

RELEASE IN FULL

From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Wednesday, May 30, 2012 7:49 AM
To: H
Subject: Fw: Letter to Secretary Clinton from President Martelly
Attachments: StateSeal.gif

From: SMART Core [mailto:svcSMARTBTSRctSPrec@state.gov]
Sent: Wednesday, May 30, 2012 07:45 AM
To: Haberman, Karla J (Port-au-Prince)
Cc: PortauPrince, SMARTS; AOC2_SESO; Colleran, Ellen A; Jahner, Ariel R; SES-O_CMS; SES-O_FrontOffice; Test-SESOReadIn; Wade, Lila F; Andrews, Constance C; Chagnon, Natalie L; Finney, Clarence N; Frazer, Leslie A; Hardy, Elsie; Tadle, Francesca J; Mills, Cheryl D; Laszczych, Joanne; Toiv, Nora F; Adams, Thomas C; Alvarado, Rebecca B; Ayanleye, Oluwaseun S; Baker, Holli C; Boris, John J; Danies, Joel D; Dorelien, Astrid; Krishnan, Ganapathisubramanian; Marsh, Victor L; Pierrot, Garry; Sainz, Rocio M; Savage, Martha; Servin-Baez, Heidy; Shah, Preeti V; Smith, Eileen W; Tucker-Bey, Nicola T; Warnholz, Jean-Louis; Williams, Stacy D; Jacobs, Gary M; Butler, LeJuan A; Harris, Jacqueline A
Subject: Letter to Secretary Clinton from President Martelly

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MRN: 12 PORT AU PRINCE 826
Date/DTG: May 30, 2012 / 301144Z MAY 12
From: AMEMBASSY PORT AU PRINCE
Action: WASHDC, SECSTATE *ROUTINE*
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Pass Line: STATE FOR S, C, WHA, S/HSC, AND S/ES-O
Subject: Letter to Secretary Clinton from President Martelly

1. (U) Post received letter dated May 12, 2012 from Haitian President Michel Martelly to Secretary of State Hillary Rodham Clinton as a response to a letter from her regarding senatorial and local elections. Hard copy will be transmitted to S/HSC. Unofficial translation below.

2. (SBU) Begin text.

Madame Secretary of State,

It is an honor to respond to your correspondence of March 28, 2012, regarding the senatorial and local elections, which we understand must take place very soon in Haiti. We appreciate that these elections

represent a test of our ability to progressively manage our electoral process, as hoped for by the government of the United States.

I thank you in particular - and through you - the American people, for your support to the people of Haiti on their transition to democratic institutions. We recognize that the institutionalization of elections is an essential stepping stone to the establishment of democratic governance in Haiti, a shared goal for our hemisphere.

I wholeheartedly share your belief that today Haiti possesses, the resources, the leadership and the capacity to take charge of a large part of the cost necessary to organize these elections.

I recognize that the American government's primary concern - regardless of whether I am able to promulgate the constitutional amendments - is the establishment of a permanent electoral council. And, irrespective of the electoral council's status as permanent or provisional, the United States believes it is essential to create an administrative, technical and operational secretariat, to support the CEP during the next elections.

I completely agree with this recommendation, and understand that the absence of this technical capacity over the past twenty years has hindered the work of successive electoral councils, delaying the planning and implementation of democratic elections. My major concern is how best to address all the challenges leading to the publication of the constitutional amendments, which are a predicate to the creation of a permanent electoral council. Despite my efforts, I have yet to find an approach in addressing the constitutional amendments that has resulted in unanimity.

I have consulted with the political parties, the members of civil society, organized groups, the most respected law professors, and among them my former adversary in the elections, Professor Myrlande Manigat, and even former members of the Constituent Assembly who participated in the drafting of the 1987 Constitution. The country seems to be divided on this issue.

The worst that could happen, after publication of the constitutional amendments, is that they would be challenged in court by advocacy groups, seeking to suspend their immediate effect. As you know the 1987 Constitution prohibits the implementation of any amendments during the term of the president that has promulgated them. In addition we do not believe that we can reinstate the version published by President Préval because that version is not genuine and contains serious inaccuracies and irregularities.

If the constitutional amendments are set aside and we return to the 1987 Constitution to constitute a permanent electoral council, the problem is that Haiti currently does not have departmental assemblies. These assemblies are a prerequisite to creating the permanent electoral council. And in order to have these departmental assemblies, we must have a provisional electoral council, which does not exist currently.

I continue to work relentlessly to implement one of the two options open to me. However, as I mentioned above, whatever option I choose, the creation of a technical secretariat, which the United States supports, is essential.

I extend to you Madame Secretary of State the expression of my highest consideration, and on behalf of the Haitian people, thank you for your personal contribution and that of the American government, for your support to democratic governance in Haiti.

Sincerely yours,

Michel Joseph Martelly

Mrs. Hillary Clinton
Secretary of State of the United States of America
Washington, D.C

End text.

Signature: MERTEN

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