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Country/ entity	Haiti
Region	Americas
Agreement name	Protocol between President Jean-Bertrand Aristide and the parliamentary negotiating commission to find a definitive solution to the Haitian crisis
Date	23 Feb 1992
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (Haitian Political Crisis (1991 -))
Stage	Framework/substantive - partial
Conflict nature	Government
Peace process	Haitian peace process
Parties	(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
Third parties	-
Description	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.

Agreement document [HT_920223_ProtocolDefinitiveSolutionHaitianCrisis.pdf](#)  | [Download PDF](#)

Groups

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

Gender

Women, girls and gender	No specific mention.
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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.

Governance

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. Reinstatement of 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;

[...]

Elections	No specific mention.
Electoral commission	No specific mention.
Political parties reform	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.
Civil society	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.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.

Constitution Governance→Constitution→Constitution affirmation/renewal

Page 1, Article I:

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[...]

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

Political
power
sharing

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. Reinststate 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;

Territorial
power
sharing No specific mention.

Economic
power
sharing No specific mention.

Military
power
sharing No specific mention.

Human rights and equality

Human
rights/RoL
general No specific mention.

Bill of
rights/
similar No specific mention.

Treaty
incorporation No specific mention.

Civil and political rights	<p>Human rights and equality→Civil and political rights→Liberty and security of person</p> <p>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.</p> <p>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.</p> <p>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;</p> <p>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; [...]</p>
Socio-economic rights	No specific mention.

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.

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.

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.

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.

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	<p>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; [...]</p> <p>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. [...]</p>
Armed forces	<p>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; [...]</p> <p>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. [...]</p>
DDR	No specific mention.
Intelligence services	No specific mention.

Parastatal/ rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	Page 2-3, 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; [...] 8. Reject and condemn any intervention by foreign armed forces in the settlement of Haitian affairs.
Corruption	No specific mention.
Crime/ organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

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.

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/>
