

NATIONAL NETWORK FOR THE DEFENCE OF HUMAN RIGHTS (RNDDH)



RNDDH Report on the Presidential and the Parliamentary elections Nov. 28th, 2010



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Introduction

On November 28th, 2010, presidential and legislative elections were conducted throughout the national territory, in accordance with the General Electoral Assembly of June 29th, 2010.

The National Network for the Defence of Human Rights (RNDDH) who deployed national and international observers throughout the country, now proposes to share its findings with the public by presenting a report that describes the sociopolitical and economic context before the election. As part of its' work RNDDH reviewed the various phases of the electoral process leading up to polling day.

I. Sociopolitical context of the country before the elections

1. Patching Up the CEP

On the 16th of October 2009, the *Provisional Electoral Council* (CEP), which organized the partial senatorial elections of April 19th, 2009, has been given a face-lift with the introduction of, *five* (5) new members. The main task assigned to the electoral body is the realization of partial elections for the renewal of the second third of the Senate and the election of the Chamber of Deputies. These electoral races were scheduled for February 28th and March 3rd, 2010. However, the CEP is hotly contested because of the way members were chosen on the one hand, and its dependence on the Executive, on the other. The concerns have grown progressively alongside the growth of this electoral body. In its decision-making, the new CEP has shown partiality in the treatment of candidates' files.

The earthquake of January 12th, 2010, which dramatically affected many parts of the country, also forced the CEP to postpone the elections to a later date. Accordingly, the President of the Republic extended and expanded the mandate of the CEP. Indeed, by a presidential order dated June 24th, 2010, the CEP was mandated by the Executive to carry out the partial parliamentary and presidential elections.

The president asked the United Nations to send a team of experts to analyze the feasibility of elections in the country. After completing the study in April 2010, these experts concluded, *contrary* to the Haitian political class, that elections *could* take place at the end of the year. Consequently, on the 29th of June 2010, the President of the Republic, by a Presidential Order, called the Haitian people to, on the 28th of November 2010, elect a new president, and renew the second third of the Senate and the Chamber of Deputies.

Meanwhile, the Haitian people afflicted by the earthquake of January 12th, 2010 continue to lament the death of over *three hundred thousand* (300,000) people, the disappearance of *thirty-thousand* (30,000) and other valuable material losses. Approximately *one million five hundred thousand* (1,500,000) displaced persons find themselves in the streets, under the tents in unhygienic conditions. The situation socio-economically speaking is deteriorating at an alarmingly rate. No special measures have been put in place in favor of vulnerable persons such as minors, the elderly or those with physical disabilities.

2. Opening of the campaign

On the 27th of September 2010, the campaign was declared open. The CEP decided to divide the campaign into *two* (2) periods: a so-called *silent period*, which, from September 27th to October 15th, 2010, was characterized by placing posters, banners, photos, etc and the other, *verbal period*, conducted from October 16th to November 26th, 2010. During this second phase, candidates were allowed to speak in public, participate in discussions and debates conducted in order to make their respective programs public and convince the people. The second phase of this campaign enameled in various parts of the country; clashes between supporters of candidates, and assaults and attacks against political leaders. At least *two* (2) people lost their lives in ***Beaumont***, in ***Grand Anse***. They are Jean WILNER and Tressalant PAUL, alias Ti Papa.

On October 20th, a cholera epidemic broke out in the lower ***Artibonite*** and ***Central Plateau***. As of November 28th, 2010, according to official sources, over *fifteen hundred* (1,500) people were killed. Demonstrations against the ***United Nations Mission for Stabilization in Haiti*** (MINUSTAH) who are accused of being the vector of Cholera cases recorded across the country, including in ***Cap-Haitien***, in ***Mirebalais*** in ***Truittier*** and ***Port-au-Prince***.

Meanwhile, the ***Haitian National Police*** (PNH) and the judiciary have shown a unique permissiveness in the face of rising violence in the country. According to the allegations of several officials and former officials of the State, firearms were distributed to supporters and sympathizers of the INITE platform to sow fear amongst the population, and inspire potential voters to stay home; in order to influence the election results in favor of INITE. The active involvement of Paul DENIS, the Minister of Justice and Public Security, in INITE's presidential campaign created an institutional vacuum and several days before voting day, a number of incomprehensible transfers took place at various levels within the police and judicial system.

3. Replacement of supervisors and members of polling stations

A few days before the election, electoral observation institutions, political parties and even of some councilors denounced the replacement of supervisors at voting centers, and members of polling stations, carried out in the utmost of opacity and in violation of the Electoral Law, which in Articles 11 and 140, determines the criteria and skill required to be a polling center supervisor and member of the polling station.

4. Electoral List

The Electoral Law of July 25th 2008 provides, in Chapter IV, the functions of the **National Identification Office** (ONI), as the body responsible for drawing up the National Identity Register and sending it to the **Directorate of the Electoral Registry of the Permanent Electoral Council** in preparing the **General Electoral Register**.

However, the process of voter registration is a hardship for the Haitian people. Several applications, produced by potential voters, have not been approved. People who have lost their **National Identification Card** are unable to recover it, despite the fact that they have met all conditions required by the ONI. However, under the Electoral Law, Article 27 provides that any person *eighteen* (18) years of age, has the duty to obtain ONI's **National Identification Card**.

