

M E M M

Multilateral Evaluation Mechanism

Inter-American Drug Abuse
Control Commission
(CICAD)

Secretariat for
Multidimensional
Security
(SMS)

Haiti

**EVALUATION OF
PROGRESS IN
DRUG CONTROL**

2007-2009



Organization of
American States

2010



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ORGANIZATION OF AMERICAN STATES
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Governmental Expert Group (GEG)

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CICAD wishes to thank the following national institutions of Haiti which provided information for this MEM national Fifth Round report:

- National Drug Control Commission (CONALD)
- Demand Reduction Section
- Supply Reduction Section
- Association for the Prevention of Alcoholism and Other Chemical Dependencies (APAAC)
- Anti-Drug-Trafficking Office (BLTS)
- Directorate of Pharmacy, Medications, and Traditional Medicine (DPM/MT)
- National Port Authority (APN)
- Judicial Information Office (BRJ)
- Central Financial Intelligence Unit (UCREF)



PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all member states of the Organization of American States (OAS) to periodically carry out comprehensive, multilateral evaluations of the progress of actions taken by member states and by the hemisphere as a whole, in dealing with the drug problem. The Inter-American Drug Abuse Control Commission (CICAD), of the Secretariat of Multidimensional Security, an OAS specialized agency, implemented this Mechanism in 1998, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a vehicle for disseminating information on the progress achieved by individual and collective efforts of OAS member state governments, catalyzing hemispheric cooperation, promoting dialogue among member state government authorities and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process itself is assessed by the Intergovernmental Working Group (IWG), comprised of delegations from all member states, which meets before the onset of each MEM evaluation round to review and strengthen all operational aspects of the mechanism, including the indicators of the evaluation questionnaire.

National evaluation reports are drafted by experts from each member state, with experts not working on their own country's report, guaranteeing the transparent multilateral nature of the MEM. Each chapter is based on countries' responses to a questionnaire of indicators covering the main thematic areas of institution building, demand reduction, supply reduction and control measures as well as subsequent comments and updated information provided by the government-appointed coordinating entities.

This report covers the full country evaluation for the MEM Fifth Round evaluation period 2007-2009. The follow-up report on the implementation progress of recommendations assigned to the country will be published in June 2012. All MEM reports can be accessed through the following webpage: www.cicad.oas.org.



INTRODUCTION

Haiti has a total area of 27,750 km², 360 km of border to the east with the Dominican Republic and 1,771 km of coastline. The country has a population of 8,308,504 (2006), with the following main ethnic groups: black, mulatto, and white; its literacy rate is 52.9%. Haiti has a democratic government divided into 10 departments. The country has a GDP per capita of US\$1,100 and an inflation rate of 15.7% (2005). Haitian exports total US\$ 390.7 million annually; its principal exports are manufactured goods, coffee, oils, and cocoa.

I. INSTITUTIONAL STRENGTHENING

A. National Anti-drug Strategy

Haiti reports that it did not have a national anti-drug strategy during the evaluation period. Anti-drug activities were funded through the budgets of the various institutions involved. The country informs that the amounts assigned for these activities are not available.

The National Drug Control Commission (CONALD), created in 2002 and chaired by the Prime Minister, was the national anti-drug authority during the evaluation period. CONALD coordinated the areas of demand reduction, supply reduction, control measures, drug observatory, international cooperation and program evaluation.

CONALD had a central technical office to carry out its mandates, CONALD's Coordinating Office, which was established in 2002 and functioned under the Office of the Prime Minister.

The Council had an annual budget to finance its activities and the activities of the central technical office, which was independent of the budget of other government agencies. The source of financing for the budget were government allocations.

CONALD was assigned a budget of US\$395,516 for 2006, and of US\$488,604 for 2008. No figures were provided for 2007 and 2009.

B. International Conventions

Haiti is party to the following international conventions:

- The Inter-American Convention against Corruption, 1996;
- The Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA), 1997;
- The United Nations Single Convention on Narcotic Drugs, 1954, as amended by the 1972 Protocol;



- The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988; and
- The United Nations Convention against Corruption, 2003.

The country has signed but not ratified the United Nations Convention against Transnational Organized Crime and its Protocols against the Smuggling of Migrants by Land, Sea and Air; to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition.

Likewise, Haiti has not acceded to the Inter-American Convention on Mutual Assistance in Criminal Matters, or the United Nations Convention on Psychotropic Substances.

C. National Information System

Haiti had a centralized office that organized, carried out studies, compiled and coordinated drug-related statistics and other drug-related information. The country did not provide information on the existence of an assigned budget for this entity.

The country carried out a drug use survey of secondary school students in 2009, and kept a register of treatment centers in the country which was set up in 2008.

