

CONCURRENT RESOLUTION

Whereas the legacy of fiat and abuse of the Duvalier dictatorship led the framers of the 1987 Haitian constitution to provide for clear separation of powers;

Whereas the 1987 Haitian constitution permanently vests all legislative authority in an independent National Assembly;

Whereas national and local elections were held in Haiti on May 21, 2000, which were intended to restore the independent legislature which was dismissed by Haiti's President, Rene Preval Garcia, in January 1999;

Whereas the Haitian people are to be congratulated for patiently and peacefully voting in large numbers on May 21, 2000, despite an unfavorable electoral environment;

Whereas the legitimacy of the May 21, 2000, elections has been compromised by organizational flaws, political murders, the involvement of the Haitian National Police in the arrest and intimidation of opposition figures, manipulation of the independent Provisional Electoral Council by the Government of Haiti and the ruling Fanmi Lavalas party, and the publication of fraudulent results;

Whereas the Provisional Electoral Council has been compromised by Fanmi Lavalas partisans operating within the Council and inappropriate pressure and threats made

against members of the Council from the highest levels of the Haitian government to induce the Council to issue fraudulent results;

Whereas Leon Manus, President of the Provisional Electoral Council, was forced to flee Haiti in fear for his life and in a statement released June 21, 2000 noted that the opposition had made “legitimate” challenges to the credibility of the electoral process and that the Council “was often plagued with traps and attacks” and fought “slanders and threats” that came “most often from state actors” and received “from the highest level of the government, unequivocal messages on the consequences that would follow if [he] refused to publish supposed final results”;

Whereas the Provisional Electoral Council is no longer viewed as credible or independent by a broad spectrum of political parties and civil society groups in Haiti;

Whereas Haitian organizations, including the Chamber of Commerce, political parties, the Association of Haitian Industrialists, the Roman Catholic Bishops Conference, and the Protestant Federation have strongly protested the publication of election results that do not correspond to the provisions of Haiti’s electoral law and generally accepted norms and which have also been contested by the president of the Provisional Electoral Council;

Whereas the international community, including the United States, Canada, France, the United Nations, and the Organization of American States, has condemned attempts to manipulate the May 21, 2000, electoral process in Haiti; and

Whereas the absence of free and fair elections and the resultant failure to constitute a duly elected legislative body in Haiti constitutes a major setback for the Haitian people's aspirations for peace and democracy, could result in instability in Haiti, and directly jeopardizes United States anti-narcotics objectives in Haiti and the region: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring), That Congress—*

3 (1) condemns the electoral fraud being per-
4 perpetrated against the Haitian people and the con-
5 tinuing interruption of democratic institutions in
6 Haiti;

7 (2) calls on the Government of Haiti forthwith
8 to end its manipulation of the electoral process and
9 take immediate steps to reverse the fraudulent re-
10 sults announced by the remaining members of the
11 Provisional Electoral Council;

12 (3) calls on the Government of Haiti to imme-
13 diately engage in a thorough and verifiable process
14 involving the National Observation Council (CNO),
15 all concerned Haitian political parties, as well as pri-
16 vate sector and other civil society organizations, to
17 review all reported irregularities and allegations of
18 fraud and authenticate the true results of the elec-
19 tion so that a legitimate, democratically-elected Na-
20 tional Assembly and local councils can be seated;

1 (4) urges the Organization of American States
2 (OAS) to consider joint actions by its members
3 states to bring about a return to democracy in Haiti;
4 and

5 (5) calls on the President of the United States
6 to—

7 (A) terminate United States assistance to
8 the discredited Provisional Electoral Council;

9 (B) review and modify as appropriate
10 United States political, economic, and law en-
11 forcement relations with Haiti, if Haitian au-
12 thorities persist in their current path; and

13 (C) work with other democracies in the
14 Western Hemisphere and elsewhere toward a
15 restoration of democracy in Haiti.

16 SEC. 2. The Secretary of the Senate shall transmit
17 a copy of this concurrent resolution to the President.

Passed the Senate July 19, 2000.

Attest:

Secretary.

106TH CONGRESS
2D SESSION

S. CON. RES. 126

CONCURRENT RESOLUTION

Expressing the sense of Congress that the President should support free and fair elections and respect for democracy in Haiti.