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January 21, 2016

The Honorable John Kerry
Secretary of State
Department of State
2201 C Street, NW, Room 7226
Washington, DC 20520

Dear Secretary Kerry:

As you know, I am a strong supporter of Haiti, and I care deeply about the well-being of the Haitian people. I therefore continue to appreciate the efforts of the Department of State and the U.S. Agency for International Development (USAID) to provide assistance to Haiti to improve health, education, nutrition, and economic development.

Throughout my time in Congress, I have supported Haitians' efforts to build their democracy, while also respecting the country's sovereignty. As part of that effort, I wrote to you on October 5, 2015, to express my deep concern about Haiti's elections and the importance of ensuring that the elections are free and fair and perceived as credible by the Haitian people. I feel compelled to write again today because over the past three months the electoral process has sharply deteriorated and has now been rejected by most sectors of Haitian civil society.

On October 25, Haiti held Presidential and second-round parliamentary elections. Although you had stated in your press conference with Prime Minister Evans Paul during your pre-election visit there that it was "imperative" that these elections be successful, the elections that Haiti delivered were marred by fraud and irregularities. For example, when the BCEN – the official national electoral dispute bureau – sampled 78 voting center tally sheets in November in response to a political party challenge, it found that all 78 of them contained evidence of fraud or irregularities. According to its January 3 report, the government-appointed Independent Electoral Evaluation Commission, which reviewed 1,771 tally sheets, found that 92 percent contained at least one serious irregularity and more than half exhibited at least three serious irregularities.

The Evaluation Commission warned that if Haiti's leaders come to power through tarnished elections, it would "further aggravate the political crisis and instability of the country." It recommended substantial changes to restore confidence, including the resignation of electoral council members implicated in fraud, before proceeding with the Presidential run-off elections, currently scheduled for January 24.

The Commission's concerns with the tarnished elections are broadly shared across Haitian society. The most prominent Haitian human rights groups have joined the call for substantial reforms, and the largest electoral observation coalition has announced it will not observe Sunday's voting. The Catholic and Protestant Churches have joined the critique. Four of the nine Electoral Councillors have resigned or suspended their participation. The eight largest opposition political parties and Jude Celestin, one of the two candidates officially qualified for the Presidential run-off, have announced that they will not participate on Sunday. On Tuesday, Haiti's Chamber of Commerce and Industry announced its opposition to holding the run-off without improvement of the electoral system. On Wednesday, Haiti's Senate passed, without opposition, a resolution calling for the postponement of Sunday's voting. Tens of thousands of Haitians have taken to the streets to protest the flawed elections.

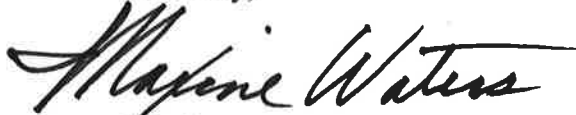
All these Senators, non-violent protesters, churches, human rights groups, political parties and others are playing by the rules of a democracy, trying to obtain fair elections that produce a legitimate government that gives Haiti a chance at the stability it desperately needs for economic development. The United States' interests and highest ideals would be best served by supporting them, not the government and electoral apparatus that has squandered the Haitian public's good faith through a relentless effort to distort the democratic process.

Forcing demonstrably flawed elections on unwilling voters risks disaster for Haiti and discredit for the United States. A government imposed without popular consent will struggle to obtain support for the hard choices it will need to make. Furthermore, non-violent protestors whose justified grievances are ignored will inevitably be used by some people to justify less constructive actions. That process has apparently started, with the arson of electoral facilities over the weekend. Many Haitians warn that destructive protests will spiral to large-scale unrest.

The United States' reputation has already suffered from our support for these elections, and our country is widely criticized in the press, on the streets, and among our traditional friends in Haiti for the gap between our principled commitment to democracy and our current practices in Haiti.

There is still time – though not much – for the U.S. Government to support an electoral process that is fair and perceived to be fair. I urge the State Department to use that time and the United States' influence to allow Haitians the chance to elect the legitimate and credible government that Haiti needs.

Sincerely,

A handwritten signature in black ink that reads "Maxine Waters". The signature is written in a cursive, flowing style.

Maxine Waters
Member of Congress

cc: Kenneth Merten, Haiti Special Coordinator