track.

President Aristide informed the mission that he would establish a Truth Commission (he did so on December 17) to investigate human rights crimes that occurred between the military coup on September 29, 1991 and his return on October 15th.

The economy is beginning to recover with visible new private investments and an increase in the number of new cars. Increased security in the rural areas is also permitting the economy there to re-start. The impact of foreign aid is not yet visible.

Everyone praised the agreement negotiated by Carter, Senator Nunn, and General Powell to facilitate the return to power by the constitutional government. Had the agreement not been reached, according to General Meade, the head of the MNF, thousands of Haitians would have died in the invasion, and the resentment and anger would have made it very difficult, perhaps impossible, to maintain security in the country. All hoped that Carter, Manley, the Council, Nunn, and Powell would help democracy take root. President Aristide told Dr. Pastor on December 14 that "we [the Council/Carter Center and he] are partners" in building democracy, and he wanted Carter and Manley to return soon and often.

Based on an exchange of letters between President Aristide and Carter, the Council mission focused on three areas. The mission recommends that the Council give highest priority to monitoring the electoral process and promoting a national dialogue as the twin vehicles for building a democratic foundation in Haiti. Second, the mission recommends a modest strategy for facilitating development with the help of U.S. universities in the areas of reforestation and education. To provide some momentum in these areas, President Aristide expressed interest in a visit by Carter, Manley, and several others in January. He asked whether a suitable event could be arranged to promote tree-planting and school-building. Third, the mission recommends supporting the efforts of the Truth Commission in a way that will end impunity without generating new tensions.

## 1. Background, Terms of Reference, and Schedule 1

In November 1986, at a Conference at the Carter Center on "Reinforcing Democracy in the Americas," co-chaired by former U.S. Presidents Carter and Ford, a group of 12 former and current Presidents and Prime Ministers decided to form a group to lend its individual and collective support to the democratic process in the Americas. Today, twenty-five leaders, including Aristide, are members of the Council, which has mediated elections in eight countries in the Americas.

The involvement of the Council of Freely-Elected Heads of Government in the electoral process in Haiti began with a visit by President Carter, Prime Minister George Price of Belize, and Dr. Robert Pastor in October 1987 when the assassination of a political leader led many to suspect that the elections would be undermined. That visit helped put the process back on track at the time, but the election on November 29, 1987 was aborted by the military.

In July 1990, in response to an invitation from President Ertha Pascal-Trouillot, former President Carter led a small delegation to Haiti to assess the prospects for free elections. The delegation included Mr. Marc Lalonde and Dennis Smith, representatives respectively of former Canadian Prime Minister Pierre Elliott Trudeau and Barbadian Prime Minister Erskine Sandiford, both Council members. Also included were Dr. Pastor and Mr. Lionel Johnson of the National Democratic Institute for International Affairs (NDI). Based on that mission, the Council and NDI collaborated in sending numerous pre-election missions and a 33-person delegation for the elections on December 16, 1990.

After his election, Jean-Bertrand Aristide invited President and Mrs. Carter and Dr. Pastor to his inauguration on February 7, 1991. Two other Council members, Venezuelan President Carlos Andres Perez and Jamaican Prime Minister

Michael Manley, attended. Carter informed President Aristide that the Council would be prepared to be helpful if asked. Such a request was not made. After the military coup on September 29, 1991, President Aristide went into exile in Caracas and later in Washington, D. C. He visited the Carter Center often and consulted Carter and the Council as he tried to rally the international community to assist in the restoration of constitutional government in Haiti. In December 1992, Carter invited to Atlanta UN Secretary General Boutros-Boutros Ghali and Michael Manley, who was then the OAS Special Envoy on Haiti. Carter and Manley impressed on Boutros Ghali the importance of a collaborative and strong mission from the OAS and the UN. Carter also advised President-elect Bill Clinton. During the next three years, however, UN/OAS negotiations failed to achieve a peaceful return to power by President Aristide.

During this time, President Aristide, General Raoul Cedras, and numerous U.N., U.S., and other country's officials remained in contact with the Council/Carter Center on the range of Haitian issues. In June 1993, for example, before the Governor's Island negotiations, both Aristide and Cedras got in contact with the Carter Center. Discussions continued sporadically during the next year. In September 1994, Cedras contacted Carter, who informed President Clinton. On Friday, September 16, 1994, President Clinton asked Carter, Senator Sam Nunn, and General Colin Powell to undertake a mission to Haiti to negotiate the departure of the military leadership, the arrival of President Aristide, and a new cooperative U.S.-Haitian military arrangement to assure both goals. They succeeded. Dr. Pastor advised the group. (See Appendix 1)

Shortly before his return to Haiti, President Aristide spoke with Carter, who offered assistance on the electoral process, a Truth Commission, and University-to-University mechanisms for promoting development. Carter described the ideas in a letter to Aristide, who subsequently responded positively and requested a preliminary visit by Prime Minister Manley and Dr. Pastor to describe the

proposals in more detail and assess whether the Council could play a constructive role. (See Appendix 2)

Dr. Pastor arrived on December 11, and Prime Minister Manley arrived the next day. The mission was assisted by Dennis King of the Carter Center and Ambassador Matthew Beaubrun of Jamaica. (See Appendix 3 for their schedule). They saw leaders from the Haitian government, including the President, the Prime Minister, the President of the Senate and of the Chamber of Deputies, Mayor Evans Paul, businessmen, leaders of the Multinational Force (MNF) and the International Police Monitors (IPM), electoral advisors, U.S. government officials, and UN representatives.

