

The Organization of American States in Haiti: Election Monitoring or Political Intervention?

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with introduction by Mark Weisbrot

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Introduction

This paper has to do with a question that is important for the future of the Hemisphere: namely, what to do about the Organization of American States (OAS)? On February 23, 2010, heads of state from throughout Latin America and the Caribbean met in Cancún and formed a new organization: the Community of Latin American and Caribbean States (CELAC). It has the same membership as the OAS, but without the United States and Canada, and it includes Cuba.

The new organization is expected to have another summit meeting in December, and this paper is written for that meeting. Although some have maintained that CELAC is not meant to displace the OAS, it will inevitably – if it succeeds – do that to some degree. This paper shows that an organization independent of Washington’s influence is both necessary and desirable, especially for the furtherance of democracy in the Hemisphere.

Although this paper is by its nature rather technical, the basic issues are not complicated. It calls into question, in a very serious manner, the conduct of the OAS in its unprecedented action that reversed the electoral result of the first round in Haiti’s most recent election. As has been noted previously, this decision was not based on statistical inference from the electoral data.¹ This paper goes further, and shows that the OAS decision was inconsistent with the electoral data. If the OAS decision was made for political reasons – as appears to be the case – it raises serious questions about the OAS as an independent arbiter of electoral or other disputes that arise in the hemisphere. It also indicates that the hemisphere may need a new multilateral organization to safeguard the rights of people in Latin America and the Caribbean to freely choose their own governments, and to democracy and self-determination more generally.

In Haiti, the most impoverished and potentially most vulnerable country in the Hemisphere, the OAS has already had a checkered past even before this most recent episode. In the May 2000 election, the OAS had – like other observers – described the May 2000 elections as “a great success for the Haitian population, which turned out in large and orderly numbers to choose both their local and national government.”² But then, as a campaign led by Washington (along with Canada and France) to destabilize and ultimately overthrow Haiti’s elected government ensued, the OAS changed its position and contributed to the efforts of these governments to portray the election as illegitimate. As Paul Farmer of Harvard’s Medical School, currently Bill Clinton’s Deputy Special Envoy for Haiti at the United Nations, testified to the U.S. Congress last summer, the United States “sought . . . to block bilateral and multilateral aid to Haiti, having an objection to the policies and views of the administration of Jean-Bertrand Aristide. . . Choking off assistance for development and for the provision of basic services also choked off oxygen to the government, which was the intention all along: to dislodge the Aristide administration.”³

This de-legitimation of the 2000 election, which was not based on any significant flaws in the electoral process itself, was a crucial element in bringing about the 2004 coup against the elected government. The OAS therefore contributed significantly to this destabilization and overthrow of democratic government in Haiti.

1 Weisbrot and Johnston (2011).

2 Organization of American States (2000) and Orlando Sentinel (2000).

3 Weisbrot (2011b).

This paper focuses on Haiti's most recent presidential election, the first round of which took place on November 28, 2010. According to the official results from the Conseil Electoral Provisoire (Haiti's Provisional Electoral Council, CEP), former first lady Mirlande Manigat took first place, with the government's candidate, Jude Célestin in second; Michel Martelly, a popular musician came in third. But the margin separating second and third place was just 0.7 percent of the vote; and there was widespread fraud, including ballot-stuffing, missing ballots, voter intimidation, and other abuses. A second round was mandated by law because no single candidate had won an absolute majority.

The OAS was asked to help resolve the dispute over the election, and appointed an "Expert Verification Mission" to examine the results. Six of the seven experts were from the United States, Canada, and France -- the three governments that had led the effort to overthrow Haiti's government in 2004. (France is not a member of the OAS, but has Permanent Observer status.) In January the draft report of the Mission was leaked to the press, and the final report -- which did not differ significantly from the draft -- was published. The OAS Mission recommended reversing the results of the first round, putting Martelly in second place and Célestin in third. As we showed in our analysis of that report, the Mission did not establish any legal, statistical, or other logical basis for its conclusions.⁴

The two biggest flaws in the OAS Mission's report were that (1) it did not use any statistical inference from the sample of 919 tally sheets that it had examined, in order to draw a conclusion about the whole set of tally sheets, and most importantly, (2) it did not take into account the 1053 tally sheets, or 9.5 percent of the total, that were missing.