The country reported the availability of information on quantities of drugs seized and the number of persons formally charged with and convicted of drug use, possession and trafficking during 2006-2009.

II. DEMAND REDUCTION

A. Prevention

Haiti reported that it was carrying out the following drug abuse prevention programs targeting key population groups during the evaluation period:



Prevention programs targeting key population groups

Population group	Estimated coverage		Name of program	Type of program
	Target population	% coverage		
Junior high & high school students (ages 13-20)	10,000	1.7%	National campaign for prevention in schools	Universal program
Street children	2,000	*	Street Children	*
Street youths (ages 13 – 16)	2,000	*	Drug abuse prevention	Universal program
Family	*	*	Prevention for the family	Universal program

* No information provided

Additionally, Haiti carried out drug prevention conferences addressing university students ages 21 – 35, covering 25% of the target population of 5,000 students.

The country reported that its school-based prevention program was compatible with CICAD’s Hemispheric Guidelines on School-based Prevention.

During the evaluation period Haiti offered courses and training in drug abuse prevention, treatment, and research, including training for law enforcement agents; technical, non-university training; diplomas or certificates, including a 1-year diploma program at Quisqueya University; and regional training programs.

With regard to technical, non-university training, in 2006 the country offered a course on intervention techniques for minors in conflict with the law and street children, to which 35 persons participated. Additionally, the country offered training of six social workers working with street children by Aide Médicale Internationale (AMI) on techniques for leading discussion groups on drug-related topics; training of Ministry of Public Health managers in Jacmel on identifying drug addiction, where 29 persons participated; an internship program for college students (CONALD/Quisqueya University); and training in case management techniques.

In 2007, the country offered a course on principal drugs and their effects to law enforcement agents. In September 2009, specialists from Haiti participated in Treatnet II, offered by UNODC.

Haiti did not carry out any process, intermediate outcome or impact evaluations of drug abuse prevention programs during the years 2006 – 2009.



B. Treatment

During the evaluation period, CONALD was responsible for designing and executing public policies regarding treatment, supervising treatment programs and training human resources in this area. CONALD and the Health Ministry were responsible for the control and regulation of treatment services.

Haiti did not have official operating standards in place for specialized facilities that provide treatment services for persons with problems associated with drug use. Additionally, no official licensing procedures had been established to authorize the operation of specialized facilities that provide these services, or an official register of these facilities. The country also did not have a monitoring system for treatment facilities.

The country reported that Primary Health Care facilities (PHC) did not perform any specific activities (such as screening, guidance, referral, or brief intervention) to address problems associated with drug use; and that it did not have data on the number of PHC facilities that deliver specialized care for problems associated with drug use.

The country informed that it treated cases of persons with drug problems (diagnosis of abuse or dependence) at its treatment facility, and presented the following information:

	2006	2007	2008	2009*
Under 18 years old	4	2	4	19
19 - 25 years old	7	4	7	8
Over 25 years old	20	32	26	19
Total cases treated	31	38	37	46
Alcohol	14	16	18	22
Cannabis	10	12	8	15
Cocaine Hydrochloride	3	8	5	2
Crack	2	2	4	2
Cigarettes	0	0	0	1
Benzodiazepines	2	0	1	1
Other	0	0	1	3
Total cases treated	31	38	37	46

* Through September 2009.

The country's treatment facility was supervised by professional staff specifically trained in this area.

During the evaluation period, the country did not have follow-up activities in place to monitor patients after they were discharged from treatment programs. All of the cases treated in the country during the period 2006–2009 completed the prescribed treatment plans.



C. Statistics on Consumption

Haiti reported that it conducted a drug use survey among secondary school students, ages 10 – 25 in 2009¹. The country provided the following information with regard to the prevalence of drug use:

