

Doing Business in Haiti: 2014 Country Commercial Guide for U.S. Companies

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Chapter 1: Doing Business in Haiti

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Market Overview

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- 2013 Macroeconomic Indicators (in \$ millions)

Exports:	874
Imports:	3,318
Services:	-447
Income:	60
Capital and Financial Accounts:	684
Private Transfers:	1,533
External Grants:	750

- There are few government controls or subsidies.
- U.S. imports represent about 40 percent of total imports.
- Haiti imports more than 70 percent of market goods.
- Three major International Ship and Port Facility Security-certified ports include Port-au-Prince, Cap Haitien, and St. Marc. Renovations to the ports are underway.
- Haiti is renovating its main international airports in Port-au-Prince and Cap Haitien. Cap Haitien's airport renovation is soon to be finalized. Once completed, this airport will grant quick access to the CARACOL and CODEVI industrial parks located in the free zone in the northeastern region. Major works are underway to bring these two airports to ICAO and TSA standards. Other airports throughout the country are also being renovated.
- Haiti is the Western Hemisphere's poorest country. 2013 Per capita GDP is USD 820 (Up from 790 in 2012)

Market Challenges

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- Haiti's lack of physical infrastructure remains a major impediment to the structural reforms of the ports as well as the seaports. Although the government is working to overcome these crucial challenges, Haiti's port fees are the highest in the Western Hemisphere.
- The country suffers capacity constraints and its transportation infrastructure is limited, with a national road network of 3,572 km in total length. Provision of electricity is sporadic and expensive.

- Widespread corruption is a constant challenge to doing business in Haiti; investors face significant challenges in dealing with some Haitian government officials who have grown accustomed to bribes as a way of doing business.
- Insecurity threatens both capital investments and productivity.

Market Opportunities

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- Construction and building materials
- Tourism including hotel furnishings and equipment
- Manufacturing including textiles and apparel
- Agro-Industry and organic foods
- Energy

Market Entry Strategy

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The U.S. Department of Commerce should be the first point of contact for U.S. firms interested in doing business in Haiti. The United States Export Assistance Center (USEAC) offices in the United States, as well as the Commercial Service (CS) offices located abroad, will inform any interested U.S. firm of the best methods for finding an agent or distributor in Haiti.

As of October 2011, the Commercial Section of the US Embassy in Port-au-Prince, Haiti became a Department of Commerce Partner Post, which allows it to offer a range of services to U.S. companies seeking to do business in Haiti. Please visit the websites below.

<http://export.gov/index.asp>

<http://haiti.usembassy.gov/business-economic-data-and-reports.html>.

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Chapter 2: Political and Economic Environment

For background information on the political and economic environment of the country, please click on the link below to the U.S. Department of State Background Notes.

<http://www.state.gov/r/pa/ei/bgn/1982.htm>

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Using an Agent or Distributor

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Many foreign firms conduct business in Haiti through agents and distributors. Under Haitian law, two parties are free to negotiate a contractual agreement and do not require Government of Haiti supervision or approval. Agents are usually compensated on a commission basis. The U.S. Embassy in Port-au-Prince is available to assist U.S. exporters to find agents and distributors through the U.S. Department of Commerce International Partner Search (IPS) program.

Establishing an Office

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In August 2006, the Ministry of Commerce and Industry opened the Centre de Facilitation des Investissements (CFI) -- a “one-stop” investment facilitation center to encourage potential investors and streamline the investment process.

1. All companies incorporated in Haiti must have a minimum of three (3) shareholders; one must be a Haitian national and a company board member.
2. Haitian legislation does not establish a minimum requirement for capital stock ownership of shares by Haitian nationals.
3. The founding members of the corporation must establish nominal value for the capital stock:
 - A minimum of 25,000 Haitian Gourdes (HTG) -- equivalent to USD 553 -- if the corporation is limited to services and commercial operations
 - A minimum of 100,000 HTGs (USD 2,213) if the corporation is involved in industrial and agricultural activities

Incorporation Procedures

Incorporation procedures can be lengthy (about 8 months), but the Haitian government is taking action in order to reduce both the cost of incorporation and the time required. Other efforts are underway to enable investors to incorporate a business through the Minister of Commerce's website.

Incorporation steps include:

1. Shareholders should prepare by-laws and subscription bulletins for the capital stock; all documents should be deposited in a Public Notary Office. One quarter of the minimal capital stock should be deposited at Banque Nationale de Credit (BNC). Please visit the link below for more information.

Notarial Information:

<http://haiti.usembassy.gov/service/services/public-services.html>

Notaries:

http://photos.state.gov/libraries/haiti/231771/PDFs/List%20of%20Notaries%209_2011%20PDF.pdf

2. Shareholders and a designated attorney should visit the Public Notary Office to sign act of deposit documents related to incorporation. If shareholders are absent, a designated attorney must represent the client at the Public Notary Office. Please visit the link below for more information.

Legal Information:

<http://haiti.usembassy.gov/service/useful-information/legal-information.html>

List of attorneys:

<http://photos.state.gov/libraries/haiti/231771/PDFs/List%20of%20Attorneys%20May%202011.pdf>

3. The Public Notary Office delivers documents to the attorney who, in turn, transmits them to the Ministry of Commerce and Industry.

4. The Ministry of Commerce and Industry prepares a notice authorizing the operations of the corporation.

5. The signed notice is sent to the Prime Minister's office for transmittal to the President of the Republic.

6. The corporation documents are sent to the official bulletin, "Le Moniteur," for publication, and publication fees are paid to the newspaper.

7. The corporation representative pays the corporate taxes to fulfill the final requirements with the Haitian Tax Authority (DGI).

- a. Presentation of beginning balance sheet
- b. Tax payment on shares

- c. Income tax: basic payment for beginning of operation
- d. Tax payment for opening of new company
- e. Tax license

It is also now possible to purchase an “off-the-shelf” company from the Investment Facilitation Center (CFI). This appears to be an efficient solution to companies wanting to do business in Haiti though it has yet to be tested in the courts.

Investment Facilitation Center (CFI).
E-mail: cfihaiti@gmail.com / dg@cfihaiti.net
Phone number: (509) 3713-3333 / 3717-3333
Website: www.cfihaiti.net

Franchising

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There are no specific regulatory laws for franchising. The Haitian government does not restrict private citizens from establishing franchises. The government does not require the submission of contractual specifications or technical specifications on machinery and equipment. U.S. companies with franchises or affiliated local partners in Haiti include Radio Shack, Federal Express (FedEx), United Parcel Service (UPS), Culligan Water Technologies, Coca Cola, Pepsico, NAPA Auto Parts, Avis Rent-a-Car, Hertz, Dollar, Budget Car Rental, Domino's Pizza and Best Western. Still, franchising is relatively new to Haiti with only a few U.S. businesses penetrating the Haitian market. AmCham and the U.S. Embassy co-sponsored a successful franchising seminar in April 2014. More than 45 local companies participated, and interest in operating a franchise is growing.

