

9-22-2005

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Haitian Electoral Council Mulls List Of Candidates

by LADB Staff

Category/Department: Haiti

Published: 2005-09-22

With about two months to go before Haitians go to the polls to replace the internationally imposed, widely unrecognized regime that has ruled them since the ouster of their elected president, the field of presidential hopefuls now numbers about 30. The list includes the exiled former President-for-Life Jean Claude (Baby Doc) Duvalier (1971-1986) but in late developments has had stricken from it the name of the candidate of the country's major party, Fanmi Lavalas, Gerard Jean-Juste.

The electoral council (Conseil Electoral Provisoire, CEP) has ruled that Jean-Juste is barred from running because he must register his candidacy in person, and, since he has been jailed without charges by the anti-Lavalas interim government (see NotiCen, 2005-09-08) and cannot therefore make it down to the CEP, he is disqualified.

Former Lavalas senator Louis Gerard Gilles said he had shown the CEP a letter from the imprisoned priest authorizing the party to register him, but the council refused to do it. CEP official Jaccillon Barthelemy said Jean-Juste had to show up in person. Gilles countered, "The council has no authority to prevent a candidate from registering. Nothing in the Constitution requires he be present in person." If the ruling stands, the CEP will have thrown the legitimacy of the election out of the fire and back into the frying pan.

The council appeared to have saved the elections from becoming a farce by allowing Lavalas to run at all after flirting with barring the whole party. Lavalas had made it clear that it would only participate by running a candidate who had the express approval of President Jean-Bertrand Aristide (1991, 1994-1996, 2001-2004), who remains in exile. That candidate is Jean-Juste; there is no alternative.

Stage set for something horrible

The action against Lavalas is just one of several incidents that have led both UN and electoral officials to say that lack of transparency and reports of fraud are undermining any hope of restoring democracy to Haiti. "The stage is being set for something horribly wrong to happen," said CEP member Patrick Fequiere.

Gerard Le Chavallier, chief of electoral assistance for the UN mission, seconded the sentiment, saying, "When you're transparent, you have no choice but to be honest. The problem is, this electoral council is not perceived as being transparent enough." Each of the CEP's nine members represents a political party or social sector, but Lavalas refused to appoint a member and is thus unrepresented.

Lavalas early on was responding to a deep bias, now conceded by both US and UN officials, against the party. CEP director general Rosemond Pradel attempted to split hairs by suggesting that

technically Lavalas is not barred, but Fequiere, a businessman representing several minority parties on the council, did not buy the argument. "There is a definite conspiracy by a group of council members to control the institution by planting their own people inside. Most corruption does not take place in the central office; it's out there in the field." Fequiere has been a vocal critic of CEP shenanigans for months.

In June, he demanded an investigation into falsification of exam results for data-entry operators. "Those who manipulate examination results today are the same ones who will attempt to manipulate election results tomorrow," he wrote in a memo to colleagues and Interim President Boniface Alexandre. That allegation linked the falsification to Youri Latortue, nephew of Interim Prime Minister Gerard Latortue, head of his security, and possible Senate candidate. For many Haitians, dissent about proprieties and transparencies is simply background noise.

For them, a real election would be, should be, a showdown between Duvalier and Aristide. There have been strong indications that Jean-Juste would be an acceptable stand-in for Aristide, but a logical vacuum exists regarding how Duvalier would appear on the ballot. The former boy-president, now 54 years old, has been in exile in France since 1986, and it would seem that if, under the CEP rules, Jean-Juste has to show up in person so does Duvalier. But the CEP has not made that determination.

The last day to register candidates was Sept.15. The day brought a cascade of applicants to CEP headquarters, a tumult of aspirants and their bodyguards. One was Dumarsais Simeus, who has lived in the US the past 44 or so years. Simeus made something of himself, became a business success as owner of a Texas-based food-processing company. He said he wants to use his business experience to resurrect the Haitian economy. "In all that I have done, I have always been successful. I'm a perpetual winner, and I will win these elections," he said. Simeus' candidacy raises another eligibility question for the CEP. He said he never gave up his Haiti citizenship, but the council will reportedly have to decide if his 44 years abroad has disqualified him.