Prevalence of Drug Use Among Secondary School Students*

Year of survey: 2009	Target population: Secondary school students, ages 10 - 25								
	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Alcohol	68.1	53	59.8	44.1	33.1	38.1	30.8	23.7	26.9
Tobacco	18.3	11.5	14.6	5.8	4.3	5	3.8	2.3	3
Solvents & Inhalants	4.7	6.2	5.5	1.7	2.8	2.3	1	1.7	1.4
Hashish	1.7	1.7	1.7	0.4	0.9	0.6	0.2	0.4	0.3
Marijuana	2.3	1.7	2	0.6	0.7	0.7	0.4	0.4	0.4
Hallucinogens	1.1	1.4	1.3	0.5	0.7	0.6	0.1	0.5	0.3
Heroin	1.4	1.5	1.5	0.5	0.8	0.7	0.5	0.6	0.5
Morphine**	1.4	1.5	1.4	1.0	0.6	0.8	0.7	0.5	0.6
Opium	0.9	1.6	1.3	0.8	0.9	0.8	0.5	0.3	0.4
Cocaine HCl	2.5	1.6	2	0.7	0.4	0.5	0.5	0.1	0.3
Crack	0.8	1.3	1.1	0.5	0.6	0.6	0.3	0.4	0.3
Other substances that contain cocaine	5.5	5.7	5.6	1.4	1.2	1.3	0.9	0.9	0.9
Tranquilizers / Sedatives/ Depressants	26.1	31.3	29	14.7	19.2	17.2	10.6	13.9	12.4
Stimulants	23.5	22.9	23.2	11.5	13.9	12.8	7.4	9.9	8.8
MDMA (Ecstasy)	1.4	1	1.2	0.9	0.4	0.6	0.7	0.2	0.4
Methamphetamines**	1.4	1.6	1.5	0.9	0.5	0.7	0.8	0.4	0.6
Other drugs	2.8	2.2	2.5	2.2	1.1	1.6	1.6	0.9	1.2
Any drug	4	2.7	3.3	***	***	***	***	***	***

* Rate of prevalence of drug use is defined as the number of people who used a drug during a specified period of time divided by the total number of people in the population at that time; and is generally multiplied by 100.

** Non-prescribed/non-therapeutic use only.

*** Information not provided.

Haiti also reported on the incidence of drug use among secondary school students:

¹ The data presented in the tables are the substances included in the country's survey, and are a subset of the substances suggested by the MEM.



Incidence of Drug Use Among Secondary School Students*

Year of survey: 2009	Target population: Secondary school students, ages 10 - 25					
	Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total
Alcohol	57.5	42.5	49	43.1	31.6	36.5
Tobacco	7.3	5.4	6.2	5.5	3.5	4.5
Solvents or inhalants	6.7	10.8	8.7	3.5	6.4	4.9
Hashish	0.4	1.5	1.07	0.4	0.9	0.7
Marijuana	2.3	2.3	2.3	1.6	1.6	1.6
Hallucinogens	1.5	2.6	2	0.4	1.6	1
Heroin	1.3	2.8	2	1.5	2	1.7
Morphine**	2.4	2	2.1	2.1	0.9	1.5
Opium	1.7	2.5	2.1	1.5	1.1	1.3
Cocaine HCl	2.4	1.4	1.8	1.9	0.3	1.1
Crack	1.1	1.8	1.4	0.8	0.5	0.6
Cocaine paste	3.5	2.6	2.9	2.4	2.2	2.2
Tranquilizers/sedatives/ depressants**	16.2	22.1	19.4	11.2	15.8	13.7
MDMA (Ecstasy)	2.1	1.1	1.5	2	0.2	1
Methamphetamines**	2.2	1.6	1.9	2	0.8	1.4
Other drugs	5.6	2.9	4	4.7	2.4	3.3
All drugs	22.4	26	24	17.4	16.4	16.8

* Rate of incidence of drug use is defined as the number of people who began to use a drug during a specified period of time (a year or a month) divided by the number of people who are at risk of using a specific drug for the first time. The "at-risk population" is the total population under study minus those persons who have used drugs prior to the specified time period.

** Without medical prescription/non-therapeutic usage only.

Additionally, the country reported the following estimate on the age of first use of drugs:

Population: Secondary school students, ages 10 - 25	2009	
	Average	Median
Type of drug*		
Alcohol	13.8	14
Tobacco	14.24	14
Solvents or inhalants	13	12.5
Marijuana	14.88	15
Substances that contain cocaine*	13.57	13
Ecstasy	14.5	14.5
Others	15.5	14.5

* No student provided information on age of first use for cocaine HCl.



Haiti had an estimate of the percentage of youths that perceive drug use as being harmful to their health and well-being, and provided the following information:

Age group to which this applies: ages 10-25	
Category	% of those surveyed who believe that persons who engage in the following activities are at great risk (or who think that it is very harmful):
Occasionally smoke cigarettes	35.6
Often smoke cigarettes	47.6
Often drink alcoholic beverages	45.3
Get drunk	56.7
Occasionally take tranquilizers for non-medicinal purposes	27.3
Occasionally take stimulants for non-medicinal purposes	21.1
Occasionally inhale solvents	30.3
Often inhale solvents	34.6
Occasionally smoke marijuana	55.2
Often smoke marijuana	55.6
Occasionally take cocaine HCl or crack	58.0
Often take cocaine HCl or crack	52.2
Occasionally take ecstasy	19.4
Often take ecstasy	31.9

The country does not have an estimate of drug use indicators for the country's general population as a whole.

