

AMERICANS FOR ARISTIDE

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24 October, 1991

Rep. William Lehman
Foreign Operations, Export Financing
H-307 Capitol Building
Washington, D.C. 20515

Dear Congressman Lehman:

The current political situation in Haiti is a grave and dangerous one. On September 29, 1991, Jean-Bertrand Aristide, the country's first truly democratically elected president, was ousted in a military coup backed by a small group of businessmen and politicians. It is now being alleged by President Aristide and others in his administration that this coup was financed by a variety of unsavory sources, including "Baby Doc" Duvalier, former members of the "tonton macoute" guard based in the Dominican Republic and others involved in drug trafficking and smuggling.

Americans for Aristide believes that unless there is the *unconditional and immediate return of Jean-Bertrand Aristide as the legitimate democratically elected president of Haiti*, that country will not be able to achieve political and economic stability anytime in the near future.

We are also firm in our belief that Haiti's return to the path of freedom, justice, democracy and economic development lies with Aristide, *because he is the choice of a 67% majority*. The restoration of Aristide's legitimate government will occur only if the Haitian and international communities act in unison to:

- Enforce and strengthen the embargo and economic sanctions as mandated by the O.A.S.
- End all aid, support or recognition to any unconstitutional body now running Haiti.
- Demand the immediate restoration of Constitutional rule as defined by the 1987 Haitian constitution.
- Demand an end to the mass killings, arbitrary arrests and human rights violations perpetrated by the Haitian Armed Forces.
- Demand the Restoration of freedom of expression and of the press in Haiti.

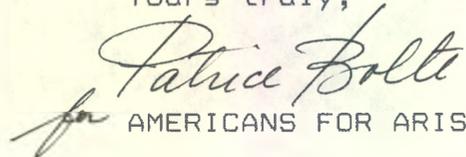
As concerned American citizens we are letting you know our views on this very important matter and ask that you, as a representative of our government, help convey our message to President Bush, the United Nations, the Organization of American States and to our allies. Successive U.S. administrations have supported dictatorships in many parts of the world including the Duvaliers in Haiti for 30 years. If our government stands for liberty and justice at home, then we have to support liberty and justice for those who live outside our borders.

There have been reports in the media concerning human rights violations under the Aristide Government, and the Bush administration seems to be using this as an excuse to back away from their support of a democratically elected government. We are enclosing a copy of a report recently issued by the Washington office on Haiti as well as a copy of a presentation to the O.A.S. by the Haitian ambassador. We believe these documents more objectively describe the human rights situation in Haiti.

The coup leaders and their supporters are also alleging that President Aristide violated the constitution. If he, in fact, did this, there are measures in place to deal with such violations, just as there in this country, and such acts should not be used as a justification for their coup. It is clear to us who the "real" violators of the constitution are. Haiti managed to evolve out of its state of oppression with the election of President Aristide, a man of integrity who is much more honorable and just than those now attempting to replace him.

We hope that you agree with our current position and will support us in our efforts to have President Aristide returned without delay to Haiti as the legitimate leader of his country.

Yours truly,


for AMERICANS FOR ARISTIDE

October 14, 1991

Corruption and Reform in Civilian Administration

One of the main objectives of the Aristide/Préval Government was the eradication of corruption in all governmental sectors. By way of comparison in the last 4 months of its administration, the Trouillot government collected 86.8 million gourdes while the "Lavalas" Government in the first 4 months of administration collected 122.9 million gourdes.

There was every reason to believe that the trend was toward improvement. For the month of June alone 137.6 million gourdes were collected. The same tendencies are reflected in the Government's expenditures.

Under the Trouillot government, the monthly average of expenditure was 164.7 million gourdes while that of the "Lavalas" government's was 86 million gourdes. Last June, for the first time the Treasury showed a positive balance of 41 million gourdes.

Freedom of the Press

In Haiti, especially since Jean-Claude Duvalier's downfall, the media has played a very important role as a channel for the people to express their political will and views. Since Haiti has a literacy rate of less than 15%, radio remains the primary means of communication.

During the presidency of Jean-Bertrand Aristide, freedom of the press was guaranteed. This is a fact that has been recognized by all political parties. Even Marc Bazin, the Haitian presidential candidate widely supported by the US government, in his assessment of the first six months of the Aristide/Préval administration acknowledged that freedom of the press was one of the Government's achievements.

Furthermore, officials of that administration, including President Aristide himself, very often faced off with the citizenry through talk shows and call-in programs. They found it to be an appropriate vehicle to explain the Government's policies to the public. Not a single case of restriction on the press was registered under the Aristide/Préval government.