Direct Marketing

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Direct marketing has improved tremendously over the past years, with several new companies using several advertising techniques including cell phone text messaging, emails, flyers, magazine display ads and promotional events. This trend resulted in the establishment of several new marketing agencies (i.e., Blue Mango Studio, Dagmar) and expanded markets for others, such as Haiti Messenger and Multilink.

Joint Ventures/Licensing

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Foreigners are free to enter into joint ventures with Haitian citizens. The distribution of shares is a private matter between two partners; however, the sale and purchase of company shares is regulated. Foreign companies are free to own private property in Haiti and there are no restrictions on the repatriation of profits.

Selling to the Government

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Tenders are often used to open bidding on some Haitian government contracts and are advertised through newspapers and on some government websites. Tenders are exclusive to Haitian companies when the necessary goods and services to complete a project are found in Haiti. However, when the government procures goods and services

that are not produced in Haiti and must be imported for the completion of projects, tenders are open to international participation.

<http://haiti.usembassy.gov/business-commerical-opportunities.html>

Distribution and Sales Channels

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Market prospects for manufactured imports are relatively good because Haiti's manufacturing capacity is focused primarily on apparel assembly for the export market. U.S. companies have several options for entering the Haitian market, including direct exporting, franchising, licensing, and wholesaling.

The five main regional markets in Haiti are: the North Province with the city of Cap-Haitien; the Artibonite Department with Saint-Marc and Gonaives; the West Province with Port-au-Prince; the Central Plateau with the City of Hinche and Mirebalais; and the South and Southern Provinces with the cities of Les Cayes and Jacmel. Rural retailers generally travel once a month to larger cities such as Port-au-Prince or Cap-Haitien to purchase food and other imported products from wholesalers who import primarily from the U.S., Europe, China, the Dominican Republic, and Panama. IBC Airways, based out of Florida, provides cargo and charter flights to Cap-Haitien. As of June 2014, Tortug' Air has launched international daily round trip flights connecting Cap-Haitien to Ft. Lauderdale, Florida thereby increasing the air traffic between South Florida and northern Haiti.

Selling Factors/Techniques

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U.S. companies commonly use an official representative or distributor to enter the Haitian market because the Haitian commercial code does not allow foreigners to engage in wholesale or retail businesses without first obtaining a professional license. Such agents or representatives typically work in Port-au-Prince and distribute products throughout the country.

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E-commerce is a slow-growing sector in Haiti -- constrained by limited Internet infrastructure and regulation. U.S. owned company Access Haiti has been successful with wireless Internet service providers (ISP) and has helped expand interest in further development. NATCOM, a subsidiary of the Vietnamese telecoms company VietTel, provides both cellular and Internet service, and is working on expanding its services nationwide. Cellular provider Digicel also offers Internet service. The e-commerce revolution is not confined only to mail delivery services and telephone and ISPs. More companies are investing in local e-commerce infrastructure to expand their marketing efforts. A series of laws have been presented to the Parliament to promote the regulation of ecommerce and electronic signature. The government is also working to modernize the law that governs credit banking practices, security instruments, and laws on collateral.

Trade Promotion and Advertising

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Advertising is a fast-growing sector in Haiti. Billboards and TV commercials are a popular advertising technique and when targeting the higher social strata, commercial flyers are typically used. However, the advertising sector is still dominated by radio. There are more than 50 AM/FM radio stations and ten radio stations that broadcast nationwide. Other modes of advertising are via daily newspapers, such as “Le Nouvelliste” and “Le Matin”, or through the local Haitian TV channels.

Pricing

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There is no fixed pricing structure, but the government imposes restrictions on the mark-up of some products. For example, retailers are prohibited from increasing the sale price of pharmaceutical products by more than 40 percent. Prices of petroleum products are strictly controlled. The cost of products sold in Haiti reflects high operating and transaction costs. Haiti has the highest port fees in the hemisphere as well as various import taxes and duties that apply to all imported products. These associated costs add approximately 35 percent to the final selling price of imported products.

Sales Service/Customer Support

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Customer services provided by most of the major companies are limited and only available within working hours. Some local companies are accepting credit cards as a method of payment. The use of ATM machines is limited to urban areas, and is only offered by a few banks. Some services, such as automated customer support or after working hours support, are not offered.

Protecting Your Intellectual Property

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Haitian law protects copyrights, inventions, patent rights, industrial designs and models, special manufacturer’s marks, trademarks, and business names. The law penalizes persons or enterprises involved in infringement, fraud, or unfair competition. In order to ensure the protection of these rights, the law requires that certain formalities, such as registration with the Ministry of the Interior, be observed. The constitution recognizes certain intellectual property rights, such as scientific, literary, and artistic properties. Weak enforcement mechanisms, inefficient courts, and judges' poor knowledge of commercial law significantly dilute the effectiveness of statutory protections. Moreover, injunctive relief is not available in Haiti, so imprisonment of offenders is often the only way to enforce compliance.

Haiti is a signatory to the Buenos Aires Convention of 1910, the Paris Convention of 1883 regarding patents, and the Madrid Agreement regarding trademarks. Haiti has ratified the Berne Copyright Convention.

The US Patent and Trademark Office is responsible for IP issues.

Michael G. Lewis

First Secretary for Intellectual Property

Regional IPR Attaché for Mexico, Central America and the Caribbean

United States Embassy, Mexico City

Tel: (52) (55) 5140-2631

Fax: (52) (55) 5566-1115

Email: michael.lewis@trade.gov

Additional information:

<http://www.uspto.gov/ip/global/attache/index.jsp#heading-4>

Due Diligence

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U.S. firms interested in doing business in Haiti should respond to trade opportunities and review market research information published on the U.S. Department of Commerce website. The most effective mode of communication with Haitian firms is via cell phone calls, business and/or personal e-mail.

For additional information please visit the American Chamber of Commerce (AmCham) in Haiti:

<http://amchamhaiti.com/home/>

Local Professional Services

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Several business and industry associations in Haiti offer mechanisms to identify business partners. See [Chapter 9: Contacts, Market Research and Trade Events](#) for contact information.

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Haitian Guide to Investment – Haitian Embassy in Washington, D.C.:

<http://haiti.org/>

Center for the Facilitation of investments (CFI)

<http://www.cfihaiti.net>

Le Nouvelliste newspaper:

<http://www.lenouvelliste.com/>

Central Bank:

www.brh.net

Haitian Ministry of Finances:

www.mefhaiti.gouv.ht

International Monetary Fund:

www.imf.org

Haitian Statistical Unit:

<http://www.ihsi.ht/>

Haitian Ministry of Commerce and Industry:

<http://www.mci.gouv.ht/>

American Chamber of Commerce (AmCham):

www.amchamhaiti.com

Chapter 4: Leading Sectors for U.S. Export and Investment

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[Commercial Sector](#)

- [Apparel and Textile](#)
- [Machinery and Transport – Automotive Sector and Parts](#)
- [Telecommunications Services and Equipment](#)
- [Electrical Power Systems](#)
- [Tourism](#)

Apparel – APP – TXF – TXM - TXP

Overview

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	2011	2012	2013
Total Market Size	195	193	74
Total Local Production	N/A	N/A	N/A
Total Exports to the U.S.	715.8	745.1	819.3
Total Imports	195	193	74
Imports from the U.S.	4.8	4.7	4.5

(Figures in million USD. U.S. figures derived from U.S. Census Bureau. Other figures are from the Central Bank of Haiti (BRH/Banque de la République d'Haiti) and Trade Map - International Trade Centre.)

