

## I. Overview:

During a virtual regular meeting held on March 17, 2021 by the Organization of American States, the Permanent Council affirmed the principles enshrined in the Charter of the OAS aimed at “ensuring representative democracy and sustainable democratic institutions,”<sup>1</sup> and resolved:

1. To reaffirm its support for the people of Haiti and to encourage the President of Haiti to work with all stakeholders to engage in meaningful dialogue in the interest of addressing the country’s needs, among others, to hold free and fair legislative and presidential elections this year.
2. To express its strong concern about all acts of violence, human rights violations and abuses committed in Haiti, and to urge the President of Haiti to implement steps to identify and bring to justice those responsible through the appropriate legal procedures.
3. To recall that the humanitarian situation of Haiti has been aggravated by the COVID-19 pandemic.
4. To welcome the invitation of the President of Haiti issued to the OAS to send an observation mission for the elections planned for this year, and to offer the good offices of the OAS under the authority of the Permanent Council to facilitate a dialogue that would lead to free and fair elections.
5. To request the Secretary General to advise the Government and other major stakeholders in Haiti, of the Permanent Council’s offer to undertake a good offices role and to invite the President of Haiti to consider inviting the Permanent Council to do so.
6. To remain apprised of the situation in Haiti on a regular basis.

In the virtual regular meeting on May 26, 2021, the terms of reference for the Good Offices Mission were approved in accordance with resolution CP / RES. 1168 (2315/21). The Mission took place from June 8-10, 2021 in Port-au-Prince, Haiti and the delegation was comprised of the following members:

- Ambassador Hugh Adsett, Permanent Representative of Canada to the OAS
- Ambassador Alejandra Solano Cabalceta, Permanent Representative of Costa Rica to the OAS

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<sup>1</sup> [http://scm.oas.org/doc\\_public/english/hist\\_21/cp43654e03.docx](http://scm.oas.org/doc_public/english/hist_21/cp43654e03.docx)

- Ambassador Carlos A. Játiva Naranjo, Permanent Representative of Ecuador to the OAS
- Ambassador Lou-Anne Gaylene Gilchrist, Permanent Representative of Saint Vincent and the Grenadines to the OAS
- Ed Heartney, acting Chargé d'affaires of the United States Permanent Mission to the OAS
- Jean Michel Arrighi, Secretary for Legal Affairs at the OAS
- Cristobal Dupouy, Special Representative to the Secretary General at the OAS Haiti National Office

During the Mission's stay in Haiti, the delegation met with over 50 stakeholders including President Jovenel Moise as well as prominent leaders from the private sector and political, religious and civil society stakeholders. The Mission issued two public statements, one on June 8, 2021 and the other on June 10, 2021 which are annexed to this report.

## **II. Initial Meeting with President Moise:**

Shortly after arriving in Haiti, the delegation visited President Moise at the Presidential Palace. The delegation thanked the President for his invitation and introduced the five commitments that were used as a framework during subsequent meetings. These included commitments to:

- (1) Representative democracy, in accordance with the Inter-American Democratic Charter
- (2) Free and fair legislative and presidential elections in 2021
- (3) Seeking a transparent electoral process with input from all stakeholders and credible to the Haitian people
- (4) Working to find a compromise that will benefit the people of Haiti
- (5) Ending political violence and impunity and respecting human rights

The President welcomed the delegation and discussed the challenges of the current political impasse. He reiterated his commitment to the democratic process and affirmed that his main priority is to organize and hold elections. He noted the social, economic and political challenges Haiti has faced over the past few years, including a volatile exchange rate, high cost of living and increased violence.

Citing the rising insecurity, the President noted that the Haitian National Police does not have the resources to adequately respond to the "gangsterization" of the metropolitan area. He

said that it was a mistake of past leaders to disband the army. He discussed his decision to reinstate the army, despite the international community's general disapproval. He thanked Ecuador and Mexico for their technical support in training the army.

Regarding his mandate, President Moïse reiterated that he has no intention of staying "even a minute" past February 7, 2022 and emphasized the urgent need to move quickly to reach an agreement to address pressing matters such as insecurity and the COVID-19 pandemic. He expressed confidence in achieving a minimal accord to provide legitimacy to the electoral process, including the referendum, which would include a government of national unity, which he referred to as "reunification government." He noted the important role that the OAS, UN and CARICOM can play in "de-escalating" the current crisis and affirmed that his "political adversaries" are not his "sworn enemies" and that they must work together.

