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### **Haiti's March 20 Runoff Elections Defy Democracy and Violate the Will of the Haitian People**

The Institute for Justice & Democracy in Haiti (IJDH) and the Bureau des Avocats Internationaux (BAI) condemn the undemocratic runoff elections scheduled for Sunday, March 20, 2011.

The runoff elections are a continuation of an illegitimate process that has been roundly rejected by the Haitian people. Any outcome short of new elections will fail to respect democracy and the will of the Haitian people.

The flaws of the current electoral process in Haiti are many, including:

- **An Illegal Provisional Electoral Council (CEP)** – Haiti has been on the course of undemocratic elections since the CEP was handpicked by President Préval in October 2009, in violation of Constitutional requirements for an independent Council.
- **Illegal Exclusion of Parties** –The [CEP excluded 15 political parties](#) from the legislative component of the elections, including Haiti's most popular party, *Fanmi Lavalas*, without legal justification.
- **Widespread Disenfranchisement** – The [CEP's failure](#) to update voter registration lists and mishandling of the re-registration of displaced people in their new locations resulted in chaos and frustration in the first-round when voters could not find their names on the electoral lists, but did see the names of deceased neighbors and family members. Over 100,000 voters could not vote because they did not receive their government-issued identity cards in time. The CEP, the Haitian government and the international community have done little to address these

fundamental problems, thereby guaranteeing that the runoff elections will be yet another mockery of democracy in Haiti.

- **Widespread Irregularities in First Round Vote Tally** – Election observers found [widespread irregularities](#) in the first round elections, including reports of ballot box stuffing, intimidation and massive irregularities in the vote counting process. By noon on election day, [12 of the 18 candidates](#), including Martelly and Manigat, endorsed a joint statement denouncing the first round vote as fraudulent and called on their supporters to show their anger with demonstrations against the government and the CEP.
- **Boycott of First Round Elections and Low Turnout** – The voter turnout was only 22.8 percent. This was not only a result of disenfranchisement and vote counting irregularities, but also a result of a boycott by Haitians who refused to participate in a deeply flawed and undemocratic process. The Center for Economic and Policy Research (CEPR), an independent think tank, [was unable to find](#) a presidential election in the Western Hemisphere, including Haiti, with such a low turnout, going back to 1947.
- **The International Community Pressured the Haitian Government to Accept Arbitrary Results for the Runoff** – Haiti’s democracy and national sovereignty were further undermined when the CEP succumbed to the enormous pressure imposed by the international community [to follow the recommendations of a flawed Organization of American States \(OAS\) "Expert" Mission report](#) to change the announced results of the first round elections. CEPR performed a [statistical analysis](#) of the OAS Mission's methodology and conclusions and determined the report to be deeply flawed, "indefensible" and "inconclusive." "Based on the numbers of irregularities, it is impossible to determine who should advance to a second round. If there is a second round, it will be based on arbitrary assumptions and/or exclusions."
- **The Election Process Required by the Haitian Constitution was Not Followed** – Although the CEP spokesman announced the runoff candidates, only four of the CEP’s eight members approved the first round of elections in writing. Article 8 of the CEP’s bylaws requires that the Council’s decisions be made by an “absolute majority of its members.” [Because an absolute majority was never achieved](#), the runoff does not even comport with the CEP’s own laws. In addition, the first round [results have not been published](#) in the journal of record, Le Moniteur, and [President René Préval has not officially convoked Haitians to vote](#) – both constitutional requirements.

IJDH/BAI urges the international community to refuse to provide any financial, technical or diplomatic support to the scheduled March 20 elections, and to announce that it will not recognize the results of the elections. The results of these elections will be unlawful and widely perceived as illegitimate by the Haitian people, setting Haiti up for 5 years of political instability and further entrenching the Haitian people’s mistrust of the international community and their government.