The extension of the HOPE II benefits and gradual improvements in the political and security situations have aroused foreign investors' interest in the Haitian garment apparel sector. According to the U.S. Census Bureau, Haiti's exports in 2011 (USD 715.8 million) showed an increase of 35 percent compared to 2010 (USD 528.5 million),

as a result of the HOPE II/HELP benefits, which facilitate higher potential yields to investors. As of December 2012, Haitian textile exports valued USD 745.1 million, a 4 percent increase over 2011 exports. The Haitian textile sector is well known for its resilient labor, one of its main comparative advantages. In FY 2013, total textile exports valued USD 819.3 million with a 10 percent increase over 2012. Assembly sector exports represent 90 percent of Haiti's exports.

Best Prospects/Services

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Typically, all Haitian firms in the apparel sector work as contractors for U.S. textile companies, such as Sara Lee and Levi Strauss. U.S. firms' export cut fabric, raw materials, and equipment to support assembly. Haitian firms provide labor on a contractual basis.

This predictable cash flow provides some market opportunities for U.S. companies that specialize in raw materials for the textile and apparel sector.

Opportunities

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In December 2006, the U.S. Congress passed the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE). This U.S. trade preference legislation boosted Haitian private textile investment as well as foreign investment in the Haitian textile industry sector. Up to mid-2008 HOPE had helped generate approximately 5,000 jobs. In May 2008, Congress passed HOPE II, which extends the trade preference an additional ten years effective October 2008, and allows use of third country textiles/fabric. In May 2010, Congress passed the Haiti Economic Lift Program (HELP), which extends two existing trade preference programs, the Caribbean Basin Trade Partnership Act (CBTPA) and HOPE II, until September 2020. According to the Government Accountability Office (GAO), Haitian apparel exports to U.S. under the Earned Import Allowance Program have increased substantially over non-EIAP exports since the passage of the bill.

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(See Chapter 9: Contacts)

Machinery and Transport – Automotive Sector

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	2011	2012	2013
Total Market Size	292.5	224.4	543.7
Total Local Production	0	0	0
Total Exports	0	0	0
Total Imports	292.5	224.4	543.7
Imports from the U.S.	190.3	134.8	150

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau. Other figures are from the BRH (Banque de la République d’Haiti).

Haiti's poor physical infrastructure was hard hit by the hurricane season in 2008, and a massive earthquake in early 2010, which had both caused major damages nationwide to road, bridges, agricultural lands and watersheds. One of the goals of the government is to repair all buildings, roads, bridges, and watersheds infrastructure, as well as to build new roads opening remote areas to allow production, primarily agricultural, to flow into primary towns and cities. As a result of the rebuilding efforts, total automotive and machinery imports more than doubled to USD 482.7 million in 2010, from USD 196.6 million in 2009. In 2011, automotive and machinery imports from the U.S. declined by 9 percent (USD 190.3 million) from 2010, and decreased by 29 percent in 2012 (USD 134.8 million). There was a new high in FY 2013, total imports valued 543.7. Total imports from United States increased 11 percent over 2012 to reach USD 150 million. The renovation of infrastructure and reconstruction efforts will likely continue to benefit the automotive sector, as demand will remain for heavy equipment and motor vehicles.

Best Prospects/Services

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In response to the 2010 earthquake, the Ministry of Public Works has managed several large infrastructure projects financed by the United Nations, the Inter-American Development Bank (IDB), and the European Union. To realize these projects, new road machinery and equipment were necessary. A market likely exists for U.S. manufacturers of heavy equipment for road construction and watershed protection such as bulldozers, excavators, and tractors.

Given all the road and commercial construction taking place throughout the country, there is a market for machinery and automotive parts and service equipment.

American brands, such as Ford and used GMC late models, have penetrated the market. A market for new and used American trucks and buses for both private use and public transport exists.

Opportunities

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Due to the amount of public and private construction being planned and implemented, there is a demand for international construction firms to identify their interest in undertaking major projects in Haiti. Consequently, there is an increased demand for heavy road construction equipment and parts, such as tractors, loaders, bulldozers, and graders.

For private vehicles, Japanese brands, particularly Toyota, Mitsubishi, Nissan, and Daihatsu, dominate the market; the Korean brands Hyundai and Kia are entering the market at a rapid pace. A spare parts market for new and used American vehicles (including trucks and buses) exists. Demand for new private vehicles is showing a downward trend due to the fact that many international NGOs in the country have scaled down their operations. Used vehicles are often valued at higher prices in Haiti than in the United States.

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www.automecaonline.com
www.hinoto.com
www.haytrac.com
<http://bmhaiti.net/home/>
<http://www.gdgbeton.com/english/about.html>

Telecommunications Services and Equipment – TEL - TES

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	2011	2012	2013
Total Market Size	196.6	60	64
Total Local Production	0	0	0
Total Exports	0	0	0
Total Imports	196.6	60	64
Imports from the U.S.	47.5	27.2	23

** : Not available

Figures in million USD. All figures derived from the U.S. Census Bureau and the International Trade Center.

The government's telecommunications regulatory agency, Conseil National des Telecommunications (CONATEL -- equivalent to the FCC) regulates the telecommunications sector. CONATEL assigns frequencies and issues operating licenses to all telecommunication companies. By June 2015, all local TV stations are mandated to cease analog television and transfer to digital television.

Prior to the earthquake in 2010, Haiti's fixed-line penetration was only 1.8 percent – the lowest in Latin America and the Caribbean, while Internet penetration remained below 1 percent. The opening of a third private cellular phone company in 2007 allowed Haiti to reach a mobile density of around 350 telephones per 1000 people. Between 2000 and 2008, total investment from three major wireless companies (Digicel, Comcel, and Haitel) reached approximately USD 380 million. In May 2010, Vietnam's largest mobile operator, Viettel, acquired 60 percent of the state-owned telecoms company Teleco, bringing in an initial USD 59 million to the market. CONATEL reported that in 2013 the number of cell phone users was estimated at 7 million people. Haiti's main suppliers for telecommunications services and equipment are the U.S., China and Sweden. In 2013, U.S. exports of telecommunications equipment reached USD 23 million, representing a 15 percent decline from 2012.

The telecommunications market is highly concentrated in Port-au-Prince and its suburbs, and to a lesser extent in other major cities. The private sector expects that it will expand in the interior of the country at a rate of approximately 25-30 percent a year over the next five years.

