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## **International Community Interference In Haitian Electoral Authority Bolsters Failed-state Image**

*by LADB Staff*

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Country Number 14 on Foreign Policy magazine's 2008 Failed States Index is going to have an election in April. Country Number 14's electoral council has barred any and all candidates from the largest political party from running in that election. Country Number 14 is the only country in the Western Hemisphere at the top of the list. Its neighbors, the US and Canada, have expressed concern about the exclusion of the Famni Lavalas party in Haiti's upcoming Senate election. Famni Lavalas is the party of former President Jean-Bertrand Aristide (1991, 1994-1996, 2001-2004), who, he charged, was deposed and exiled with US complicity in February 2004. The US administration of former President George W. Bush (2001-2009) denied Aristide's charge and insisted Aristide willingly boarded an airplane furnished by the US to be flown into exile (see NotiCen, 2004-03-04). Aristide has never been back to Haiti; he now lives in South Africa. But the Conseil Electoral Provisoire (CEP), the electoral council, has adduced that Aristide remains head of the party and must therefore personally sign the candidacy documents of the Lavalas senatorial aspirants. As far as the CEP is concerned, theirs is the last word on the matter. "These are decisions without appeal," said CEP president Frantz G. Verret, driving home the proposition that it is more important to follow the law than to legitimize the system that makes the law. "We did not make decisions based on party politics," he said. "We made the decisions based on the candidates. If they lacked a piece of paper, we refused them." Lavalas leaders thought otherwise, vowing to fight the decision. Mary Narcisse, head of the party executive council, said electoral officials had told them in December that local party leaders could sign for their candidates. "We think these are political machinations," she said. "Famni Lavalas followed the law. I think this is a provocation." The electoral authority also rejected, in addition to the 17 Lavalas candidates, 23 others, the most notorious of whom was Guy Phillippe. He and his rebel forces were instrumental in bringing down the Aristide government and in the ouster of the former president. Verret said the details of the Phillippe decision were confidential. His whereabouts are unknown publicly, and he is wanted in the US for drug trafficking. Most of the rest were excluded for exceptions to the rules on documentation. Candidates must have proof of Haitian nationality and ownership of property, among other requirements. Were it not for the exclusions, the elections might have had some influence on the perceived legitimacy of the state. The purpose of the election is to fill 12 senatorial seats that have been vacant for a year. Verret confirmed to the media that the list of candidates was given to several government ministries and the police for "vetting." While that process could weed out undesirables, it could also benefit President Rene Preval and his Lespwa party, which has an approved candidate in each of the ten departments and two in Artibonite, where two will be elected. The 65 remaining candidates are still subject to being struck from the list if it is discovered, Verret told reporters, that any of them provided false information. That could prove to have a damping effect on an election in Country Number 14, where exclusion has been the least of the ills to befall a would-be candidate criticizing the government, and the electoral council has played a role in meting out punishment (see NotiCen, 2005-09-22). The failed state index The Failed State Index is published annually by Foreign Policy and the Fund for Peace (FfP). It scores countries on 12 indicators, four of them social, two economic,