Of course, if the missing votes were from areas that were not different in their voting preferences from the recorded votes, there would be no problem. But there was no effort on the part of the Mission to verify this; and a preliminary analysis that we did⁵ found that the missing votes did come from areas that were more pro-Célestin than the general electorate.

The present study expands upon our previous papers in two ways. First, it shows that as a matter of logic, the OAS Mission's exclusion of 234 ballot sheets cannot be shown to have produced a result that could, as the Mission claims, "bring the preliminary results of the presidential elections in line with the intent of the voters who cast their votes." As shown in this paper, it may just as likely have brought the results further away from the intent of the voters.

Second, this study uses statistical inference -- as the OAS did not do in its report -- to estimate the possible results for the missing votes, given the large amount of information available from the vote totals for the various Voting Centers, Sections, Communes, and Departments. By using this information and a set of standard statistical methods, it is possible to delineate a range of estimates for the missing votes. These estimates show that under any plausible assumptions about what set of tally sheets should be excluded for suspected fraud, there is no statistical basis for what the OAS mission decided: i.e., their decision to reverse the results of the first round of the elections.

This result, however technical, is of vital importance to considering the role of the OAS going forward, and in what areas it needs to be replaced by the CELAC. It shows that the OAS cannot be relied upon as a neutral, independent arbiter of electoral disputes, because of the control of its administration by the United States government and its allies.

4 Weisbrot and Johnston (2011).

5 Johnston and Weisbrot (2011).

The evidence for political motivation for the OAS decision in this episode is quite plentiful. First, it should be noted how unusual, and perhaps unprecedented, it is for any electoral body to reverse the results of an election without a recount. Normally, a disputed election result is either: accepted; rejected and the election is re-run; or a recount is done, and the results changed in accordance with the recount if it is believed to be a more accurate count. An electoral body does not simply change the results of an election, and especially in the way that it was done here – namely by throwing out a sample of tally sheets.

Second, there was enormous political pressure brought to bear by the United States and its allies – the same countries who dominated the OAS Mission – for Haiti's CEP to accept the Mission's reversal of the first round election results. In a UN Security Council debate on January 20, U.S. Ambassador to the U.N. Susan Rice threatened Haiti with a possible cut-off of aid if the government did not accept the Mission's recommendations. The United Nations and France also issued statements pressuring the Haitian government to accept the OAS analysis.⁶ According to multiple reports, the "the international community threatened Préval with immediate exile if he does not bow to their interpretation of election results."⁷

More recently, a series of leaked U.S. diplomatic cables document and explain Washington's animus against Préval, and therefore the candidate that he endorsed in Haiti's election.⁸

Our conversations with OAS officials reinforced the idea that the OAS decision to reverse the results of the election was a political one rather than an attempt to settle the dispute without prejudice. At a panel discussion in Washington, D.C., Fritz Scheuren, the lead statistician for the OAS Mission and the President of the American Statistical Association, acknowledged that the OAS Mission did not do any statistical inference in order to estimate what the result might have been had they examined the other 92 percent of tally sheets that they did not examine.⁹

In a meeting with Mr. Scheuren on February 14, 2011, he acknowledged that despite his involvement in many elections, he had never seen a case where an election result was reversed without a recount. When asked why the Mission had not done any analysis of the missing votes, he said that they had done so, and found – as CEPR had at that time – that the missing votes were in areas that were on average more pro-Célestin than the general electorate. However, he said that the Mission had decided not to include this information in its report.

For all of these reasons, a rigorous statistical analysis showing that the OAS Mission had no basis for its decision to reverse the first-round results of Haiti's 2010-2011 presidential election is important.

6 Center for Economic and Policy Research (2011b).

7 Weisbrot (2011).

8 Two Wikileaks cables specifically, from March 2007 and June 2009, detail U.S. diplomat's opinions of Préval: <http://www.wikileaks.fi/cable/2007/03/07PORTAUPRINCE408.html> and <http://www.wikileaks.fi/cable/2009/06/09PORTAUPRINCE575.html>. In the cable from 2007, then chargé d'affaires, Thomas C. Tighe, wrote "Préval's weaknesses as an executive, his reflexive nationalism, and his disinterest in managing bilateral relations in a broad diplomatic sense, will lead to periodic frictions as we move forward our bilateral agenda." The Nation, in partnership with Haiti Liberte, has also released a series of articles detailing revelations about Haiti from Wikileaks. Préval especially angered the U.S. with his entry into the Petrocaribe initiative. The cables show how the US sought to stop Haiti's incorporation into Petrocaribe, despite the large benefits. For more on the Nation's Wikileaks Haiti revelations, see: <http://www.thenation.com/article/161009/wikihaiti-nation-partners-haiti-liberte-release-secret-haiti-cables>.