2. *The Security Environment.* The mission was briefed fully by General David Meade, Commander of the Multinational Force (MNF), his Deputy General George Close, and Raymond Kelly, head of the International Police Monitors (IPM). General Meade escorted the team to Cap-Haitien on Tuesday where Manley presided over the changing of the guard of CARICOM's first peace-keeping detachment, and the mission learned of the important role played by the CARICOM contingent. Manley's historic leadership in CARICOM was justly recognized by the officers and troops.

The job of the MNF - composed in January of 8,414 troops, of which 5,818 were from the U.S. - is to secure a stable environment in Haiti to foster democracy. U.S. Special Forces detachments are in 27 locations outside of Port-au-Prince, and have visited over 800 towns and villages. In addition, there are 780 International Police Monitors (IPM) and 300 interpreters. The IPM's missions are to monitor human rights violations and to train the new Haiti police force.

In mid-January, the 10th Mountain Division, which has been the core of the MNF, will return to Fort Drum, New York, and be replaced by the 25th Infantry Division

led by General Fisher. U.S. forces will gradually be reduced to about 2,800 by March when the MNF will be replaced by the U.N. mission (UNMIH), which will be commanded by U.S. General Kinzer. A total of about 6,000 troops will remain under UN Resolution 940 until the inauguration of the new President on February 7, 1996.

At the time of the entry of the MNF, the FAD'H (Haitian Armed Forces) reportedly had 7,100 troops, but a more accurate number is 6,400 soldiers. A count of the FAD'H after the MNF entry revealed only 5,800 soldiers. The others either disappeared or existed only on paper with their salaries going to some officers. Popular hostility to the FAD'H is due to its long history of repression. Its officers also controlled the police and the "attaches."

President Aristide said he would preserve the army but reduce it to 1,500. The police would be separated as mandated by the Constitution (1987), and a new force of 4,000 would be trained. Since the arrival of the MNF, human rights violations have declined significantly. Although reports of crime have increased, this is because most of these refer to crimes that occurred years ago. According to the MNF, crime in Port-au-Prince, as compared to Detroit, a city of comparable size and population, is quite low.

The government and MNF set up Screening Committees to deselect those soldiers who had been engaged in human rights violations. Another committee has selected trainees for the Interim Public Security Force (IPSC). This vetting process has been criticized for not including human rights non-governmental organizations. (See the report by the Lawyers Committee for Human Rights, *Warning Signs in Haiti: The Multinational Force and Prospects for the Rule of Law*, New York, December 1994.) Thus far, 2,500 interim police have been trained in Haiti in six-day courses and another 500-1500 Haitians have been



trained in Guantanamo. These interim policemen, accompanied by the IPM, have been sent and largely well-received around the country.

The International Police Academy was supposed to begin four-month courses to train a permanent police on January 9, 1995, but disagreements on who could participate delayed recruiting. (In early January, 20,000 showed up.) Courses are now expected to begin in late January and, using tests and IPM evaluations, will include the best from the interim force, FAD'H, and the general population. Classes of about 375 policemen and officers will arrive each month until 3-4,000 permanent police have been trained by February 1996, the time of the inauguration of the new President. On December 14, after Manley's departure, Dr. Pastor visited the academy at Camp D'Application to observe the training of the interim police and the plans for the permanent courses. The course is very intensive, and provides a good opportunity for the teachers to identify the best students.

**Issues.** Haiti's dictators have always used the security forces to maintain themselves and their supporters in power, using the most brutal methods. **The central challenge today is to create a non-politicized security force that is subordinate to the legitimately elected civilian leaders and the rule of law. This goal will be hard to attain, but without it, a civil democracy in Haiti is not possible.** Haiti remains a very polarized country in which a relatively small, rich elite allied with the armed forces has kept the masses abused and impoverished. The leader of the masses, Jean-Bertrand Aristide, has returned to the country, and the elite and the remnants of the armed forces fear that the masses will treat them as they have been treated. Crime in the wealthier sections of Port-au-Prince has increased significantly, and this has effected the elite more than President Aristide's assurances of "reconciliation." While the MNF remains, most people feel relatively secure, but already, both the rich and the poor are searching for ways to control the new security force or, at least, to prevent it from

defending just the other. **Thus, the period before the departure of UN forces is critical for establishing as neutral and apolitical a police force as possible.**

The international community needs to keep its focus on that goal, but there are other security issues that need to be addressed more effectively than they have been thus far. First, the disarming of the attaches. The MNF claims that they have tried to disarm the attaches and that they are no longer an organized force. The MNF bought or seized 13,741 weapons, conducted regular searches of cars, and pursued intelligence leads to try to find arms caches.

Many in Haiti, including the President, believe the MNF has not been sufficiently vigorous in disarming the attaches, and they fear that if the job is not completed soon, the attaches will return to their old ways when the UN leaves. **The Council mission suggested that the MNF undertake a more assertive strategy in concert with the Haitian government. This will provide both the MNF and the government with additional information that could deal with both the actual problem of armed gangs and the perception that not enough is being done.**

A second issue is what to do with the army. Some of President Aristide's advisors favor abolishing the military, a proposal that has been advanced by former Costa Rican President and Council Member Oscar Arias, who visited the country recently. There are many military officers, who suspect this is President Aristide's goal as well, and others among the elite, who fear that Aristide is trying to "politicize" the military by promoting only his supporters. They believe that Aristide will abolish eventually the military and create his own force. These people would like to see the military remain as a counter-balance to Aristide. These fears are strong because they are based on historical precedents, and they are corrosive, transforming rumors into crises.

