

Multilateral
Evaluation
Mechanism
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Haiti

Evaluation of Progress in Drug Control

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Organización de los Estados Americanos – OEA
Comisión Interamericana para el Control del Abuso de Drogas – CICAD

Organization of American States – OAS
Inter-American Drug Abuse Control Commission – CICAD

Organização dos Estados Americanos – OEA
Comissão Interamericana para o Controle do Abuso de Drogas – CICAD

Organisation des Etats Américains – OEA
Commission Interaméricaine de Lutte Contre l’abus des Drogues – CICAD

NATIONAL ANTI-DRUG STRATEGY

Haiti does not have a national anti-drug plan, but has indicated that it is preparing one with the technical assistance of CICAD. Although, it has no central coordinating authority, a draft law establishing a National Anti-drug Commission has been presented to the Council of Ministers.

The country has ratified the United Nations Conventions of 1961 and 1988, but has not signed the 1971 Convention. It has not ratified the Inter-American Conventions against Corruption and Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. It has not signed the Inter-American Convention on Mutual Assistance in Criminal Matters.

Haiti has specific legislation on firearms and chemical substances but it does not have legislation on the control of the illicit traffic of narcotics and of money laundering.

The country does not have an integrated system for the collection and maintenance of statistics and documents. Neither does it have separate collections of documents nor statistics in demand reduction, supply reduction, control measures and the societal impact of illicit drugs. It has statistics on control measures, but no documents in that area.

Recommendations

1. **Approve and implement a national drug plan.**
2. **Create a national coordinating entity.**
3. **Accede to the UN Convention of 1971.**
4. **Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters, and ratify the Inter-American Convention against Corruption, and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.**
5. **Adopt laws to control illicit drug trafficking and money laundering.**
6. **Develop and apply an integrated system for the collection, analysis and maintenance of statistics and documents.**

DEMAND REDUCTION

The country does not have a National Demand Reduction Strategy. As a result of having adopted the UN Declaration on the Guiding Principles of Drug Demand Reduction, it has the basis to design and implement a National Strategy.

It has no national system of drug abuse prevention programs and there are no “Drugs in the Workplace” programs.

Although there are drug treatment and rehabilitation programs that include early detection and outreach, treatment, rehabilitation, social integration and aftercare, there are no guidelines for minimum standards of care in drug treatment.

The country does not conduct regular studies on drug use in the general population, but has commenced a survey among school and street children. There are no data available to establish the average age of first use for any illicit drug. No evaluations are performed on prevention programs. However, partial evaluations have been done on rehabilitation programs.

Recommendations

1. **Approve a national demand reduction strategy based on the UN Declaration on the Guiding Principles of Drug Demand Reduction in order to allow the systematic development and implementation of programs in this critical area.**
2. **Establish minimum standards of care in drug treatment.**
3. **Implement a data collection system to calculate the annual incidence, prevalence and trends in use and types of drugs within the general population.**
4. **Establish regular evaluations of treatment and prevention programs.**

SUPPLY REDUCTION

Haiti does not provide information or statistics on drug production in this area. The country has a national body in place that is responsible for controlling and preventing the diversion of pharmaceuticals and controlled chemical substances. The Central Office of Pharmacy and the Control of Chemical Substances (DCP/CSC), part of the Ministry of Public Health and Population Affairs, is responsible

for importing, manufacturing, distributing, and selling pharmaceuticals and biological agents, pursuant to the law passed on August 10, 1955.

The country indicates the existence of a central national agency responsible for information exchange and cooperation with similar agencies in other countries responsible for pharmaceuticals and control chemical substances.

Haiti has national laws and regulations that establish penal sanctions for the diversion of pharmaceuticals and administrative sanctions for both controlled chemical substances and pharmaceuticals.

Haiti issued three pre-export notifications for controlled chemical substances in 1999 to countries importing or re-exporting these chemicals. No request for assistance was made under the provisions of international cooperation agreements regarding controlled chemical substances.

Recommendations

1. **Implement a mechanism for determining the existence of illicit crops, the potential production and area under illicit cultivation.**
2. **Strengthen the exchange of operative information between national and international organizations.**

CONTROL MEASURES

The country has law enforcement, judicial, and administrative agencies that are responsible for investigating, controlling, and combating illicit drug trafficking. The law enforcement agencies are: the National Police of Haiti, the General Customs Administration, the Department of Emigration and Immigration, and the Central Office of Pharmacy and the Control of Chemical Substances.

The judicial agencies are the Magistrates and the Courts, while the administrative agencies are the National Police of Haiti, the General Customs Administration, the Department of Emigration and Immigration, the Ministry of Public Health and Population Affairs, and the Ministry of Trade and Industry.

The country has a centralized agency for effecting coordination, cooperation and timely exchanges of information among national authorities and also with other countries in accordance with international agreements.

In respect to counter-drug trafficking activities, Haiti informs that seventy-six drug seizure operations were carried out by law enforcement agencies during the past year, with the following quantities and types of drugs seized:

Type of drug	Kgs	Purity
Cocaine Salts	380.20	100%
Leaf Cannabis (grass)	31.80	

Regarding arrests, charges and convictions for drug trafficking offenses, Haiti provides the following tables of data:

Type of offence	Number of persons arrested	Rate per 100,000 inhab.
Illegal drug trafficking	136	1.70

Type of offence	Number of persons charged	% of persons arrested	Rate per 100,000 inhab.
Illegal drug trafficking	50	36.70	0.625

Type of offence	Number of persons convicted	% of persons charged	Rate per 100,000 inhab.
Illegal Drug Trafficking	29	58	

In accordance with the obligations and commitments emerging from international agreements, eighteen requests have been made for international cooperation and seven replies received.