Since 2000, more than 200 cyber cafés have opened in Haiti, of which 85 percent are in Port-au-Prince. The cyber cafés offer access to low speed Internet connections for long distance communications and Internet browsing.

In June 2011, the Government of Haiti began collecting a 5 cents/minute fee on all international calls into Haiti to finance a free compulsory education program across the country. The levy on international phone calls with Digicel and Natcom has raised USD 53 million.

Best Prospects/Services

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The telecommunications sector is growing at a steady pace. The rapid expansion of the telecommunications market has been accompanied by a growing demand for diversified telecommunications services. Approximately 10 firms offer Internet access and data transmission services, which are leading to the growth of a computer culture. According to CONATEL, in FY 2013 Internet penetration reached 13 percent with 1.5 million Internet users.

NATCOM provides fiber optic cable Internet, which facilitates improved Internet connection speeds and allow for Voice over Internet Protocol (VoIP). Even with little Internet penetration, Haitians take advantage of apps such as Google Voice, Skype, Viber and Whatsapp to keep in touch with loved ones or to simply conduct their daily business.

Opportunities

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The existence of two GSM cellular companies in the telecommunications market opens opportunities for other investors, which may result in higher competition. With the introduction of 3G services, providers will have an opportunity to quickly launch faster mobile Internet access speeds. Thus, an expanded market for internet services is becoming a viable opportunity.

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CONATEL
4, Ave Christophe, B.P. 2002,
Port-au-Prince, HAITI
Tel: (509) 2511-3940
<http://www.conatel.gouv.ht>

Access Haiti:
www.accesshaiti.com

Natcom:
www.natcom.com.ht

Digicel:
www.digicelhaiti.com

Electrical Power Systems - ELP

	2011	2012	2013
Total Market Size	325	162	167
Total Local Production	0	0	0
Total Exports	0	0	0
Total Imports	325	162	167
Imports from the U.S.	47.8	39.6	53

** : Not available

Figures are in million USD. All figures derived from the U.S. Census Bureau and Trade Map – International Trade Centre.

In 2011, Haitian imports of U.S. electrical generating products reached USD 47.8 million. Local demand for U.S. electrical systems increased 33 percent to reach 53 USD million in FY 2013. The 2010 earthquake caused significant damage to existing power supply networks, including those of the national electricity company (EDH/Electricite d'Haiti) and other local producers. In 2012, EDH provided about 14 hours of electricity per day throughout the country, up from 11 hours on average per day in 2011. Port-au-Prince itself gets 17 hours of electricity per day.

There is an urgent need to repair and expand existing power plants throughout the country. Haiti has an installed capacity of 313 MW but only 60 percent of the installed capacity is firm, as many generation units need rehabilitation and repair work. The current supply fails to meet demand due to poor maintenance and obsolescence. Total unmet demand for residential and commercial electricity in the country is estimated at approximately 500 MW per day. Only 25 percent of Haitians have access to electricity, with an average annual consumption of just 21 KWH per inhabitant. As of March 2013, total electricity generation approximated 1,124 million KWH. 506 million KWH produced from two private companies using diesel fuel; 284 million KWH generated from EDH power plants including 226 million KWH produced from a hydro-electric plant located outside in the Artibonite; and 334 million KWH produced from three heavy fuel oil power plants developed under a Cuba-Venezuela-Haiti tripartite agreement. The government hopes to modernize EDH and improve its performance. To initiate the process, it launched in June 2014 an international call for tenders to grant a concession to a strategic investor for the production distribution of electricity in the South-East region.

According to Haitian suppliers, 50 percent of power generators come from the U.S. Other suppliers include Japan, France, China, and South Korea. U.S. electrical companies, including those that supply generators, parts, and service, may find opportunities in Haiti due to a severe electricity shortage. Electrical blackouts are a daily occurrence in Haiti. There is a market for U.S. firms interested in contracting with EDH to repair existing equipment and install additional electrical equipment at Port-au-Prince power plants. During FY 2012-2013, private companies were invited to submit proposals for the acquisition of equipment for the maintenance and repair of EDH's automobile fleet. Low cost electrical generation equipment is in demand by some

residential owners. There is also an increasing focus on solar power generation equipment and appliances.

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The unreliability and lack of centrally-supplied electrical power from EDH continues to drive demand for power generation equipment, such as new electrical power systems, generators, inverters, batteries, and maintenance. With Haiti's tropical climate and high percentage of daily sunlight, the country could be a prime candidate for wind and solar power generation. Recent studies also indicated that Haiti may have "abundant renewable energy sources."

A lack of electrical generation capacity and distribution has caused a rise in tender opportunities in long- and short-term power generation. For additional information, please contact Electricite d'Haiti (EDH) directly. (Refer to [Chapter 9: Contacts, Market Research and Trade Events](#) for contact information).

Resources

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Electricite d'Haiti (EDH)
Angle Rue Chareron et Boulevard Harry Truman Cite de l'Exposition
B.P. 1753
Port-au-Prince, Haïti
Tel: (509) 2813-1641 / 2813-0157/ 2813-0197/ 2223-0837 / 2212-2212
Fax: (509) 2223-8750
E-mail: info@edh.ht
(Mr. Jean Errol Morose, Director General)
<http://www.edh.ht/>

E-Power
Hinsa Free Zone Park, Rue Lisius, Drouillard
Port-au-Prince, Haïti
Tel: (509) 2813-0015
Fax: (954) 323-4315
E-mail: admin@epowerhaiti.com
(Mr. Carl-Auguste Boisson, CEO)
<http://www.epowerhaiti.com>

Sogener S.A.
30, Boulevard Toussaint Louverture,
Route de l'Aeroport
Port-au-Prince, Haïti
Tel: (509) 3707-0000 / 3708-0000
E-mail: sogeneradmin@sogener.com
<http://www.sogener.com>

HayTrac (Haitian Tractor & Equipment Co S.A.)
51, Blvd. Toussaint Louverture
Route de l'Aeroport
Port-au-Prince, Haïti
Tel: (509) 2814-8000

E-mail: haytrac@haytrac.com
<http://www.haytrac.com>

TOURISM

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After World War II, Haiti became a popular tourist destination. Many family-owned and – run hotels were built in Port-au-Prince and Petion Ville (a suburb of the city). Other towns, such as Jacmel and Cap Haitien, also benefited from their colonial history and charming architectural style. Milot is a town in the North Department of Haiti, 12 miles south of Cap-Haïtien. It is the site of Sans-Souci Palace, one of Haiti's most revered landmarks, and Citadelle Laferrière, a UNESCO world heritage site. The Haitian handicraft and painting sectors developed during this period and remain active, although to a lesser extent in Jacmel.

The long period of instability following the Duvalier regime overwhelmed the tourism industry, which has yet to recover. Since 1987, most visitors have been American citizens of Haitian descent, international aid workers, diplomats, and a few business representatives meeting with local partners. The most successful tourism “hot spot” is at Labadie, near Cap Haitien, where Royal Caribbean Cruise lines maintains a private beach for its cruise passengers. The company is also considering the addition of La Citadelle to the range of the cruise stop as a tourist attraction site.

