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# **Elections in Haiti**

## *November 20 Presidential and Legislative Elections*

Frequently Asked Questions

Americas

International Foundation for Electoral Systems

2011 Crystal Drive | Floor 10 | Arlington, VA 22202 | [www.ifes.org](http://www.ifes.org)

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## Frequently Asked Questions

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### *Disclosure:*

*These FAQs reflect decisions made by the Haitian election authorities, to the best of our knowledge as of November 16, 2016. This document does not represent any IFES policy or technical recommendations.*

## **When is Election Day?**

Haitian voters will head to the polls on November 20, 2016.

## **Who are citizens voting for on Election Day?**

On Election Day, Haitians will elect the President, sixteen representatives to the Senate and fifty-two representatives to the Chamber of Deputies.

## **Who can vote in the country?**

Haitians who are 18 years of age or older; registered in the electoral register; hold a national identification card; and have the full enjoyment of civil and political rights are eligible to vote.

## **How many registered voters are there?**

There are 6,189,253 registered voters according to the Provisional Electoral Council.

## **What is the structure of the government?**

Haiti is a democratic republic composed of 10 administrative divisions, also called departments. These 10 departments are further divided into arrondissements, which are further divided into communes. In total, there are 41 arrondissements and 144 communes. The Government of Haiti is based upon a Prime Minister and a President where the Prime Minister is head of the government and the President is head of state.

Executive power is held by the President and the Prime Minister. The President is elected by popular vote and the Prime Minister is appointed by the President, then ratified by the National Assembly. Members of the cabinet for the executive branch are chosen by the Prime Minister with input from the President.

Legislative power is entrusted to the National Assembly, which consists of the Senate and the Chamber of Deputies. Senate seats are elected by an absolute majority vote through a two-round system, and the 119 seats in the Chamber of Deputies are elected through an absolute majority vote in single-member constituencies.

## **Why is Haiti repeating its October 25, 2015 presidential elections?**

On October 25, 2015 Haitian voters headed to the polls to cast ballots in presidential, parliamentary and municipal elections. Fifty-four candidates (four women) run for president; 4,364 candidates run for three mayoral posts in each of the 141 municipalities; 232 candidates run for 18 senate seats; and 621 candidates contested 111 seats in the Chamber of Deputies. Voters in 22 precincts participated in rerun

elections in areas where the voting process had been cancelled due to violence during the August 9, 2015 elections.

Two presidential candidates -- Jovenel Moise of the ruling party (*Parti Haitien Tet Kale, PHTK*) and Jude Celestin of (*Ligue Alternative pour le Progres et l'Emancipation Haitienne, LAPEH*) – were the two front runners: Jovenel Moise received 508,761 votes (32.76%) and Jude Celestin received 392,782 votes (25.29%). However, the results triggered protests and allegations of fraud, which drove President Martelly to form an Independent Electoral Evaluation Commission (IEEC). The IEEC identified a number of irregularities related to the distribution of pollwatcher accreditations and called for the implementation of corrective measures to increase transparency and confidence of the electorate in the next election, including a national dialogue, a redesign of the electoral council and further expert analysis of the votes.

Given the political impasse, the run-off presidential and partial legislative elections scheduled for December 27, 2015 were cancelled and rescheduled first to January 17, then to January 24, 2016, and later to April 24, 2016. Meanwhile, upon Martelly's end of term, an interim President, Jocelerme Privert, was installed with a term set to expire on June 14, 2016; however, up to this day, the parliament has not been able to convene and vote to extend or end the mandate of the Interim President Privert. During his mandate, Interim President Jocelerme Privert installed a new Independent Electoral Verification and Evaluation Commission (Commission Indépendante d'Evaluation et Vérification Electorale [CIEVE]) to review the voting and counting process of the October 25, 2015 elections, including analyzing poll watcher lists, partial electoral lists, results sheets, ballots and electoral complaints.