The country has national laws and regulations to criminalize the illicit manufacture of and trafficking in firearms, ammunition, explosives and other related materials. The country has established administrative control measures to prevent offenses relating to firearms, ammunition, explosives, and other related materials and to freeze, seize, confiscate and forfeit those items. Haiti does not manufacture firearms, ammunition or explosives, and therefore has no such records.

There is a mechanism in place that ensures, before authorizing the release for export of shipments of firearms, ammunition, explosives and other related materials, that importing or in-transit countries have issued the necessary licenses or authorizations. The country does not have a mechanism or authority to effect interagency coordination and information exchanges at the national level concerning firearms, ammunition, explosives and other related materials; nor is there a mechanism that serves as a centralized point for effecting coordination and information exchanges among States.

The country had no statistics available regarding the number of persons arrested or convicted for the illicit manufacture of and trafficking in firearms, ammunition, explosives and other related materials, by offense and year. The country reports that twenty-two seizure operations of firearms were conducted. The following firearms were seized in connection with illicit drug trafficking during the year under review: 440 pistols, 160 5.56-caliber assault rifles, eighty-two 12-gauge shotguns, and 264 revolvers.

The country indicated that it identifies the routing employed in the diversion of seized firearms, ammunition, explosives and other related materials, but not the origin of these items. No data was provided regarding requests for international cooperation to investigate or prosecute the manufacture of and trafficking in firearms and related materials, although the country informs that numerous requests have been routed through INTERPOL, with often no responses received.

Haiti does not criminalize money laundering. There are no national laws or regulations that authorize the freezing, confiscation, and forfeiture of assets related to money laundering. The country indicates that it is in the process of adopting a legal framework to prevent and sanction money laundering and that a Money Laundering Bill consistent with the CICAD Model Regulations is before the country's parliament.

The country does not have a central agency responsible for receiving, requesting, analyzing and disseminating disclosures of information relating to financial transactions to competent authorities.

In Haiti, there are no laws that require financial institutions and others responsible to report suspicious or unusual transactions to competent authorities, nor is it mandatory for financial institutions to comply with other control measures.

Money laundering is not a criminal offense in Haiti, as a result there are no arrests, charges or convictions for money laundering. There is also no information available with respect to the number of administrative and regulatory sanctions applied by supervisory agencies or judicial sanctions against financial agencies, and for the number of requests and replies to those requests for international cooperation.

Recommendations

1. **Establish a mechanism or authority that conducts interagency coordination and information exchanges at the national level on firearms, ammunition, explosives, and other related materials.**
2. **Establish a mechanism that serves as a centralized point for effecting coordination and information exchanges between countries.**
3. **Continue the initiative to adopt legislation criminalizing money laundering.**

4. Establish a centralized entity responsible for receiving, requesting, analyzing, and disseminating to the competent authorities information on financial transactions and that also allows for the exchange of operational information.
5. Enact legislation requiring financial institutions and others responsible to report suspicious or unusual transactions to the competent authorities, as well as laws stipulating that financial institutions and other responsible are to comply with other control measures.
6. Create a mechanism for the management and administration of assets seized and forfeited from illicit drug trafficking.

HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

Estimating the human, social and economic cost of the drug problem in all of its manifestations constitutes a complex process. This information is relevant to each country's understanding of the magnitude of the drug problem. This would enable each country to appreciate the direct and indirect cost in proportion to their Gross National Product or national annual budget. Because many countries have difficulty in providing these estimates, CICAD is proposing a hemisphere-wide program involving training and technical assistance, which should assist the country in its effort in confronting the drug problem and fulfilling this indicator's requirements.

Recommendation

1. Develop the capacity to estimate the human, social, and economic cost of the drug problem.

SUMMARY OF RECOMMENDATIONS

CICAD recommends that Haiti's anti-drug efforts be strengthened by addressing the following:

1. Approve and implement a national drug plan.
2. Create a national coordinating entity.
3. Accede to the UN Convention of 1971.
4. Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters, and ratify the Inter-American Convention against Corruption, and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.
5. Adopt laws to control illicit drug trafficking and money laundering.
6. Develop and apply an integrated system for the collection, analysis and maintenance of statistics and documents.
7. Approve a national demand reduction strategy based on the UN Declaration on the Guiding Principles of Drug Demand Reduction in order to allow the systematic development and implementation of programs in this critical area.
8. Establish minimum standards of care in drug treatment.
9. Implement a data collection system to calculate the annual incidence, prevalence and trends in use and types of drugs within the general population.
10. Establish regular evaluations of treatment and prevention programs.
11. Implement a mechanism for determining the existence of illicit crops, the potential production and area under illicit cultivation.
12. Strengthen the exchange of operative information between national and international organizations.
13. Establish a mechanism or authority that conducts interagency coordination and information exchanges at the national level on firearms, ammunition, explosives, and other related materials.

14. Establish a mechanism that serves as a centralized point for effecting coordination and information exchanges between countries.
15. Continue the initiative to adopt legislation criminalizing money laundering.
16. Establish a centralized entity responsible for receiving, requesting, analyzing, and disseminating to the competent authorities information on financial transactions and that also allows for the exchange of operational information.
17. Enact legislation requiring financial institutions and others responsible to report suspicious or unusual transactions to the competent authorities, as well as laws stipulating that financial institutions and other responsible are to comply with other control measures.
18. Create a mechanism for the management and administration of assets seized and forfeited from illicit drug trafficking.
19. Develop the capacity to estimate the human, social, and economic cost of the drug problem.