Prior to the 2010 earthquake, Haiti counted about 2,000 rooms, mostly in 3-star hotels, averaging USD 100 per night. Following the earthquake, the hotel supply counted only 773 rooms. Given the lack of hotel rooms, Haiti needed to rebuild their hospitality industry in order to revive the torn economy. Industry representatives were very committed in making an impact, and today Haiti has increased its room capacity to 2670, averaging USD 185 per night for a standard room.

International organizations, aid workers and non-profit organizations have kept occupancy rates at hotels in the capital in the range of 75 percent, whereas the beach resorts have seen a significant drop, from 90 percent to 20 percent. Two major hotels with conference facilities, the Royal Oasis and the Best Western, both in Petion-Ville, are operational. Expansion of the Karibe Hotel, El Rancho, and the Ritz Hotel, also in Petion-Ville, are ongoing and should be complete by 2014. Choice Hotels International, owner of Comfort Inn, will franchise its brand to two hotels in Jacmel, a seaside town located 51 miles southeast of Port-au-Prince. A Marriott Hotels & Resort brand hotel with 175 rooms broke ground in the Turgeau area of Port-au-Prince, and is expected to open in early 2015. Hilton Worldwide announced the opening of a hotel with 152 mid-priced rooms for May 2016.

Revival of the tourism sector is a Haitian government priority. The Ministry of Tourism has developed an ambitious program focused on four areas: the North (Cap Haitien), the West (Port-au-Prince), the Southeast (Jacmel), and the Southwest (Les Cayes and Ile-a-Vache). The plan calls for development and/or restoration of destinations known for their history and culture. Specific locations significant to Haiti's rich history, such as Habitation Breda (Toussaint Louverture's birthplace and residence) and Bois Caiman (location of the first slave ceremony after the revolt) are scheduled for renovation. The

Caribbean Tourism Organization (CTO) reported that 420,000 tourists visited Haiti in 2013, which represents a 20% increase over the previous year. It also reported that 609,930 cruise passengers visited Haiti during FY 2011-2012.

Best Prospects/Services

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Improvement in basic infrastructure, such as roads, health services, and power supply, as well as construction of hotels throughout the country, is essential for tourism development

See the latest State Department Travel Warning on Haiti:
<http://haiti.usembassy.gov/service/us-citizen-services/travel-warning.html>

(Refer to [Chapter 9: Contacts, Market Research and Trade Events](#) for contact information)

Opportunities

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Opportunities in the tourism sector are closely linked to other sectors described earlier- telecommunications, electrical power systems, and transportation. Major tourist development projects are underway in the area of Ile-a-Vache, Cotes-de-Fer and the South Coast. In May of 2014, there were reports that the remains of the Columbus flagship Santa Maria may have been found in Haiti's waters. If confirmed, this could be a big boost for Haiti's tourism industry.

Refer to [Chapter 9: Contacts, Market Research and Trade Events](#) for contact information

Resources

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<http://www.haititourisminc.com/>

Tourist Association of Haiti: <http://www.ladiasporahaitienne.com/detail/l--association-touristique-d--haiti-ath-901.html>

Agricultural Sector

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The exodus of the rural population to major cities, coupled with a lack of agricultural capitalization, has hindered the development of food crops. Haiti imports most of its basic agricultural products due to an inability to produce enough food to meet domestic demand. In addition, roads to transport major food production inside the country are poor to nonexistent. The major food imports are cereals, vegetable fats and oils, dairy products, meat and poultry. U.S. exports of rice, processed food, wheat, and poultry are good market prospects. According to Haitian Central Bank (BRH) figures, Haiti's food

imports topped USD 627.3 million in 2010, nearly a quarter of total imports, and totaled USD 582 million in 2011. Food imports declined by 5 percent to \$554.8 million in 2012.

The U.S. Department of Agriculture (USDA) authorized credit guarantees to Haiti under the Commodity Credit Corporation's (CCC) Export Credit Guarantee Program (referred to as GSM-102). Twenty agricultural commodities are accredited under the GSM-102 authorization. Included on this list are all of the most important food imports: rice, vegetable oil, poultry, wheat, and wheat flour. For more information on USDA's GSM-102 program, contact the Foreign Agriculture Service's Information Division in Washington, D.C. at www.usda.gov/wps/portal

Sectors

- Rice
- Cereal products; malt, starch, insulin, wheat gluten
- Meat and edible meat offal
- Animal and vegetable fats, oils
- Miscellaneous Food Preparations

Rice

Cereals are very important to the Haitian diet and rice is the main staple food. Eighty percent of rice consumed in Haiti is imported. The U.S. is especially competitive in medium quality (10 to 20 percent broken) milled rice and in best quality (2 percent) broken rice. The total amount of rice imported from the U.S. in 2012 was USD 197.7 million, which represents approximately 58 percent of total U.S. food exports to Haiti, valued at USD 340 million, and 79 percent of Haiti's total rice imports. U.S. exports of milled rice consist of 50 kg bags.

Statistical Data (USD Millions)

	2011	2012	2013
Total Market Size	257	247	203
Total Local Production	31	28	**
Total Exports	0.08	0	0.01
Total Imports	226	219	203
Total Imports from the U.S.	161	197.7	195

Unavailable figures are represented by **

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau, UN Food and Agriculture Organization (FAO), and Trade Map – International Trade Centre.

Cereal Products -- Malt, Starch, and Wheat Gluten

After rice, other cereal products are the second largest category of U.S. agricultural exports to Haiti. The United States remain Haiti's largest supplier for rice, wheat, sorghum and millet over the past 3 years, while the Dominican Republic has become Haiti's largest corn provider. Cereal products, especially wheat and flour, are main components of the Haitian diet. Haiti, however, does not produce sufficient milled grains to satisfy domestic demand. U.S. exports of all cereal products rose from USD 179 million in 2011 to USD 247 million in 2013.

Statistical Data (USD Millions)

	2011	2012	2013
Total Market Size	465	396	362
Total Local Production	101	71	**
Total Exports	0.1	0.7	0.16
Total Imports	364	325	362
Total Imports from the US	179	220	247

** : Not Available

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau, UN Food and Agriculture Organization (FAO), and Trade Map – International Trade Centre.

Poultry, Meat and Edible Meat Offal

The U.S. is Haiti's second major supplier of poultry (after the Dominican Republic). The increase in U.S. poultry imports is due to the illness of chickens as well as the high price of chicken feed and the closing of many Haitian poultry farms over the years. Following the detection of the H5N2 avian flu virus in the Dominican Republic, a ban on Dominican poultry and eggs products was instituted January 7, 2008 and on paper remains in effect today. These developments led to an increase in the import value of U.S. poultry and egg products in 2008. In 2013, chicken and meat imports from the U.S. reached valued USD 71 million, a slight decrease from USD 73 million in 2012.

