

## **APPENDIX 2**

### **OF THE NATIONAL TRANSITION COUNCIL (CNT)**

Article 01. This Annex specifies the mission functions, attributions and obligations of the National Transitional Council created in the context of the need for a transition to fill the institutional gaps at the level of legislative and executive powers.

Article 02. In general, for the sake of transparency, the list of sectors having participated in the choice of the members of a committee as well as the names of these members must be published at least one (1) week before the installation and the official entry into office of this body.

Article 03. The body responsible for deciding the lists of members proceeds to arbitration following any dispute. If necessary, it provides for the replacement of the member(s) judged to be unfit after arbitration.

Article 04. To be member of the CNT, it is necessary:

- a) To be Haitian or Haitian by origin and never to have renounced their nationality;
- b) To be over thirty (30) years old;
- c) To enjoy their civil and political rights and never have been sentenced to prison for a common law crime;
- d) To have never been sanctioned for fraud or corruption by a competent body or court;
- e) To comply with legal requirements vis à vis the tax authorities during the last five (5) years

The CNT chooses a President and a Head of Government, on the basis of criteria of experience, ethics, attachment to the principles of good governance (transparency, accountability, participation, inclusion, efficiency, rule of law). Candidates must meet the criteria and the two conditions provided for in the 1987 Constitution.

Article 05. In the event that a sector does not arrive, within 72 hours after the invitation of the Monitoring Office, to propose its representative (s) in the CNT, another sector may be requested by the Office. In all cases, regional representation must be taken into account. Parity as well as participation of young people will be sought.

Article 06. The CNT's mission is to elect the two-headed executive of the transition. The CNT chooses a President of the Transition and a Head of Government, on the basis of:

- Criteria of experience, competency
- Ethics, attachment to the principles of good governance (transparency, accountability, participation, inclusion, efficiency, rule of law)
- Compliance with legal requirements vis à vis the tax authorities during the last five years. The candidates must meet the criteria and conditions provided for in article 135 of the Constitution 1987.

The functions of the National Transitional Council and with the installation of the President of Transition and the Prime Minister of the Transition. The National Transition Council, once its mission is accomplished, integrates the Transition Control Council.

The National Transitional Council (CNT) elects the President of the Transition and of a Head of Government, on the basis of the criteria and requirements defined in this document.

Article 6. - The mission of the CNT is to elect the two-headed executive of the transition.

The CNT chooses a President of the Transition and a Head of Government, on the basis of:

- criteria of experience, competence, ethics
- commitment to the principles of good governance (transparency, accountability, participation, inclusion, efficiency, rule of law)
- and compliance with legal requirements vis-à-vis the tax authorities over the past five years.

Candidates must meet the criteria and conditions established in Article 135 of the 1987 Constitution.

The functions of the National Transitional Council end with the installation of the President of the Transition and the Prime Minister of the Transition. The National Transitional Council, once its mission has been accomplished, becomes part of the Transitional Control Council.

The National Transitional Council (NTC) shall elect the President of the Transition and a Head of Government, on the basis of the criteria and in accordance with the procedures defined in this Agreement.

Article 07 - The NTC is composed of forty-two (42) members designated by the various social and political sectors. The Monitoring Committee decides on the composition of the CNT on the basis of the candidacies submitted by the above sectors.

Article 08 - To be a member of the CNT, one must:

- 1) be Haitian by origin and never have renounced his/her nationality;
- 2) be at least thirty (30) years old;
- 3) enjoy his or her civil and political rights and never have been sentenced to a penalty of affliction or infamy for a crime under common law;
- 4) have never been sanctioned for fraud or corruption by a competent body or jurisdiction;
- 5) not to have been associated with blood crimes and financial crimes

Article 09 - In the event that a sector fails to propose its representative(s) to the NTC within 72 hours of the invitation from the Monitoring Office, another sector may be requested by the Office.

The functions of the National Transitional Council end with the installation of the President of the Transition and the Head of Government.

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