Regarding the current constitution, Moïse stated that there have been numerous transitions in the past 35 years. Mentioning Haiti's status as a founding member of the OAS, he questioned how the country could move forward under these circumstances. He formally requested the delegation's assistance in ensuring credible elections and to arrive at a consensus to change the constitution. He stated he believes that the Haitian people are tired of chronic instability.

The delegation asked if dialogue is ongoing. The President noted that while there is no official dialogue, he continues to speak to political and private sector actors. He noted that the June 5 accord from the opposition calls for elections and a referendum and said there is perhaps a "juste milieu" (middle ground) that can be identified. He noted that he will probably receive 4-6 other documents from opposition leaders that he will analyze with his team to identify common themes once received.

The delegation reiterated that the mandate entails facilitating inclusive dialogue and does not involve the referendum. They agreed with the President that this is an historic moment to seek out an agreement and move the country forward toward elections, security and a more prosperous future for all Haitians.

### **III. Meetings with Political Actors:**

Several meetings were held at the OAS Haiti National Office with a wide range of political actors. Nearly all of them denounced the worsening violence, rising food insecurity and the economic toll on the middle class of *peyi lòk*, COVID-19 and kidnappings.

Some opposition members referred to President Moïse as a "de facto" President and insisted that elections would not be possible unless he leaves office. These same political actors also pointed to other issues, such as security and the composition of the Provisional Electoral Council (CEP), that they said would not make it possible to hold elections. They expressed frustration over the "dysfunctional" parliament and the decrees the President has signed since January 2020. These members of the opposition explained that they signed a political accord amongst themselves on June 5, 2021 and that they are no longer advocating for a longer multi-year transitional government, but rather a nine-month period in order for a new "credible" government to organize elections.

Other voices in the opposition advocated for a Haitian solution to the current crisis through inclusive dialogue, a government of national unity and elections. Some suggested a dialogue with the OAS playing the role of observer to bring together the different groups and reach an agreement in the interest of Haiti. These actors affirmed that parties must put aside differences and move the country in the right direction through compromise. They insisted that trust needs to be restored with a new Prime Minister chosen by the opposition who will be capable of fighting insecurity and corruption. They emphasized that not everyone will agree to the accord, but if sacrifices are made on all sides, a minimum consensus for a government of national unity can still be achieved.

Some advocated for the proposed constitutional change, explaining that holding elections every two years under the 1987 constitution has only contributed to political instability. They noted that this is a unique opportunity since the constitution had not been reformed under parliament. Others noted the importance of changing the constitution, but that the process needs to be more inclusive and “legitimized” via a political accord. They regret that the political crisis has overshadowed the serious COVID-19 pandemic, social problems, and the economic crisis.

During the meetings, the Mission noted the importance of finding a middle ground through dialogue with all stakeholders and reiterated that its mandate does not include the referendum or imposing a solution. The Mission expressed its concern with the difficult social, economic and political situation and the potential void in leadership if there are no presidential and legislative elections by the end of 2021.

#### **IV. Meetings with Civil Society and Religious Groups:**

Nearly all civil society leaders expressed concern with growing insecurity and lawlessness. Most said that Haiti is at a crossroads and that inter-Haitian dialogue is the only means to overcome the highly polarized political situation and achieve a lasting agreement.

There was a wide range of opinions regarding organizing and holding elections. Some dismissed the idea of a transition given that it would involve undemocratically elected leaders, and that transitions have been defined by instability and corruption in the past. Others questioned how candidates will be able to campaign in areas currently controlled by gangs and questioned the legitimacy of the current CEP.

Some stakeholders discussed the marginalization of women as well as their exclusion from parliament and other political spaces, noting that there were only four (4) women elected to parliament, and expressed concern about them being entirely excluded if elections were to proceed with the 1987 constitution without a referendum. They stated it required months of campaigning and significant effort for the women to win their seats and that under the current circumstances with the proliferation of gang violence, they would no longer be competitive.

