

# Multilateral Evaluation Mechanism MEM



# Haiti

2009 EVALUATION OF PROGRESS IN DRUG CONTROL  
IMPLEMENTATION OF RECOMMENDATIONS  
FROM THE FOURTH EVALUATION ROUND





**RECOMMENDATION 1:****APPROVE AND IMPLEMENT THE NATIONAL ANTI-DRUG PLAN, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.**

Haiti's Draft National Anti-Drug Plan was prepared in 2005 and revised to reflect the country's realities in its efforts against drug-related activities. The draft Plan was further updated to cover 2009-2014, and submitted to the current government for comments and subsequent approval.

CICAD acknowledges the progress made, and urges Haiti to persist in its efforts to implement this reiterated recommendation, given that it was assigned in the First Evaluation Round, 1999-2000.

**RECOMMENDATION 2:****ACCEDE TO THE UNITED NATIONS CONVENTION ON PSYCHOTROPIC SUBSTANCES, 1971, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.**

Haiti reports that the United Nations Convention on Psychotropic Substances, 1971, has been submitted to Parliament and is pending ratification.

CICAD expresses its concern that Haiti has not ratified this Convention, and urges the country to implement this reiterated recommendation, given that it was assigned in the First Evaluation Round, 1999-2000.

**RECOMMENDATION 3:****ACCEDE TO THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, 1992, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.**

Haiti reports that the Inter-American Convention on Mutual Assistance in Criminal Matters has been submitted to Parliament and is pending ratification.

CICAD expresses its concern that Haiti has not ratified this Convention, and urges the country to implement this reiterated recommendation, given that it was assigned in the First Evaluation Round, 1999-2000.

**RECOMMENDATION 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.**

Haiti reports that the United Nations Convention against Transnational Organized Crime and its three Protocols were submitted to Parliament and is pending ratification.

CICAD expresses its concern that Haiti has not ratified this Convention and its three Protocols, and urges the country to implement this reiterated recommendation, given that it was assigned in the Second Evaluation Round, 2001-2002.

**RECOMMENDATION 5:**

**RATIFY THE UNITED NATIONS CONVENTION AGAINST CORRUPTION, 2003.**

Haiti reports that Parliament ratified the United Nations Convention against Corruption on May 16, 2007. However, its deposit with the United Nations is pending.

CICAD encourages Haiti to ensure fulfillment of this recommendation.

**RECOMMENDATION 6:**

**DEVELOP AND IMPLEMENT A NATIONAL DRUG ABUSE PREVENTION PROGRAM FOR SCHOOL STUDENTS, BASED ON CICAD'S HEMISPHERIC GUIDELINES ON SCHOOL PREVENTION.**

Haiti reports that in May 2008, an awareness and prevention campaign was launched, which targeted more than 10,000 students in schools throughout the country. Haiti informs further that since September 2008, an awareness-raising campaign in schools is being carried out throughout the country.

CICAD takes note of the information provided by Haiti and encourages the country to continue its efforts to implement prevention programs based on CICAD's hemispheric guidelines on school prevention.

**RECOMMENDATION 7:****ESTABLISH MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Haiti reports the establishment of a sub-committee to prepare a draft set of minimum standards of care for drug abuse treatment. However, no further progress has been reported.

CICAD takes note of the steps taken by Haiti and urges the country to implement this reiterated recommendation, given that it was assigned in the Third Evaluation Round, 2003 - 2004.

**RECOMMENDATION 8:****UPDATE CURRENT LEGISLATION ON PHARMACEUTICAL PRODUCTS, IN ACCORDANCE WITH RELEVANT INTERNATIONAL CONVENTIONS.**

Haiti reports that a preliminary bill is being drafted to update its legislation on medicines and pharmacies.

CICAD takes note of the information provided by Haiti and encourages the country to continue its efforts to implement this recommendation.

**RECOMMENDATION 9:****UPDATE CURRENT LEGISLATION ON CONTROLLED CHEMICAL SUBSTANCES, IN ACCORDANCE WITH RELEVANT INTERNATIONAL CONVENTIONS.**

Haiti reports that the implementation of this recommendation has not started.