Furthermore, Article 29 of the Electoral Law requires the ONI to withdraw or remove from the **National Identification Register**, the name of any deceased or legally declared dead or missing person, as well as any person incapacitated or prohibited from the enjoyment of their rights. However, the electoral list was not updated after the earthquake of January 12th, 2010, and criminal judgments handed down by courts of different countries have not been taken into account.

According to the CEP, to overcome the various problems related to the displacement of victims of the earthquake of January 12th, and the collapse of several buildings having previously served as polling centers, it created the **Center for Operation and Verification** (COVs) with the mission to receive reports of loss of national identification cards, to assist displaced voters to choose a new voting center where they would like to fulfill their civic duty, to confirm the voting center of potential voters and to receive reports of voter registration.

However, on the eve of elections, serious doubts persisted about the reliability of methods for preparing the voter list. Indeed, the facts were disturbing to say the least. Organizations involved in electoral observation draw attention to this shelving of the ONI, the agency responsible for handling registration, and requests

for transfers from one polling station to another; the establishment of an interim and parallel body to engage in the ONI's activities, and the acceptance by the CEP of a second list submitted September 25th, 2010 outside the statutory period with an incomprehensible and *unjustifiable* surplus of *thirty-five thousand* (35,000) voters.

It is within this difficult socio-political context that the presidential and partial legislative election took place.

II. Voting Procedures

On November 28th, 2010, the Haitian people woke up with some enthusiasm for the elections. Early in the morning, voters were amassed in front of polling centers, awaiting the opening time to fulfill their civic duty.

However, voting day was marred by several instances of irregularity, fraud and violence that must be reported.

1. Irregularities

The elections were marred by numerous irregularities. Evidenced by the examples below:

a. Polling stations not specified

The numbers provided by the CEP to identify polling centers rarely worked. Moreover, in many places, the voting centers were not clearly marked, as identified by the presence of voters massed in front of a given building.

b. Failure to follow the opening hour for polling stations

On November 28th 2010, as prescribed by the Electoral Law, the CEP set the voting hours from *six* (6) o'clock in the morning to *four* (4) o'clock in the afternoon. However, throughout the country, the opening time could not be met. The reasons for this are many.

- Late clearing/clean-up of sites;
- The delay in receiving the materials, and the receipt of incomplete kits
- The slowness of the polling station officers to vote in the counting and verification of materials received;

- The absence of at least one component of the polling station team at the scheduled time, and the absence of the forces of order (e.g PNH, MINUSTAH);
- Late arrival of polling station officers due to persistent rumors of the possibility of violence on election day;
- The lively discussions between proxies, members of polling stations, and voting centre supervisors, relating to Proxy Access to polling stations;
- The relocation of the polling centers.

c. **Problems with the Electoral list**

In several polling stations, the voters list was not displayed. In other cases, when the list was displayed, it did not match the list held by members of the polling stations. Indeed, many voters, after identifying their names on the list posted outside were unable to vote because polling station staff could not find their names on the voters list in their possession. Consequently, many voters did not have the opportunity to fulfill their civic duty.

d. **Late arrival of voting materials**

In several polling stations, ballots were received very late on the day of the vote and no action was been taken to enable these centers to receive the *ten* (10) hours of operating time. For example :

- The Centre d'Etudes de **Santo** received the ballots at 9 o'clock in the morning.
- The center **Karo**, in the 6th communal section of **Marchand Dessalines**, in the Department of the **Artibonite**, received the ballots at *one o'clock* in the afternoon while at the voting centre **La Croix**, they were made to close the voting centre at, about *two* (2) o'clock in the afternoon.

e. **Non-secret voting**

The voting booths made of cardboard, and placed on benches and tables, were not in any way sufficient to ensure the secrecy of the vote. In addition, at the **Ecole Nationale de Filles et Garçons** polling center, located in **Trou du Nord**, the booths in stations #13, #15 and #16 were arranged so that individuals outside of station were able to see and communicate with voters.

In the township of *Roche-à-Bateau* in the *Southern* Department, the **Ecole Nationale de Montas** polling center witnessed a situation unlike any other. The proxies and staff of *three* (3) polling stations in this center forced voters to declare at the doors of the offices, the names of candidates for whom they intend to vote.

f. **Lack of counselors**

Unlike the elections of 2006 when the CEP had put in place a set of agents with the purpose of assisting voters who can not read or write, to identify their name and voting office; in the electoral contests of 2010, no provision was made for this category of people. Consequently, they have been left on their own. Some sought the help of other voters who often have neither the patience nor the desire to help people who intend to vote for candidates other than them.

In addition, people who can not read or write or can not identify candidates have enlisted the help of the polling station members received a categorical refusal. And as a result their vote was changed into blank ballot.

g. **Failure of the Operation Center and Verification (COV)**

The work done on the ground by the COV's has been a fiasco. Instead of solving the problems caused by the earthquake, COVs have contributed to their complication. Indeed, voters confirmed their willingness to vote in polling stations other than where they had previously done their civic duty. However, when they arrived at the new center, they did not find their names on the voters list. Others returned to their usual polling station only to be told that their name was **not** on the voters list.

The amount allocated for the establishment and operationalization of COVs has been spent in vain, when it could have been used to strengthen the ONI.

h. **Insecurity**

As a prelude to Election Day, several decisions were made by the authorities. They include, among others to:

- Prohibit the sale of gasoline in containers as well as the sale of alcoholic beverages;
- Suspend authorization to carry weapons except for uniformed police officers;
- Close the Haitian-Dominican border on election day;

- Restrict the movement of motorcycles unless the drivers received special authorization.