Statistical Data (USD Millions)

	2011	2012	2013
Total Market Size	128	89	84
Total Local Production	44	**	**
Total Exports	0	0	0
Total Imports	84	89	84

Total Imports from the US	68	73	71
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** : Not Available

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau and Trade Map – International Trade Centre.

Animal and Vegetable Fats

Most imported oils used to prepare food are received in large containers and then redistributed into smaller bottles by importers. The local sales preference is to use 8 to 10 ounce bottles for distribution.

Statistical Data (USD Millions)

	2011	2012	2013
Total Market Size	165	124	156
Total Local Production	**	**	**
Total Exports	0	0	0
Total Imports	165	124	156
Total Imports from the U.S.	28.8	14.3	13.3

** : Not Available

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau.

Miscellaneous Processed Food

The total value of prepared foods exported to Haiti from the United States was USD 17.5 million in 2011 and USD 17.3 million in 2012. Processed food imports from the U.S. reached USD 21.6 million in 2013, a 25 percent increase over 2012. Haitian production of miscellaneous processed food products is controlled by the informal sector and accurate figures are unavailable for local production, and exports.

Statistical Data (USD Millions)

	2011	2012	2013
Total Market Size	69.5	68.2	90.3

Total Local Production	0	**	**
Total Exports	0	0	0
Total Imports	69.5	68.2	90.3
Total Imports from the U.S.	17.5	17.3	21.6

** : Not Available

Figures are in million USD. U.S. figures derived from the U.S. Census Bureau and Trade Map – International Trade Centre.

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Import Tariffs

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The government updated Haiti's customs regulations in 1987. Since then, the government has issued several official decrees modifying the level of customs duties on virtually all products. The most significant decree was issued in March 1995 and effectively lowered all customs duties on a temporary basis until comprehensive new regulations could be promulgated. That decree is still in effect.

Imported commodities are subject to payment of customs duties and other taxes. The value of imported goods, based upon either the "Free on Board" (FOB) or "Cost, Insurance Freight" (CIF) valuations, is converted into Haitian gourdes at the prevailing daily rate, prior to the application of duties and taxes. All duties and taxes are payable to the Haitian Customs Administration. Most duties do not exceed 15 percent.

Any cargo vessel (sea, air, or land) en route to Haiti -- loaded or unloaded -- must be presented to customs. A bill of lading in four originals signed by the captain must be presented to Customs upon arrival.

Customs valuation is based on:

- 1) Cost of the goods
 - a. Original invoice from the country of origin
 - b. If Customs does not accept the invoice, the Blue Book value will be used to set the price. This is usually the case for cars, trucks, and other vehicles.
- 2) Insurance cost: varies according to insurance company; Customs generally accepts the cost.

Freight cost, including port charges, varies according to shipping company; Customs generally accepts the cost.

Verification of CIF value procedure:

- 1) The first control occurs during the customs clearance process. It includes an examination of presented documents and, if needed, an inspection of the goods.
- 2) The second control occurs after customs clears the goods. During the second control, the value of goods is verified; invoice prices are checked during this part of the control process.

The Haitian Central Bank collects the duties for goods imported into Port-au-Prince. For goods shipped elsewhere in Haiti, duties are collected through the National Credit Bank (BNC). Customs formalities can take from 24 to 48 hours if all forms are in order. Some importers complain that the customs clearance process is too lengthy and can result in detrimental delays.

Import Taxes

Verification fee: The charge for inspection is five percent of the CIF. The government waives the fee for goods in transit, storage, or temporary entry regimes and for goods used for diplomatic missions and the import of personal effects.

Turnover Tax (Taxe sur le Chiffre d'Affaires - TCA): The 10 percent TCA is a general tax on local sale of goods, supply of services, and imports. It is applied to the CIF value in addition to the customs duty, inspection fee, and excise duties. The TCA is calculated at each stage of production, distribution, or import. Products that are exempt from this tax include: petroleum products; newspapers, books, magazines, and paper used for school materials; local agricultural products; agricultural, livestock breeding, and fishing inputs; inputs used to manufacture medicines sold in pharmacies; agricultural, fishing, and livestock breeding machinery and equipment; and legal services. Goods entering the country under the transit, storage, or temporary entry regimes, including those to be used in processing and assembly industries produced solely for export, are exempt.

Contribution to Management Funds for Territorial Collectives (CFGDCT): The CFGDCT (Contribution aux Fonds de Gestion et Developpement des Collectivites Territoriales) is applied at the rate of two percent on all imports, except petroleum products, pharmaceuticals, parcel posts, some food products, agricultural inputs, and paper.

Excise Tax: A 10 percent fee is levied on imported cars of 2200 cubic centimeters or more; 90 percent of CIF on gasoline; 40 percent of CIF on diesel oil; 30 percent of CIF on kerosene; two percent of CIF on fuel oil; two percent of CIF on lubricants; and three percent of CIF on aviation fuel.

Other Tariffs

In general, tariff rates are low for raw materials and unprocessed goods and are higher for semi-finished and finished goods.

New and used automobiles, buses, trucks, and vans are subject to a five to 20 percent registration tax. This tax applies to the customs value. A five percent tax is applied to vehicles valued at less than HTG 35,000 (USD 814.00). A 20 percent tax is applied on

vehicles valued over HTG 75,000 (USD 1,745.00). A five percent tax is applied to trucks that weigh less than two tons and minibuses with a capacity not exceeding 24 passengers. Tax exemption applies if capacity accommodates more than 24 passengers. A 10 percent tourist tax is levied on imported used vehicles.

There are additional taxes on new cars, ranging from 5 to 20 percent and from 5 to 30 percent for used vehicle imports, used passenger transportation vehicles, and used trucks. New passenger transportation vehicles that accommodate more than 25 passengers and new trucks over two tons are exempt.

Transit and storage duties are imposed on the import of goods entering under the relevant tax regimes. The highest transit duty is five gourdes per parcel or per 100 kg of net weight. Customs storage duties are two percent of the customs value per month of storage. In addition, shipping lines in Haiti have begun to charge clients who are unable to unload their goods within 17 days demurrage fees. An experienced expeditor may help move goods more quickly and, therefore, potentially avoid onerous demurrage charges.