CICAD encourages Haiti to implement this recommendation.

**RECOMMENDATION 10:****ESTABLISH A MECHANISM TO RECORD THE NUMBER OF PERSONS FORMALLY CHARGED WITH AND CONVICTED OF ILLICIT DRUG TRAFFICKING AND POSSESSION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Haiti reports that it has set up a mechanism to register the number of persons prosecuted and convicted for drug trafficking. This mechanism provides the country's various judicial districts with appropriate registries and facilitates contact among judicial districts.

CICAD expresses satisfaction with the fulfillment of this recommendation.

**RECOMMENDATION 11:**

**ESTABLISH AN ADEQUATE LEGISLATIVE AND REGULATORY FRAMEWORK FOR THE CONTROL OF THE ILLICIT MANUFACTURE, TRAFFICKING, TRANSIT AND EXPORTATION OF FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS, AS REQUIRED BY THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA), A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Haiti did not report any progress in the implementation of this recommendation.

CICAD expresses its concern over the lack of progress and urges Haiti to adopt specific measures to secure the implementation of this reiterated recommendation, given that it was assigned in the Third Evaluation Round, 2003-2004.

**RECOMMENDATION 12:**

**EXPAND THE LIST OF PREDICATE OFFENSES FOR MONEY LAUNDERING TO INCLUDE ALL CRIMINAL ACTIVITIES CONSIDERED SERIOUS CRIMES UNDER THE PALERMO CONVENTION (PUNISHABLE BY A MAXIMUM DEPRIVATION OF LIBERTY OF AT LEAST FOUR YEARS OR A MORE SERIOUS PENALTY).**

Haiti reports that it has produced a draft bill to expand the predicate offenses for money laundering, subsequent to an evaluation conducted in October 2007 by the Caribbean Financial Action Task Force (CFATF) and the World Bank.

CICAD takes note of the information provided and encourages Haiti to comply with the recommendation.

**RECOMMENDATION 13:**

**ESTABLISH ADMINISTRATIVE CONTROLS ON ACCOUNTANTS, ATTORNEYS-AT-LAW AND NOTARIES PUBLIC TO PREVENT MONEY LAUNDERING.**

Haiti reports that accountants, attorneys-at-law and notaries public are implicitly included in the list of individuals to whom the asset laundering legislation applies. However, no administrative controls were reported by the country.

CICAD takes note of the information provided and encourages Haiti to implement this recommendation.

**CONCLUSIONS**

During the Fourth Evaluation Round, Haiti was assigned a total of 13 recommendations. While one was fully implemented, progress was reported in ten and a total of two recommendations have not been started. CICAD recognizes the country's progress in the area of institution building by updating its draft National Drug Plan and advancing in the ratification of the United Nations Convention Against Corruption.



CICAD views with concern the lack of progress in the ratification of the United Nations Convention on Psychotropic Substances and the Inter-American Convention on Mutual Assistance in Criminal Matters.

While Haiti has reported the launch of drug abuse awareness and prevention campaign to target students in schools, the country still needs to implement a fully developed program based on CICAD's hemispheric guidelines. Likewise, the country made little progress in establishing minimum standards of care for drug abuse treatment.

In the area of supply reduction, Haiti has not commenced implementation of its recommendation to update legislation on controlled chemical substances.

CICAD recognizes Haiti's efforts in the area of control measures. The establishment and operation of a mechanism to register the number of persons prosecuted and convicted of drug trafficking illustrates Haiti's progress in this area. Advancement of the preliminary bill on money laundering and terrorist financing is also noteworthy. Haiti has also made progress towards expanding predicate offences, in accordance with the United Nations Convention against Transnational Organized Crime.

CICAD notes Haiti's efforts to establish and strengthen legislative controls on accountants, attorneys-at-law and notaries public with regard to money laundering. However, the country has not reported any progress in the establishment of administrative controls.

CICAD recognizes Haiti's participation in the Multilateral Evaluation Mechanism, and encourages the country to persevere in its efforts to implement the pending recommendations.