These measures have proven to be cosmetic as the population was left to itself and that in general, the security of the ballot was not guaranteed. The PNH officers, being too few, watched from the sidelines in the provision of security on November 28th, 2010.

They were very complacent vis-à-vis the troublemakers encountered, and arrived very late in the polling centers where they were called upon to assist. MINUSTAH officers for their part, had only limited involvement. They were deployed in a few centers in major cities but kept their distance from the voting activities. Security guards, also called electoral guards were present at the sites in short supply. Several of the security guards, campaigned for their candidates of choice, and behaved, in some cases, as proxies, and took part in the counting of ballots.

Accordingly to these considerations, the mess was inevitable because the atmosphere lent itself to all sorts of abuses, acts of violence and vandalism.

i. **From campaign to election day**

In addition to proxies and the members of polling stations, several actors in the electoral process led, on November 28th, 2010, an open campaign, urging voters to vote for their candidates.

Moreover, supporters and sympathizers of the Platform INITE, were very aggressive, offering at the gate of the polling centers, in amounts ranging from *fifty* (50) to *two hundred fifty* (250) gourdes, and calendars bearing the likeness of the presidential candidate for the Platform INITE - Jude Celestin, in order to influence the vote.

If the supporters and sympathizers of the platform INITE were the most aggressive and the first to start the campaign, it is clear that several other parties involved in the electoral race followed suit.

j. **Distribution of national ID cards on polling day**

On voting day, many people delivered national identification cards, close to, or inside the polling centers. For example, in ***Bahon***, in the North of the country, the PNH arrested a supporter of Jude Celestin, who had in his possession a lot of national identification cards on polling day. He was looking for the owners of those voter cards to deliver them. The same thing happened to ***Peredo, in the South-east*** by officials for ***Konbit Southeast***, led by Sen. Joseph Lambert.

2. Fraud and violence

Shrouded in agitation, the election was characterized by massive fraud, orchestrated by leaders of the **Communcal Electoral Office** (BEC) and the **Departmental Electoral Office** (BED), candidates, proxies, supporters and sympathizers of political parties, members of polling stations, etc. To do this, they also engaged in acts of intimidation and violence, some more spectacular than others.

Across the country, individual voters voted several times, with the complicity of members of the polling stations. Some were able to vote without their ID card while others, even with the card issued by the ONI, were denied permission, arguing that the election law is strict about this.

a. Department of the North-east

- At polling station #16 of the **Ecole Nationale Ex-Lyce** de **Ouanaminthe**, a supporter of INITE known as John, asked the presiding officer for permission to vote despite the fact that his name was not on the voters list. Having not been authorized to do so, he tore a set of ballots. At station # 10, a group of individuals claiming to be INITE beat a proxy representing RDNP. Meanwhile, in the courtyard of the center, around one o'clock in the afternoon, a supporter of RDNP attacked a supporter of INITE because the latter was in possession of ballots filled in for INITE candidates and was waiting for the opportune moment to drop them in the ballot boxes. Moreover, it was 3:30pm when gunmen started firing in the direction of the voting center, and BEC officials ended voting.
- At polling station #17 in the above the center, an individual named PAULIN, claiming to be INITE, refused, after voting, to be marked by thumb. The Vice-President Joseph PETRUS insisted, and was hit by PAULIN. However, it should be noted that the Vice-President Petrus Joseph brought his supporters and asked the president to sign multiple ballots and return them, in order to enable them to vote for the party RDNP, without identification cards.
- It was 3:00 pm when the unidentified gunmen, entered the polling center located at **College George Muller** of **Ouanaminthe** with ballots in hand. The police intercepted them. Sporadic gunfire was heard near the center, forcing election workers to intermittently close the polls.
- At about 2 o'clock in the afternoon, the President of the BED for the Northeast, M Jonas VICTOR, burst into the polling center located at the **Ecole Nationale de Bouyahi**, in the municipality of **Fort-Liberté**, in possession of INITE calendars. He distributed them in the polls and in the

centre court in peace, and advised voters to vote for INITE. This led to protests from supporters, voters, and members of political parties.

- A heated argument erupted between several voters who were in the courtyard of the polling center at **Lycee de Terrier Rouge**. They disrupted the voting process, and destroyed voting materials.
- At polling station #4 of the **Ecole Nationale de Dubuisson**, multiple INITE supporters were authorized by the members of the polling stations, to vote with a single ID card.
- In offices of the voting centre **Lycée Paul Eugene Magloire** in **Fort-Liberté**, proxies for INITE with the complicity of some center supervisors, a person known as Manca, and Pierre JACCIN alias Poison, the BEC secretary in Fort Liberte, wanted to undermine the voting process because they realized that their party was not in the lead. They hit and pushed all those they found in the polls, with the exception of INITE supporters. Even national election observers were not spared. In station # 3 of this center, the secretary Mr. Bovar FRANCKLIN did not want to mark the thumb of a proxy for the party Ansanm Nou Fo, because they are friends and members of the same political party.
- In the township of **Trou du Nord**, the former deputy Donald DORSAINVIL candidate for succession under the INITE banner, at the head of an armed commando, vandalized all *eight* (8) polling stations placed in this commune.
- *Six* (6) boys, supporters of INITE, all armed with rifles, imposed themselves on members of the electoral security assigned to the polling center at **Lycee Antenor Firmin de Caracol**, to ensure the safety of that center. Panicked, voters were forced to vacate.