9 Center for Economic and Policy Research (2011).

Finally, it is important to note that this report is not about Haiti's government or who should be the country's president. Michel Martelly is the internationally recognized president and this report has no implications with regard to the legitimacy of his government. The whole election process was seriously flawed for many reasons, most importantly the exclusion of Haiti's largest political party, Fanmi Lavalas, as well as the large-scale irregularities and documented fraud. Given the irregularities and fraud, Martelly and his supporters have reason to be angry at the decision of the CEP to exclude him from the second round; as of course does Fanmi Lavalas, which was excluded from both rounds of the election. A more honest solution, and one that the OAS could have endorsed, would have been to re-run the first round of elections, with excluded parties also participating. The present analysis does not imply that the result of the election would have been different if it had been re-run.

This paper is not intended to shed light on who should have won Haiti's presidential election, but rather to examine the decision by the OAS to reverse the results of the first round. A hemispheric multilateral organization that is called upon to resolve an electoral dispute must be impartial, regardless of the aims of its most powerful members. This paper shows that the OAS was not impartial in this case. The founding members of CELAC may want to consider the evidence in this episode in their attempt to secure the rights of self-determination and democracy in the Americas.

-- Mark Weisbrot

Report on the First Round of the 2010-11 Elections in Haiti

As reported by the CEP (Provisional Electoral Council), the winner of the first of Haiti's 2010 presidential elections was Mirlande Manigat, who received 336,878 votes. In second place was Jude Célestin with 241,462. Michel Martelly came in third with 234,617, and all other candidates combined for 261,099 votes.

It would appear that these results indicated that Manigat should have faced Célestin in the second round of elections. Unfortunately, the entire election was fatally flawed from the start—the exclusion of the largest political party, Fanmi Lavalas from participation drove turnout to very low levels – less than 23 percent of registered voters participated and widespread ballot tampering (both stuffing and discarding) was documented. The results reported by the CEP excluded a significant number of tally sheets deemed irregular for one reason or another. In an election with such obvious flaws, it is impossible to say with confidence that the 6,845 votes separating second and third place—less than 1.5 percent of the two-way vote-- reflected the will of the voters.

Rather than accepting the flawed results or—more reasonably—rerunning the election with improved security and allowing the most popular political party to participate, the authorities threw out—on the advice of the OAS—additional suspect tally sheets. Regardless of the justification, the discarding of the vote on these tally sheets resulted in a reversal of the second and third places, by only 0.7 percent of the two-candidate vote. Martelly, in place of Célestin, was ruled eligible for the second round of balloting.

In theory, overturning the results of an election should be done only when there is some degree of certainty that the adjustment of the vote count reflects the intent of the voting population. However, it is far from clear that the authorities in Haiti made any serious effort at such an analysis, throwing into question the decision to overturn the election results.

Discarding Irregular Tally Sheets May Compound, Rather than Correct, Errors

It is far from obvious that in the face of irregularities that the appropriate response is to void unusual results. This can be demonstrated with a simple arithmetic example. Let us suppose that we have high confidence that a particular tally sheet ought to read 120 votes for Candidate A and 50 for Candidate B. Suppose further that the tally sheet reads 180 for Candidate A and 50 for Candidate B—that is, we believe that the tally sheet overstates the vote for Candidate A by 60 votes. Obviously, if we have evidence that these 60 votes are not valid, then we might want to throw out 60 votes. If, on the other hand, we entirely discard the tally sheet, we substitute an apparent error of +60 votes for Candidate A for an apparent error of (net) +70 votes for Candidate B—a 130-vote swing from one candidate to another.

Let us now consider a second example.

Suppose that the tally sheet read 120 votes for Candidate A and 100 for Candidate B. In such a case, we see that Candidate B received 50 more votes than expected. Discarding the tally sheet would result in a net swing of 20 votes in favor of Candidate B *as compared to accepting all ballots, including the suspected fraudulent ones*.¹⁰

There are two lessons from these examples. The first is that voiding results works against the candidate we *expect* to perform best, regardless of the recorded vote. This can be seen in both examples; when the votes are thrown out, the candidate that we expect to have won loses the margin that he or she is ahead for that total. The second is that if throwing out ballots does work against one particular candidate, it is not necessarily that candidate that has benefitted from the irregular vote. Thus, when we eliminate particular results because they do not conform to expectations, the important thing to do is to replace those results with the results we do expect. In the first case, we would want to eliminate the 60 *excess* votes for Candidate A, and in the second we would want to eliminate the 50 *excess* votes for Candidate B.