For example, on Monday, December 12, the Council mission learned that confusing instructions were passed from the Minister of Defense General Larison to Generals Beaubrun and Poisson to "demobilize" the FAD'H (Armed Forces of Haiti) to a total of 1,500 personnel within 24 hours. This caused serious concerns among officers and enlisted men. The officers refused to implement the instructions, and rumors of a coup were rampant. Subsequently, the instructions were clarified so that the force would be reduced more gradually to 3,000 officers and troops, and those who had not been retained would be assured employment in domestic ministries.

Another issue is the security of the rural areas. It will take time before a judicial system can be instituted, but in the short-term, the FAD'H as an instrument of repression has been replaced by the benign and neutral MNF throughout the country. Dr. Pastor travelled to Mirebalais, about 45 miles northwest of Port-au-Prince, and met with the Special Forces detachment of about 12 that is providing security, justice and much else to the town and the wider community of about 80,000. The Special Forces group was extremely impressive. They have cleaned up the army barracks, rounded up the FAD'H, and helped the Interim Police get established and welcomed by the community. Their civic education activities are equally important. The group's leader has a weekly radio show where he explains the decisions of the government and MNF and answers questions through a Creole interpreter. He has promoted dialogue among disparate groups, even between Lavalas, Aristide's movement, and FRAPH, the paramilitary political group set up in 1993 by leaders in the Cedras government to attack Lavalas. What is missing in the rural areas to complement the Special Forces is a local political and administrative dimension and an intensive development program. The first steps toward addressing the political and administrative problems will be in the elections and the decentralization of the federal ministries. The Agency for International Development (A.I.D.) has developed the Office of Transition Initiatives, which will place teams of 4-6 civilian technicians in 15 locations by

mid-January to work with the local community to identify and build small projects. Whether these teams have the needed resources to do the job remains to be seen.

### *3. The Political Climate*

**Setting.** As one political leader said, there have been only two powerful political institutions in Haiti's history - the army and the Catholic Church. The first is being neutralized by the MNF, and the Church hierarchy has been weakened by the democratic voice of the people. The wealthy families had used the army and the Church to defend and legitimize their interests; now, for the first time, the wealthy elite find themselves on the defensive. Some of them are now trying to develop close relations with the Aristide government; others are standing back and waiting.

There are over fifty political parties, but none reach across the nation or have any depth. Led by the political elite in Port-au-Prince, these parties have not been organized around ideas or even interests, but around personalities. President Aristide is immensely popular in the country, but he told us that he wanted to stay above the political fray, functioning, in his words, as a "referee." Instead of building the Lavalas movement into a party, he is letting his disciples fragment it into new parties.

Since his return to power on October 15th, President Aristide has stressed the importance of "reconciliation," the need for the country to bind its wounds of the past three years and move forward together to build a democratic Haiti. He has reached out to the private sector and has met periodically with leaders of all the political parties to discuss his economic program and the best means for establishing the Elections Commission. The process of working toward respectful relationships with Parliamentary leaders has begun, but it will take time and be difficult.

Many of Aristide's followers are confused or concerned about the degree to which he has extended himself to their enemies, and as a result, he has begun to speak out more on "justice," on the need to hold accountable those responsible for human rights violations. The division in the country is so deep that the alternating use of two words generates hope or fear on each side. As the word "reconciliation" angers many of Aristide's followers, the word "justice" sends ripples of fear through the traditional elite. The need to balance reconciliation with justice will be a continuing problem for Aristide and the country.

**Elections.** Most of the efforts of the Council's mission were focused on trying to expedite the election process. The 1987 Haitian Constitution calls for the seating of a new Parliament by the second Monday in January 1995. An alternative interpretation of the Constitution would permit it to be seated as late as February 7, 1995 - four years after the current Parliament was seated. Since there is no practical way a new Parliament could be seated by either date, the government faces its first Constitutional crisis.

The elections are for the entire 83 seats in the Chamber of Deputies, two-thirds of the Senate (18 of 27), 133 municipal councils, and 564 communal section councils (CASECs). The election for the President and the remaining 9 Senators will occur at the end of the year. President Aristide has pledged that he will not be a candidate.

The United Nations prepared an excellent analysis of the "Electoral Timetable" in late October, examining each of the steps required by the Constitution and the 1990 Electoral Law to hold an election. Under that law, about 24 weeks are needed to conduct an election after the Commission is established because, for example, it provides 22 days for voter registration (a new list is needed because parts of the old one was burned), 10 days for reviewing the lists, three weeks to

object to candidates, three more weeks to organize political parties and re-register, 40 days for campaigning, and additional time for run-off elections. In addition, the purchasing of voting materials requires at least 2 weeks, and the printing of almost 12 million ballots for all the elections (800 different ballots for roughly 2.5 million voters) will take another two weeks.

A new electoral law can reduce the amount of time required by each step to as low as 10 weeks, although 14 weeks would be far more realistic. (It is useful to recall that the date for the 1990 election had to be postponed - from November 4th to December 16th because of administrative delays.)