Today, under the rule of Jean-Jacques Honorat and General Raoul Cédras, press organs; television, newspapers, radios are shut down after having been ransacked, damaged and pillaged, except for the few that support the political views of Haiti's self-proclaimed new rulers.

Respect for Human Rights

Immediately following the military coup d'état which deposed him, reports questioning President Aristide's human rights record seemed to worsen. However, press reports alleging this trend were not supported by a single concrete fact. The closest to a human rights violation cited is the tone implied in the translations of President Aristide's speeches to the Haitian people.

The facts are that not one single complaint was filed with the Organization of American States' Inter-American Commission on Human Rights in this regard. During the 7 months of the Aristide/Préval Government, detractors are unable to:

- name one single political prisoner,
- name one person lynched for political reasons,
- name one person who has had his/her house or business burnt or ransacked for political reasons,
- name one person who has had his/her private property endangered with the complicity of the forces of law and order,
- name one single association which was prevented from undertaking its lawful activities,
- name one religious group which has suffered from persecution or even discrimination.

The respect of human rights is a key element of President Aristide's policy. In fact, his proposals for economic development are predicated upon the respect for these rights.

A testament to that is the arrest and trial of people involved in drug trafficking and contraband and those who were responsible for the insecurity and terror.

These criminals have all been released by the military.

- Since the military coup of September 29, hundreds of people have been killed and thousands wounded.
- Some people have been arrested without warrants and in violation of the Constitution. (Ex. Manno Charlemagne, a well known Haitian artist whose songs are closely linked to the promotion of human rights.)
- Physical abuses are taking place openly in view of the international press. (Ex. Evans Paul, Mayor of Port-au-Prince).
- Merchants and businessmen are victims of extortion by soldiers under the threat of machine guns.
- Senators and representatives are forced to violate the Constitution under the guns of the military while others are being terrorized and abused by soldiers.

**Violation of the Constitution
by the Putschists**

Violation of Article 101:

"In emergencies, when the Legislature is not in session, the Executive Branch may call a special session of the National Assembly."

Violation of Article 102:

"The National Assembly may not meet or take decisions and pass resolutions without a majority of each of the two (2) houses being present."

Violation of Article 98-2:

"The powers of the National Assembly are limited and may not be extended to matters other than those especially assigned to it by the Constitution."

These rights are clearly defined in Article 98-3 which stipulates:

"The Assembly's powers are:

- 1) To receive the Constitutional oath of the President of the Republic;
- 2) To ratify any decision to declare war when all efforts at conciliation have failed;
- 3) To approve or reject international treaties and conventions;
- 4) To amend the Constitution according to the procedure indicated herein;
- 5) To ratify decisions of the Executive to move the seat of the Government in cases determined by the first article of this Constitution;
- 6) To decide on when a state of siege shall be declared, to order with the Executive that constitutional guarantees shall be suspended, and to decide on any request to renew that measure;
- 7) To contribute to selecting members of the Permanent Electoral Council pursuant to Article 92 of this Constitution;
- 8) To receive at the opening of each session the report of the Government's activities."

Violation of Article 107

"In the event the Legislature is convened in special session, it may not decide on any matter other than that for which it is called."

VI - Political pluralism:

The different political parties can express themselves and have the possibility to work with their constituency without hindrance and harassment.

Executive and Constitution

- I - Respect for human rights is the foundation of the government program; "To affirm the value of the human being as a person and as the only wealth of the country" (Political economy, general principles of the Lavalas politique, chap. II).

- II - Measures for the separation and the harmonious distribution of the three powers:
 - The law of March 7 put forth by the executive before the senate to undertake the administrative reforms in the Civil Service.
 - Laws on the minimum wage proposed by the parliament.
 - Members of the General Accounting Office selected by the Parliament without interference from the Executive.
 - Independence of the Judiciary.
 - Detention and freedom of Mrs. Trouillot and her departure.
 - Presentation to Parliament of the laws regarding the separation of the police from the army.
 - Active participation in the workshops on respect for human rights and research to help in the creation of a law school at the beginning of the month of September, 1991.

- III - Establishment of structures recommended by the constitution:
 - Literacy Office.
 - Office of Agrarian Reform.

- IV - To guarantee the social peace:
 - Fight against the high cost of living.
 - Budget for education and emergency health care.

- V - Participation of the community:
 - Decentralization: Presentation to Parliament of laws on the territorial collectivities.
 - Creole is effectively used in the Civil Service.