HAITI: FACT SHEET

Election of President Jovenel Moïse

- President Moïse received 32.8% of votes in the first round of the 2015 elections held on October 25, 2015, qualifying for a runoff with the second-place finisher, Jude Célestin.

- Jude Célestin subsequently raised, without evidence, allegations that the votes for President Moïse in the October poll were fraudulent. Violence was instigated by his supporters and in turn caused the cancellation of the second round.
  - These claims emerged despite the Organization of American States, who had "125 observers from 27 countries present from the opening of the polls up to the counting of the votes in all 10 departments of the country, visiting 487 voting centers", officially declaring that "in spite of some isolated instances, Haitian citizens with the will to vote were able to cast their ballots."
  - "Schools that serve as election centres and voting stations in various towns have been attacked and set on fire in recent days, and election materials in a border town were hijacked by gunmen" Haiti cancels presidential election as violence erupts, Associated Press, Jan 23, 2016

- Following the cancellation of the 2015 elections due to the violence, the former head of Haiti's Senate and National Assembly, Jocelerme Privert, was elected interim president by Parliament following a vote that took nearly 12 hours on February 14, 2016.

- Fresh elections were re-run on November 20, 2016 and overseen by the Provisional Electoral Council (CEP). President Moïse won 55.6% of the popular vote and was inaugurated on February 7, 2017.

- The 2017 UN resolution ending MINUSTAH, a peacekeeping mission that operated in Haiti for 13 years, cited Haiti’s peaceful completion of a long-delayed electoral process and return to constitutional order in February 2017 as a major milestone toward stabilization.

- Regarding the 2016 elections, a report by the UN Secretary-General highlighted: "The elections of 20 November were held in a largely peaceful and orderly manner, notwithstanding the concomitant post-hurricane challenges. A total of 27 presidential candidates, including 3 women, and 181 parliamentary candidates, including 15 women, participated. National and international observers noted the fairness and transparency of the process, albeit with low turnout (estimated at 21 per cent). Haitian authorities, in particular the Government, the Provisional Electoral Council and the Haitian National Police, were widely commended for their impartial professionalism."
  - The report also noted "The entry into office on 7 February 2017 of the new President, Jovenel Moïse, marked the restoration of constitutional order and the conclusion of the period of the provisional government, which had been going on for a year under the leadership of Provisional President Jocelerme Privert."
Presidential Term

- **According to Article 134-1 of the Haitian constitution**, "The term of the President is five (5) years. This term begins and ends on the February 7 following the date of the elections". Meaning the tenure of President Moïse, inaugurated on February 7, 2017, will end on February 2, 2022.

- **In May 2020, the OAS stated**: “The OAS General Secretariat urges all political forces in Haiti to find a cooperative framework in order to comply with the letter and the spirit of their constitutional order, respecting the five-year presidential term in office. In this context, the term of President Jovenel Moïse ends on February 7, 2022.”

- **The US State Department reiterated in February 2020**: “[President Moïse] was sworn into office on February 7, 2017 for a five-year term, which is therefore scheduled to end on February 7, 2022.”

- On Friday 5 February, United Nations backed the US position. **UN spokesperson Stephane Dujarric added that U.N. Secretary-General Antonio Guterres** was “closely following developments” and was encouraged “by the willingness of many stakeholders to engage constructively in finding agreement on a way forward”

“Ruling by Decree”

- A deadlocked Haitian parliament failed to pass an electoral law and vote on an election budget – the required first steps for organising the legislative elections which were constitutionally mandated to be held in October 2019. By law, the President has no authority to interfere or force legislatures to meet these duties.
  - **Article 191 of the Constitution** makes clear that: “The Permanent Electoral Council is responsible for organizing and controlling with complete independence all electoral procedures throughout the territory of the Republic until the results of the election are announced.”
  - **Article 60-1 of the Constitution** reiterates that no branch of power, including the executive may ‘go beyond the bounds set for them by the Constitution and by law.’

- **The failure to meet this constitutional requirement in the legislative chamber** meant as of January 13, 2020, the terms of the entire lower Chamber of Deputies and two-thirds of the Senate expired (as did the terms of all local government posts), without newly elected officials to take their places or re-elections for office holders. This lapse of election schedule resulting from deadlock triggered the President to begin governing without a legislature – by executive order or “by decree”. This same scenario has occurred for five successive Presidents since 1987.

- The legislature also did not pass a 2019-2020 budget or confirm multiple executive branch appointments before it lapsed. Without a budget, a confirmed prime minister, or a cabinet, pending agreements with donors could not move forward, causing increasing concern that policy could not be effectively developed or implemented. For example, a three-year, $229 million loan with the International Monetary Fund that the government secured in March 2019 expired without being approved.

- In response to a request from the Haitian government for international support, the **OAS sent a high-level delegation to Haiti on June 19, 2019 to help facilitate a national dialogue** to overcome this political crisis and identify a pathway to elections.
Election Efforts

- President Moïse has consistently urged all parties to do what is required to get elections funded, scheduled and held, and is working with the U.S., the OAS and the UN for on-ground support and monitoring to ensure free, credible elections.

- In October 2019, a political mission, the United Nations Integrated Office in Haiti (BINUH), replaced MINUJUSTH to help Haiti plan and carry out elections and reinforce the HNP through training on human rights, among other duties.

- On January 7, 2021, the Provisional Electoral Council announced an electoral calendar for 2021 which includes legislative elections and presidential elections in September.

- President Moïse has confirmed repeatedly that he has no intention of running for re-election.

DISSEMINATED BY MERCURY PUBLIC AFFAIRS, LLC, A REGISTERED FOREIGN AGENT, ON BEHALF OF THE PRESIDENCY OF THE REP. OF HAITI. MORE INFORMATION IS ON FILE WITH THE DEPT. OF JUSTICE, WASHINGTON, DC