Since November, government and political leaders have worked on a number of elections issues, including: (1) whether the Elections Commission (EC) should be permanent or Provisional; (2) whether the current Parliament should govern after their constitutional mandate expires, or whether the President should rule by Executive Decree; (3) the method for selecting EC members; and (4) whether to have the new electoral law by Parliament or by Executive Decree (as was done in 1990). The President consulted Parliamentary leaders, but a consensus did not readily emerge.

The Council mission discussed these issues in every meeting, and encouraged political leaders to move quickly to establish an Elections Commission and hold an election. Both the government and its opposition attributed the delay to the other, but both sides eventually accepted the essential elements of a consensus that the Council team outlined (Appendix 4), especially on the urgency of selecting a Provisional Elections Commission and submitting an electoral law that would reduce the time needed to conduct an election. Still, Parliamentary leaders preferred the President to choose his three representatives first, while President Aristide insisted that the other two branches go first.

On December 12 and 13, there were rumors that the President had signed an Executive Decree on the Elections Commission, but no one - not even the Prime Minister - could verify it. Two hours after our meeting with the PM, the President informed us that he had signed the decree the previous Thursday, and that it set a deadline of December 14, for the nomination of three candidates by each of the branches of government (Appendix 5). He would not comment on what would happen if a Branch failed to nominate three members, except to say he would not appoint all nine members.

The Council mission responded that there was not much time for the other two branches to decide, particularly as the Parliament seemed unaware of the decree, and it had not been published. President Aristide agreed to extend the deadline until the end of Friday, December 16, and he told Dr. Pastor that he would call the Parliament into a special session late on Friday if it failed to deliver the names. On that day, all nine members were appointed, and the President issued a decree naming them. (Appendix 6) The members of the Provisional Electoral Council (CEP) met and elected a president, Anselme Remy, a Vice President, Leon Manus, and a Secretary General, Jocelyn Lasseque. They met again on January 4th to prepare a draft electoral law.

The confusion over the Elections Commission and the Executive Decree illustrates the kinds of problems that exist in a transitional country and foreshadows the difficulties that can be expected as Haiti moves to its 1995 elections. Each side was certain that the other was not serious: the President thought his opposition was stalling because they were likely to lose the election; the opposition thought the President wanted to delay a decision on the CEP in order to be able to rule by Executive Decree when the constitutional mandate expires. By eliciting a consensus on the need for rapid decisions, international interlocutors helped both sides to see that the issue could be resolved. The good

news is that the democratic process is working and moving forward, albeit slowly and awkwardly.

**Truth Commission.** In June 1992, the Carter Center hosted a conference to study the ways that new democratic governments dealt with the human rights violations of their authoritarian past. The conclusion was that every country had to find its own formula for balancing the pursuit of justice against past crimes with the need for reconciliation and forgiveness in order to move the country forward. In several cases, a "truth commission" had been established to try to balance the two goals. In the case of Haiti, President Aristide has repeated his aim to foster both reconciliation and justice, and the Port-au-Prince agreement negotiated by Carter-Nunn-Powell alluded to both goals. Prior to the President's return, the Parliament approved an amnesty, but some in Parliament expressed dismay that the President has not yet implemented that law.

There are many issues and a wide spectrum of views related to the Truth Commission idea in Haiti. The first question is what period should be covered - from the Duvaliers or from their departure in February 1986 or from President Aristide's inauguration in February 1991 or since the coup on September 30, 1991. Second, who should be the members of the commission, how should they be selected, and what will be their mandate? Should there be international members, as was the case in El Salvador? When should they begin work, what should they do, and when should they complete their report? What should be done with it?

In the same way that the Haitian society is divided economically and socially, it is divided on whether a Truth Commission is desirable or dangerous. The rich believe that it will stir up a hornet's nest that was best left quiet. The poor and Aristide's followers fear that without a Commission, the crimes of the past could be repeated in the future.



President Aristide told us that he would establish a Truth Commission, modelled on a proposal developed by Edward Broadbent, the President of the International Centre for Human Rights and Development in Canada. Aristide wants to begin the investigations soon, but he expects the report to be completed after the elections. With some exceptions, most political leaders see a value to a Truth Commission, particularly if it does not interfere with the elections and if it is led by distinguished individuals.

Four days after our meeting, on December 17th, by Presidential decree, Aristide created a Truth and Justice Commission (Commission Nationale de Verite Et De Justice) to investigate charges of grave human rights violations against Haitian citizens within Haiti and abroad committed between September 29, 1991 and October 15, 1994. Madame Francoise Boucard was named President.

#### *4. The Economic Future of the Country.*

The mission met with Leslie Delatour, the nominee to be Governor of the Central Bank, and the principal economic advisor to the President, and Raymond Lafontant, the Director of the Haitian Manufacturers Association. Delatour had served a previous government as Minister of Finance, and his views on economic policy are widely known and respected. President Aristide's decision to choose Delatour was received positively by both the business and the international financial communities.

Delatour explained the major points of the economic strategy that he has proposed: (1) opening the economy to international competition by eliminating tariffs on all commodities except four (rice, beans, sorghum, and corn); (2) privatizing inefficient state corporations; and (3) maintaining a responsible policy that will prevent a fiscal imbalance. The development task for Haiti is a formidable one. The country's infrastructure - phones, energy, water - was

always poor; now, its worse. A few wealthy families have virtual monopolies on the importation of certain products.

He acknowledged that the hardest challenge of all was to implement a policy without a competent civil service. For example, he thought it unlikely that tax revenues could be increased because there are too few government accountants to identify the violators and no judicial system to try them. We noted that a few well-targeted arrests and trials - as occurred under President Salinas of Mexico - could have a profound demonstration effect.

