

# Haiti

Western Hemisphere / **Caribbean**

CAPITAL <b>Port-au-Prince</b>	TERRITORY <b>27,560 km<sup>2</sup></b>	POPULATION (2020) <b>11,402,533.00</b>	GDP TOTAL (2020) <b>\$13.42B USD</b>	GDP PER CAPITA (2020) <b>\$1,176.75 USD</b>	INCOME GROUP <b>Lower middle income</b>
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## Convention Implementation



In progress

21<sup>st</sup> of 31 western hemisphere  
5<sup>th</sup> of 11 Caribbean countries

### Prevention



Core-deficient

### Criminalization and law enforcement

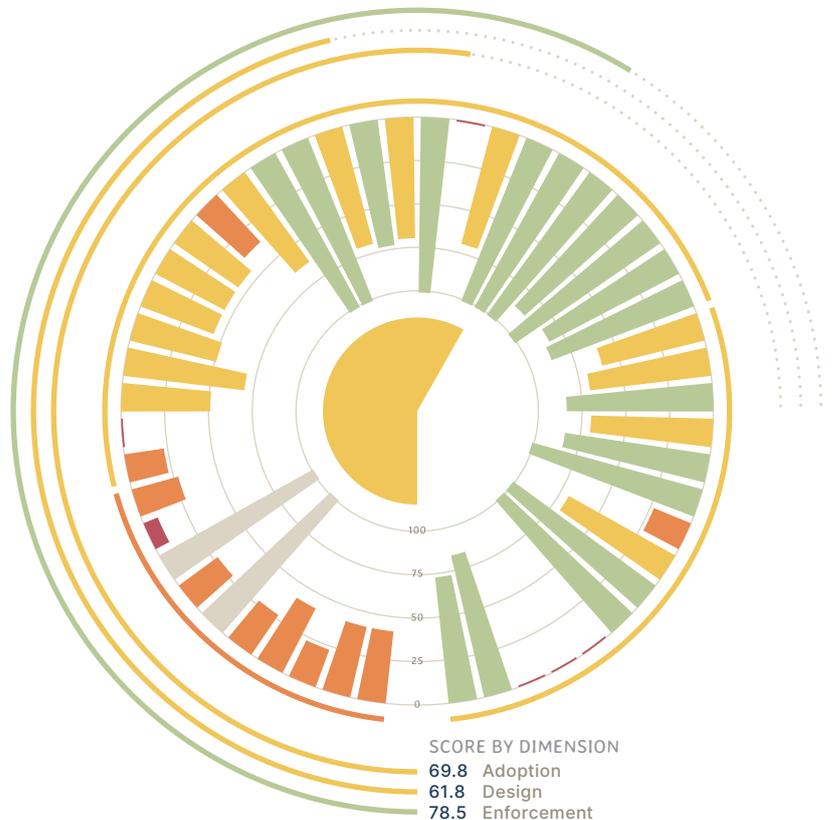


In progress

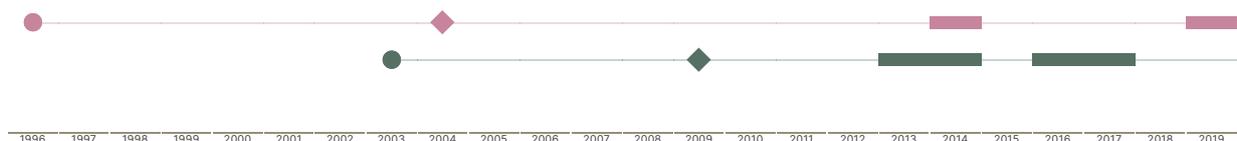
### International cooperation



In progress



## Anti-corruption conventions timeline



### CONVENTIONS

- IACAC - Inter-American Convention Against Corruption
- UNCAC - United Nations Convention against Corruption
- OECD Anti-Bribery Convention