b. **Northern Department**

- At polling Station # 7 located in the voting center at **Ecole Vivre Ensemble de Bois Laurence** in the commune of **Limonade**, a group of armed individuals were able to vote several times. These individuals attacked members of this office and it's president was slapped.
- In the commune of **Saint Raphael**, armed supporters of the former deputy Dener SISSOIR, a candidate for succession under the banner of INITE

vandalized all *nine* (9) voting centers located in the township. Other involved individuals include:

1. Fidel Fayol
2. Guytan Charler
3. Antoine Olibri
4. Jean Edlin
5. Jean Madistin
6. Fils Aimé Luccène
7. Faner Rodlin
8. Petit-Homme Eczéchiél
9. Ti Lucien

- Meanwhile, supporters of Rasanble stuffed ballot boxes at **Ecole Catholique Saint Viateur** in **Dondon**, to benefit their candidates. In addition, supporters of PDI, INITE and LAVNI fought among themselves over stuffing the ballot boxes. There followed an armed clash in which gunfire was exchanged. This scenario was repeated in **Limbe** between proxies for PDI, INITE and LAVNI who threw stones and fired in the direction of station #1, located at **Ecole Nationale Gardes Farges** polling center in **Bas-Limbe**.
- Gunmen burst into polling station # 2 at **Centre Petit Poste** in **Pilate**. They directed the president of the office to sign the ballots, in order to enable them to stuff the ballot boxes.
- In several polling centers, gunmen, supporters of Nawoon MARCELLUS, an INITE candidate for senate in the **Northern** Department, proceeded to the fill ballot boxes, including **Centre Paroissial in Grande Riviere du Nord** and the voting centre at **Ecole d'Application** in **Milot**.
- In the riding of **Grande Rivière du Nord, Bahon**, the president of the BED, Yvon Jean NOEL, Jean JOSEPH president of the BEC, accompanied by the vice-delegate of the commune, Denis PHILIPPE, and an INITE candidate for deputy, Occinjac BENJAMIN, - all *four* (4) , assisted by PNH officers assigned to the police station in the region, proceeded to stuff ballot boxes in seventeen of the *twenty* (20) voting centers distributed throughout the above constituency. In reaction, the population vandalized some polling stations and set fire to at least *two* (2) voting centers. They are the polling centers **Lycee Le Phare** located in **Dassier**, 2nd section, in **Bahon** , and **Ecole Communautaire Jolitrou**, in the 2nd communal section of the **Grande Riviere du Nord**. Ballots were torn and thrown about. The *seventeen* (17) voting centers that were vandalized are:

1. Salle Paroissiale
2. Ecole Nationale de Dufailly
3. Ecole Nationale de Grand Gilles
4. Ecole Communautaire de Joli Trou
5. Ecole Nationale de Lavite
6. Ecole Nationale de Bonamy
7. Ecole Nationale de Caracol
8. Ecole Nationale de Zépini
9. Ecole Nationale de Galifète
10. Centre Gagnère La Couronne
11. Centre de Saint Malon
12. Maison Crisocal
13. Lycée Le Phare
14. Centre de vote de Saint Marice
15. Centre de Dacier
16. Centre de Linche-ville
17. Eglise de Pellier

- At polling station # 4 at **Ecole Nationale de Bas Honey**, in the 1st section of **Victoire**, the BEC secretary Audatte Lunis decided to vote two (2) times in favor of INITE, meanwhile at **Ecole Nationale Grison Garde** in **L'Acule du Nord**, the president of the office, also a member of the party Veye Yo, asked voters to vote for his party. Stone-throwing, throwing broken bottles and shooting of firearms were reported in this commune.
- At the voting centre in the **Ecole Nationale de Borgne**, the magistrate Jules Bernard PIERRE, at around *ten* (10) o'clock, decided to grant exclusive access to polling station # 1 to supporters of the platform INITE. However, before counting, observers discovered ballots in favor of the Ayiti An Aksyon (AAA) candidate, St. Louis DUFOND.

c. **Department of the North-west**

Supervisors and members of polling stations located in the center **Ecole Eglise Baptiste Conservatrice** in the town of **Baie de Henne**, voted several times and allowed INITE supporters to vote without their national identification card.

d. **Department of Grand'Anse**

- In the department of **Grand Anse**, the official vehicle with the registration # 00294, belonging to Senator Maxime ROUMER and driven by Adler MAYAS, transported armed men, and people from one center to another in order to vote for their candidates.

- At **Fond Rouge**, 8th section of *Jeremie*, at the **Centre Saint Charles**, armed individuals working for INITE invaded the center and filled the ballot boxes.
- At polling station # 2, **Centre Ecole D'Application** in the 7th communal section of *Jeremie*, voters received *two* (2) ballots for presidential vote.

e. **Department of Nippes**

- An unidentified individual voted in place of Jean Bernard MICHEL, at the **Ecole Nationale de Duparc** at *Miragoane*.
- A person known as Mackenzy, in the polling center **College Armee du Salut**, voted five (5) times with the complicity of members of the polling stations.
- At the **Ecole Nationale** voting centre in *Charlier*, in the Department of *Nippes*, the supervisor Frantz LAZARD restricted access to observers, arguing that they can only spend a few minutes at a given polling station. Consequently, at the moment of counting, supervisors and proxies were found alone in the centre, and individuals vandalized the center. The results were falsified in favor of Jocelerme PRIVERT, against Serge D. GASPARD.
- At the **College Mixte Berquin** in *Paillant*, Soliny Wesner DESTIN member of the platform INITE, with the complicity of members of polling stations, placed *two* (2) INITE proxies per polling station, while the other political parties difficulties finding to be representation. Meanwhile, the party Veye Yo campaigned at the entrance of the center, offering voters the money to vote for candidates of their party.
- Mayor Wilno PIERRE, at the **Ecole Assemblee de Dieu** polling center in *Bourguain*, in the commune of *Petit Trou de Nippes*, distributed money to voters to vote for their candidate.
- At the **Armee du Salut** polling station, voter Murat LESLY was authorized by the presiding officer to vote without his identity card.