In response to our questions over the extent of President Aristide's support for his program, Delatour said that his views were well-known, and the fact that the President chose him was in-and-of-itself a positive sign. Secondly, the President had not disavowed his program, and indeed, had asked Delatour to take the lead. Delatour has tried to sell the program to Parliament, and Fermin Jean-Louis, the President of the Senate, told us that he believed that Delatour's program would promote modernity, and he would support it. Thus far, the dialogue with the private sector has been excellent. Delatour is optimistic, believing that it can succeed because Haitians work hard, and he believes that the private sector can do a lot.

The mission met separately with a small group of business leaders, representing the wealthiest families in the country. One has already established a very close relationship with Aristide, but the others are unsettled by Aristide's return and trying to adjust to it while concentrating on their bottom line. None of them expressed opposition to his economic plan.

##### *5. Future Problems and a Role for the Council*

**Elections/Democracy.** All the Haitian political leaders and international officials with whom the Council mission met expressed their support, often

enthusiastically, for the Council playing a continuous role in assisting the electoral process. As Lakdar Brahimi, the U.N. Special Envoy on Haiti, described it: "We are all parts of an orchestra." Everyone has a role to play to make sure that the music of democracy can be heard.

**Given the mutual suspicions in society and the administrative weakness, the conduct of the elections is likely to be problematic.** Moreover, in a non-presidential election, the ballots and the choices might prove to be difficult for voters to understand and even harder for international observers to detect a pattern of problems. "Quick counts" - occurred under President Salinas of Mexico - or parallel voter tabulations - are important techniques for ensuring that the outcome of the vote count reflects the preference of the electorate. Such "quick counts" are generally conducted for Presidential elections, and indeed, the one conducted by the UN/OAS for the 1990 election in Haiti was crucial for determining the winner early. It will be far more difficult to do such a survey for a Parliamentary election.

**The principal role that Council members can play in Haiti is to work with all parties to reduce the level of mutual suspicion and raise confidence in the electoral process.** Several political leaders urged the mission to work to level the playing field in Haiti by making sure that external or government resources or the media not be used to favor one party over another. This is an area in need of work, and perhaps **the Council could convene a small group of Haiti's political leaders to outline the specific steps that would be helpful to ensure an equitable vote.** At the same time, it could work with all parties to try to forge a consensus on the rules of the political game, similar to the role that the Council and the UNDP played in Panama during the past two years. Several suggested that the Council convene a meeting of political leaders at the Carter Center in Atlanta. We tend to think that it would be more useful to work in Port-au-Prince, but perhaps at a later time, such a meeting could be held.

U.S. A.I.D. has given much of its support in the area of democratic governance to the U.N. and the O.A.S., with the former helping to conduct the election, and the latter, working to observe it. **The Council should work with the UN and OAS and assess whether it should undertake a formal observation of the election or concentrate on the pre- and post-election period.** The mission also met with Dr. Allen Weinstein of the Center for Democracy, which has done a good deal of important work with the Haitian Parliament. We should continue to coordinate our work with the Center.

Several people recommended that the Council undertake to train a Haitian election observer group. A team from the National Democratic Institute for International Affairs (NDI) recently discussed this issue and concluded that it was not a good idea because of the country's polarization, and a better use of time and resources would be to train party poll-watchers. [NDI, *Report of the NDI Survey Mission to Haiti: October 30- November 5, 1994*] NDI has that experience, and their activities in this area would be critical. We agree that establishing a local monitoring group might prove very difficult, perhaps impossible at this time, but nonetheless, it could also provide a foundation for developing a civic, democratic culture. For that reason, **we think it would be worthwhile to send a small team to assess whether such a local observer group would be feasible and, if so, how it could most contribute to the building of a democracy.**

**The Council should also continue to monitor the progress of the Truth Commission and help all sides to understand that Haiti's exit from its tragic past will require that it finds the right balance between reconciliation and justice.**

**Development.** Former President Carter and Charles Knapp, President of the University of Georgia, spoke about the possibility of developing ties between the universities in Georgia and the University at Port-au-Prince, particularly in the

areas of education, reforestation, and agriculture. Dr. Pastor spoke with the President, the Prime Minister, U.S. AID officials, and the UNDP about finding new linkages that could help the University of Port-au-Prince. A survey team from UGA is expected to visit Haiti by late January to assess the possibilities of such collaboration.

In addition, President Aristide expressed great interest in working with Prime Minister Manley and President Carter in a massive, nation-wide drive to plant trees. A.I.D. is already funding a major reforestation effort through the Pan American Development Foundation. Carter Center staff discussed this idea with AID officials and with Auburn University advisors, who already have substantial experience, to assess whether this is an idea worth exploring.

## Appendix 1

September 18, 1994

### **AN AGREEMENT REACHED IN PORT-AU-PRINCE, HAITI**

1. The purpose of this agreement is to foster peace in Haiti, to avoid violence and bloodshed, to promote freedom and democracy, and to forge a sustained and mutually beneficial relationship between the Governments, people, and institutions of Haiti and the United States.
2. To implement this agreement, the Haitian military and police forces will work in close cooperation with the U.S. military Mission. This cooperation, conducted with mutual respect, will last during the transitional period required for insuring vital institutions of the country.
3. In order to personally contribute to the success of this agreement, certain military officers of the Haitian Armed Forces are willing to consent to an early and honorable retirement in accordance with UN Resolutions 917 and 940 when a general amnesty will be voted into law by the Haitian Parliament, or October 15, 1994, whichever is earlier. The parties to this agreement pledge to work with the Haitian Parliament to expedite this action, their successors will be named according to the Haitian Constitution and existing military law.
4. The military activities of the U.S. Military Mission will be coordinated with the Haitian military high command.