III. SUPPLY REDUCTION

A. Drug Production

Haiti reported that it had cultivated areas of cannabis crops and that aerial spraying and forced manual eradication programs were in place for cannabis crops, providing the following figures:

Year	Sprayed	Forced Manual Eradication	Total
2008	0.25 ha	*	0.25 ha
2009**	2.64 ha	0.01 ha	2.65 ha

* Information not available.

** Through September 2009.



Haiti found and dismantled one cocaine HCl laboratory and one rudimentary crack cocaine laboratory in 2008, and indicates that no laboratories for drugs of synthetic origin had been found.

B. Control of Pharmaceutical Products

The Standards and Procedures of the Directorate of Pharmacy, Medications, and Traditional Medicine (DPM/MT) is the national regulation in place for the control of pharmaceutical products, in accordance with international conventions. This Provision entered into force in 2007. All pharmaceutical products listed in the international conventions are controlled in Haiti. Additionally, the country controls Bupivacaine.

The DPM/MT was the entity responsible for coordinating activities related to the control of pharmaceutical products.

To control pharmaceutical products and prevent their diversion in the health sector, the country carried out register control, monitored their distribution, controlled and monitored prescriptions, and carried out inspections. The country did not impose administrative sanctions or transfer any unusual cases detected by administrative authorities to judicial authorities.

Private sector responsibilities included import and export control, register control, manufacturing control, monitoring distribution, inspections, registry of licensees, and registry of quantities of pharmaceutical products sold or manufactured. Impositions of administrative sanctions and free trade zone control were not included.

Haiti had an integrated procedure in place to monitor and prevent the diversion of pharmaceutical products by which products were included in a list of controlled substances.

The country had an administrative system in place for the control of pharmaceutical products, which included two inspectors.

Through close contact with the DPM/MT, members of the health sector could communicate and share information with law enforcement or judicial authorities in order to report or prevent the diversion of pharmaceutical products or to apply sanctions.

Haiti had a system to compile information on administrative and regulatory activities regarding controlled pharmaceutical products and related sanctions, and provides the following data:

	2007	2008	2009*
Regulated Activities			
Number of licenses issued to:			
Importers	0	12	12
Manufacturers	0	1	1



	2007	2008	2009*
Distributors	0	0	45
Warehouses	0	0	3
Number of permits issued for importation	86	111	74
Regulated Entities			
Number of inspections conducted of:			
Pharmacies	0	0	45
Importers	0	11	11
Manufacturers	0	1	1
Warehouses	0	0	3

* Through September 2009

The country did not offer training courses for personnel in the public and private sector involved in the handling of pharmaceutical products and did not have an automated information management system to facilitate the control of pharmaceutical products.

Haiti's national laws provide for the imposition of penal and administrative sanctions for the illicit production, diversion and trafficking of pharmaceutical products. The penal sanctions imposed for summary conviction for any of these activities range from six months to two years in prison.

No sanctions for these crimes were imposed during 2006–2008, and the country does not provide information for 2009.

Haiti did not have data available on the quantity of seized pharmaceutical products or on the quantities disposed of.

C. Control of Chemical Substances

The Standards and Procedures of the Directorate of Pharmacy, Medications, and Traditional Medicine (DPM/MT) is the national regulation in place for the control of chemical substances, in accordance with international conventions. This Provision entered into force in 2007. All chemical substances listed in the United Nations international conventions are controlled by the country.

The DPM/MT was the national authority responsible for law and regulation enforcement for the control of chemical substances. Actions carried out by this institution to control the diversion of chemical substances included license control, import and export control, inspections, and control of distribution. The institutions responsible for preventing the diversion of controlled chemical substances could communicate and share information through reporting.

The country had a national registry of licensees but did not indicate which institution was responsible for maintaining it. Haiti did not carry out transaction audits, control of final commercialization, transport control, pre-export notifications, or imposition of sanctions related to the control of chemical substances during the evaluation period.



The country had an administrative system in place for the control of chemical substances, which included two inspectors.

Haiti did not offer training courses for administrative, police and customs officers in the control of the diversion of chemical substances.

The country did not have an automated information management system in place to facilitate the management and control over movements of chemicals.

Haiti's national laws provided for the imposition of penal and administrative sanctions for the illicit production, diversion and trafficking of controlled chemical substances. The penal sanction imposed for summary conviction for any of these activities is six months to two years in prison.

No sanctions for these crimes were imposed during 2006–2008, and the country did not provide information for 2009.

Haiti imports chemical substances, but does not handle them in transit. The country reported that it received 70 controlled chemical substance imports in 2007, 75 in 2008, and 66 in 2009 (through September). The country did not report the number of imports received in 2006. Haiti does not export chemical substances.