Of course, in order to do this we would have to have some expectation for what a tally sheet should look like. Our expectations may not be as clear as “120 for A and 50 for B” but if we are going to adjust certain results for failing to conform to expectations, the corrections should push the results closer to—not further from—the expected true result.

¹⁰ This makes ballot-stuffing in low-performing areas a no-lose prospect for the candidate that is weak in these areas. Either the stuffing is overlooked, netting Candidate B the 50 suspect votes, or the tally sheet is thrown out, netting Candidate B the 70 votes by which Candidate A likely won.

Forming Expectations

Even prior to overturning the first round results, the election authorities threw out a large number of tally sheets. The point is not that the OAS and CEP ought to have incorporated imputations into the official count, but that they did in fact impute zeros for these sheets. As the above examples show, these imputations may have driven the final total away from our best estimate of the true balloting.

The CEP election data provides a trove of useful information.¹¹ Data is broken down by tally sheet. Tally sheets are assigned to Voting Centers, Voting Centers to Sections, Sections to Communes, and Communes to Departments within the country. Perhaps most importantly, when multiple tally sheets are assigned to single Voting Centers, it is with the understanding that the first 450 voters registered (alphabetically) at that Center are recorded on the first tally sheet, the next 450 to the second tally sheet and so forth until the last tally sheet which holds any remainder. Poll workers at the Center may be recorded on any sheet, but their numbers should be small. Thus, all but the last tally sheet should—except for random variation—show identical results. The last tally sheet should be identical—again except for random variation—in proportion, but with possibly lower turnout than the other sheets.¹²

Having information in, say, a tally sheet within a Voting Center provides information about what other tally sheets in the same Voting Center ought to look like. Similarly, information about the accepted voting patterns within a Voting Center may provide clues as to what the pattern looks like throughout a Section. And so on. Of course, there may be considerable variation from Voting Center to Voting Center even within a Section, so this must be taken into account. However, within a Voting Center the variation should be small.

We therefore ask what the data suggests the excluded ballots looked like. In a previous report, CEPR performed a simple analysis showing that areas where ballots went missing tended to be more in favor of Celestin than the country as a whole.¹³ Here, we present a more rigorous and sophisticated statistical analysis. We pool all the vote totals by tally sheet for every candidate into a single multilevel random-effects Poisson model. We regress the (log) vote for each candidate in each tally sheet against a constant, assuming a random effect for each Department, nesting a random effect for each Commune within its Department, nesting a random effect for each Section within its Commune, and a random effect for each Voting Center within its Section.

We also employ an “exposure” variable equal to 450 for observations at tally sheets other than the last at a given Voting Center—reflecting voter registration.¹⁴ The last tally sheet at each Voting

11 This data is no longer publicly available from the CEP, but CEPR put together a data set while the website was still active. Very minor transcription errors may still exist.

12 Because the assignments are by alphabet, it is possible for a family effect to appear. That is, the likelihood of one family member voting may be increased given that another family member voted. Furthermore, the likelihood of one family member voting for a given candidate also may be raised given that another family member so voted. Because the votes of family members with the same surname would most likely also be recorded on the same tally sheet, such effects would result in greater variation among the tally sheets in a Voting Center than would otherwise be expected.

13 Johnston and Weisbrot (2011).

14 Use of an “exposure” variable in the model means including the log of the exposure on the right-hand side of the equation. The coefficient is confined to one, so that effectively it turns the dependent variable from a (log) count

Center being a remainder, the registration at the sheet has neither a particular connection to any other sheets in the Voting Center nor a connection to remainder sheets at other Voting Centers. Where possible, we estimate the relative turnout at the remainder sheet in comparison to any other sheets within the center.¹⁵ We use the average relative turnout at these sheets to impute the relative turnout among the rest. Thus, if the relative turnout at a last tally sheet is 0.5, then the exposure is 225.