5. The economic embargo and the economic sanctions will be lifted without delay in accordance with relevant U.N. Resolutions and the need of the Haitian people will be met as quickly as possible.
6. The forthcoming legislative elections will be held in a free and democratic manner.
7. It is understood that the above agreement is conditioned on the approval of the governments of the United States and Haiti.

Have signed at the Palais National of Port-au-Prince, Haiti on  
September 18th 1994.

In the name of the President of  
the United States of America  
William Jefferson CLINTON

Jimmy CARTER  
Former President  
of the United States of America  
Chief Negotiator of the Presidential  
Mission of the United States of America In Haiti

In the name of République d'Haiti

Emile JONASSAINT  
Provisory Presidente  
of République d'Haiti

## Appendix 2

October 12, 1994

To President Jean-Bertrand Aristide

As we discussed this morning here are some thoughts about how  
The Carter Center might be involved in the future of your country.  
After so long, you will return this week to Haiti, bringing with you the

hopes of millions of your people for democracy and justice. No one in history has touched so many of your people as you have, nor enjoyed so much international support as you.

In the past three years, you have spoken many times with me and your other fellow members of the Council of Freely-Elected Heads of Government, which monitored the elections that you won in December 1990, about the causes of the tragic coup d'etat against your government in September 1991. I know you have learned much from that event and from your prior experience in governing, and are now prepared to meet new challenges and opportunities.

You were generous in inviting me, Rosalynn, and Dr. Robert Pastor to you inauguration on February 7, 1991. It was a moving experience for all of us. We were impressed by your speech and your emphasis on national reconciliation. On behalf of the Council of Freely-Elected Heads of Government and The Carter Center, I offered to assist your new government.

In the spirit of the second chance, I would like to reiterate the offer but this time, I am prepared to be more specific. If you think we could be helpful to you or your government, we are prepared to assist with three sets of projects.

1. *Elections.* As we did four years ago, we would be pleased to work with the Elections Commission and the parties to ensure that the Parliamentary elections in December and future elections are free, fair, and respected by all parties. Our Council members could help mediate problems and build confidence in the democratic system to which you are so dedicated.
2. *Economic Development/Education.* You have been correct in placing so much emphasis on education as a pivotal factor in economic development. I have spoken with the President of the

University of Georgia, Dr. Charles Knapp, who worked in my Administration, regarding a possible role for the University System of Georgia (including 6 universities and 13 senior colleges) in assisting you in rebuilding the educational infrastructure in Haiti. If you are interested, I would ask Dr. Knapp to organize a small team from the University of Georgia to go to Haiti to work with your educators to prepare a strategy for rebuilding Haiti's institutions of higher education, increasing student and faculty exchanges between Haiti and the United States, and developing a training program to improve and update the skills of administrators, teachers, and professors.

3. *Reconciliation and Justice.* We had a meeting at The Carter Center to discuss the problem of how to balance the need for justice with the need for reconciliation. I know that you have spent a good deal of time working on this issue as well. The amnesty law goes part of the way to meet some of the concerns. We would be pleased to share with you the findings from our conference on the subject and to provide whatever assistance you believe would be helpful to assure both justice and reconciliation.

These are just three ideas that we would be prepared to pursue as you assume the burdens of office. I would be pleased to discuss these ideas with you, or if it would be more convenient, I could send Dr. Pastor to meet with you.

Michael Manley and other members of the Council have struggled along with you during these difficult years. We all wish you well in the future.

Sincerely,

His Excellency Jean-Bertrand Aristide  
President of the Republic of Haiti  
Port-au-Prince  
c/o Embassy of Haiti  
Washington, D.C.



cc: Michael Manley

PRH/LF/042

Port-au-Prince, November 10, 1994

Dear President Carter:

I take this opportunity to thank you once again for all your efforts to support Haitian democracy.

In your letter of October 12, which I received just before leaving Washington, you outlined some areas of interest of the Carter Center in regards to Haiti's future. I write to you now to assure you whatever participation you offer will be welcome.

The restoration of democracy to Haiti could not have been achieved without both the determination of the Haitian people, and the assistance of the international community. In the days and weeks ahead we know Haiti will continue to need support and assistance from abroad as we seek to deepen the roots of our democracy and to build the institutions that will sustain it.

Given the tremendous challenges that Haiti faces after three devastating years, I and my government stand ready to welcome the participation of international groups.

I understand that Bob Pasteur and Michael Manley are considering traveling to Haiti in the near future. I look forward to welcoming them to Haiti and to the Palace. I hope that I may soon welcome you to Haiti as well.

Sincerely,

Appendix 3

**Schedule of Meetings**

**December 1994 Delegation to Port-au-Prince  
Council of Freely Elected Heads of Government**

**SUNDAY, 11 DECEMBER 94**

6:00 - 7:45p -

Briefing by U.S. Charge Vicki Huddleston at Kenam Hotel.

7:15 - 7:45p -

Reception for New Orleans Mayor and Allan Weinstein at Montana Hotel. Talk with Port-au-Prince Mayor Evans Paul.

