

# **Protocol between President Jean-Bertrand Aristide and the Parliamentary Negotiating Commission to find a Definitive Solution to the Haitian Crisis**

*Washington D.C., 23 February 1992*

## Article I

The signatory parties to this protocol recognize and acknowledge the principle of the urgent necessity for a concerted and negotiated solution to the political and institutional crisis which Haitian society has been experiencing since President Jean-Bertrand Aristide went into exile on 30 September 1991, and that this solution, in order to be viable and lasting, must be sought within the context of respect for the Haitian Constitution and for national sovereignty and must lead to:

National concord;

The establishment and consolidation of democratic institutions;

The implementation of measures to guarantee civil liberties, halt repression and prevent any attempts at revenge or settling of accounts.

## Article II

With all these aims in view the signatory parties undertake to:

1. Encourage, consolidate and respect the principle of the separation of powers in accordance with the Constitution and, within that context, to work to set in place mechanisms for harmonization and collaboration so as to facilitate the establishment of the institutions provided for in the basic Charter;
2. Guarantee civil liberties and facilitate the free functioning of political parties and civic organizations in respect for the Constitution and the laws governing said organizations.

## Article III

The Parties recognize the necessity for the Haitian Parliament, which is the co-depository of national sovereignty, to:

1. Reinstall Jean-Bertrand Aristide in the exercise of his function as the constitutionally-elected President of the Republic of Haiti and undertake to assist the Government of national consensus to bring about the conditions for the return of Jean-Bertrand Aristide to Haiti;

2. Draw up and pass laws to set in place the institutions provided for in the Constitution, *inter alia*:
  - (a) The Act concerning territorial groups;
  - (b) The Act concerning separation of the police and the armed forces;
  - (c) The Act concerning operation of the Citizens' Protection Bureau;
3. To facilitate by laws and regulations, implementation of a policy of social peace and economic revival.

#### Article IV

The parties recognize the necessity for President Jean-Bertrand Aristide to:

1. Respect the decisions taken and acts ratified by the Haitian Parliament. In the event of disagreement between the executive and the legislature, it shall be possible for either party to refer to the Conciliation Commission, in accordance with article 111-5 of the Constitution;
2. Agree that, during his absence, the Prime Minister shall take over management of the affairs of State, in accordance with article 148 of the Constitution.

#### Article V

The parties recognize the need to:

1. Proclaim a general amnesty, save for common criminals;
2. Refrain from any ambiguous statement which could be interpreted as an incitement to violence;
3. Accept the new consensus Prime Minister chosen by President Jean-Bertrand Aristide in consultation with the President of the Senate and President of the Chamber of Deputies;
4. Request the lifting of the embargo and the sanctions provided for in chapter I, paragraph 4, of resolution MRE-2/91 of the Organization of American States, immediately after confirmation of the Prime Minister and installation of the Government of national consensus;
5. Recognize their obligation to undertake all necessary measures with a view to putting national institutions in a context that will enable them to take all decisions within

their competence, in complete freedom, without having to suffer violent intervention, threats of violence from any force whatever;

6. Recommend to Parliament that it should, as a matter of urgency, approve the request of President Jean-Bertrand Aristide to OAS to send the civilian OEA-DEMOC mission to Haiti;
7. Request the Organization of American States and the international community to provide the Government of national consensus with substantial assistance as a matter of urgency so as to revitalize the Haitian economy, promote social well-being, professionalize the armed forces and the police and strengthen the democratic institutions.
8. Reject and condemn any intervention by foreign armed forces in the settlement of Haitian affairs.

DONE in good faith, in triplicate at Washington D.C., on 23 February 1992.

This protocol of agreement shall enter into force immediately after ratification by the National Assembly at the convocation of its President.

(Signed) Jean Bertrand-ARISTIDE  
President of the Republic of Haiti

(Signed) Déjean BELIZAIRE  
President of the Senate and of the  
Parliamentary Negotiating Commission

(Signed) Alexandre MEDARD  
President of the Chamber of Deputies  
and Vice-President of the  
Parliamentary Negotiating Commission

**Source:** Inter-American Commission on Human Rights (Official Website)