Assuming that the random effects are normal and the resulting errors are distributed according to a Poisson distribution, this allows maximum-likelihood estimation of the nationwide turnout as well as the variances and covariances¹⁶ of the random effects. The estimation allows for direct prediction of much of the tally-sheet data, but not always. For some data, an estimate is only available by drawing entirely at random based the estimated distributions of the random effects specific to the geography of the tally sheet. Finally, we simulate the Poisson variation around the predicted vote. Because the draws are random, we multiply impute the data with 1,000 such simulations, totaling up each candidate's vote at the end of each run.

The result is a distribution of possible results consistent with the accepted data.

Results Based on the CEP Data

The results from imputing any missing candidate totals can be seen in **Figure 1**. The point labeled “CEP” shows the total vote for Martelly and Célestin based on all the available data in the election—assuming no outliers beyond those tally sheets originally excluded by the authorities. This shows Célestin with a 7,109 vote lead—a difference of less than 1.5 percent of the two-way vote.¹⁷

The cloud of green points surrounding the CEP result represents the 1000 simulated vote totals in the non-excluded areas only – i.e. the areas for which we have recorded votes that were accepted by the CEP. The variation represents uncertainty in the turnout for each candidate. While the uncertainty is considerable at any individual tally sheet, the aggregate totals do not vary nearly enough to question the outcome. The average margin of votes for Célestin over Martelly ranged from 5,034 to 9,256—accounting for 1.1 to 1.9 percent of the two-candidate total.

The above results still assume that we have voided all the missing and excluded ballots originally identified and voided by the CEP. If based on our model we impute expected votes for the missing data, we find that Célestin's margin is increased considerably—winning these areas more than 2:1 relative to Martelly. On average, Célestin outpolls Martelly in these simulations by 40,112 votes. These results are shown in the blue cluster in Figure 1. Despite considerable variation in the

into a log-rate (one is effectively dividing the dependent variable by the exposure prior to taking the log.) The result is that the model is actually of voting rates—the number of votes a candidate receives in proportion to the estimated number of registered voters.

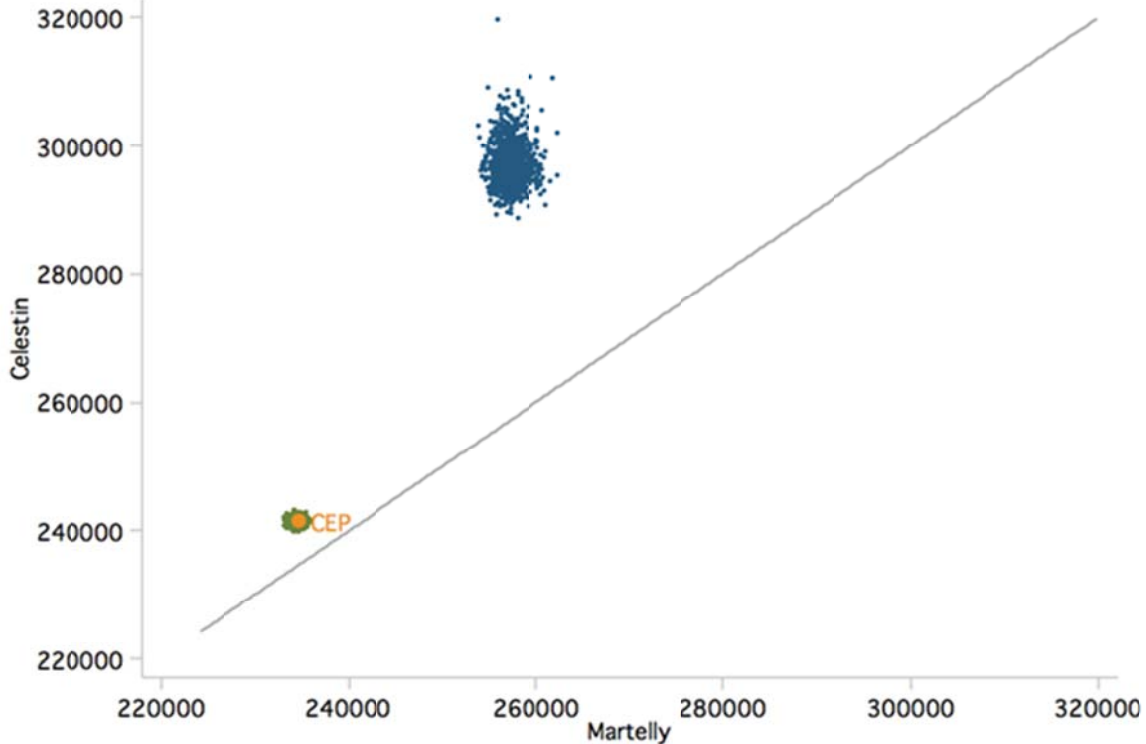
15 For details of this process, see the section on outlier detection.

