

Multilateral Evaluation Mechanism MEM



Haiti

**2005 PROGRESS REPORT IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE THIRD EVALUATION ROUND**



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

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Haiti reports that the National Anti-Drug Plan was submitted to the transition government in 2004. The Plan had been previously submitted to the Prime Minister in 2003, but it has not been officially adopted so far.

Despite not having adopted a national plan, the country reports that there has been some progress in this area, as the Government has assigned funds for fiscal year 2004–2005, destined to execute some of the programs that are included in the draft plan. It envisages that the new Government will analyze and approve the five-year anti-drug plan.

CICAD urges Haiti to persevere in its efforts to adopt the National Anti-Drug Plan, given that this recommendation was assigned during the First Evaluation Round, 1999–2000.

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

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Haiti reports that the 1971 United Nations Convention on Psychotropic Substances was approved by the Haitian Parliament in 2003. Since then, the country has not published the document in the official gazette or deposited the respective instrument of accession at the United Nations headquarters.

The country explains that procedures are underway with the office of the President of the Republic, the Ministry of Foreign Affairs and the National Press to complete the implementation of the recommendation.

CICAD acknowledges the efforts made by Haiti towards the implementation of this recommendation and urges the country to complete it, given that it has been reiterated from the First Evaluation Round, 1999–2000.

**RECOMMENDATION 3:**

SIGN AND RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Haiti reports that the text of the Convention is under study in the office of the President of the Republic and the Ministry of Foreign Affairs. The country states that Parliament has not been operational since February 2004 and will not be reconvened until 2006.

Haiti indicates that the Convention will be submitted to the next legislature for its consideration.

CICAD expresses its concern with the lack of progress in the implementation of this recommendation, assigned during the First Evaluation Round, 1999–2000, and urges Haiti to comply with it.

RECOMMENDATION 4:

RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLEGAL MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Haiti reports that the Government agreed to ratify the Inter-American Convention against the Illegal Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) by a decree adopted by the Council of Ministers in February 2005.

Haiti reports that necessary steps are being taken by the Ministry of Foreign Affairs to deposit the instrument of ratification at the Organization of American States' headquarters.

CICAD expresses its concern with the lack of progress in the implementation of this recommendation, made during the First Evaluation Round, 1999–2000, and urges Haiti to comply with it.

**RECOMMENDATION 5:**

RATIFY THE UNITED NATIONS (UN) CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS FOLLOWING PROTOCOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002:

- A) THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR**
- B) THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN**
- C) THE PROTOCOL AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Haiti reports that the ratification of the Convention and its three Protocols remain under study in the office of the President of the Republic and the Ministry of Foreign Affairs.

The country further recalls that Parliament has been suspended since February 2004 and will not be reconvened until 2006. Haiti informs that the Convention and its three Protocols will be submitted to Parliament as soon as it reconvenes.

CICAD urges Haiti to comply with this recommendation, given that it is reiterated from the Second Evaluation Round, 2001–2002.

RECOMMENDATION 6:

TAKE MEASURES TOWARDS MAKING THE DRUG OBSERVATORY (OHD) FULLY OPERATIONAL

PUBLICATION DATE: JUNE 2005

Haiti informs that its Drug Observatory is operational, and that it conducts surveys, runs a Website and maintains contacts with various institutions that provide data. The country reports that lack of human resources and equipment also compromises the Observatory's work.

The country also mentions that a school survey is underway, the results of which shall be available during 2006.

CICAD expresses its satisfaction with Haiti's implementation of this recommendation.

**RECOMMENDATION 7:****DEVELOP AND IMPLEMENT SYSTEMATIC NATIONAL DRUG PREVENTION PROGRAMS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Haiti reports that the implementation of this recommendation is underway, through the formulation of a prevention project targeting young people, as well as training and awareness-raising initiatives. The project includes radio and television campaigns to raise awareness and round-table discussions in schools and universities. The country also reports that material and technical support for certain projects are being developed with the help of young people. Additionally, Haiti mentions substantial problems jeopardizing this initiative and informs that a few steps are left in order to complete this task, such as the selection of promoters and leaders, training of a mobile team of trainers, elaboration of material and monitoring of field activities.