The country reported that it did not have data available on the quantity of seized controlled chemical substances, or on the quantities of these products that were disposed of.

IV. CONTROL MEASURES

A. Illicit Drug Trafficking

The country reported the following drug forfeitures for the period 2006 - 2009:

Type of illicit drugs and raw materials	Quantities of drugs forfeited				
	Unit of Measure	2006	2007	2008	2009*
Cocaine HCl	kg	399.44	461.84	123.56	18.34
Crack	kg	0.06	0.13	0.13	18.34
Cannabis plants	units	**	**	30,000	15,000
Leaf Cannabis (grass)	kg	816.75	533.27	859.25	691.42

* Through September 2009.

** Information not available.



The country did not carry out specialized studies or analysis for the characterization and profiling of seized substances.

Haiti provided the following information regarding persons formally charged with and convicted of illicit drug trafficking between 2006 and 2009:

Year	Number of persons formally charged	Number of persons convicted
2006	44	*
2007	53	1
2008	74	19
2009**	118	*

* Information not available.

** Through September 2009.

The country reported that data was not available on the number of public officials that were formally charged with or convicted of offenses related to illicit drug trafficking during 2006–2009.

Haiti reported that national laws allow judges considerable discretion in determining, by any means, the possession of a modest quantity of drugs for personal use. Article 63 of the Act of August 7, 2001 criminalizes the possession of drugs and the possession of drugs for personal use.

The country reported that 12 persons were formally charged with drug possession in 2007, and eight in 2008. No information was provided for 2006 or 2009. No persons were convicted in 2007 or 2008 for this crime, and no information was provided for 2006 or 2009.

Haiti reported that, as an alternative sentencing measure for illicit drug possession, a person can be required to undergo a detoxification treatment. The result of applying this measure had not been evaluated.

The national authorities responsible for controlling illicit drug trafficking during the evaluation period were the Police, the Courts, the Customs Administration, the Pharmacy Directorate, the Central Financial Intelligence Unit (UCREF), the Joint Information and Coordination Center (CICC), the National Port Authority, and the National Airport Authority. To facilitate collaboration and information exchange between these national authorities, an inter-institutional committee was in place, which met periodically.

Haiti developed the following specialized training courses for law enforcement, customs officers, prosecutors and the judiciary to address illicit drug trafficking:

Date	Name of course	Participating agencies
May 2008	Geostrategy of trafficking	BLTS, CICC
December 2008	Comparative Legislation and Drug Trafficking	BLTS, CICC
April 2009	Airport Targeting	Customs, BLTS, CICC



Haiti has implemented the International Ship and Port Facility Security (ISPS) Code, but no information was provided on what percentage of its ports have implemented it, or on how the ISPS Code is being implemented. Aside from the ISPS, the country has implemented the Customs-Trade Partnership Against Terrorism (C-TIPAT).

The National Port Authority (APN) was responsible for coordinating the port security program. Other institutions, including the General Customs Administration (AGD), the Coast Guard, and the BLTS, also participated in the program.

The country did not use common interagency databases or mutual access to databases to gather, exchange, or share information and intelligence among national and public entities involved in counter-drug activities in ports.

Haiti had a control mechanism to monitor movement in and out of its ports. A manual record system was used for both commercial and non-commercial activities, operated by Port Security and the BLTS. Information for both commercial and non-commercial activities was gathered through observation and monitoring, as well as reporting by vessels to the harbor pilot, port authority or other entity. The information was accessible by Port Security and the BLTS. The determination of which vessels, cargo or containers should undergo a most complete inspection or physical examination is based on the review of documents, interagency exchange of information, and reports from agencies in other countries. The country did not use established risk indicators.

The Coast Guard carried out counterdrug surveillance of maritime borders and the Port authority carried out prevention activities, searches and cargo inspections. The National Police was responsible for coordinating detection and monitoring activities in close collaboration with Customs, the National Guard and the Coast Guard. The coordination regarding interdiction activities was the responsibility of Customs. The National Police and the Coast Guard were involved in carrying out these activities. No operations related to maritime interdiction were carried out by authorities during the period 2006 – 2009.

Haiti had no legislation nor regulations in place that could be applied or used in some way to control the sale of drugs over the Internet. Haiti did not have procedures, investigation techniques, training or equipment to detect suspicious transactions or diversion of drugs through the Internet. Also, the country did not carry out activities or programs to increase awareness of this subject among administrative, judicial, law enforcement, postal, customs or other authorities; and did not have a mechanism for citizens to report the illicit sale of drugs through the Internet.

