

<b>Country/entity</b>	Haiti
<b>Region</b>	Americas
<b>Agreement name</b>	Protocol between President Jean-Bertrand Aristide and the parliamentary negotiating commission to find a definitive solution to the Haitian crisis
<b>Date</b>	23 Feb 1992
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	Intrastate/intrastate conflict

### Haitian Political Crisis (1991 - )

After decades of brutal authoritarian rule by François Duvalier and later his son Jean-Claude Duvalier, which ended in 1986, Haiti was under pressure to institute free democratic elections. The interim administration scheduled presidential elections for December 1990. The winner was Jean-Bertrand Aristide. His time in power was disrupted by an unsuccessful coup just one month after election, and another, this time successful, coup in September 1991. A military junta, headed by General Raoul Cédras, seized power, while Aristide sought refuge in the US. The junta remained in power until 1994, ruling the country in a violent manner, resulting in thousands of deaths, a refugee crisis, and numerous instances of rape and organized sexual violence. In 1993 an agreement (Governors Island Agreement) was reached between Aristide and Cédras, allowing for Aristide to return to power in October of that year, and granting amnesty to Cédras and other prominent members of the regime. However, this agreement was not respected, and the following year saw the implementation of comprehensive sanctions against Haiti accompanied by a US-led and UN-sanctioned intervention, which was moderated by a last-minute agreement between the US envoy Jimmy Carter and Raoul Cédras on the 18th of September 1994. Aristide returned to power, but the political turmoil in the country continued, as Aristide was again ousted in a coup d'état in 2004, after winning the presidency for the second time in 2002.

Close  
Haitian Political Crisis (1991 - )

<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Government
<b>Peace process</b>	Haitian peace process

<b>Parties</b>	<p>(Signed) Jean-Bertrand ARISTIDE President of the Republic of Haiti</p> <p>(Signed) Déjean BELIZAIRE President of the Senate and of the Parliamentary Negotiating Commission</p> <p>(Signed) Alexandre MEDARD President of the Chamber of Deputies and Vice-President of the Parliamentary Negotiating Commission</p>
<b>Third parties</b>	-
<b>Description</b>	This agreement is about reinstating the President in exile Jean-Bertrand Aristide; the consolidation of democratic institutions; civil and political rights; an amnesty; an end to the embargo and sanctions; and international help.

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<b>Agreement document</b>	<a href="#">HT_920223_ProtocolDefinitiveSolutionHaitianCrisis.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## **Gender**

**Women, girls and gender** No specific mention.

**Men and boys** No specific mention.

**LGBTI** No specific mention.

**Family** No specific mention.

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## **State definition**

**Nature of state (general)** No specific mention.

**State configuration** No specific mention.

**Self determination** No specific mention.

**Referendum** No specific mention.

**State symbols** No specific mention.

**Independence/secession** No specific mention.

**Accession/unification** No specific mention.

**Border delimitation** No specific mention.

**Cross-border provision** No specific mention.



**Political  
institutions (new or  
reformed)**

Governance→Political institutions (new or reformed)→General references

Page 1, 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:

[...]

The establishment and consolidation of democratic institutions;

[...]

Page 1, 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.

Page 1-2, 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.

Page 2, 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.

Page 2-3, Article V: The parties recognize the need to:

[...]

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;

[...]

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;

[...]

7. Request the Organization of American States and the international community to

<b>Elections</b>	No specific mention.
<b>Electoral commission</b>	No specific mention.
<b>Political parties reform</b>	Governance→Political parties reform→Other political parties reform Page 1, Article II 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.
<b>Civil society</b>	Page 1, Article II: With all these aims in view the signatory parties undertake to: [...] 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.
<b>Traditional/religious leaders</b>	No specific mention.
<b>Public administration</b>	No specific mention.
<b>Constitution</b>	Governance→Constitution→Constitution affirmation/renewal Page 1, 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: [...]  Page 1, 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.  Page 2, Article III: [...] 2. Draw up and pass laws to set in place the institutions provided for in the Constitution, inter alia: The Parties recognize the necessity for the Haitian Parliament, which is the co-depository of national sovereignty, to: (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; [...]

## **Power sharing**

<b>Political power sharing</b>	Power sharing→Political power sharing→General State level Page 1, 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;
<b>Territorial power sharing</b>	No specific mention.
<b>Economic power sharing</b>	No specific mention.
<b>Military power sharing</b>	No specific mention.

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## **Human rights and equality**

<b>Human rights/RoL general</b>	No specific mention.
<b>Bill of rights/similar</b>	No specific mention.
<b>Treaty incorporation</b>	No specific mention.