and six political. Haiti's cumulative score of 99.3 was actually an improvement over the last two years. By comparison, first-ranked Somalia scored 114.2 this year, and Norway, number 177 on the scale and the country least likely to fail by these criteria, scored 16.8. Haiti's highest score was on the political/military scale, where it earned 9.6 of a possible 10 for external intervention, defined as, "Intervention by donors, especially if there is a tendency toward overdependence on foreign aid or peacekeeping missions." In other indicators within this category, FfP notes that there was a slight improvement in public services but, even with that, only 30% of the population had access to sanitation and 54% to clean water. A third of Haitian children die before age five, and 60% of these deaths are from the lack of clean water. Also improving, but not much, was human rights. Keeping the score high is extrajudicial killings and arbitrary arrests, both made by police. Police failure to keep anyone else from doing these things compounded the problem, as gangs and criminals killed, kidnapped, and tortured with little interference. Bearing directly on the current electoral issues, the country fared badly in the category Criminalization and/or Delegitimization of the State. This is defined as massive and endemic corruption or profiteering by ruling elites, resistance of ruling elites to transparency, accountability, and political representation, widespread loss of popular confidence in state institutions and processes, and growth of crime syndicates linked to ruling elites. Among the social indicators, the index narrative cites a large youth bulge as a major problem. With 42% of the population under age 15, a growth rate of 2.49%, and an HIV prevalence of 5.6%, the country is under great developmental pressure that it has little prospect of meeting. Additionally, widespread deforestation has created heightened vulnerability to flooding, and there is no disaster-relief system to speak of. Class issues compound social instability as the privileged French-speaking mulatto minority continues to dominate the Creole-speaking black majority. The privileged classes also continue to leave the island when they can, increasing the consequences of brain drain. Remittances equal almost one-fourth of GDP and are the greatest source of foreign exchange. The phenomena around the race and class differences bridge the gap between social and economic indicators. The extreme wealth gap between these two groups has not shown any improvement over time. Just 1% of the population owns half the country's wealth, while 80% of the population lives below the poverty line, 75% on less than US\$2 a day, 56% on less than US\$1 a day. What little the people have is being further eroded by an 8.9% inflation rate. Insecurity and a dearth of skilled labor ensure that there will be little improvement by way of foreign investment, and the denuded hillsides ensure that subsistence farming will never provide sufficient sustenance. Although FfP does not mention it, this is a country where some people make a living making and selling mud cookies, which are often toxic, provide no nutrition, but which stave off hunger. Turning to the core five state institutions leadership, military, police, judiciary, and civil service the index does not rate them as it does the other categories. Rather, on these, the index rates each of them as poor, except for military, because Haiti has not had one since its disbandment in 1995. Under leadership, it notes that President Rene Preval's 2006 election occurred amid allegations of fraud and corruption, that he has done little to improve any of the items the index evaluates, and also that the government presence does not extend outside the capital. The 7,700-member police force is called extremely corrupt and suspected of collaboration with armed gangs. They have a very poor human rights record. UN training of the force has not resulted in measurable improvement. The judiciary is corrupt and unduly influenced by the other two branches of government, and the civil service untrained, brain-drained, and constrained by lack of resources is unable to function and provide basic services. International community pressure Adding irony to paradox, the countries and institutions whose influence and interference in the country contribute to Haiti's high position on the failure index were swift to intercede in the CEP decision. The Organization of American

States (OAS), in the person of Secretary-General Jose Miguel Insulza, responded less than 24 hours after the decision with a written request for a rule change in the electoral process so that "the irregularities in which some organizations have fallen can be corrected, and all the parties can participate normally in the senatorial elections." Insulza said the OAS would continue advising the CEP but was concerned at "the possibility that an important group of Haitian citizens might not feel represented" in the elections. It was assumed that the rule change Insulza had in mind would be one that would permit someone other than Aristide in South Africa to sign the registration form. The US Embassy in Haiti issued a message at about the same time expressing "great concern that a decision has been adopted which impedes all candidates from one party in particular from participating in the next electoral contest." Also clambering on board was Canadian Ambassador Gilles Rivard, who wanted it remembered and understood that "elections are a symbol of democracy that should unite a population, not divide it." The UN Stabilization Mission in Haiti (MINUSTAH) followed on with a news release calling for the widest possible participation in April to ensure the credibility and acceptance of the results. "Such an approach will also enable these elections to take place freely and equitably and reinforce the progress achieved by Haiti on the road to political and social stability," it said. When the last of the internationals had had its turn at the megaphone, institutional Haiti reacted. Senate president Kelly Bastien said frankly, "Whoever finances, commands." Bastien told reporters, "It is normal that the foreigners vindicate their opinion." President of the lower house Levaillant Louis Jeune was even more plainspoken. "We invited them, so, therefore, they have the right to control the process," he said. The CEP was offended. Verret had gone out of his way to present the council as an independent body that had settled its decisions on legal and technical grounds rather on emotional and political grounds. He had gone on national radio to assert that and provide citations (Articles 44.d, 44.e, 93, and 94 of the Electoral Law). He said in response to a specific question that the council did not take into account "declarations made by civil-society members and the National Network for the Defense of Human Rights." Separately, the CEP responded to the international criticism in a statement reading in part, "The CEP is surprised by the reactions of a great part of the technical and financial counterpart countries and organizations in relation to the candidates accepted with total independence." The statement went on to describe itself as an "independent institution" that works under the "Constitution and the laws of a sovereign country," whereas the comments and concerns of the counterparts were "inexact and abusive."

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