B. Firearms, Ammunition, Explosives and other Related Materials

The following entities carried out regulation activities related to firearms, ammunition, explosives and other related materials during the evaluation period:



Activity	Responsible institutions
Importation	General Directorate of the National Police of Haiti (DGPNH), Customs (AGD)
Purchase	General Directorate of the National Police of Haiti (DGPNH), Customs (AGD)
Transfer	Central Directorate of the Judicial Police(DCPJ), Judicial Information Office (BRJ), BDIHF
Registration	Judicial Information Office (BRJ), BDIHF
Possession	Port-de-Paix Airport (PDH)
Carrying	Port-de-Paix Airport (PDH)

Haiti reported that it is not a firearms producer and that there were no entities responsible for controlling the manufacture, exportation and sale of these materials. Furthermore, the country reported that the transit, shipment, movement, marking, transport, storage and marketing of these materials was not applicable.

The import, carrying, and delivery of licenses were controlled by the National Police.

The responsibilities of the General Directorate of the National Police of Haiti (DGPNH) were included in the Decree of January 14, 1988, and those of Customs (AGD) in the Domestic laws and the 1987 Constitution.

Articles 7 and 8 of Decree of January 14, 1988 criminalize trafficking in and illicit production of firearms, ammunition, explosives and other related materials and impose sanctions of prison and fines. These Articles also establish administrative controls for transactions (legal transfer), between persons or legal entities, from the initial transfer through to the end user, including, when applicable, all of the various carriers of firearms and ammunition, and imposed sanctions of prison and fines. There were no laws or regulations that establish these controls for explosives or other related materials.

Haiti has no laws to regulate and authorize commercial transactions (purchase-sale) of firearms, ammunition, explosives and other related materials.

The country's national laws require, in accordance with the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials, that firearms be marked for their importation and for official use after confiscation or forfeiture.

The country had mechanisms for information exchange and cooperation between national institutions and hemispheric institutions regarding all forms of control of firearms, ammunition, explosives and other related materials. The country reports that no information is available regarding shipments of firearms, ammunition, explosives or other related materials not authorized due to the absence of the necessary licenses or permits, during the years 2006–2009.



Haiti had a computerized database, maintained by Customs, on imports of firearms and ammunitions that had been duly authorized by the National Police and on imports of explosives that have been authorized by the Ministry of Public Works, Transport, and Communications (MTPTC). The database also records the importation of other related materials. The country did not inform on the number of years that these registries were kept.

Haiti’s following agencies were responsible for carrying out control activities for firearms, ammunition, explosives and other related materials:

Responsibility	National entity
Seizure and forfeiture of illicitly trafficked firearms or ammunition	Anti-Drug-Trafficking Office (BLTS), Firearms Processing Office (BDIAF)
Information exchange within the country between the relevant national entities	BLTS, CICC (Joint Information and Coordination Center), National Drug Control Commission (CONALD)
Information exchange with the relevant national entities in other countries	BRJ (Judicial Information Office), Interpol

The country maintained a computerized registry of confiscated firearms and ammunition, which was kept for 12 years. The country did not keep this type of registry for confiscations of explosives and other related materials.

Haiti reported that four firearms were seized and forfeited in narcotrafficking cases in 2006, 10 in 2007, 12 firearms in 2008, and 2 in 2009 (through September). Additionally, 400 rounds of ammunition were forfeited between 2006 and September 2009. No information is provided for seizures and forfeitures of explosives or other related materials during 2006 - 2009. The country also informed that 44 persons were arrested in relation to these cases in 2006, 53 in 2007 and 74 in 2008. No information is provided on the number of persons arrested in 2009.

The country reported that it received 29 international firearms trace requests in 2007, 38 requests involving 1,131 firearms in 2008, and 40 requests involving 3,854 firearms in 2009 (through September).

C. Money Laundering

The Act of February 21, 2001 on Laundering of the Proceeds of Illicit Drug Trafficking and Other Serious Offenses (February 21, 2001), Articles 4.2.1 to 4.2.8 criminalizes money laundering and related crimes, and sanctions non-compliance with a prison sentence of three to fifteen years and a fine of 12,000,000 to 20,000,000 gourdes (USD\$307,080 to USD\$511,800²).

² Exchange rate as of October 1, 2009



Illicit drug trafficking, trafficking of firearms, kidnapping and extortion are considered predicate offenses for money laundering. Trafficking in human beings, smuggling of migrants, corruption and fraud are not considered predicate offenses.

It is not necessary for a person to be convicted of a predicate offense in order to be convicted of laundering the proceeds of that offense. Additionally, the country's laws permit the perpetrator of a predicate offense to be convicted for money laundering.

