



# UNDERSTANDING THE COMMISSION TO SEARCH FOR A HAITIAN SOLUTION TO THE CRISIS

*This document seeks to explain what the commission is, the accord it produced, how it differs from the interim prime minister's accord and what the U.S. should do to help resolve the political crisis in Haiti.*

## WHAT IS THE POLITICAL CRISIS IN HAITI?

Haiti currently has no president and has had no functioning national government since parliament was dissolved when elections did not take place in 2019. It has an unelected acting prime minister, a dysfunctional judiciary and a weak and divided police force—and the Haitian Constitution offers no script for how to manage these unforeseen, complex and overlapping problems. To make matters worse, the country has been devastated by recent natural disasters and paralyzed by [gangs funded, armed and empowered by the government](#) and other political and private parties. The current ruling party in Haiti has long been backed by the United States and many in the international community. Haitians have lost trust in the political process.

## WHY CAN'T HAITI JUST HOLD ELECTIONS?

Past elections in Haiti have produced presidents with little legitimacy. The last, U.S.-backed, presidential election had such low voter participation that Jovenel Moïse won the presidency in 2016 with about [600,000 votes](#) in a country of 11 million people. After elections did not take place on time in 2019, parliament dissolved and Moïse began ruling by decree. With little popular support and few allies, he sought support from gangs and systematically [dismantled democratic institutions](#) that checked his power—the same institutions needed to hold fair and participatory elections. In violation of the Constitution, he directly appointed members to the electoral commission, compromising the integrity of the vote. He [fired Supreme Court justices](#) whose rulings challenged his power and unilaterally named replacements, raising concerns that they may be incapable of adjudicating election disputes. The gangs he [empowered](#) now control huge swaths of Haitian territory, making it dangerous to leave the house to vote.

Quick elections cannot restore public trust or rebuild broken institutions—they would instead serve to extend a broken system that has propped up illegitimate leaders and created this crisis.

## WHAT IS THE COMMISSION TO SEARCH FOR A HAITIAN SOLUTION TO THE CRISIS?

Seeking to restore Haitian democracy, Haitian civil society groups founded [a commission](#) to identify solutions for Haiti's political and institutional crises and build a path to legitimacy and stability. Since last January, the commission has engaged in an extraordinary historic effort to build consensus around a blueprint for a transitional government that can set the stage for truly participatory and legitimate elections. Some 13 commissioners, representing the bedrocks of Haitian society—unions, farmers' alliances, professional associations, human rights organizations and churches—have engaged in an intensive process of consultation with hundreds of leaders throughout the country, resulting in [an accord](#) that sets out a democratic path for Haiti.

## WHAT IS THE ACCORD THE COMMISSION PRODUCED?

On August 30, 2021, at the Hotel Montana in Port-au-Prince, the commission released an accord for a transitional government that can rebuild institutions and organize elections. The accord has more than 650 signatories, including most major institutions in Haitian society—among them 52 political parties, labor unions, universities and the Protestant and Episcopal Churches.

The accord lays out terms for governing during a two-year transition to democracy.

- It mandates a transitional government whose members, in the absence of elections, will be nominated by sectors across Haitian society, including business groups, farmers, unions, professional organizations, the academy, the Catholic, Protestant and Episcopal Churches and human rights organizations.
- It sets a two-year timeline for elections, along with goals for strengthening institutions ahead of elections.
- Grounded in the Constitution, it establishes a representative body that can check executive power.
- It contains provisions that guard against self-interest, for instance, preventing commission members from holding leadership positions in the transitional government.
- It is a groundbreaking effort to engage parties previously excluded from power in building inclusive institutions and democratic participation.

The accord seeks not only to restore democratic institutions and create a pathway to elections, but also to restore a lost trust in the Haitian state and political system.

## DOESN'T THE INTERIM PRIME MINISTER ALSO HAVE AN ACCORD? WHAT'S THE DIFFERENCE?

The acting prime minister, Ariel Henry, has produced an accord that presents a cosmetic solution to the crisis. Henry has little legitimacy. Moïse named Henry prime minister in July, but Henry had not yet taken office when Moïse was [assassinated](#) days later. Amid disagreement over who would become interim leader of Haiti, the U.S. embassy [anointed Henry by tweeting](#) a message of support from a group of ambassadors. In response to the U.S. calls for fast elections, Henry promptly delivered an accord that promises to not only deliver swift elections, but to also change the Haitian Constitution by popular referendum, a process that is barred under Haiti's current constitution.