Youth leaders expressed a favorable opinion of the proposed constitutional referendum. They discussed the exclusion of youth from the political process under the current constitution

and the lowering of the minimum age to run for office. They also mentioned the important role the diaspora would play in political life under the new constitution, citing their disproportionate political engagement despite their significant economic contribution of over \$2 billion in remittances annually.

Others suggested the OAS provide technical assistance to the National Identity Office (ONI) to “validate” the new Dermalog system and ensure confidence in the electoral roll. Discussing the security situation, others said gangs usually play an important role in controlling territory during elections and suggested the OAS assist the government to guarantee secure conditions for elections to take place. Most participants emphasized the need for the OAS to facilitate a dialogue with political actors, private sector, and other relevant stakeholders in order to deescalate the situation and move forward toward elections.

#### **V. Meetings with the Private Sector:**

All private sector actors emphasized their commitment to the democratic process and their belief in the importance of organizing and holding elections. They stated that they regularly engage with the political class and understand the complexities of the current situation. They reiterated that they are not partisan, but do not believe that another unelected transitional government is an advisable option. However, some expressed concern over how to organize elections before February 2022, and how to ensure the electoral process is free and fair and perceived by the general population to be credible.

Opinions also varied with regard to the referendum. Some mentioned the need to change the constitution while cautioning that the process should not be forced. An eventual constitutional change would be a positive step toward improving structural issues in the country, and would encourage the participation of women, the disabled, youth, rural farmers and members of the diaspora who have been historically excluded. Others lamented the overall lack of ideology and policy proposals in Haitian politics.

While they recognized the important role the international community plays in Haiti, they emphasized the need for a Haitian solution to the current crisis and offered themselves as a “neutral” player to facilitate mediation, in the event that it is required. They encouraged the Mission to reiterate their willingness to assist in this capacity.

All of the representatives emphasized the threat of growing insecurity to their businesses and livelihoods. Some referred to the situation as a “humanitarian crisis” with Haitians living as “refugees in their own country.” One leader referred to the current situation as a “low-intensity civil war” and urged the United States, in particular, to adopt a similar approach to Haiti as they have in Central America. Investments in job creation and an increase in foreign aid assistance could help improve the quality of life for Haitians and reduce the flux of Haitian migrants fleeing to the United States, some of whom travel via Central America. Educated young Haitians are seeking opportunities abroad, which has affected the pool of talent and contributed to worsening the brain drain. Many of the representatives stated they

themselves would be forced to leave the country, if the insecurity situation and violence continue to escalate.

#### **VI. Final Meeting with President Moïse:**

The Mission extended its thanks to the President and provided him with some initial reflections on the meetings over the previous two days. The Mission noted that it had spoken with over 50 individuals including women, youth, civil society, private sector and religious leaders and political actors from across the spectrum.

The Mission encouraged the President to reach out to those who are willing to engage in meaningful and inclusive dialogue and noted the urgent need to address growing insecurity, which was a common theme throughout the meetings. The Mission also expressed concern about the potential for President Moïse's mandate to end without elections having been carried out. They noted that the only democratic transition would be a transition from one democratically elected President to the next. They reiterated to the President the urgent need to lead and specifically to work on a modified electoral calendar, noting that several actors believe that seven months is not enough time to prepare for and hold elections.

President Moïse said that preparations for the elections began in November and many of the non-sensitive materials ordered for the referendum will be used for the upcoming elections as well. He noted that 50% of the cost for the election has already been secured, but that additional financial support to the basket fund will be required from partners.

Regarding a political accord, President Moïse asked for reflections on the likelihood of reaching an agreement with the main political actors based on the meetings, noting that he believes an agreement can be reached. He said that, in his view, holding elections under the 1987 constitution will result in chaos and a political stalemate similar to that experienced over the past few years. The President said that the referendum is not his own idea, but rather is a direct result of years of conversation across the political spectrum regarding the need for a new Constitution. President Moïse reiterated his commitment to being the last "President of transitions." He told the delegation that he has no interest in any particular candidate and will not be running himself.

He noted that he had proposed September 26, 2021 for the general elections, but because of the pandemic they were considering recommendations from the Ministry of Public Health and this might be adjusted. In addition to adopting health protocols, addressing security for the elections will be critical. President Moïse stated that the option of requesting international security support in order to ensure free, fair and credible elections should not be taken off the table, and more generally requested the support of the international community in holding to account those who may be responsible for criminal activity in Haiti. He also emphasized the important role of the OAS in providing technical support and an observation mission to ensure the legitimacy of the elections.