The country's laws allows for undercover investigations, electronic surveillance, the use of informants, controlled deliveries, and other special investigative techniques in money laundering investigations. Sentence reductions for cooperating witnesses are not permitted.

Haiti is a member of the Caribbean Financial Action Task Force. Its most recent evaluation was completed in 2008.

The banking, currency exchange and insurance sectors, notaries, accountants; the activities of transferring funds, cash or valuables; and casinos are subject to the obligation to submit suspicious transaction and objective information reports to prevent money laundering by the Money Laundering Act. The country reported that this obligation is not applicable to offshore banks and stock exchanges and did not inform if lawyers are subject to it.

Financial institutions and non-financial professionals classified as accountants or notaries are subject to the obligation to submit objective information reports to prevent money laundering.

The Central Financial Intelligence Unit (UCREF) was created by the Act of February 21, 2001 on Laundering of the Proceeds of Illicit Drug Trafficking and Other Serious Offenses, and operates under the authority of the National Anti-Money Laundering Committee (CNLBA). UCREF is not a member of the Egmont Group.

No limitations exist on obtaining financial documents and registers in money laundering cases, or on obtaining documents subject to secrecy, confidentiality or reserve agreements.

The Office of the Special Drug Control Fund was responsible for the management and disposition of assets seized and forfeited in illicit drug trafficking and money laundering offenses during the evaluation period. This entity was under the authority of CONALD and had manuals for the management of assets seized. The country's legislation permits the presale and/or disposition of seized goods.

D. Judicial Cooperation

Extradition is permitted under national law for drug trafficking and money laundering crimes. Extradition of nationals is not permitted in any of these cases. In accordance with the international legal framework, the country designated a competent authority to receive, respond and transmit extradition requests. National law provides for persons whose extradition has been denied in illicit drug trafficking or money laundering cases to be tried for the offense in Haiti.



Haiti's national laws permit the provision of reciprocal judicial assistance in accordance with the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988. Bank secrecy and other confidentiality laws are not an impediment to providing reciprocal judicial assistance.

Secure technological resources can be used to facilitate communication among authorities directing criminal investigations. The country's national laws permit granting a controlled delivery request.

During the evaluation period, Haiti did not have a mechanism to recover assets forfeited abroad.

Haiti made one active extradition request in 2006 regarding illicit drug trafficking cases, nine in 2007, four in 2008 and two in 2009 (through September). No active extradition requests regarding money laundering cases were made during the period 2006 – 2009 (through September).

No passive extradition requests were answered regarding illicit drug trafficking or money laundering cases during the period 2006 – 2009 (through September).

Haiti informed that no reciprocal judicial assistance requests were made or answered during the period 2006–2009 (through September).



On 12 January 2010, Haiti was severely affected by an earthquake measuring 7.0 in the Richter Scale, the largest recorded earthquake in the country in the past 200 years. The impact of the catastrophe was devastating - more than 150,000 died, 250,000 were injured and more than one million rendered homeless in the capital of Port-au-Prince, as well as in other cities. Numerous public buildings were either destroyed or suffered considerable damage, leading to a breakdown in the functioning of the governmental apparatus, and it is foreseeable that the country will take a considerable time to begin normal operations.

This natural disaster has likewise profoundly affected the normal life of the country, and its ability to meet international commitments, establishing a clear boundary between the situation prior to the earthquake and that which occurred afterwards, thus altering the country's priorities and visions for the future.

With this in mind, and given the current state of affairs of the country, CICAD/GEG has determined that the evaluation of Haiti's anti-drug policies for the 2007-2009 period shall not generate new recommendations.

Consequently, CICAD/GEG has deemed it necessary to include a description of the status of implementation of Haiti's anti-drug policy for the 2007 – 2009 period, based on what the country reported in the Questionnaire of the Fifth Evaluation Round in October 2009. Notwithstanding the above, CICAD/GEG considers that the pending recommendations assigned to Haiti in the previous Round remain valid, with the country taking appropriate action on those areas which it can, until a new assessment of its situation by CICAD/GEG.



EVALUATIVE SUMMARY

In the area of institutional strengthening, CICAD observes that during the evaluation period Haiti had a national authority which coordinated national anti-drug policies. However, CICAD notes that the country had no national anti-drug strategy in place.

CICAD recognizes that Haiti has ratified some of the international instruments recommended by the MEM regarding drug control and related criminal activities. However, CICAD notes that the country has not ratified the Inter-American Convention on Mutual Assistance in Criminal Matters, 1992, the United Nations Convention on Psychotropic Substances, 1971, and the United Nations Convention against Transnational Organized Crime, 2000, and its Protocols Against the Smuggling of Migrants by Land, Sea and Air; to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; and Against The Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

CICAD observes that Haiti had a centralized office that organized, carried out studies, compiled and coordinated drug-related statistics and other drug-related information. CICAD notes that the country established access to patient registers of treatment centers in 2008.