8:00 - 9:45p -

Dinner at residence of Marc Bazin with Minister of Environment, Tony Verdier, and others from MIDH, Bazin's party

10:00 - 11:00p -

Meeting with President of Chamber of Deputies Frantz-Robert Monde, former Chamber President Autoine Joseph, Deputy Micha Gaillard, and Allan Weinstein at Creole Villa Hotel.

**MONDAY, 12 DECEMBER 94**

9:00 - 10:00a -

Briefing for Dr. Pastor by country team at U.S. Embassy and with Mr. Raymond Kelly, Chief of International Police Monitors

9:15 -

Michael Manley and Matthew Beaubrum arrive Port-au-Prince.

10:30 - 10:30a -

Briefing by Multinational Force commander, General Meade at MNF headquarters, light industrial complex.

12:30 - 1:45p -

Lunch with Leslie Delatour, Governor of the Central Bank-designate and Raymond Lafontant, Director of the Haitian Manufacturers Association at Kenam Hotel.

2:00 - 3:00p -

Meeting with chief, UN electoral advisory unit Nguyen Dong, elections consultant Marc Antoine Noel, and colleague at Kenam Hotel.

3:15 - 4:15p -

Meeting with Senate President Firmin Jean-Louis, and Senators Julio Laroissiere and Leonard Dejois (PAIN) at senate office.

4:30 - 6:30p -

Meeting with representatives of four political parties at Kenam Hotel.  
Serge Gilles PANPRA

Philippe Stephenson PANPRA  
Micha Gaillard KONAKOM  
Dunois Eric Contole KONAKOM  
Gerard Pierre-Charles LAVOLAS  
Louis DeJoire II PAIN  
Charles Millerif PAIN  
Pierre Simon George PAIN  
Paul Duchuteflier Jr PAIN  
6:45 - 8:30p -  
Reception at residence of DCM Vicki Huddleston. Meet with General Bernard Poisson.  
9:00 - 9:45p -  
Meeting with commander of CARICOM forces, General Graham at Kenam Hotel.

## **TUESDAY, 13 DECEMBER 94**

8:30 - 11:00  
Flight to Cap Haitien by Manley, Pastor, and Beaubrun to review the changing of the Guard for the CARICOM contingent  
11:30 - 12:30  
Manley meeting with Marc Bazin  
12:45 - 1:45p -  
Meeting with Prime Minister Smark Michel at PM's office.  
2:00 - 3:00p -  
Meeting with Port-au-Prince Mayor Evans Paul at mayor's office.  
3:30 - 5:15p -  
Meeting with President Jean Bertrand Aristide, minister of foreign affairs Claudette Werleigh, chief of staff Leslie Voltaire.  
5:45- 6:45  
Meeting among the four mission members  
7:00 -  
Michael Manley and Matthew Beaubrun depart.  
7:00 - 7:30 p  
Pastor/King meeting with Ira Lowenthal  
7:30 - 8:30 p  
Pastor dinner/meeting with General Herard Abraham  
8:45 - 10:30p -  
Dinner with Marc Bazin and representatives from banking and commerce private sector: Fritz Mevs, Ozzie Brandt, Claude Levy, Gladys Coupet

## **WEDNESDAY, 14 DECEMBER 94**

8:30 - 11:45a -  
Dr. Pastor meeting with Gen. Meade; then travels with deputy commander of MNF General Close to Special Forces detachment in Mirbalais and the police academy at Camp D'Applicacion.  
12:00 - 1:00p -

- Meeting with Ross Mountain, UNDP resident representative designate at U.S. embassy.
- 1:10 - 2:00p - Meeting with Charge Huddleston and state department delegation.
- 3:30p Pastor departs Port-au-Prince. Speaks with President Aristide on flight to Miami

## Appendix 4

PAP.Consensus/December 13, 1994

### Consensus on Elections by Haitian Political Parties

Based on conversations with the Presidents of the Senate and the Chamber of Deputies and over 20 leaders from the Parliament and six political parties, we noted a consensus on the following points:

1. Elections for the Parliament should be held as soon as possible because of the constitutional gap that will open after the term of most members of Parliament expires in early January or February.
2. It would be desirable to establish a Permanent Elections Commission, but that is no longer possible given the limited time and the necessity that a CEP be established urgently. Therefore, all representatives told us that they would accept a Provisional Elections Commission.
3. All wanted the nine new members of the CEP to be designated as soon as possible.
4. All hoped that the President would initiate the process of designating three CEP members. Several strongly recommended that the President should select these three from the list of 25 proposed by 13 political parties, but no one argued that the President must choose from this list. Everyone hoped and expected that distinguished and impartial leaders would be chosen for the CEP.
5. Parliamentary leaders said that they would try to nominate three representatives as soon as possible after the President made his decision. One leader said that if the President gave it high priority, he could call his chamber of Parliament into session to settle it in 12 hours. All felt that the Judicial Branch would complete its nominations soon as well.
6. After the appointment of all nine members, it is essential for the new Elections Commission to meet and propose an electoral law that reduces the time to a maximum of 14 weeks before the election can be called. The Parliament needs to approve that proposal immediately.
7. All parties expressed the desire that the Carter Center/Council of Freely-Elected Heads of Government try to work with representatives of all political parties to forge a dialogue based on mutual respect and a consensus on basic political principles. All indicated that they hoped former President Carter and former Prime Minister Michael Manley would chair and help organize the meeting or meetings.

