

Haiti: Legislators Refuse to Legitimize the Appointment of New Prime Minister Evans Paul

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Global Research, January 07, 2015

[Haiti Chery](#) 28 December 2014

Theme: [Law and Justice](#)

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Evans Paul was not named Haiti's Prime Minister on December 25, 2014 but merely *nominated* as such.

A Haitian President is not empowered to name a Prime Minister by decree. According to *Article 137* of the [1987 Constitution](#),

"The President of the Republic shall choose a Prime Minister from among the members of the majority party of the Parliament. In the absence of such a majority, the President of the Republic shall choose his Prime Minister in consultation with the President of the Senate and the President of the House of Deputies. In either case, the President's choice must be ratified by the Parliament."

The nomination for PM is normally followed by a quite thorough vetting process, which includes, at a minimum, an investigation into whether the nominee satisfies the qualifications elaborated in *Article 157* of the Constitution:

"To be appointed Prime Minister, a person must:

1. Be a native-born Haitian, and never have renounced Haitian nationality;
2. Have attained thirty (30) years of age;
3. Enjoy civil and political rights and never have been sentenced to death, personal restraint or penal servitude or the loss of civil rights;
4. Own real property in Haiti and practice a profession there;
5. Have resided in the country for five (5) consecutive years;
6. Have been relieved of his responsibilities if he has been handling public funds."



The investigations usually take months. In recent years, one of the most common reasons for disqualification has been the finding of a non-Haitian nationality. Evans Paul is alleged to be a naturalized citizen of the United States, which would have involved renouncing his Haitian nationality.

There are other problems with Evans Paul. For one, he is accused of living much more luxuriously than can be justified by his previous positions. In addition, his last post was as a member of the Presidential Advisory Committee in December 2014 that recommended, among other things, the resignation of the previous PM and appointment of his replacement, who turned out to be himself. Evans Paul is considered to be close to Martelly.

Announcements of Evans Paul (aka K-Plim) as being Haiti's new PM have been mistaken, misleading or, at the least, premature. Haiti's legislators expressed their disapproval of all the candidates for PM even before the nomination. Moreover, the legislators refuse to legitimize the executive branch by appointing a PM, after the President has let the Parliament dwindle from a failure to hold elections during the last three years. They refuse to leave office on Monday, January 12, 2015, when most of their terms will expire, unless the *entire* government is dissolved and an interim government is assembled to organize new elections, not only for legislators, but also for a President. The alternative is for the legislators to remain in office until their replacements are elected.

Leaders of Haiti's political parties and the country's congressmen are already taking to the streets over these issues, together with the rest of the population. They might soon be joined by the normally moderate Speaker of the Senate, Dieuseul Simon Desra. Senator Desra affirms that the ratification of Evans Paul as Prime Minister is not granted, and he must engage in discussions with the Parliament.

The political impasse in Haiti was created by the current regime for its benefit, with complete disregard for the 1987 Constitution. There are only two ways out: either Martelly

resigns and general elections are called, or the current illegitimate administration will be toppled.

Sources: *Haiti Chery* | Featured image: photo of Evans Paul by *AFP*.

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