**Civil and political rights**

Human rights and equality→Civil and political rights→Liberty and security of person

Page 1, Article 1:

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:

[...]

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

Page 1, Article II:

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

[...]

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.

Page 2, Article III:

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

[...]

2. Draw up and pass laws to set in place the institutions provided for in the Constitution, inter alia:

[...]

(c) The Act concerning operation of the Citizens' Protection Bureau;

Page 2, Article V:

[...]

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;

[...]

**Socio-economic rights**

No specific mention.

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## **Rights related issues**

**Citizenship** No specific mention.

**Democracy** Page 1, 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:  
[...]  
The establishment and consolidation of democratic institutions;  
[...]

Page 3, Article V: The parties recognize the need to:  
[...]  
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.  
[...]

**Detention procedures** No specific mention.

**Media and communication** Rights related issues→Media and communication→Media roles  
Page 2, Article V:  
[...]  
2. Refrain from any ambiguous statement which could be interpreted as an incitement to violence;  
[...]

**Mobility/access** No specific mention.

**Protection measures** No specific mention.

**Other** No specific mention.

## **Rights institutions**

**NHRI** No specific mention.

**Regional or international human rights institutions** No specific mention.

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## **Justice sector reform**

**Criminal justice and emergency law** No specific mention.

**State of emergency provisions** No specific mention.

**Judiciary and courts** No specific mention.

**Prisons and detention** No specific mention.

**Traditional Laws** No specific mention.

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## **Socio-economic reconstruction**

**Development or socio-economic reconstruction** Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development  
Page 2, Article III: The Parties recognize the necessity for the Haitian Parliament, which is the co-depository of national sovereignty, to:  
[...]  
3. To facilitate by laws and regulations, implementation of a policy of social peace and economic revival.

Page 3, Article V: The parties recognize the need to:  
[...]  
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.  
[...]

**National economic plan** No specific mention.

**Natural resources** No specific mention.

**International funds** Page 3, Article V: The parties recognize the need to:  
[...]  
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.  
[...]

**Business** No specific mention.

**Taxation** No specific mention.

**Banks** No specific mention.

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## **Land, property and environment**

**Land reform/rights** No specific mention.

**Pastoralist/  
nomadism rights** No specific mention.

**Cultural heritage** No specific mention.

**Environment** No specific mention.

**Water or riparian  
rights or access** No specific mention.

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## **Security sector**

**Security  
Guarantees** Page 2, Article V: The parties recognize the need to:  
[...]  
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;  
[...]

**Ceasefire** No specific mention.

**Police**

Page 2, Article III:

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

[...]

2. Draw up and pass laws to set in place the institutions provided for in the Constitution, inter alia:

[...]

(b) The Act concerning separation of the police and the armed forces;

[...]

Page 3, Article V: The parties recognize the need to:

[...]

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.

[...]

**Armed forces**

Page 2, Article III:

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

[...]

2. Draw up and pass laws to set in place the institutions provided for in the Constitution, inter alia:

[...]

(b) The Act concerning separation of the police and the armed forces;

[...]

Page 3, Article V: The parties recognize the need to:

[...]

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.

[...]

**DDR**

No specific mention.

**Intelligence services**

No specific mention.

**Parastatal/rebel and opposition group forces**

No specific mention.

<b>Withdrawal of foreign forces</b>	<p>Page 2-3, Article V: The parties recognize the need to: [...]</p> <p>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; [...]</p> <p>8. Reject and condemn any intervention by foreign armed forces in the settlement of Haitian affairs.</p>
<b>Corruption</b>	No specific mention.
<b>Crime/organised crime</b>	No specific mention.
<b>Drugs</b>	No specific mention.
<b>Terrorism</b>	No specific mention.

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## **Transitional justice**

**Transitional justice general** No specific mention.

**Amnesty/pardon** Transitional justice→Amnesty/pardon→Amnesty/pardon proper  
Page 2, Article V: The parties recognize the need to:  
1. Proclaim a general amnesty, save for common criminals:  
[...]

**Courts** No specific mention.

**Mechanism** No specific mention.

**Prisoner release** No specific mention.

**Vetting** No specific mention.

**Victims** No specific mention.

**Missing persons** No specific mention.

**Reparations** No specific mention.

**Reconciliation** No specific mention.

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## **Implementation**

**UN signatory** No specific mention.

**Other international signatory** No specific mention.

**Referendum for agreement** No specific mention.

**International mission/force/ similar** Page 3, Article V:  
The parties recognize the need to:  
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;

**Enforcement mechanism** No specific mention.

**Related cases**      No specific mention.

**Source**              Inter-American Commission on Human Rights:  
  
                             <http://www.cidh.org/>

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