f. **Central Department**

- At **Boucan Carre**, Willot JOSEPH, at the head of an armed group, very late in the evening of November 27th, 2010, toured several polling centers, creating a psychosis of fear among the population of the voting center officers and supervisors.
- In the township of **Savanette**, it was 11: 45am when gunmen stormed into the polling center at **Ecole Nationale de la Haye**, and vandalized the station #5 and #6, destroyed materials, and tore up ballots - because their candidates did not seem to be in good position. In the voting center **Ecole Presbyterale Notre Dame de Altigrace**, the same scenario was repeated in offices #7 and #10.
- In **Cerca Carvajal**, INITE supporters proceeded to stuff ballot boxes. Disgruntled, supporters of the **Solidarity** party candidates fired bullets into the air and threw stones.
- At the voting center at **Lycee Joseph Pierre Sully**, former deputy Willot JOSEPH, and former senatorial candidate under the banner of UCCADE, who was in the past excluded, due to the violence perpetrated in the lead up to the elections on the 17th of April 2009; distributed t-shirts to voters bearing the picture of the INITE presidential candidate. After the count, shots were fired by INITE supporters, for having lost the election in this polling station.
- In the second communal section of Hatty, in **Maïssade** , Willot JOSEPH, at the head of a heavily armed commando, entered the **Ecole Nationale** polling center and fired into the air. MINUSTAH officers present at the scene were fled hastily. Voters and members of offices, panicked, emptied the place. Voting materials were destroyed and ballots carried away. The same squad went to the polling centers at **Ecole Communautaire de Lagoune** and **Ecole Nationale Antionobi**, dependant on 3rd communal section of **Naan** - they fired into the air and threw tear gas, frightening voters, proxies and members of the polling stations.
- At **Coupe mardi-gras**, in the 3rd communal section of **Saut D'Eau**, in the polling center at **Eglise de Saint Benoit**, supporters of INITE and LAVNI clashed with stones and sticks, each striving for its part, to influence the vote. On *two* (2) occasions, voting was stopped. To restore calm, MINUSTAH has had to resort to launch tear gas. This caused a panic followed by a spontaneous demonstration.

g. **Department of South-east**

- In the township of **Grand Gosier**, ballot boxes were filled by members of polling stations well before voting, including the voting center at **Ecole Evangelique de Grand Gosier**.
- In the commune of **Anse a Pitre**, members of the polling stations were forced to leave because of gunfire heard in the vicinity. A voter was shot. People on the scene pointed fingers at supporters of INITE.
- At the **Ecole Nationale de Bois D’Ormes** voting centre, voters voted with identification cards that do not belong to them.
- At the **Lycee Pinchinat** in **Jacmel**, a commando armed with broken bottles, stones and sticks stormed and vandalized the center, causing panic. The voters and election workers abandoned the center.
- **At Peredo** , at the **Ecole Nationale Saint-Roc**, the voting took place without incident until a group equipped with sticks and stones attacked the officers and voters. They took the ballots for the presidential candidates.
- In the township of **Thiotte**, the Justice of the Peace, John Ernst GOUSMAN, head of the INITE campaign, on the day of the vote, forced all officers and members of polling stations in the central Ministry of Agriculture, Natural Resources and Rural Development (MARNDR) to abandon the center to conduct the recount. The results were reported for the candidate Jude CELESTIN.

h. Southern Department

- *Two* (2) polling centers in **Port-a-Piment** were burned. They are **Ecole Nationale des Filles**, and **Ecole Presbyterale** of **Paricot**. The voting center at **Ecole Nationale des Filles** was burned down after closing and at the start of counting, following accusations against supporters of the platform INITE who had controlled the center, blocking access to advocates and supporters of other political parties. The center at **Ecole Presbyterale de Paricot** was burned down by INITE supporters, who were lead by Mackendy and Raymond PIERRE-LOUIS after having ransacked the various polling stations which were located in the center.
- A **Macéant** in the township of **Aquin**, a bus carrying INITE supporters and sympathizers to vote at polling station **Baptiste**, was burned by the public following an armed clash between the public and members of the presidential platform. *Two* (2) young people lost their lives. They are:

