



# 129<sup>th</sup> ASSEMBLY OF THE INTER-PARLIAMENTARY UNION AND RELATED MEETINGS

Geneva, 7 – 9.10.2013

Assembly  
Item 2

A/129/2-P.2  
10 September 2013

## CONSIDERATION OF REQUESTS FOR THE INCLUSION OF AN EMERGENCY ITEM IN THE ASSEMBLY AGENDA

### Request for the inclusion of an emergency item in the agenda of the 129<sup>th</sup> Assembly of the Inter-Parliamentary Union submitted by the delegation of Haiti

On 6 September 2013, the Secretary General of the Inter-Parliamentary Union received from the delegation of Haiti a request for the inclusion in the agenda of the 129<sup>th</sup> Assembly of an emergency item entitled:

"Action by parliaments to safeguard the fragile democracy in Haiti".

Delegates to the 129<sup>th</sup> Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 129<sup>th</sup> Assembly will be required to take a decision on the request of the delegation of Haiti on Monday, 7 October 2013.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a major event of international concern on which it appears necessary for the IPU to express its opinion. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL OF THE INTER-  
PARLIAMENTARY UNION BY THE DELEGATION OF HAITI**

Port-au-Prince, 10 September 2013

Dear Mr. Secretary General,

The delegation of the Republic of Haiti presents its compliments and kindly requests that the following proposal for an emergency item be included in the agenda of the 129<sup>th</sup> IPU Assembly, entitled:

"Action by parliaments to safeguard the fragile democracy in Haiti".

Please find attached a brief explanatory memorandum as well as a draft resolution on the scope of the topic.

Please accept, Mr. Secretary General, the assurance of my highest consideration.

(Signed) Simon Dieuseul DESRAS  
President of the Senate  
Republic of Haiti and of the IPU  
Group of Haiti

(Signed) Jean-Tholbert ALEXIS  
Speaker of the Chamber of Deputies  
Republic of Haiti

(Signed) Riché ANDRIS  
Vice-President of the Senate and  
of the IPU Group of Haiti

(Signed) Steven Irvenson BENOIT  
First Secretary of the  
IPU Group of Haiti

## **ACTION BY PARLIAMENTS TO SAFEGUARD THE FRAGILE DEMOCRACY IN HAITI**

### **Explanatory memorandum submitted by the delegation of Haiti**

The life of Haitians may be summarized by a long and protracted struggle for emancipation and freedom. In the 1980s, Haitians led a heroic battle to be freed from the dictatorship of the Duvaliers. Many citizens were thrown in jail, suffered abuses, torture and death in prisons rife with absolutism. Yet in spite of this, the forces of change were not to be stalled. Finally, on 7 February 1986, a new dawn broke over the country with the departure of Jean-Claude Duvalier along with the advent of ideological and political pluralism, as well as freedom of speech and association.

During the 20 years that have ensued since that day of glory, the nation's lifeblood has pursued the struggle with the noble aim of consolidating the early gains in-between absolutism, which refused to go away, showing itself occasionally through civilian-military or military coups in a bid to revert to the status quo. One of its most heinous manifestations was election day – 29 November 1987 – where hoards of civilians and military personnel opened fire in cold blood on voters inside and outside polling stations.

For quarter of a century now, democrats have been trying their best to instil in the minds of an illiterate people historically conditioned by despotism the cardinal principles of liberal democracy. It has been an uphill battle. With every step forward, conservative, reactionary and backward forces rise up to curb the march of History. In the aftermath of the first free post-Duvalier elections, on 7 January 1991, a henchman of the former regime carried out a coup d'état that almost succeeded in snuffing out the first whimpers of Haitian democracy. Seven months later, the remaining army rabble overthrew the first democratically elected President and for three years imposed a reign of terror that only ended thanks to the resolve of the US President, who brought back the country's overturned President in the guise of a foreign military occupation.

It is said that people do not easily or quickly lose their taste for despotism. Even the new forces, credited with a democratic spirit, surrendered to unorthodox practices that earned them national and international disapproval. In 2000, maliciously manipulated elections led to a breakdown of trust, which inevitably resulted in the fall and exile of the "small prince of the poor", who for a time had relayed the demands of the vast majority of Haitians.

In spite of these lessons of History, bad practices persisted. In 2010, against a backdrop of disaster and desolation caused by a devastating earthquake, elections manipulated by international actors brought victory to an artist who left in the imagination of every Haitian an image eroded by behaviours and posturings that bordered on social immorality.

Yet Haitians and the political elite bowed to the wishes of the international actors, who had forged a majority in the airtight and opaque election authority responsible for tallying the votes. They allowed themselves to be taken in by the speech of change delivered by the new President and gladly agreed to dedicate themselves to national reconstruction to erase the deep scars left by the earthquake, which had caused 300,000 deaths, resulted in thousands of disabled persons and left millions homeless.

People soon became disenchanted. There was no concrete follow-up to the speeches and the flowery promises were not kept. Worse still, for two years now, the government has refused to respect election deadlines. For two years the Senate has been without one third of its members and the powers that be refuse to organize partial elections to fill the vacancies. There is even worse: the President makes no effort to hide his plan to cut short the terms of 10 other senators deemed hostile to his government. The aim is to reduce this august body to one third of its size, thereby rendering it ineffectual in its entirety. That way the President will have succeeded in his little game and outrageous idea to rule the country by decree with the force of law, to set up a constituent assembly to draft a constitution tailor-made to his infinite re-election ambitions - to be president for life. This anomaly is something that Haitians had fought against and paid the price of their blood and lives.