The CIEVE recommendations included redoing the October 2015 presidential race. Shortly after, the Electoral Provisional Council (*Conseil Electoral Provisoire, CEP*) called for elections on October 9 and a second round for January 8, 2017. The first round also would include legislative elections for outstanding posts from the 2015 election and voting for a third of Senate seats. However, days before the election, Hurricane Matthew made landfall in Haiti, causing the worst humanitarian disaster in the country since the earthquake in 2010. As a consequence, elections were rescheduled to November 20 and the second-round to January 27, 2017.

## **How many candidates are participating in the November 20 elections?**

There are 27 candidates running for President in this re-do election. For the Senate, 116 candidates are running for 10 seats (which is one-third of the Senate's seats), and 12 candidates are running for six Senate seats in a runoff. For the Chamber of Deputies runoff elections, there are 52 candidates running for 25 seats.

## **What is the gender balance within the candidate list?**

According to the constitution and the electoral law, there is a 30 percent quota for women in the candidate list. However, the 30 percent quota has not been applied by political parties for presidential and legislative posts. There are three women running for President among the 27 presidential candidates. For the Senate elections, there are 12 women among 116 candidates registered. For the Senate run-off, there is only one women among 12 candidates registered and for the Chamber of Deputies run-off there are five women among 52 candidates.

## **What is the election management body? What are its powers?**

The Provisional Electoral Council (CEP) is responsible for organizing and controlling with complete independence all electoral procedures throughout Haiti until the proclamation of the election results. The CEP carries out its mission following the election cycle as defined by the Constitution of Haiti.

The mission of the CEP is described in Article 191 of the constitution. The CEP is responsible for the organization of all elections in Haiti. Along with other state institutions, the CEP is also responsible for ensuring compliance with legislation governing the electoral process.

The constitution also gives the CEP the power to fulfill judicial functions in the event of electoral disputes. The following judicial bodies also deal with issues related to electoral disputes in accordance with the 2013 Electoral Law, under the authority of the CEP:

- Communal Office of Electoral Disputes
- Departmental Office of Electoral Disputes
- National Office of Electoral Disputes

## **How many polling places are set up on Election Day?**

For the November 20 elections, a total of 1,534 polling centers will be set up across the country, which includes 11,993 polling stations.

## **Is out-of-country voting allowed?**

Out-of-country voting is not permitted in Haiti.

## **How will voters with disabilities cast their ballots?**

According to the 2013 Electoral Law, voters with disabilities may be accompanied by a person of their choice, who can assist them in casting their ballot. Article 58 of the Act on the Integration of Persons with Disabilities states: “The Electoral Council must ensure that electoral facilities and materials are appropriate, accessible, easy to use and easy to understand by disabled people [sic].”

Voters with disabilities as well as other groups with special needs, such as the elderly and pregnant women, have the priority in the queue.

## **Where are voting, counting and tabulation held?**

After the polls close on Election Day, votes will be counted and tallied at the polling stations. The results sheets will then be transported to the Voting Tabulation Center, which is the main tabulation center located in Port-au-Prince.

## **When will official results be announced?**

According to the Provisional Electoral Council President in a press conference held on October 20, the official results will be announced on November 22, 2016. The current electoral decree stipulates that preliminary results are to be published 10 days after the elections, with final results published no later than 21 days after the polls close.

## **Who can observe during Election Day? How can they get accreditation?**

All international and national observers must be accredited. The accreditation card is given by the Provisional Electoral Council to an observer organization upon request and according to established rules. International and national accredited observers may observe the conduct of all electoral operations throughout the country. To this end, observers can make any suggestion to improve and facilitate the conduct of all the stages of the electoral process and report any situation that would be likely to disturb electoral operations.

## Resources

- Electoral Law (2015) (French), <https://www.cephaiti.ht/Decret-electoral.html>
- Provisional Electoral Council ([French](#)), <https://www.cephaiti.ht/>