## Appendix 5

### PROCLAMATION

#### Article 1 -

In virtue of this Proclamation a Provisional Electoral Council shall be created in view of organizing the elections,

On The One Hand:

Of Communal Section Administration Council Members, Municipal Council Members, Deputies, Senators whose terms expire, ran over or those who are dead.

On The Other Hand:

Of Communal Section Assembly Members, Municipal Assembly Members, Departmental Assembly Members, Departmental and Interdepartmental Council Members.

The Provisional Electoral Council shall include nine (9) members.

#### Article 2 -

Upon publication of the present Proclamation, a deadline expiring on Wednesday December 14, 1994, is allowed to the Executive Power, the Legislative Power and the Judiciary Power to choose each one the three (3) members who will represent them within the Electoral Council, with the exception that those selected should not be part of any of the three mentioned powers.

Upon expiration of the deadline, the Government shall fill in every vacancy.

#### Article 3 -

The two branches of the Parliament shall agree on a fast-track procedure allowing them to choose their three (3) members.

#### Article 4 -

The present Proclamation shall be printed, published and executed by the diligence of the Justice Minister, the Minister of the Interior, the Minister of Information, the Minister of Economy and Finance. Done at the National Palace, on the 8th day of December 1994.

By the President Jean-Bertrand ARISTIDE

the Prime Minister Smarck MICHEL

the Minister of Justice Ernest MALEBRANCHE

the Minister of the Interior René PROSPER

## Appendix 6

Latin American and Caribbean Program

## **THE COUNCIL OF FREELY ELECTED HEADS OF GOVERNMENT**

The Council of Freely Elected Heads of Government is an informal group of 25 current and former heads of government from throughout the Americas. The Council was established in November 1986 at a meeting chaired by former U.S. Presidents Jimmy Carter and Gerald Ford on "Reinforcing Democracy in the Americas" at the Carter Center. The Council's goals are to reinforce democracy in the Americas, promote multilateral efforts to resolve conflict in the hemisphere, and to advance regional economic cooperation.

The Council has been a pioneer in mediating and observing elections. The Council or its representatives have observed elections in Panama (1989, 1994), Nicaragua (1989-1990), the Dominican Republic (1990), Haiti (1987, 1990), Guyana (1990-1992), Suriname (1991), the United States (1992), Paraguay (1993), and Mexico (1992, 1994). The elections in Nicaragua and Haiti were the first free elections accepted by all parties in the two nations' histories, and in Guyana, the first such elections in 28 years. The Council has worked since the elections to help consolidate democracy in Guyana, Nicaragua, and Panama. After the agreement negotiated by Jimmy Carter, Senator Sam Nunn, and General Colin Powell in September 1994 in Haiti, and the return the next month of President Jean-Bertrand Aristide, the Council sent a mission led by former Prime Minister Michael Manley and Dr. Robert Pastor to assess whether the Council could be helpful there. President Aristide and other political leaders invited the Council to be "partners" in building democracy there.

The Council is based at the Latin American and Caribbean Program of the Carter Center of Emory University. Dr. Robert Pastor, Fellow at the Center, is Executive Secretary of the Council; Dr. David Carroll is Associate Director; Dr. Jennifer McCoy, Senior Research Associate; and Ms. Harriette Martin, Administrative Assistant.

**Council of Freely Elected Heads of Government**

- Jimmy Carter, former U.S. President, Chairman of the Council
- George Price, former Prime Minister of Belize, Vice-Chairman
- Jean-Bertrand Aristide, President of Haiti (1991-present)
- Rafael Caldera, President of Venezuela (1969-1974, 1994-present)
- John Compton, Prime Minister of St. Lucia (1987-present)
- Luis Alberto Lacalle, President of Uruguay (1989-present)
- P.J. Patterson, Prime Minister of Jamaica (1992-present)
- Raúl Alfonsín, former Argentine President (1983-1989)
- Nicholas Ardito-Barletta, former Panamanian President (1984-1985)
- Oscar Arias Sánchez, former Costa Rican President (1986-1990)
- Patricio Aylwin Azocar, former President of Chile (1990-1994)
- Fernando Belaunde Terry, former Peruvian President (1963-1968, 1980-1985)
- Belisario Betancur, former Colombian President (1982-1986)
- Rodrigo Carazo, former Costa Rican President (1978-1982)
- Vinicio Cerezo, former Guatemalan President (1986-1990)
- Joseph Clark, former Canadian Prime Minister (1979-1980)
- Gerald Ford, former U.S. President (1974-1977)
- Osvaldo Hurtado, former Ecuadoran President (1981-1984)
- Alfonso López Michelsen, former Colombian President (1974-1978)
- Michael Manley, former Jamaican Prime Minister (1972-1980, 1988-1992)
- Carlos Andrés Pérez, former Venezuelan President (1974-1979, 1989-1993)
- Erskine Sandiford, former Prime Minister of Barbados (1987-1994)
- Julio Maria Sanguinetti, former Uruguayan President (1985-1989)
- Edward Seaga, former Jamaican Prime Minister (1980-1988)
- Pierre Trudeau, former Canadian Prime Minister (1968-1979)

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## Notes

**Note 1:** The report represents the shared analysis and recommendations of Hon. Michael Manley and Robert Pastor. It was drafted by Dr. Pastor in mid-December, edited by Mr. Manley, and then revised by Pastor in early January, after receiving helpful comments from Dennis King, Jennifer McCoy, and David Carroll. [Back.](#)