### KEY EVENTS

- Signed
- Ratified/acceded
- Review rounds

## Prevention

Core-deficient

28.9

✓ Adoption 59.4   ✎ Design 39.6   ⌚ Enforcement 64.6

Standards of Conduct Core-deficient 40.6 ✓ 75.0 ✎ 50.0 ⌚ 66.7	Enforcement of Standards of Conduct Core-deficient 40.6 ✓ 75.0 ✎ 50.0 ⌚ 66.7	Training of Public Officials Core-deficient 21.9 ✓ 50.0 ✎ 33.3 ⌚ 50.0	Asset and Conflicts of Interests Declarations Core-deficient 40.6 ✓ 75.0 ✎ 50.0 ⌚ 66.7	Transparency in Government Contracting Core-deficient 26.6 ✓ 50.0 ✎ 33.3 ⌚ 66.7
Elimination of Favorable Tax Treatment Not applicable ✓ N/A ✎ N/A ⌚ N/A	Oversight Bodies Core-deficient 26.6 ✓ 50.0 ✎ 66.7 ⌚ 33.3	Measures to Deter Domestic and Foreign Bribery Not applicable ✓ N/A ✎ N/A ⌚ N/A	Encouraging Participation by Civil Society No implementation 7.8 ✓ 50.0 ✎ 0.0 ⌚ 100.0	Study of Other Preventive Measures Core-deficient 26.6 ✓ 50.0 ✎ 33.3 ⌚ 66.7

## Criminalization and law enforcement

In progress

66.1

✓ Adoption 79.0   ✎ Design 66.7   ⌚ Enforcement 86.0

Protection of Those who Report Acts of Corruption Core-deficient 21.9 ✓ 50.0 ✎ 16.7 ⌚ 100.0	Scope No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Jurisdiction: Offense-in-Territory In progress 50.0 ✓ 50.0 ✎ 50.0 ⌚ 100.0	Jurisdiction: Offense-by-National In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0	Jurisdiction: Offender-in-Territory In progress 50.0 ✓ 50.0 ✎ 50.0 ⌚ 100.0
Passive Public Bribery Core-deficient 43.8 ✓ 100.0 ✎ 50.0 ⌚ 66.7	Active Public Bribery Core-deficient 43.8 ✓ 100.0 ✎ 50.0 ⌚ 66.7	Abuse of Functions Core-deficient 43.8 ✓ 100.0 ✎ 50.0 ⌚ 66.7	Money Laundering Core-deficient 35.9 ✓ 50.0 ✎ 50.0 ⌚ 66.7	Participation and Attempt In progress 62.5 ✓ 100.0 ✎ 66.7 ⌚ 83.3
Active Foreign Bribery Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Illicit Enrichment Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Use of State Property In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0	Illicit Acquisition of a Benefit In progress 71.9 ✓ 100.0 ✎ 66.7 ⌚ 100.0	Public Embezzlement In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0
Passive Foreign Bribery Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Private Bribery No implementation 0.0 ✓ 0.0 ✎ 0.0 ⌚ 0.0	Private Embezzlement In progress 68.8 ✓ 75.0 ✎ 66.7 ⌚ 100.0	Obstruction of Justice Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Liability of Legal Persons Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0
Statute of Limitations Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Prosecution, Adjudication and Sanctions Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0	Consequences and Compensation Implemented 100.0 ✓ 100.0 ✎ 100.0 ⌚ 100.0	Cooperation With Law Enforcement Implemented 82.8 ✓ 75.0 ✎ 83.3 ⌚ 100.0	Asset Recovery Implemented 85.9 ✓ 100.0 ✎ 83.3 ⌚ 100.0