In the area of demand reduction, CICAD notes Haiti's drug use prevention activities targeting secondary school children, university students, families and street youth. CICAD notes that no programs were offered targeting pre-school and elementary school students. CICAD observes that Haiti offered courses and training in drug use prevention, treatment and research, but that the outcomes and the long term impact of the country's prevention programs were not evaluated.

CICAD recognizes that Haiti had institutions responsible for designing and executing public policies regarding drug treatment, supervising drug treatment programs and training human resources in this area. However, CICAD notes that the country did not have official operating standards in place for treatment facilities. Additionally, no official licensing procedures had been established by the country to authorize the operation of treatment facilities, neither did the country have an official register of treatment facilities in the country.

CICAD acknowledges that the country conducted a drug use survey on secondary school students, ages 10 – 25 in 2009 and that the country had an estimate of the age of first use of drug.

In the area of supply reduction, CICAD notes that Haiti had cultivated areas of cannabis crops and that the country carried out eradication activities during the period 2006 - 2009.

CICAD acknowledges that Haiti had national regulations in place for the control of pharmaceutical products, and that the country had a system to compile information on administrative and regulatory activities regarding controlled pharmaceutical products and related sanctions. However, the country did not impose administrative sanctions or transfer unusual cases detected by administrative authorities to judicial authorities. The country did not offer training courses for personnel in the public and private sector involved in the handling of pharmaceutical products.



Likewise, the country did not have data available on the quantity of seized pharmaceutical products or on the quantities of these products that were disposed of.

CICAD acknowledges that Haiti had national regulations and an administrative system in place for the control of chemical substances. However, CICAD observes that Haiti did not use a pre-export notification mechanism, or offer training courses for administrative, police and customs officers in the control of the diversion of chemical substances. CICAD also notes that the country did not have an automated information management system in place to facilitate the management and control over movements of chemicals.

In the area of control measures, CICAD notes that Haiti did not have data available on the number of public officials that were formally charged with or convicted of offenses related to illicit drug trafficking.

CICAD also notes that the country had not assigned functions and responsibilities to the authorities involved in the control of the sale of drugs over the Internet.

CICAD observes that Haiti had regulations in place regarding control of firearms and ammunition. However, there were no regulations that establish these controls for explosives or other related materials.

CICAD notes that Haiti did not have laws or regulations to regulate and authorize commercial transactions (purchase-sale) of firearms, ammunition, explosives and other related materials.

CICAD acknowledges that Haiti had a computerized database on imports of firearms, ammunitions and explosives, and that the country maintained a computerized registry of firearms and ammunition that were confiscated.

CICAD recognizes that Haiti had legislation in place to control money laundering and that the country's laws allow for special investigative techniques in money laundering investigations. CICAD acknowledges that the Special Drug Control Fund was implemented by resolution in 2009 and that the Office of the Special Drug Control Fund had manuals for the management of assets seized. CICAD observes that financial institutions and non-financial professionals are subject to the obligation to submit suspicious transaction and objective information reports to prevent money laundering. CICAD notes that country did not report whether lawyers were subject to the obligation to submit suspicious transaction and objective information reports to prevent money laundering.

CICAD observes that Haiti had designated a competent authority to receive, respond and transmit extradition requests and that the country's national law allowed the provision of reciprocal judicial assistance.

CICAD recognizes Haiti's efforts in the context of the Multilateral Evaluation Mechanism (MEM) and encourages the country to continue to participate actively in the process.



RECOMMENDATIONS

The following recommendations are assigned to Haiti in order to assist the country in strengthening its policy to combat the problem of drugs and related activities and increase multilateral cooperation in the Hemisphere:

INSTITUTIONAL STRENGTHENING

1. APPROVE A NATIONAL ANTI-DRUG PLAN THAT SERVES AS THE FRAMEWORK FOR ALL ANTI-DRUG ACTIVITIES, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
2. ACCEDE TO THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
3. ACCEDE TO THE UNITED NATIONS CONVENTION ON PSYCHOTROPIC SUBSTANCES, 1971, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
4. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000, AND ITS THREE PROTOCOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002:
 - A. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
 - B. PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN; AND
 - C. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

DEMAND REDUCTION

5. ESTABLISH OFFICIAL OPERATING STANDARDS FOR SPECIALIZED DRUG TREATMENT FACILITIES THAT PROVIDE TREATMENT SERVICES FOR PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.



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