The country notes that the results of the national school survey, which is nearing completion, may help determining further activities in the area of prevention. Data collection and capture took place between October and December of 2005. The database was transmitted to CICAD in early 2006 to enable it to extract the survey findings, and the final results of the survey will be available in 2006.

CICAD recognizes the efforts made by Haiti in the implementation of this recommendation, and encourages the country to expand the coverage of its prevention programs, given that this is a recommendation reiterated from the Second Evaluation Round, 2001–2002.

RECOMMENDATION 8:**DEVELOP AND IMPLEMENT SYSTEMATIC NATIONAL DRUG TREATMENT PROGRAMS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Haiti reports that the National Drug Control Commission has established an Advisory Committee, with the mandate to make an inventory of treatment centers and programs currently in operation, to propose measures for the elaboration of new treatment programs, and to establish minimum standards for treatment. The country indicates, however, that various problems have been hindering these efforts.

CICAD acknowledges the potential value of the establishment of the Advisory Committee and encourages Haiti to continue its efforts to implement the recommendation, which is reiterated from the Second Evaluation Round, 2001–2002.

**RECOMMENDATION 9:****ESTABLISH MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT**

PUBLICATION DATE: JUNE 2005

Haiti reports that an Advisory Committee has been established, with the mandate to develop, together with the Ministry of Health, a set of minimum standards of care for drug abuse treatment.

CICAD acknowledges the potential value of the establishment of the Advisory Committee and encourages the country to take the necessary steps for the full implementation of this recommendation.

RECOMMENDATION 10:**IMPLEMENT A DATA COLLECTION SYSTEM TO CALCULATE THE ANNUAL INCIDENCE, PREVALENCE AND TRENDS IN THE USE AND TYPES OF DRUGS WITHIN THE GENERAL POPULATION, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Haiti reports that a school survey is currently in progress, with the assistance of CICAD. Additionally, the country states that the draft national plan, once adopted, shall establish periodical surveys on drug prevalence (school surveys every two years and epidemiological surveys every three years). Still, other important measures are yet to be taken, such as the establishment of a National Information System.

CICAD has reexamined the relevance of this recommendation and considers that currently, this type of system to calculate the incidence, prevalence and trends in the use of drugs among the general population, does not necessarily constitute a priority in Haiti's drug policy. Therefore, CICAD encourages the country to strengthen the strategies of its national anti-drug plan by undertaking studies on specific group populations.

RECOMMENDATION 11:**IMPLEMENT A SYSTEM TO ENABLE THE COUNTRY TO HAVE INFORMATION ON ILLICIT CROP CULTIVATION AREAS**

PUBLICATION DATE: JUNE 2005

Haiti informs that the Narcotics Trafficking Control Bureau of the National Police is responsible for drug control operations, including identification and destruction of illicit crops. Since the country is not a producer of illicit drugs, it considers it difficult to take further measures towards the implementation of this recommendation.

CICAD expresses its satisfaction with the information provided by the country and encourages the local authorities to continue submitting data related to the destruction of illicit crops.

**RECOMMENDATION 12:****EXTEND THE COVERAGE OF CONTROLS ON CHEMICAL SUBSTANCES SO AS TO INCLUDE THE FULL RANGE OF SUCH SUBSTANCES AS LISTED IN UNITED NATIONS CONVENTIONS**

PUBLICATION DATE: JUNE 2005

Haiti reports that the competent authorities have already extended their controls so as to cover the full range of the chemical substances listed in the United Nations Conventions. The tables of the conventions have been appended to the Law on Control and Illicit Trafficking of Drugs. The country further reports that the control exercised by the Central Pharmaceutical Department covers all substances controlled under the Conventions. The country states that it imports few types of chemical substances.

CICAD expresses its satisfaction for the fulfillment of this recommendation.

RECOMMENDATION 13:**ESTABLISH A MECHANISM TO RECORD THE NUMBER OF PERSONS TRIED AND CONVICTED FOR ILLICIT DRUG TRAFFICKING AND POSSESSION**

PUBLICATION DATE: JUNE 2005

Haiti reports that, in 2005, a judicial monitoring mechanism was introduced in the National Drug Control Commission, with the purpose of collecting information from the Police, prosecutors, and clerks of court regarding drug possession and trafficking cases. To date, the information gathered has only covered the jurisdiction of Port-au-Prince; provisions still have to be made to extend this mechanism to the entire national territory, which is expected to be undertaken during 2006.

