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Haitian President Michel Martelly Wants Senatorial Election; Opposition and Civil-Society Leaders Doubt It

by George Rodriguez

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One-third of the seats in Haiti’s 30-member Senate expired on May 8, 2012, and those legislators’ replacements had to be elected no later than five months before. The country’s legislature consists of a 30-member Sénat and a 99-strong Chambre des Députés, respectively elected for six-year and four-year terms. In the Senate, one-third of its members are elected every two years, the reason for the vote that has been delayed for some nineteen months.

Government-opposition clashes, presidential dismissal of several Conseil Electoral Permanent (CEP) members, and difficulties in appointing a provisional authority—Collège Transitopire de Gestion—to run the CEP are among the factors of an election crisis that has kept the vote on hold.

Added to that, a new election law is needed, and the draft has not found its way to Parliament. Haitian Prime Minister Laurent Lamothe says it could get there sometime this week, after the Conseil des Ministres analyzes the proposed bill, which is more than 100 pages long.

When the vote did not take place in January 2012, President Michel Martelly—a musician of the local, popular kompa genre, nicknamed "Sweet Micky"—assured the public that the election would be held by the end of last year (NotiCen, April 11, 2013). Nineteen months later, the new and again unlikely date is next December.

A US Congress report issued in May casts powerful doubts on the new date and concludes that the election will probably be postponed until next year—as well as the vote for members of municipal councils and other local posts.

"Experts say that an absolute minimum of six months are needed to organize any of these elections. In order for them to be held before December holidays, they would need to be called by June 15. Otherwise, the election date will need to be pushed into 2014," said the Congressional Research Service (CRS) report issued three months ago and written by Maureen Taft-Morales, a specialist in Latin American affairs.

"Additional concern has been raised over the government’s decision to replace most of the 120 mayors elected in 2006, whose terms have expired, with government appointees," Taft-Morales added. "The international community is becoming more and more concerned that the delayed elections are exacerbating political polarization and threatening stability."

As for the reasons that explain the critical election scenario, political opposition and civil-society sectors have said that Martelly has lost much time trying to influence the CEP.

Analysts examining election bill

In recent statements to journalists, Martelly rejected opposition allegations that he does not want the vote to take place and stressed that "it's bad to say that the president does not want elections."
An announcement made last month by presidential spokesperson Lucien Jura said a team of Martelly’s consultants began analyzing the 246-article document on July 3. The idea is to check whether any changes need to be made and have the Conseil des Ministres send the text to Parliament as soon as possible, Jura then told reporters.

Press reports quoted the spokesman as saying, "It is in the interest of achieving good elections that the executive reserves the right to revise the text of the draft law," and he reiterated Martelly’s "commitment … to contribute to the organization of free, honest, and democratic elections."

Parliament president says lawmakers still don’t have bill

More recently, Jean Tholbert Alexis, who presides over the Chambre des Députés, told reporters last week that the ministers had received the bill on Aug. 7, and that Lamothe confirmed it would be sent to Parliament the following day. "I do not understand why so far we have not received it," Alexis said.

The process implies that the ministers study the text—including the observations and recommendations by the president’s consultants—decide whether any more changes are needed, and then meet at a date to be defined to okay the bill and send it to Parliament.

In his first press conference in the country, Nigel Fisher, a Canadian diplomat who in February became the head of the UN Stabilization Mission in Haiti (MINUSTAH)—replacing Chilean Mariano Fernández—stressed the urgent need for electing the 10 senators.

"According to the Constitution of Haiti, elections for Senators elected in 2006 would have taken place by the end of their term in January 2012," Fisher said. "Here we are today, more than 13 months later, and Haiti and the political elite are still in the process of trying to find a compromise that seems unattainable to form the basis of an agreement to move toward elections."

"Progress toward elections this year, or lack of progress, has become the symbol of progress, or lack of progress, in Haiti today," said Fisher, adding, "This is why MINUSTAH urges Haitian authorities to take all necessary steps to hold inclusive and credible elections by the end of 2013."

Along those lines, Michel Forst, for five years—until last March—the UN-appointed independent expert on the human rights situation in Haiti, expressed concern regarding the election delay in his February report upon closing his mission.

A French diplomat and human rights expert, Forst pointed out that it is necessary to "adopt a solution that reflects as closely as possible the requirements of the Constitution and that will rapidly lead to the holding of transparent elections, under the supervision of the international community, in order to fill vacant seats … thus ensuring a return to constitutional order."

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