16 Specifically, in each level we allow for a common covariance in the effects among the candidates, so that areas of high turnout for Candidate A may also be low turnout for Candidate B. Or it may be also high for Candidate B, as the data indicates.

17 The 264-vote difference between this number and the official CEP result is likely due to minor transcription error. Figure 1 shows the official result, but the difference is too small to be visible in the figure.

outcomes, Célestin led in all 1000 simulations, with a minimum vote lead of 29,660 votes, or 5.4 percent of the two-way vote.

FIGURE 1
Election Results



Source: CEP Preliminary Results (CEPR Dataset)

Based purely on the initial count, then, there is no reason to suspect that Célestin failed to garner more votes than Martelly, and reason to believe that Célestin's margin is considerably larger than the initial CEP count indicates.¹⁸

The OAS Exclusions

The above results are dependent on the non-missing data to be accurate. If we have reason to suspect that tally sheets geographically similar to those missing or excluded by the CEP overstate the margin for Célestin, then our simulations will similarly favor Célestin.

There is some reason to be suspicious. Of the 313 voting centers with CEP exclusions, 65 contain tally sheets that the OAS subsequently excluded. (The OAS also excluded tally sheets in another 110 voting centers.)

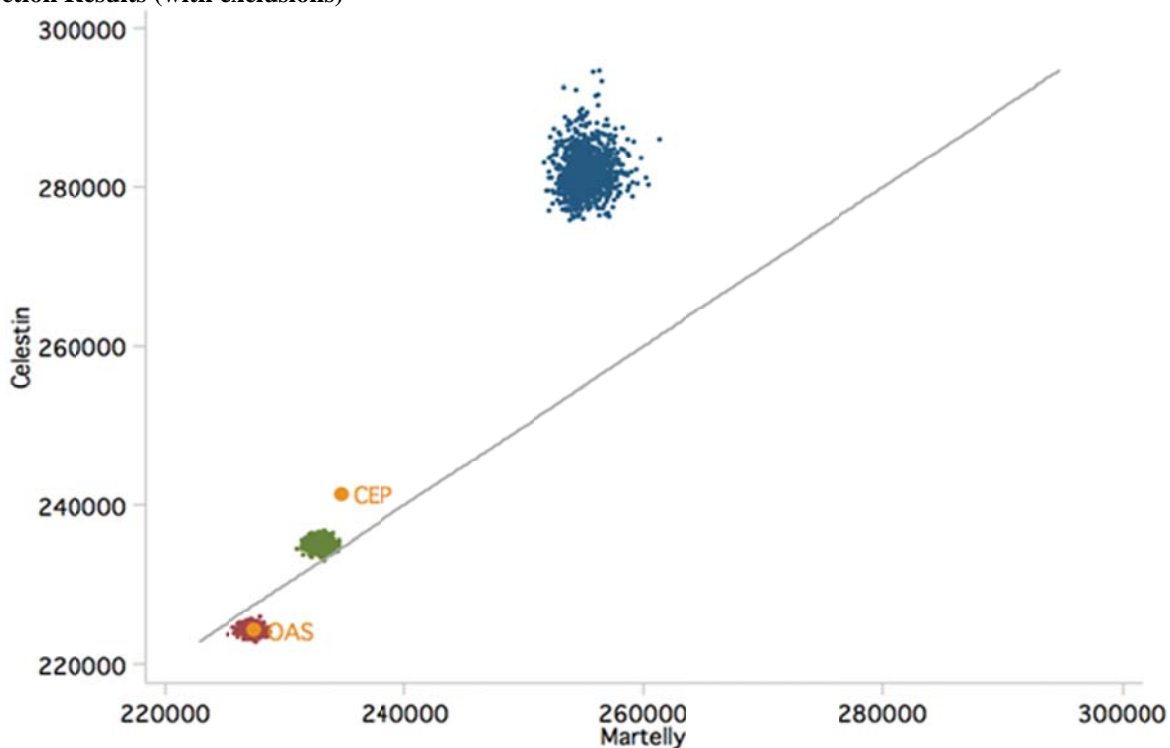
¹⁸ A second set of simulations in which uncertainties in the regression coefficients were also accounted for did not noticeably impact the results, despite the fact that the computational cost was very large.