From the electoral past, former President Rene Preval (1995-2000) and former prime minister Marc Bazin have registered. Bazin is under the impression that his small Mouvement pour l'Instauration de la Democratie en Haiti (MIDH) has united with Lavalas and that the latter will anoint him its candidate. "I believe Lavalas remains by far the strongest party in this country," said Bazin. "The goal of our union is to win." Bazin's statement came as a surprise to Lavalas. Even the moderates seem not to know what he is talking about.

Their spokesman, former Lavalas senator Gilles, responded to Bazin's claim, saying, "Jean-Juste remains the one and only candidate for Lavalas." Barely qualifying as an ex-president, Leslie Manigat registered. He was ousted by the Army in 1988 after only eight months in power. Evans Paul, former Port-au-Prince mayor and senator, registered. Paul's credentials include having been arrested and tortured several times under prior regimes. Guy Philippe, former police officer turned anti-Aristide fighter who led the rebellion that brought down Aristide, has registered. Hubert Deronceray, a minister in the Jean-Claude Duvalier dictatorship and four-time presidential candidate, has registered. Himler Rebus, former army colonel and leader of a failed coup in the 1990s, has registered.

With just a couple of months to go until the Nov. 20 scheduled election (see NotiCen, 2005-08-11) and with no clarity as to who, from this list that is part roster of candidates and part rogues gallery, will even be left standing to run, there has been no analysis of any of these individuals' chances of winning. The process so far has lent considerable credence to Aristide's call for a national dialogue and other measures that would help create the conditions under which an election and the government that followed it would be something more than a sham.

Neptune declaration and indictment

Aristide's call has been echoed in a written declaration from Aristide's prime minister Yvon Neptune, written "on the occasion of his 14th month of arbitrary and unconstitutional detention and on his 142nd day of hunger strike in hope of gaining his freedom (Neptune's words)."

In the document, Neptune recounts the recent history of political corruption under international auspices and exhorts the UN, the Organization of American States (OAS), the Caribbean Community (Caricom), the European Union (EU), the African Union, and the Friends of Haiti to "help it defend itself so that an authority takes root at the heart of the nation a culture of tolerance, of compromise, and of understanding as a base of national interest; a culture generating and promoting stability and peace." Neptune is being held at an annex of the National Penitentiary in Pacot, an upscale neighborhood of Port-au-Prince, where Jean-Juste was recently transferred.

Upon his transfer, Jean-Juste said he would, like Neptune, start a hunger strike, according to his lawyer Mario Joseph. The lawyer said he did not know if the putative candidate had stopped eating because he had not seen his client since the transfer and had not even been notified of the transfer, the date of which is also unclear. There was no news of the transfer when it happened, nor was there news or publication of the Neptune declaration. A copy of the original document was provided to NotiCen by a diplomatic source. It was addressed to Juan Gabriel Valdes, head of the UN mission in Haiti, with copies to the heads of the organizations mentioned, to the ambassadors of Canada, Argentina, Chile, France, and Brazil, and to Timothy M. Carney, US charge d'affaires in Haiti.

If Neptune's plea had an effect, it was not the one he intended. On Sept 20, a judge ruled that there is evidence sufficient to try him on charges related to a massacre of more than 40 political opponents in the town of St. Marc during the rebellion that ousted Aristide. The Justice Ministry must now decide whether to order a trial, but official Haiti can now come out from under the criticism that it is holding Neptune without charges. Investigative Judge Cluny P. Jules' decision extends to 29 other incarcerated defendants. Interim Prime Minister Latortue responded instantaneously to the indictment. He insisted the judicial authorities had acted independently.

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