

THE CENTRAL GOVERNMENT OF HAITI

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION THAT THE CENTRAL GOVERNMENT OF HAITI HAS ACHIEVED A TRANSPARENT SETTLEMENT OF THE CONTESTED APRIL 1997 ELECTIONS, AND HAS MADE CONCRETE PROGRESS ON THE CONSTITUTION OF A CREDIBLE AND COMPETENT PROVISIONAL ELECTORAL COUNCIL THAT IS ACCEPTABLE TO A BROAD SPECTRUM OF POLITICAL PARTIES AND CIVIC GROUPS IN HAITI



SEPTEMBER 28, 1999.—Referred jointly to the Committees on International Relations and Appropriations, and ordered to be printed

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THE WHITE HOUSE,
Washington, August 16, 1999.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the authority vested in me as President by the Constitution and the laws of the United States, including section 561(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1999 (FOAA), as enacted in Public Law 105-277, I hereby report to the Congress that the central Government of Haiti: (1) has achieved a transparent settlement of the contested April 1997 elections, and (2) has made concrete progress on the constitution of a credible and competent provisional electoral council that is acceptable to a broad spectrum of political parties and civic groups in Haiti. Section 561(b) states that funds appropriated by the FOAA and made available to support elections in Haiti shall not be restricted if I report to the Congress that the central Government of Haiti has met the two aforementioned criteria.

The first criterion in section 561(b) of the FOAA, a transparent settlement of the contested April 1997 elections, was cumulatively met by a public declaration by the Provisional Electoral Council (CEP) on June 11 and the promulgation of the Electoral Law, which was published in the national gazette *Le Moniteur* July 19, and republished with corrections July 22. Taken together, these two acts establish that 19 Senate seats will be run in the legislative and local elections projected for late 1999. Included in this number are the two still-contested Senate seats from April 1997. Article 63 of the Electoral Law specifically states "the number of Senators to be elected in the upcoming elections shall be determined by the CEP." This authority is also provided in Article 16. Article 130 states that the elections are to fill Senate seats vacant by "fact or law."

Pursuant to its authority to determine which seats will be competed, the CEP declared publicly on June 11 that it "has decided to call elections to fill all Senate positions currently vacant, whether *de facto* or *de jure*, without distinction." In a number of subsequent public statements, as well as in private assurances to the Embassy and others in the international community, CEP officials explicitly and unanimously reiterated that because there are presently eight sitting Senators and the Constitution calls for a Senate of 27 Senators, a total of 19 Senate seats will be competed, including the two still-contested positions.

The second criterion, concrete progress on constituting a competent, credible, and broadly acceptable CEP, was achieved March 16 when President Preval announced that nine-member body's composition after consultations with the five-party *Espace de*

Concertation. Since that time, the CEP has performed in a competent, even-handed, and credible manner and has been deemed acceptable even by parties and movements who stand in staunch opposition to the government.

Sincerely,

WILLIAM J. CLINTON.