In an October 11, 2021, opinion piece in *The Washington Post*, Henry argued that Haiti needs prompt elections and a new Constitution. Yet Henry's accord is no path to democracy.

- It consolidates all power of the interim government in the position of prime minister—a position that Henry himself would hold—and allows him to rule by decree, contrary to the Constitution, which requires a system of checks and balances.
- It allows the prime minister to have final say in choosing the members of the transitional government and to make unlimited appointments at all levels of Haitian institutions.
- It focuses on elections in 2022, without sufficient institutional reform to make them credible or participatory. For example, it includes passing mention of judicial reform, without suggesting remedies that could address the enormity of the problem—a judiciary that has been gutted and stacked with presidential appointees beholden to the regime.
- Its signatories are mostly representatives of political parties already aligned with Henry; many are organizations with close financial or political ties to those in power. While a few opposition parties have signed on, most of the signatories come from a segment of society that has benefitted from the existing corrupt, predatory and failing system.

## WHAT CHALLENGES DOES THE COMMISSION'S ACCORD FACE—AND HOW CAN THEY BE OVERCOME?

The commission's accord faces three key challenges:

- 1. Political:** There has been a groundswell of support among Haitians for the commission, yet some Haitians with political power have not yet signed either accord as they wait for the U.S. to weigh in. Signs that U.S. officials support the commission's accord could encourage current holdouts in Haiti to shift their political weight and support an agreement already backed by the overwhelming majority of Haitian civil society.

2. **Resources:** The commission has no financial resources and limited human resources. In a country whose entire political class has been tainted by corruption, the commissioners' humble means have increased their credibility among Haitians. Yet the Henry government has access to Haitian state resources and the backing of the U.S. embassy and other governments and agencies—which have helped Henry to make his case.
3. **Security:** Gangs with political ties control much of the country. The exit of political leaders who served as gang patrons, along with clear efforts by the U.S. government to enforce the arms and munitions embargo and vet, train and arm the Haitian police, could reduce the power and territory of the gangs. The U.S. can also support sanctions against bad actors.

## RECOMMENDATIONS TO THE U.S. GOVERNMENT:

- American officials should support the Commission to Search for a Haitian Solution to the Crisis as it takes the lead in determining Haiti's future. It is the only solution that will build a transitional government with broad consensus and a transparent, inclusive process that is necessary to rebuild institutions and people's trust in the electoral process.
- U.S. officials should stop pressing for fast elections, and instead support the commission's proposal to create the necessary conditions for free, fair, participatory and credible elections.
- Once the commission's transitional government is in place, the U.S. and the international community should offer financial and other support, including help to staff, train and strengthen the police, the judiciary and the electoral commission, as well as ongoing humanitarian aid.
- The U.S. should use all of its powers to enforce the existing arms embargo and stop the flow of guns and ammunition into Haiti. The U.S. should support sanctions against nefarious actors and systems for accountability for officials who fostered corruption and violence.

The U.S. government faces a stark choice that will shape Haiti's future. The U.S. could continue to support the current dominant political players—those who have helped dismantle Haiti's democratic institutions, used gang violence as a lever of power and taken advantage of their positions for personal financial gain. Or the U.S. government can choose to back the commission's efforts and support a path to real and long-lasting democratic change in Haiti—a choice that would put Haitians at the forefront of building a more inclusive and stable political system.

For questions, please email **Ryan Mace**, Senior Policy Advisor with AJWS, at [rmace@ajws.org](mailto:rmace@ajws.org).

---

### AMERICAN JEWISH WORLD SERVICE

45 West 36th Street, New York, NY 10018 | 212.792.2900 | 800.889.7146 | [ajws@ajws.org](mailto:ajws@ajws.org)

 [ajws.org](http://ajws.org)

 [/americanjewishworldservice](https://www.facebook.com/americanjewishworldservice)

 [/ajws](https://twitter.com/ajws)

 [/americanjewishworldservice](https://www.instagram.com/americanjewishworldservice)