# International cooperation

In progress

## 60.5

✓ Adoption 60.0   ✎ Design 65.6   ⚙ Enforcement 73.3

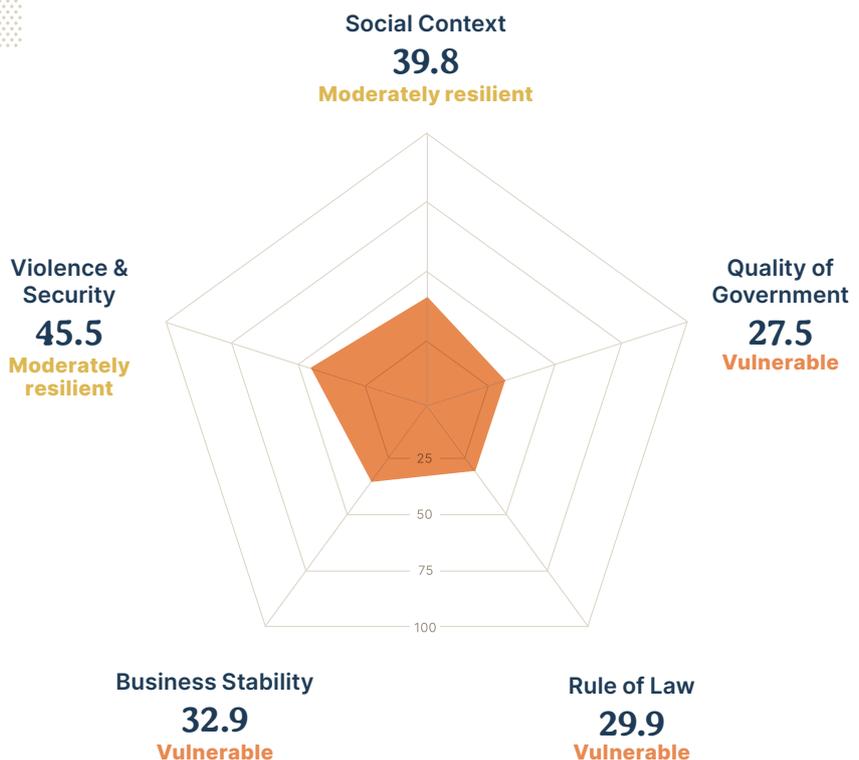


# Corruption Resilience

## 35.1

Vulnerable

29<sup>th</sup> of 31 western hemisphere  
11<sup>th</sup> of 11 Caribbean countries



# Analysis

## Convention Implementation

Haiti signed the Inter-American Convention Against Corruption (IACAC) on March 29, 1996, and ratified it on April 14, 2004. It is a State Party to the Follow-Up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC) since December 9, 2010. The country also signed the United Nations Convention Against Corruption (UNCAC) on December 10, 2003, and subsequently ratified it on September 14, 2009. Accordingly, Haiti has undergone two rounds of review under MESICIC, covering the provisions selected for review within the framework of the first and fourth rounds, and the second and fifth rounds, respectively; and one round of review under the UNCAC review mechanism.

Haiti's record in implementing its commitments to IACAC and UNCAC exhibits more failures than successes. With an overall score of 58.2, the measures adopted place the country in the lower level of compliance with international norms—but not far from countries at the middle point—surrounded by Dominican Republic (55.7), Belize (58.1), Paraguay (60.8), and Venezuela (61.0). Progress in implementation is unequally distributed. Although over one third of all measures related to criminalization and law enforcement—as well as to international cooperation—have been fully or largely implemented, all preventive measures analyzed were found to be deficient at core or unimplemented.

The prevention of corruption is mostly lacking, classified as “core-deficient” by its average score and with prominent measures given a score below 30—the training of public officials, transparency in government contracting, the state of oversight bodies, and the study of preventive measures related to equitable compensation. Concerning training, the report of the fifth round of MESICIC (adopted in 2019) concludes that there are “insufficient provisions and/or measures for providing instruction to personnel in the public-sector entities selected by the country under review to ensure proper understanding of their responsibilities and the ethical rules governing their activities.” Furthermore, “[n]either in its response to the questionnaire nor during the on-site visit did the country under review provide statistical information on the results of the instruction given to personnel...” Preventive measures account for almost half of all underdeveloped measures in the country. The highest score within this section, 40.6, is given to the country's adoption of standards of conduct and their implementation, and the systems for registering asset and conflict of interests' declarations.

In terms of criminalization and law enforcement, Haiti shows much better results than those regarding prevention—yet, significant deficiencies remain, with roughly a quarter of all measures within this section classified as core-deficient or not implemented. The country is found to have fully implemented a number of commitments, including significant ones pertaining to the active and passive bribery of foreign officials, illicit enrichment, obstruction of justice, and the liability of legal persons, among others. However, the criminalization of bribery in the private sector (as required by UNCAC) is found completely lacking, and two important measures are generally lacking: the protection of those who report acts of corruption (i.e., whistleblower protection) (21.9) and the criminalization of money laundering (35.9). To these, three additional measures also receive deficient scores, albeit reflecting a less severe state—the criminalization of active and passive bribery in the public sector and abuse of functions, all of which are given a score of 43.8. Other measures, such as the criminalization of the illicit acquisition of a benefit (i.e., influence trading) and embezzlement in the public and private sectors, remain in progress.