The following goods do not have a duty (not all products are listed):

- Powdered milk
- Certain bones and horn-cores
- Malt (not roasted)
- Wheat
- Hops
- Straw and pellets of unprepared cereals
- Seeds, spores, and fruit
- Certain sowing plants and parts of plants (other than garden seeds) used in perfumery, medicine, or pharmacology
- Certain types of fodder
- Certain resins and fats for industrial use
- Vegetables saps and extracts
- Linseed oil
- Crude glycerol
- Animal oils and fats (in specific forms)
- Yeast
- Denatured ethyl alcohol of any type
- Some protein materials and their vegetable saps and extracts
- Fisheries products
- Live animals
- Rubber
- Ores, slag, and ash
- Organic chemicals
- Pharmaceutical products
- Silk
- Fertilizers
- Tin and articles thereof
- Knitted or crocheted fabrics
- Vegetable plaiting materials
- Wool, fine or coarse animal hair

- Vegetable products
- Yarn and woven fabric
- Nickel and articles thereof
- Lead and articles thereof
- Impregnated, coated, covered, or laminated materials
- Other base metals, cements,
- Fabric and technical articles textiles
- Rail and tram locomotives, rolling stock and parts thereof, mechanical traffic signaling equipment

The following goods have a 15 percent duty (not all products are listed):

- Pork
- Sugars and confectionery
- Poultry meat and offal
- Cotton
- Moss and lichen
- Carpets and other textile floor coverings
- Cut flowers
- Natural or cultured pearls, precious stones and similar articles
- Citrus fruit
- Jewelry and other articles
- Edible vegetables, plants, roots
- Manufactures of straw, and tubers (fresh, chilled, or frozen), other plaiting materials, basketwork, and wickerwork

Other products and duties:

- Rice: 3 percent
- Buckwheat: 15 percent
- Millet: 15 percent
- Canary Seed: 3 percent
- Sorghum and other products of the milling industry: 15 percent
- Certain edible products of animal origin: 20 percent
- Some types of grape must, cider, and vinegar: 15 percent
- Cigarettes: 15 percent
- Cigars: 10 percent

In addition to these duties, the government imposes an excise tax on a series of imported or locally produced goods, such as tobacco, alcohol, sugar, flour, aerated water, and some "luxury food products." Excise taxes may be either specific or value-added.

Locally manufactured cigarette firms are required to pay 12 percent duty on product value.

Heavy agricultural and public works machinery are exempt from paying excise duties.

Haiti has World Trade Organization (WTO)-bound import duties on agricultural and non-agricultural products. Tariffs on agricultural goods range from zero percent to 30 percent. WTO-bound tariffs on non-agricultural goods, such as: hydraulic cement;

gasoline for engines; naphtha and benzene; certain varnishes and paints; straw products; esparto or other plaiting materials; basketwork and wickerwork; certain precious metals and stones; imitation jewelry; coins; and camping trailers range from zero to 58 percent.

Tariff preferences

Haiti does not grant tariff preferences to any country, but will grant them when provisions of the Caribbean Community (CARICOM) Treaty come into effect and when the Africa Caribbean, Pacific (ACP) – European Union Agreement is ratified by the Parliament.

Firms that import machinery, spare parts, semi-finished products, or materials needed to promote the development of specific sectors within the economy are exempt from duties on imports.

Registered Non-Governmental Organizations (NGO) are exempt from customs duties on food products and non-commercial imports of medical materials and equipment; an NGO is required to obtain authorization from the Ministry of Economy and Finance and the Ministry of Planning. NGOs may also be exempt from duties and taxes on imported vehicles, with the exception of the inspection fees and CFGDCT.

Other duty free goods include:

- Educational materials and teaching materials
- Equipment and materials needed for national defense
- Traveler's luggage
- Goods imported under diplomatic or consular privileges and covered by the Vienna Convention
- Furniture and objects imported when changing residence
- Correspondence courses and related teaching materials
- Agricultural equipment (this includes samples with no commercial value, tools, machinery, and re-imported goods that were temporarily exported)

The Haitian government signed a pre-shipment inspection agreement with Societe General de Surveillance (SGS) on May 5, 2003. Under this agreement, all imports with a value of at least USD 5,000, or an entire container (regardless of its value), must be inspected by the SGS before shipment to Haiti. SGS issues a verification certificate, which the importer submits to Customs. The inspection certificate, with the declared value and the document, is affixed to the other shipping documents.

Goods exempt from inspection by the SGS:

- Precious stones and metal art
- Ammunition and arms other than for hunting and/or sporting purposes
- Explosives and pyrotechnical articles
- Live animals
- Scrap metal
- Newspapers and magazines
- Personal effects and used household articles (including used vehicles)
- Parcels
- Commercial samples
- Supplies for diplomatic or consular missions

- Supplies for United Nations organizations
- Machinery for international subcontracting enterprises
- Petroleum and petroleum products
- Donations by foreign governments or international organizations to charitable organizations.

The government does not restrict used/refurbished equipment imports. Two exceptions include imports of used clothing, furniture, bedding, shoes, and used cars (limited to one used car per person per year).

All used items are subject to the same import tax treatment as new items. However, used cars are subject to an additional tourist tax of 10 percent of CIF.

<http://www.sgs.com/en/Logistics/Transportation/Containers/Pre-Shipment-Inspection-PSI/Pre-Shipment-Inspection-Haiti.aspx>

Trade Barriers

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High costs at Haiti's state-owned international seaports are the major non-tariff barrier confronting American exporters. The port in Port-au-Prince is on the list of public enterprises slated to be privatized by the government. Poor physical infrastructure and lax management contribute to high port user fees.

Import Requirements and Documentation

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The government does not require a license for importing most goods. The exception is the import of firearms, pharmaceutical products, petroleum products, and chicken and poultry products.

Pharmaceutical product importers must request an import permit from the Ministry of Commerce and Industry. In addition, all pharmaceutical products imported to Haiti are subject to sanitary registration, required by the Ministry of Health. To satisfy these sanitary registration requirements, the Ministry of Health requires information regarding clinical studies, toxicology, and pharmaceutical certification from the country of origin. The Ministry also requests three product samples of each drug to be imported.

Chicken and poultry importers are required to specify the origin of the product in their request.

U.S. Export Controls

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The nature and quantity of all goods entering Haiti should be clearly specified in the bill of lading as well as in the invoice attached to the bill of lading. U.S. exporters should follow all requirements concerning labeling as well as those related to prohibited and restricted imports.

Temporary Entry

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All goods temporarily stored in Haiti must be imported under the temporary entry regime. Temporary entry refers to goods that will be processed before being re-exported. These goods are subject to a security deposit equivalent to 150 percent of the duties and taxes payable under the release for consumption regime. The deposit is in the form of a *chèque de direction* (banker's check) and released once the goods are re-exported. Goods that enter the country under the temporary entry regime and are then used for consumption purposes are taxed on the amount of their depreciation when they are re-exported.

All imported goods are subject to verification fees and administrative costs.

Labeling and Marking Requirements

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Specific marks or labels are required for food and pharmaceutical products. All other goods do not require a label. Labels on processed food products should indicate ingredients in order of predominance, name and address of manufacturer, and expiration date. Labels on pharmaceutical products must indicate weight or quantity of active ingredients and the lot control number. The date of expiration and the generic name and/or commercial name of pharmaceutical drugs should also be indicated.

Prohibited and Restricted Imports

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Imports of weapons, waste, drugs, and agricultural products must have an authorization from the government. In November 2005 and January 2008, the government banned chicken and poultry imports from areas exposed to avian influenza. The Ministry of Commerce and Industry has not updated the list of prohibited products since 1962. Prohibited items include: materials of a pornographic nature; military equipment, including tanks, armored vehicles and parts, warships and lifeboats; arms and ammunition not intended for government use; narcotics; and equipment to be used to manufacture or print counterfeit currency or securities. According to the 1962 law, it is illegal to import used shoes and used clothing. Nonetheless, the law is not usually enforced and used clothing imports constitute a lucrative business in Haiti. The goods are usually cleared through customs as personal effects.