In fact, the OAS exclusions are of tally sheets that significantly favor Célestin. If we simply remove these excluded tally sheets, Martelly takes the lead by a mere 2,961 votes¹⁹—less than 0.7 percent of the two-way vote. (This is seen at the point labeled “OAS” in **Figure 2**.)

As in Figure 1, there is some uncertainty in the simulation of the non-excluded data, as seen by the red cloud of results surrounding the OAS total. Still, all simulations showed that Martelly and not Célestin won a place in the runoff election, given the OAS exclusions (by at least 951 votes or 0.2 percent of the two-candidate vote.) But if we impute for the missing and excluded data, Célestin is again the clear winner with a minimum margin of 19,184 votes or 3.6 percent of the two-way vote. This is shown in the blue cluster in Figure 2.

Despite this relatively large margin (with respect to the official counts) Célestin’s lead over Martelly is considerably smaller than prior to voiding the OAS exclusions. Analysis after OAS exclusions indicates that the largest Célestin lead (39,268) was less than the average lead prior to the OAS exclusions (40,112)

FIGURE 2
Election Results (with exclusions)



Source: CEP Preliminary Results (CEPR Dataset)

It is worth looking at what the result would be if we impute only for the OAS exclusions and continue to void the CEP missing and excluded data. Even in this case, Célestin wins 998 of 1000 simulations. This is seen in the green cloud of Figure 2. Martelly’s largest lead in this accounting is

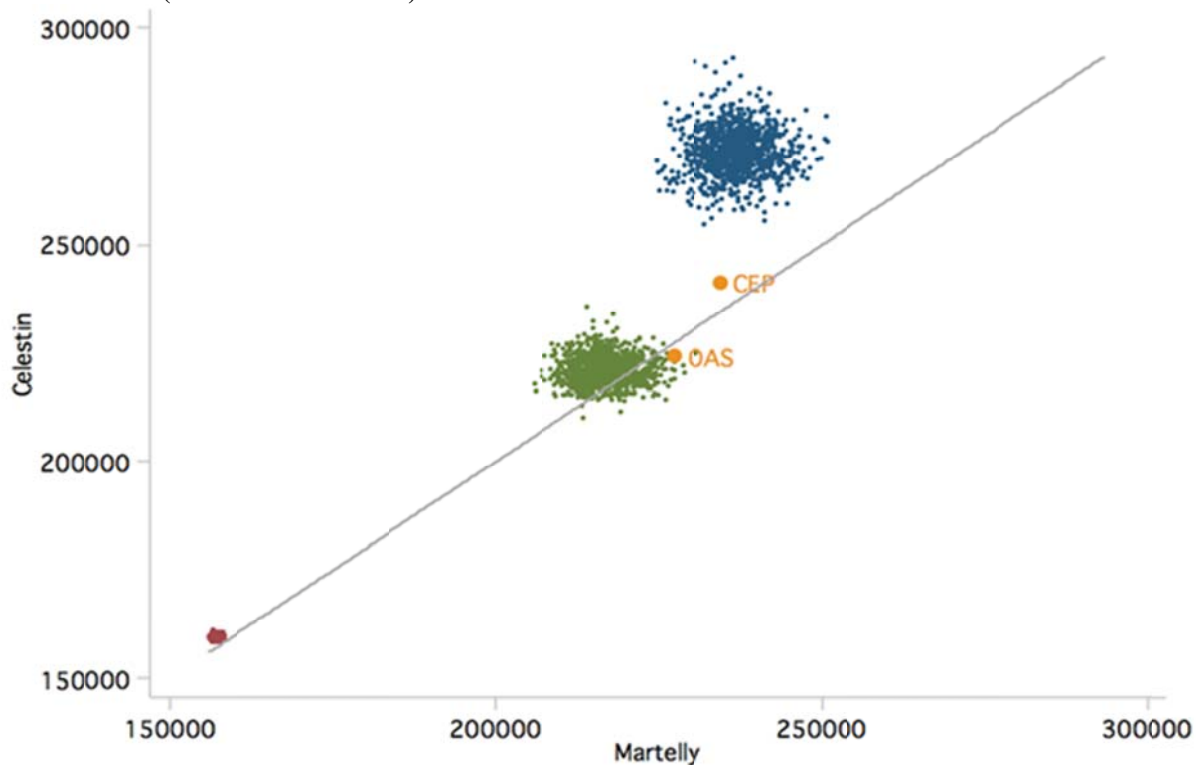
¹⁹ According the OAS report, after exclusions Martelly led Celestin by 3,225 votes.