Regarding insecurity and the police, he praised the US State Department International Narcotics and Law Enforcement supported program to counter the influence of gangs and requested that similar initiatives be implemented throughout the metropolitan area. He said

the government is fully committed to eradicating gang violence and restoring security by allocating additional government resources to supporting the police and strengthening social programs in affected communities.

## **VII. Recommendations:**

Any solution to the ongoing political crisis in Haiti requires the efforts of all sectors of Haitian society, including government, opposition, business, religious groups and civil society.

The Mission identified three goals that it believes can contribute to a way forward:

### **(1) Prompt appointment of a Prime Minister and Cabinet that will have the confidence of the Haitian people.**

A number of recommendations were made by participants on how this goal might be reached. The urgent appointment of a Prime Minister who enjoys the broad support of the Haitian people appears to be a critical step. The Mission urges all political actors to redouble their efforts in this regard and that the appointment of a new Prime Minister and Cabinet be made no later than mid-July.

### **(2) Urgent steps taken to re-establish a climate of security, in conformity with human rights obligations.**

All of those with whom the Mission met expressed grave concern with the worsening security situation in the country. Gang violence is a threat not only to security and economic growth, but also seriously undermines the rule of law and the development of democracy in Haiti.

Those with influence over the activities of gangs in Haiti must bring violence to an immediate end and those responsible must be held to account.

Impunity, lawlessness and high levels of violence have forced people to flee internally to seek refuge. The impact of Covid-19 and ongoing food insecurity add to the humanitarian crisis and are of serious concern.

### **(3) Appointment of new members to the Provisional Electoral Council to ensure that the Haitian people have confidence in this critical institution and that local, legislative and presidential elections are held this year.**

Haiti's democratic institutions are already in abeyance. In order to avoid a democratic power vacuum, it is critical that all efforts be made to ensure that free and fair elections are held before the end of 2021. This includes the appointment of new members to the Provisional Electoral Council, the establishment of a definitive electoral calendar, accelerated efforts to register voters, and other steps to ensure confidence in the electoral process.

To reach these goals, dialogue amongst relevant sectors of Haitian society must advance with a sense of urgency and purpose, and with a spirit of compromise. Dialogue is a regular part of a healthy political process. However, it should not be a reason for delay, nor should it be an alternative to or substitute for democratic elections and representative democracy. Going forward, the Mission recommends that greater steps be taken to ensure that women and marginalized groups, including LGBTI persons, are equal and active participants in political processes in Haiti. The goals of a representative democracy can only be met with the engagement of all in society.

The Mission also recommends that the Permanent Council remain seized of this issue, and that the Organization of American States continue to accompany the people of Haiti in their efforts in the coming months. The Mission recommends that regular reports be made to the Permanent Council, with the support of the Secretariat, on the implementation of the recommendations in this report. The Mission stands ready to support the Permanent Council if and as requested.

The Mission recommends that other international actors continue to support the people of Haiti in their efforts to realize their full democratic and human rights. Upon request, the international community should continue supporting efforts to restore security, reduce violence and impunity, and support human rights in Haiti, and should also consider assisting with preparations for the elections, building on the work that has been accomplished to date.

### **VIII. Conclusion:**

The Mission expresses its thanks to the government and people of Haiti for the welcome they received during their visit. The Mission would particularly like to thank all of those whom they met during the course of their visit, who shared their opinions openly and frankly.

The Mission would also like to thank the Special Representative of the OAS in Haiti, Cristobal Dupouy, his advisor, W. Gerald McIlroy, and the rest of the staff of the office of the OAS in Haiti for their exceptional support.

As many interlocutors noted, it will ultimately be up to the people of Haiti to decide Haiti's destiny. The members of the Mission hope that this report will make a contribution to the efforts of Haitians to chart a path to a more democratic future.

### **IX. ANNEXES**

- [Permanent Council Resolution](#)
- [Terms of Reference](#)
- [Mission Press Statement – June 8, 2021](#)
- [Mission Press Statement – June 10, 2021](#)
- [Agenda](#)
- [Participants](#)