- Lens CIRYL, an INITE supporter, under the age of *eighteen* (18) years who was shot in the head by members of the platform INITE who took him for an individual from outside the community. *One* (1) identification card belonging to Bergeant THERCILIEN and two (2) proxy accreditation cards issued by INITE were found in the pocket of the victim.
 - Kenson HILAIRE, age *twenty* (20) years, a supporter of the INITE presidential platform was lynched by the population with stones and sticks.
- At ***Camp-Perrin***, the candidate for deputy Augustin BERTIN under the banner of the INITE platform and current mayor of the town, used the truck of ***Electricity of Haiti*** (EDH) to transport voters to the locality of **Dodmique** at ***Camp-Perrin***. Having arrived at ***Nava***, the truck overturned and, Luksie JOSEPH alias Ti Djo died. Several people were injured and transported to emergency hospitals in ***Cayes*** and ***Camp-Perrin***.
 - In the commune of ***Chantal*** in the polling center at **Ecole Presbyterale de Canon**, supporters of AAA and the INITE presidential platform agreed to fill the ballot box in stations# 3, #4, #5, and #7. During the operation, there ensued a heated argument following which, the center was vandalized, the ballot boxes were destroyed and ballots torn and scattered on the ground. Saviliome BELGENT was arrested in flagrante delicto by the magistrate of the county, Dorescar DUQUEREL for having in his possession, a set of ballots with votes for the platform INITE.
- i. **Artibonite**
- In the township of **Estere**, voters frustrated with not finding their names on the voters list stormed the polling center at **Ecole Nationale Mapou Lagon** and tore up the ballots and the electoral list. The vice president's of polling station # 4 was beaten.
 - At the **Ecole Nationale** polling center in **Estere**, the AAA party supporters and those of INITE came to blows following a struggle to influence the vote.
 - At the voting centre in the **Ecole Nationale de Pont Benoit**, located in the township of ***Petite Riviere de l'Artibonite***, the counting began at 3:15pm. INITE supporters, seeing that their candidates were poised to lose, caused a mess and torn ballots.

- Also in the township of *Petite Riviere de l'Artibonite*, RESPE supporters having learned that several polling centers were vandalized, threw stones and broken bottles at the **Ecole Nationale de Seguy**. In doing so, they stopped the counting to grab and tear up ballots.
- In the voting centre at the **Ecole Nationale de Maingrette**, in **Ennery**, Julio Jean BAPTISTE a proxy for the AAA party, and Preslet ADJOCY , a proxy for Alternative, voted several times, in connivance with the staff of this center. Moreover, supporters and sympathizers of the AAA party were allowed to vote multiple times, even without national identification card.
- At polling center **Bon Berger** of *St. Michel de l'Attalaye*, everything went peacefully until a group of supporters and sympathizers of the political parties Ansanm Nou Fo and AAA intervened to stop the voting. Following this intervention, there was no verbal-count of the ballots.
- In the township of *Dessalines*, **INITE** supporters fired in the air, and threw stones and broken bottles on the voting center **Ecole Nationale de Niel**, causing voters to disperse. This incident was recorded after supporters of platform INITE unsuccessfully tried to buy votes. In the same polling station, Mackenson JEAN, an INITE supporter voted *five* (5) times.
- In *Saint-Marc*, in the polling station at the **Ecole Nationale de Seguin**, Polyx LAROSE, alias Ti Popo, Smith Saint GILLES, alias Dife Limen, and their persons known as Jacky and Alto invaded station # 13, seized materials and fled. On their way, they tore up the ballots and ballot boxes were broken.
- Also at *Saint- Marc* in the voting center of **Lycee Stenio Vincent**, the candidate for Senate under the banner of the ALTERNATIVE party, Anick JOSEPH, was on the scene and tried to convince voters in favour of his party. There followed a heated argument between proxies of other political parties, following which, a crowd has entered the center and took away the voting materials. The ballots were torn and thrown around the city.
- In the township of *Verrettes*, in the morning, a group of people stormed the polling station #2 of the **Ecole Nationale Charles Belair** and put pressure on the station president to sign several ballots before giving them back to the individuals mentioned above. The president objected. In response, these individuals tore up all the ballots. The same thing happened to the polling stations # 1, # 3, # 11, # 12 and # 14. Supervisors and members of the offices had to leave. Several parties were involved in this widespread disorder: AAA, INITE, RNDNP, Alternative, Veye YO, MODELH-PRDPH. In this center, the recount could not take place, since all the voting materials were torn and the verbal-count of the ballots were carried away.

- Also in this region individual supporters of INITE, AAA, and RDNP, and Renmen AYITI forced entry at around 8:30 am, to the polling center at **Ecole Nationale de Drouet**, with the fixed intention to vote several times. They signed the ballots and voted for their candidates. After they closed the voting and began the counting. The situation degenerated to throwing stones and firing automatic weapons throughout the municipality.
- At polling station **Ecole Nationale Jacques Premier**, located in the township of **Dessalines**, two (2) AAA party members were hit by bullets. They are: Augustin MICHAUD, of **Canal**, 4th communal section and ROBENS, of **Priyen**, 4th communal section. The two (2) were taken to the hospital at **Deschappelles**.
- In the township of **Terre Neuve**, in voting center at **Eglise Evangelique Mondiale de Zaboka**, the adjoint supervisor was caught trying to encourage voters to vote for candidates of his party. Meanwhile, the president of the polling station # 3 allowed voters to vote without their ID card.

j. **West Department**

- In **Port-au-Prince**, several gunshots were heard around the polling centers, causing an atmosphere of panic.
- In the township of **Ganthier**, at the polling center at **Ecole Nationale de Fonds-Parisiens**, proxies of various political parties were pressuring voters to vote for their own candidates. In addition, an INITE proxy exhibited a picture of Jude Celestin. Around one o'clock in the afternoon, a policeman from the town, zealously decided to block the election process and forced all voters outside by beating them with sticks. In response, the people threw stones at police who were forced to fire into the air to disperse the crowd.
- At the **Ecole Nationale** of **Mardette**, 1st communal section, Galette Chambon of **Ganthier**, an altercation broke out between the INITE proxies and the parties AAA, Ansanm Nou Fo, who were each trying to influence voters.
- At **Arcahaie** in the voting center at **Ecole Nationale de Corail**, a dispute broke out between the representatives of different parties at the scene. The verbal count of ballots were taken.
- At polling center **Berceau des Coupons Kindergarten**, located in the town of **Carrefour** it was 1:40pm when gunmen broke into the polling stations

and physically assaulted members of these stations. Several members of the voting center were slapped.