a mere 194 votes, or 0.04 percent of the votes for the two candidates. The fact that the results lie much closer to a tie than the official CEP result points to the OAS exclusions revising down Célestin's margin of support in these areas. That is, the tally sheets geographically similar to those excluded by the OAS provide less of a margin to Célestin than the actual exclusions.

Nevertheless, this still provides scant basis for overturning the results of the election. Based on the evidence provided, more legitimate ballots were cast for Célestin than were cast for Martelly, in either case; and of course the most important estimation is the one that imputes for all missing and excluded data.

Let us consider one possible objection to this simulation. Specifically, we know that there were widespread allegations of ballot-stuffing. Suppose that the stuffing was *so* widespread that we *still* do not have much faith in the accuracy of the data geographically similar to the areas excluded by the CEP and OAS. If the data geographically similar to the missing ballots themselves overstate the support for Célestin, then any imputations based on the retained data will similarly overstate the votes for Célestin.

FIGURE 3
Election Results (with more exclusions)



Source: CEP Preliminary Results (CEPR Dataset)

Though we have no immediate basis for this suggestion, let us experiment along these lines by asserting that a missing or excluded tally sheet contaminates the entire Voting Center from which it came. This results in exclusion of 30 percent of the two-way vote *on top of* the CEP and OAS exclusions. Rather than increasing Martelly's lead, throwing out the ballots in these Voting Centers

reversed the results back to Célestin with a 159,492-157,021 count. The 2,471-vote margin represents a slim 0.8 percent of the two-way vote. Nevertheless, the simulated range of outcomes with no imputation of missing and excluded data shows Célestin winning every instance with margins from 0.2 to 1.5 percent of the vote. Again, this is seen in the red cloud of **Figure 3**.

The green points in Figure 3 show the results of imputing the contaminated tally sheets (but not the actual exclusions.) As can be seen, the effect of accounting for contamination pulls the results to the left (relative to no-contamination) in favor of Célestin. Whereas Figure 2 showed all 1000 simulations without imputation of exclusions favoring Martelly, Figure 3 shows Martelly winning in 193 simulations.

Finally, when all missing/excluded/contaminated tally sheets are imputed, simulations again show Célestin with a significant lead. Relative to Martelly, Célestin received between 14,088 and 61,625 more votes—some 2.8 to 11.8 percent of the two-way vote. This shows once again that no matter what exclusions are made, when all available information is used to estimate for missing and excluded data, Célestin still comes in ahead of Martelly.

Conclusion

The initial CEP results showed Célestin leading Martelly by 0.6 percent of all votes counted—despite the absence of nearly 200,000 votes (15 percent of the total) that by all indications favored Célestin. Once the OAS excluded an additional 50,935 votes that broke better than 2:1 for Célestin, the CEP declared Martelly and not Célestin eligible to participate in the second round of the election with a lead corresponding to 0.3 percent of the remaining ballots.

According to the final report of the OAS, the “critical question facing the Expert Mission was did the irregularities of November 28 impact the outcome of the presidential election?” The Mission considered four approaches to remedy the high rate of irregularities in the tally sheets. Of these, three—voiding the entire election, conducting a revote in selected problem areas, or conducting a nationwide recount—would have at least addressed that question. It is most unfortunate that the OAS chose to simply throw out selected ballots for technical reasons.

This procedure does not even begin to answer the “critical question” because no effort was made to investigate whether simply disallowing certain ballots would attenuate or exacerbate the problem of irregularities on the vote count.

Having failed utterly to answer the “critical question,” it is absurd for the OAS to then reverse the results of the first round of the election, or to support any results. It is understandable for the OAS to withhold support of the preliminary results on agnostic grounds, but it defies reason to then recommend that “the placement of the second and third candidates will be reversed *and bring the preliminary results of the presidential election in line with the intent of the voters who cast their votes.*” [emphasis added]

In fact, the OAS has no basis whatsoever for that determination. Further, the data strongly suggests exactly the opposite. By all indications from the data, those who cast their votes did so in favor of Célestin over Martelly.

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