To achieve his objective of restoring dictatorship, the Head of State is setting a stage that is all too reminiscent of times past. Elected officials, mayors, town councils and communal assemblies, entrusted with a four-year term of office, have been waiting on elections for two years to renew their membership. The government is not paying the slightest heed to this constitutional requirement. These elected officials are quite simply dismissed and replaced by "acting executive agents", who are often disconnected from the people they rule and are subjected to the orders of the Executive. The media are intimidated; an insidious and pernicious censorship is imposed on them through the rampant distillation of fear. Journalists are beaten up by armed civilians whose arrogance recalls the insolence, the disdainfulness and the crudeness of Duvalier's "macoutes" militia. Attorney who have filed complaints for blatant acts of corruption committed by the presidential family are pursued and threatened to the point where they have been forced to go undercover, luckily supported in their courageous struggle by national and international human rights organizations. Political associations holding public meetings are broken up, dispersed and tracked down by the regime's henchmen. Freedom of association and freedom of expression will be in their twilight days in Haiti unless democratic forces find international support.

It is clear to all that the Haitian President is set to dissolve the Parliament the second Monday in January 2014. His pretext is a 2008 law, while he ignores the 2011 amended Constitution which annuls this law as it runs contrary to it. The Haitian President does not respect the separation or the independence of powers. An honest judge who was presiding over the case of corruption brought against the presidential family came under such pressure from the President during an undue summons that he died two days later from a stroke. The Head of State does not respect the Constitution which he has sworn to uphold. He does not respect the laws of the Republic. Nor does he respect democratic and republican principles. He has but a single purpose: to seize power for himself through arbitrary acts and dictatorship.

Civil society and the political class are afraid. They have no faith in a Head of State who clamps down on public freedoms and loathes and threatens leaders of political and human rights organizations. The situation is so dire that they were forced to decline an invitation by the Head of State to meet and discuss the next elections, so convinced are they that he will employ delaying tactics to postpone elections until the term of the Parliament ends. Nor do they have faith in a government that fabricates cases to apprehend and throw in jail legal professionals who defend clients hostile to the powers that be or who file complaints against the financial transactions of the presidential family.

In three months Haiti will have no parliament. It will signal the death of democracy. It is against this backdrop that the Haitian delegation is sounding the alarm and requesting urgent action by the Inter-Parliamentary Union.

## **ACTION BY PARLIAMENTS TO SAFEGUARD THE FRAGILE DEMOCRACY IN HAITI**

### **Draft resolution submitted by the delegation of HAITI**

The 129<sup>th</sup> Assembly of the Inter-Parliamentary Union,

- (1) Taking at its just value the epic combat of the Haitian people for emancipation, liberty and human dignity,
- (2) Considering the long tradition of arbitrary acts that has marred Haiti's history,
- (3) Afflicted by the upheavals and suffering that have disrupted the existence of this valiant people and cost them the humiliation of military occupation and the presence, for many long years, of a United Nations Stabilization Mission,
- (4) Saddened by the long 30-year dictatorship which quashed, tore apart and silenced democratic forces,
- (5) Glorifying nevertheless the tenacity of the forces that survived that noxious atmosphere and actively led in semi-clandestinity an audacious and memorable battle against the forces of evil,
- (6) Noting with great satisfaction the progress made in this dangerous and deathly combat and the final victory won over the dictatorship on 7 February 1986,
- (7) Also noting the ideological and political explosion that welcomed the dawn of individual and public freedoms and the clear progress made subsequently in entrenching and consolidating democratic gains throughout a long transition period interrupted by attempts to return to the old order,
- (8) Sorry to witness today a resurgence of practices of the past that are clamping down on the exercise of the freedom of expression and association, and the free functioning of democratic and republican institutions,
- (9) Alarmed by the cry of the sibling Parliament of Haiti, signalling the imminent danger of the Senate becoming dysfunctional in an anti-democratic plan of the Haitian Executive to dissolve the Parliament the second Monday in January 2014 and to rule the country by decree having the force of law,
- (10) Considering that the possibility of a Member Parliament of the IPU disappearing would neither please the IPU Assembly nor meet with its passive approval,
  1. Supports the efforts of the Speakers of the Houses of the Republic of Haiti to safeguard the democratic gains made through ferocious battle and at the price of bloodshed;
  2. Reaffirms its solidarity with the people and Parliament of Haiti in their struggle for the consolidation, expansion and durability of democratic gains;

3. Confirms its support for the steps taken by the leaders of the Haitian Parliament in their battle against the resurgence of dictatorship in their country and of practices aimed at restricting rights and freedoms;
4. Calls upon parliaments affiliated to the Inter-Parliamentary Union to bring pressure to bear on their respective governments to publicly condemn the dangers that threaten democracy in Haiti and the Haitian Parliament in particular;
5. Requests that parliaments take all measures to support the Haitian Parliament, notably by publishing statements rejecting in no uncertain terms any steps taken by any government to dissolve a parliament democratically elected by its people;
6. Recommends that the governments of democratic countries instruct their diplomatic missions in Haiti to express to the Haitian Government their opposition to any measure that would jeopardize the existence and free functioning of the Parliament;
7. Calls upon the Haitian Government to respect the mandate of parliamentarians in strict observance of the provisions of the fundamental Charter of the Republic;
8. Renews its sympathy and support for the Haitian people in their struggle to guarantee political stability and better living conditions.