- Supporters of presidential candidate, Wilson Jeudy under the banner of Force 2010, took away the ballots from polling center at **Don Bosco** in **Cité Soleil** and put them in an empty bag of rice Tchako.
- At polling station # 19 , at the voting center **Sainte Anne**, in **Cité Soleil**, a group of individuals had in their possession of nine millimeter (9mm), identifying with INITE, took a ballot box and ballots. The box was returned a few hours later after having been filled.
- In **Drouillard**, in **Cité Soleil**, the president of polling station # 34, Sherline Péserville, was savagely beaten by INITE and REPONS PEYIZAN supporters for refusing to sign a batch of *fifty* (50) ballots.
- Jeantilhomme MARCEL, President of polling station # 15 placed in the **Lycee de Cité Soleil** polling center was slapped and his clothes were torn because he refused to sign the ballots and return them to his attackers.
- At **Delmas 2**, individuals, mostly supporters and sympathizers of the party REPONS PEYIZAN entered the polling center **Building 2004** and wreaked havoc. They looted the ballot boxes, and ballots papers were torn up and strewn about.
- In **Petit-Goave**, at the polling center **Lycee Faustin Soulouque**, the voting was interrupted with the entrance of armed groups working for INITE. They threw stones and fired shots into the air. The election officers at the center were forced to take cover. The same thing happened at **Ecole Sacre Coeur**, **Ecole Communautaire de Fort-Liberte**, and **Ecole Nationale de Tapion**.

III. Election Observation

The CEP granted accreditation to several institutions in order to observe the electoral process and the elections. Indeed, the 28th of November 2010, throughout the national territory, national and international election observers were deployed.

If some supervisors granted limited access to observers, arguing that it meets the training they received from the CEP, in general, observers were allowed access to

voting centres and the polling stations, upon presentation of their accreditation card.

However, some observers were transformed by their actions, into proxies of political parties. Others wore T-shirts with suggestive logos resembling the symbols of certain political parties, take for example, observers for National Unity for Applied Development (UNADA) were invited by those responsible for the polling center at **Ecole Nationale de Bezen**, located in **Petite Riviere de Nippes**, in the Department of **Nippes**, to change their t-shirts to those that bore an emblem reminiscent of the platform INITE. Moreover, in other polling stations, UNADA observers invited voters to vote for INITE.

IV. Electoral staff

1. Supervisors

The majority of supervisors proved adept at performing their tasks. Called by all the polling stations in which they manage operations, they had to make decisions (in the face of insufficient materials), to replace absent members of offices, to find an agreement between the proxies of different political parties who claimed the right to enter all the polling stations. However, some of them were overtaken by events. Left to fend for themselves without the cooperation of the PNH, they lacked any sense of leadership. Others campaigned in favour of their own political perspectives and took part in acts of fraud.

2. Members of polling stations and proxies

The members of polling stations and proxies are generally young people. They display unprofessional behavior and a serious disregard of the mission entrusted to them. They violate the Electoral Act, and clearly reveal their political affiliation and influence voters by asking them openly, or through cryptic phrases and jokes, to vote in favor of their own candidate. Supervisors laugh nonchalantly rather than called the members and proxies to order.

If members of polling stations have complained of not receiving t-shirts, proxies for their part, have all chosen to hide their accreditation card, the only means possible for identification. This was observed throughout the country, and despite the distribution of proxies per polling station, was a serious source of disputes recorded.

Due to the incompetence of some members of the polling stations, proxies were involved in counting ballots and verification of materials received. In other stations, the members have voluntarily decided to undertake ballot counting and verification of materials received in the absence of proxies and observers.

Some proxies voted *two* (2) times in both their duty station and in other stations within the same voting centre. Moreover, they also assumed the right to vote in place of voters.

In the township of **Ennery**, proxy Medar JOCELYN, identified by National Identity Number (NIN): 05-02-99-1984-11-00015 held *two* (2) cards from two different political parties being Force 2010 and the ***Rally of Progressive National Democrats*** (RDNP).

V. **Involvement of the international community**

Early in the process, the international community largely focussed on providing technical, political and financial support.

The Organization of American States (OAS) invested in strengthening the ONI through recruitment and remuneration, on the part of ONI staff on the ground and through the provision of technical support in the framework of cooperation between the *two* (2) institutions.

This cooperation has resulted in an embarrassing failure. Thousands of voters for months or even years, have requested their identification cards and have not received them. Card delivery is done in total disregard for the dignity for all citizens. Queues formed at dawn. Thousands of people in vain repeated displacements with the hope of getting their ID card.

A joint mission of Organization of American States and the Caribbean Common Market (OAS - CARICOM) deployed field experts whose mission was to ensure the smooth running of the electoral process and verify that all actions taken are consistent with Haitian Constitution of 1987 and the Electoral Law.

Meanwhile, the United Nations (UN) commissioned on the 17th of April 2010, a team of experts who, at the end of their mission, said that elections were possible in the country despite the alarming socio-political context and accusations of bias, dependency-oriented CEP and allegations relating to the distribution of firearms, in order to lead to violence on polling day.