Finally, the country is found only partially compliant with its commitments to establish jurisdiction over the offenses covered by the conventions. The UNCAC review mechanism reports that “Haiti has not established its jurisdiction over offenses committed on board a vessel that is flying the flag of Haiti or on board an aircraft that is registered in Haiti, offenses committed by a stateless person who has his or her habitual residence in Haiti or acts preparatory to money-laundering that have been committed abroad.” Haiti's record in promoting and engaging with international cooperation is also lackluster, evaluated as below that of criminalization and law enforcement—yet it receives a general classification of “in progress”. Among the bigger issues reported are the findings by MESICIC during its fourth round concerning the issue that the ministry responsible for handling requests for mutual legal assistance “does not have an office or service for international legal cooperation specifically charged with handling all requests for legal assistance received from foreign jurisdictions.” Moreover, the UNCAC review mechanism reports that “Haiti has not adopted a general legislative framework on international cooperation.”

## Corruption Resilience

Haiti's social context indicator score declined by 1 point from the previous year—producing a score of 39.8 for 2020—and dramatically fails to reach the regional average (64.9) by 25.1 points. The country's score has been steadily declining since 2010, and its

current score is also grouped within the 25th percentile. Over the last ten years, Haiti's highest recorded score (47.7) was achieved in 2013 and 2014, while its lowest score of 39.8 was reached in 2020. The country's social context indicator score is primarily affected by the poor status of civil liberties and political rights within Haiti. One example of this is the 2017 presidential election, which was fraught with irregularities. While the Haitian constitution protects freedom of expression, in practice, journalists face serious challenges in the form of government interference. Following the adoption of the 2017 defamation law, conditions for media have worsened and journalists are also exposed to threats of violence when reporting or investigating sensitive issues.

With regard to the quality of governance and institutions, Haiti's score declined 0.1 points from the previous year, producing a score of 27.5. The country's score ranks among the lowest within the Western Hemisphere, where its indicator falls 23.1 points below the average threshold of 50.6 for 2020. Over the last ten years, the country's score has steadily plummeted by 8.8 points from 2010 to 2020. The lowest quality of government score achieved was 27.5 which was recorded in 2012. The highest indicator score, 36.3, was measured in 2010. The current score is primarily attributed to several factors, namely the lack of impartial bureaucracy, controls of corruption, and poor checks on government power. The former was particularly pronounced during the presidency of Jovenel Moïse, who ruled by decree since legislative elections were postponed indefinitely. The former president, alongside President Michel Martelly, was also involved in the multibillion-dollar Petro-Caribe scandal.

In 2020, Haiti's rule of law indicator showed a decrease of 2.2 points from the previous year, and much like the previous indicators, fell below the Western Hemisphere regional average. Throughout the decade, the country's rule of law score has varied, achieving its highest score of 34.1 in 2018 and its lowest score of 29.9 in 2020. The country's current score of 29.9 ranked within the bottom 25th percentile for the region but remained largely impacted by several deficiencies, namely the susceptibility of the judiciary to political pressure and its lack of independence despite constitutional guarantees.

The country's business stability indicator for 2020 increased by 0.8 points from the previous year. Despite the country's score increase, Haiti's score still trails behind the Western Hemisphere average of 50.5 by 17.6 points. The country's score has varied throughout the decade, ranging from 2010 and 2020 by 2.8 points. In 2020, the business stability score is primarily impacted by a lack of property rights, rule-based governance ratings, and inefficiencies across regulations.

The violence and security index for Haiti in 2020 increased by 9.50 points from the previous year. However, despite this increase in Haiti's score, it still falls below the Western Hemisphere regional average of 55.0 by 9.5 points for 2020. The country's decade-long scores have varied but have been consistently low. This is particularly concerning as the score was attributed to pronounced rates of organized crime and widespread trafficking.