



LIBERTY EQUALITY FRATERNITY
REPUBLIC OF HAITI

ORDER

RENÉ PRÉVAL
PRESIDENT

In view of:

Articles 19, 24, and 136 of the Constitution;

The Law of April 15, 2010, amending the State of Emergency Law of September 9, 2008;

The Order of April 20, 2010, maintaining the state of emergency throughout the territory of Haiti for a period of 18 months;

Whereas:

Given the severity of the situation following the earthquake that devastated the country on January 12, 2010, it is necessary to take specific measures to provide effective assistance to the affected populations and implement the Haiti Development Plan to rebuild a strong country;

The international community has expressed its willingness to contribute to the reconstruction of Haiti;

It is necessary to ensure effective coordination and deployment of resources and support furnished by the international donors;

It is important to that end to organize the Interim Commission for the Reconstruction of Haiti (CIRH) established pursuant to Articles 7(17) and 14 of the April 15, 2010 Law amending the State of Emergency Law of September 9, 2008;

It is also necessary to grant the CIRH the necessary powers relative to the resources placed under its management.

Pursuant to the report by the Prime Minister and following deliberation by the Council of Ministers,

Hereby ORDERS

Article 1. This Order governs the organization and operation of the Interim Commission for the Reconstruction of Haiti (CIRH) established pursuant to Articles 7(17) and 14 of the April 15, 2010 Law amending the State of Emergency Law of September 9, 2008.

Article 2. The CIRH is established for a period of 18 months. It shall be comprised of Haitian officials and members of the international community.

Article 3. The CIRH shall be co-chaired by the Prime Minister and a prominent foreign official involved in the reconstruction effort. These co-chairs shall be assisted by an Executive Secretariat in charge of the daily management of operations.

Article 4. The CIRH shall be comprised of voting and non-voting members.

The voting members of the CIRH shall be:

- i. The two co-chairs;
- ii. Two representatives designated by the Executive Branch;
- iii. Two representatives designated by the Judicial Branch;
- iv. Two representatives designated by the local authorities;
- v. One representative designated by the Senate;
- vi. One representative designated by the Chamber of Deputies;
- vii. One representative designated by the labor unions;
- viii. One representative designated by the business community;
- ix. One representative of the Caribbean Community (CARICOM);
- x. One representative of each of the bilateral and multilateral donors having offered to sit on the Commission and having pledged to contribute at least US\$100,000,000 (one hundred million U.S. dollars) for the reconstruction of Haiti as a gift over a period of two consecutive years or at least US\$200,000,000 (two hundred million U.S. dollars) in debt relief;
- xi. One representative, on a rotating basis, of the bilateral and multilateral donors that do not meet the criteria set forth in item x of this Article.

The non-voting members of the CIRH shall be:

- i. One representative designated by the Organization of American States (OAS);

- ii. One representative designated by the community of national NGOs;
- iii. One representative designated by the community of international NGOs;
- iv. One representative designated by the Haitian expatriate community.

Article 5. The number of voting Haitian representatives must at all times be at least equal to the number of voting representatives of the international community.

In the event that the number of Haitian representatives falls below the number of representatives of the international community, namely owing to the admission of a voting donor, the Executive Branch shall designate a Haitian representative in order to ensure the requisite parity.

Article 6. The members designated by their respective institutions to serve on the Commission pursuant to Articles 4 and 5 of this Order and the co-chairs stipulated in Article 3 above shall be formally appointed by a presidential commission.

Article 7. An audit and performance office shall assess the work of the CIRH, report on the execution of projects, identify deficiencies and areas for improvement, and ensure accountability and transparency.

This office of financial management and performance shall report directly to the two co-chairs.

Article 8. The CIRH shall have legal personality.

Article 9. The mandate of the CIRH shall be to conduct strategic planning and coordination and implement resources from bilateral and multilateral donors, non-governmental organizations, and the business sector, with all necessary transparency and accountability. The CIRH shall work to optimize the investments and contributions of these entities.

Article 10. The CIRH shall be responsible for continuously developing and refining development plans for Haiti, assessing needs and gaps and establishing investment priorities. It shall approve project proposals based on their consistency and coordination with the Haiti Action Plan. While it shall be able to draw up and solicit projects that fit within the priorities of the Haiti Action Plan, it shall decide on the eligibility of external submissions.

Article 11. Proposals to the CIRH shall be evaluated by Secretariat staff, which shall then recommend projects and priorities for approval. The Commission shall convene at least once every two (2) months to agree on a set of programs and priorities. Each voting member shall have one vote. A simple majority shall be necessary for approval, although the Commission shall seek consensus.

Article 12. The CIRH shall operate within the framework of the State of Emergency Law. Consequently, it shall be vested with the powers necessary to conduct its activities. It shall ensure the expeditious implementation of development projects and priorities, including facilitating the issuance of

property titles and permits for the construction of hospitals, power generation systems, ports, and other economic development projects.

In order to facilitate the rapid and effective implementation of the priorities and projects approved by the CIRH, the relevant ministries shall appoint members of their staff to work in the CIRH. Given the critical and immediate importance of identifying and mobilizing land for the purpose of relocating displaced populations, building long-term housing and schools, and creating jobs, the individuals appointed for such purpose by the Ministry of Economy and Finance shall be given the necessary authorities to examine applications and issue property titles requested by the CIRH within 15 business days.

The CIRH shall provide the relevant ministries with the international technical assistance necessary so that they may strengthen their capacities to fulfill their mandate in relation to development priorities and projects effectively and promptly.

Article 13. In order to be enforceable, decisions of the CIRH on significant projects and priorities must be confirmed by the President of the Republic.

Any decision that is not vetoed by the President of the Republic within ten (10) business days after his receiving formal notice from the CIRH shall be deemed confirmed.

Article 14. Any issues pertaining to organization and operation not stipulated in this Order shall be established by the internal regulations adopted by the CIRH.

Article 15. This Order shall be printed, published, and executed at the behest of the Prime Minister and all of the Ministers, in their respective areas of authority.

Done at the National Palace at Port-au-Prince, April 21, 2010.

By:

The President	René Preval
The Prime Minister	Jean Max Bellerive,
The Minister of Interior and Territorial Collectivities	Paul Antoine Bien Aimé
The Minister of Foreign Affairs and Worship	Marie Michèle Rey
The Minister of Economy and Finance	Ronald Baudin
The Minister of Planning and External Cooperation	Jean Max Bellerive
The Minister of Justice and Public Security	Paul Denis
The Minister of National Education and Professional Training	Joel Desrosiers Jean Pierre

The Minister of Commerce and Industry	Josseline Colimon Fethiere
The Minister of Tourism	Patrick Delatour
The Minister of Culture and Communication	Marie Laurence Jocelyn Lassègue
The Minister of Women's Affairs and Rights	Marjory Michel
The Minister of Public Works, Transport, and Communications	Jacques Gabriel
The Minister of Haitians Living Abroad	Edwin Paraison
The Minister of Youth, Sports, and Civic Action	Evans Lescouflair
The Minister of Social Affairs and Labor	Yves Cristalin
The Minister of Public Health and Population	Alex Larsen
The Minister of Agriculture, Natural Resources, and Rural Development	Joanas Gue
The Minister of Environment	Jean Marie Claude Germain
The Minister-Delegate to the Prime Minister in Charge of Relations with Parliament	Joseph Jasmin