MINUSTAH deeply involved in conducting the elections, therefore, by its' many statements of serenity vis-à-vis the CEP and the electoral process, urged political parties to trust the process and take part in the electoral race, despite that they had previously denounced the misdealings on the part of the powers that be, in order to tilt the election in his favor.

VI. **Ballot –box stuffing**

In several polls, INITE supporters filled the polls to the point that the counted number of voters greatly exceeds the size of the electoral list assigned to these stations, given the fact that the list in question does not exceed *four hundred seventy five* (475) voters. Some examples: At the polling centre in **Ecole Nationale de Bodarie**, in **Grand Gosier**, in the Department of **South-east**, the results were as follows:

Poll	Candidates	Results
Office # 2, Ecole Nationale de Bodarie, Grand Gosier, Southeast	Jude Célestin	600
	Mirlande Manigat	50
	Michel Martelly	30
	Charles Henry Baker	20
	Jean Henry Céant	10
Total	5 candidates	710 votes

Poll	Candidates	Results
Office # 5,	Jude Célestin	590
	Mirlande Manigat	79
	Michel Martelly	16
	Charles Henry Baker	9
	Jean Henry Céant	40
Total	5 candidats	729 votes

Balance Sheet

RNDDH lists *one hundred and seven* (107) polling stations that were vandalized or burned. This number is far from reflecting reality. At least *four* (4) people were killed including *two* (2) on polling day. Approximately *ten* (10) people were injured.

Comments and recommendations

The elections of November 28th, 2010, instead of resolving the country's political situation, instead made it more complicated. Haiti, has regressed in organizing and conducting the elections while the amount of money allocated today far exceeds that of previous years.

RNDDH observers deployed in various parts of the country found that voters in large numbers, made the trip to go to the polls. However, of this number of voters, only a small number were able to vote due to irregularities in the electoral list, the ungrounded work of the COVs and general lack of organization in the various voting centers across the country. Moreover, violence forced many voters to leave polling centers or stay home. The percentage of voters who voted on Nov. 28th, 2010 is significantly low compared to the number of registered voters. In addition, the citizens who had requested identity cards did not receive them. Consequently, the civil and political rights of the Haitian people have been violated and trampled upon.

If in some parts of the country, many supporters and sympathizers of political parties such as AAA, Veye Yo, LAVNI, RESPE, RDNP, Renmen AYITI, Force 2010, RASANBLE, and REPONS Peyizan were implicated in cases of irregularities, fraud and rare cases of violence, it remains a fact that the presidential platform INITE was the principal author of the massive fraud and acts of systematic violence, repeated across the country.

In some regions, representatives of BED, the BEC, center supervisors and members of polling stations, police, judicial and local authority representatives were engaged in campaigning, intimidation, violence, fraud, ballot box stuffing in favor of the platform INITE, such as in the municipalities of **Grande Riviere du Nord, Acul du Nord, Bahon, Grand Gosier, Thiotte, Milot, Trou du Nord, Terrier Rouge, Dondon, Petit Goave, De Saint-Raphael, Milot, Cité Soleil, Estere, Desdunes, etc..**

Throughout the country, proxies of political parties struggled to represent their parties. Only INITE was present in all polling stations on November 28th, 2010.

With the complicity of electoral staff, voters could vote multiple times. In addition, several others refused to be marked on their thumb.

Due to the gravity, and the systematic and repetitive nature of fraud and violence reported on November 28th, 2010, RNDDH believes that this was a premeditated operation on the part of the executive powers.

On the security front, it appears that the forces of order, both national and international, gave the word to secure neither the population, nor the polls on November 28th, 2010. The perpetrators of violence carried out their acts unhindered and sometimes, under the helpless gaze of the CEP and the passive eye

of officers of the PNH and MINUSTAH. The safety measures announced by the authorities were not likely to actually secure the vote, but rather to give national and international communities, the impression that the PNH and MINUSTAH were mobilized to ensure the safety of lives and property. The revelations concerning the distribution of firearms for purposes of controlling the elections through violence and intimidation have as of November 28th, 2010, been confirmed.

Today demonstrations are being held across the country. This in itself is a powder keg that could explode at the slightest spark. In addition, the CEP is already talking about the second round and has presented the public with a package of technical measures it intends to take in the second round of presidential and partial legislative elections. However, RNDDH draws attention to the fact that all the measures should not be purely technical and that in view of the Electoral Law, public action must be set in motion against those individuals who are guilty of acts of fraud, malfeasance and violence, their political affiliation or socio-political position notwithstanding. In addition, the second round can not be considered without the resumption of voting in the various areas where polling stations have been the scene of massive fraud and violence of all kinds.

In light of the foregoing, RNDDH and its' departmental structures recommend the concerned authorities to:

- Secure all voting centers in the country and to communicate to the public;
- Resume as soon as possible, and before the second round, the elections in areas where they have been sabotaged;
- Require proxies to wear a visible identification document;
- Conduct an investigation to establish responsibility in order to punish the guilty;
- Revoke all members of the BED and BEC, voting center supervisors, and members of the polling stations which have engaged in acts of vagrancy on November 28th, 2010;

Strictly enforce the Electoral Law vis-à-vis all the candidates involved in acts of violence that resulted in sabotage, vandalism and arson of polling stations;



L'Observation du processus électoral par le RNDDH est rendue possible grâce au financement de l'Union Européenne. Le contenu de cette publication relève de la seule responsabilité du RNDDH et ne peut en aucun cas être considéré comme reflétant la position de l'Union européenne.