CICAD acknowledges the efforts made by Haiti, and encourages the country to take the necessary steps to extend the mechanism nationwide.

RECOMMENDATION 14:**ESTABLISH A MECHANISM TO EVALUATE THE EFFECTIVENESS OF THE EFFORTS MADE BY THE AUTHORITIES RESPONSIBLE FOR CONTROLLING ILLICIT DRUG TRAFFICKING**

PUBLICATION DATE: JUNE 2005

Haiti reports that a judicial monitoring mechanism has been established, with the purpose of following up on drug cases in the criminal legal system in the jurisdiction of Port-au-Prince. Further steps have yet to be taken to extend the mechanism country-wide and to include, as part of the mandate of the Inter-institutional Task Force, a systematic evaluation of the effectiveness of the anti-drug efforts. Both steps are expected to be taken during 2006.

CICAD acknowledges the efforts made by Haiti and encourages the country to include, as part of the mandate of the Inter-institutional Task Force, a systematic evaluation of the effectiveness of the anti-drug efforts.

**RECOMMENDATION 15:**

ESTABLISH AN ADEQUATE LEGISLATIVE AND REGULATORY FRAMEWORK REGARDING THE CONTROL OF ILLICIT TRAFFICKING OF FIREARMS, AMMUNITION, EXPLOSIVES, AND OTHER RELATED MATERIALS, AS CALLED FOR BY THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA)

PUBLICATION DATE: JUNE 2005

Haiti reports that it ratified the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) by a decree adopted by the Council of Ministers in February 2005. In accordance with the provisions of the Haitian Constitution, the Convention automatically became an integral part of its domestic law.

The country also informs that a bill on firearms has been prepared, which shall be submitted to Parliament for its consideration when it reconvenes.

CICAD encourages the country to continue the establishment of an adequate legislative and regulatory framework regarding the control of illicit trafficking of firearms and other related materials.

RECOMMENDATION 16:

PROVIDE JUDGES AND PROSECUTORS WITH UPDATED SPECIALIZED TRAINING FOR THE ENFORCEMENT OF LAWS CRIMINALIZING MONEY LAUNDERING

PUBLICATION DATE: JUNE 2005

Haiti reports that, in 2005, it offered training courses on the enforcement of laws criminalizing money laundering for a number of judges and prosecutors in the country. The country further informs that in 2006, under the money laundering training program, other specialized courses are scheduled to be offered to prosecutors, bank auditors, attorneys, notaries, exchange brokers, cooperative leaders, public accountants and the public in general.

CICAD acknowledges the efforts made by the country, but notes that no details were given regarding the aforementioned courses which took place in 2005.

CONCLUSIONS

During the Third Evaluation Round, 2003–2004, Haiti was assigned a total of 16 recommendations, out of which four have been completed or adequately addressed, 10 are in progress and two have not been started.

Some specific areas that require special attention are: the work to be undertaken by the Advisory Committee, established to handle matters pertaining to the development of systematic national drug treatment programs, and the establishment of minimum standards of care for drug abuse treatment.



With regard to the implementation of a system to enable the country to have information on illicit crop cultivation areas, CICAD expresses its satisfaction with the information contained in the Haitian report, and requests the local authorities to continue submitting data related to the destruction of illicit crops.

CICAD notes that the Haitian Drug Observatory has been fully implemented and encourages the country to continue strengthening it.

Regarding achievements made by Haiti, two areas which deserve mentioning are: the establishment of a mechanism to record the number of persons tried and convicted in Port-au-Prince for illicit drug trafficking and possession and the training courses on the enforcement of laws criminalizing money laundering for judges and prosecutors.

CICAD expresses satisfaction with the recent progress achieved by Haiti, notwithstanding the political and institutional situation in Haiti, and the natural disasters that have affected it, and encourages the country to proceed with its anti-drug efforts, complying with the recommendations received.