Imports of certain goods are subject to control for security and health reasons. Reasons for prohibition and/or restrictions include protecting Haiti's flora, fauna, and livestock from dangerous diseases. The Ministry of Public Health and Population (MSPP), the Ministry of Agriculture, Natural Resources and Rural Development (MARNDR) and the Ministry of Environment (ME) are responsible for health and environmental controls.

Imports of ethyl alcohol, generic chemicals, and pharmaceuticals require prior authorization from the MSPP. Imports of agricultural inputs, cattle feed, and animal products (processed or unprocessed) require authorization from the MARNDR and the submission of a health certificate issued by the exporting country. Imported live animals, plants, and seeds are subject to quarantine. An animal health certificate is required for imports of bovine animals and swine, and the certificate must indicate that the country of origin is free of foot and mouth disease, contagious bovine pleuro pneumonia, rinderpest, vesicular stomatitis, and lumpy skin disease. In the case of swine, the certificate must also indicate the animals originate from countries free of vesicular exanthema, African swine fever, ordinary swine fever, and swine encephalomyelitis.

Haiti is not a member of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), however, it voluntarily adheres to CITES directives.

Haiti has no quantitative restrictions on imports with the exception of the following goods: flour, sugar, peas, rice, maize, millet, pork offal, and poultry cuts, which are subject to a non-automatic licensing system.

Customs Regulations and Contact Information

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The following documentation is required under the basic regulations governing the import and export of commodities:

For import, the documentation requested by Customs includes:

- a bill of lading signed by the captain or his delegate, and
- an original invoice for the goods.

The bill of lading must include:

- name of the vessel (sea freight and the identification number for airfreight); name of the shipping company;
- port(s) of origin;
- port(s) of destination;
- complete manifest of the cargo and the volume on which the freight calculation was based;
- nature of the merchandise (includes bulk items);
- shipping cost;
- name of the shipper; and
- The name of the consignee.

Haitian law requires that exporters obtain an export permit from the Ministry of Commerce for export of some agricultural and textile products.

American exporters seeking information on Haitian tariffs and customs administration should contact the U.S. Embassy Port-au-Prince and the Haitian Customs Authority.

Standards

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Overview

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Haiti has no special legislation on standards, testing, approval, and certification. International standards are used as a reference but have not been officially adopted. The main international standards applied include those of the International Standards Organization (ISO), the World Health Organization (WHO), the Food and Agriculture Organization (FAO), and Codex Alimentarius for food products. With its accession to the Caribbean Community (CARICOM), Haiti has adopted the standards established by the Caribbean Organization of Standards and Quality (COSQ), which is the CARICOM body responsible for defining standards for goods and services at the regional level.

The government is drafting a framework law on quality, intended to harmonize and update the current laws on quality control. The technical services and government bodies involved in quality control will be reorganized, strengthened, and/or made operational. The Government intends to build inspection capacity by establishing national testing and calibration laboratories, integrate them into the regional and international networks, and approve private or university laboratories at the local level. Inspection posts will also be set up at strategic points.

Standards Organizations

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The national quality system will be guided and coordinated by three bodies.

The National Quality Council (CNQ), composed of representatives of the public and private sectors, as well as civil society, defines national quality policy and is responsible for coordination and follow-up. The CNQ will be assisted by a small executive structure supported by technical committees, including a technical committee on accreditation.

The Standards Centre (CNS), a joint autonomous body administered by a management committee, is under the supervision of the CNQ and deals with standardization, training, and issues of quality. Its role is to provide advice and promote quality among Haitian entrepreneurs. The CNS is financed by the Haitian Treasury with technical assistance provided by the United Nations Industrial Development Organization (UNIDO).

The National Commission for Official Quality Control (CNCOQ) is an inter-ministerial quality control commission, responsible for coordinating Haiti's quality-related activities. It is composed of government officials from each relevant ministry responsible for quality controls.

NIST Notify U.S. Service

Member countries of the World Trade Organization (WTO) are required under the Agreement on Technical Barriers to Trade (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other member countries.

Notify U.S. is a free, web-based e-mail subscription service that offers an opportunity to review and comment on proposed foreign technical regulations that could affect your access to international markets. Register online at Internet URL:
<http://www.nist.gov/notifyus/>

Conformity Assessment

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The government's primary goal under the proposed Haitian Standard System is to protect consumers and to monitor the safe sale of food, chemicals, and pharmaceutical

products, as well as cosmetics. Special attention will be given to exports in order to ensure that they have a positive impact abroad and improve the Haitian trade balance.

Product Certification

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A fixed standard will be ratified after a consulting process with stakeholders.

Accreditation

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Accreditation will be accorded to all products that meet the standards set by the government in the forthcoming Presidential Decree on Standards.

Publication of Technical Regulations

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Technical regulations on standards will be attached to a Presidential Decree.

Labeling and Marking

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Specific marks or labels are required for food and pharmaceutical products. All other goods do not require a label. Labels on processed food products should indicate ingredients in order of predominance, name and address of manufacturer, and expiration date. Labels on pharmaceutical products must indicate the weight or quantity of active ingredients and the lot control number. The date of expiration and the generic name and/or the commercial name of pharmaceutical drugs should also be indicated.

Contacts

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Trade Agreements

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Haiti acceded to CARICOM in July 1999, negotiating a ten-year period as a Least Developed Country to fully integrate into CARICOM. Efforts within CARICOM to form the Single Market and Economy have been put on pause. Haiti benefits from three preferential trade programs, including the Caribbean Basin Initiative (CBI), the Caribbean Basin Trade Partnership Agreement (CBTPA), and the Haitian Hemispheric Opportunity through Partnership Encouragement Act II (HOPE II) and HELP Acts, as outlined below.

Caribbean Basin Initiative (CBI)

Approximately 3,500 Haitian export products are eligible for duty-free entry into the U.S. under the CBI. Most textiles are excluded, with the exception of those made from linen

or silk, or qualifying as handicraft work. Other excluded items include certain watches and watch parts, petroleum and its by-products, prepared or canned tuna, sugar, molasses, syrup, beef, spirits, and footwear.

Products must be shipped directly from Haiti to the U.S. to qualify for CBI preference. The products may incorporate imported components as long as the goods exported to the U.S. are a new merchandise product distinct from such components and the Haitian direct costs of production (including domestic raw materials and those originating in other CBI beneficiary countries, including Puerto Rico and the U.S. Virgin Islands) must amount to at least 35 percent of the customs value. Materials of U.S. origin may be included up to a maximum of 15 percent of its customs value.

Eligible articles assembled or processed from U.S. materials, components, or ingredients are accorded duty free access into the U.S. regardless of whether such articles satisfy the 35 percent value-added criterion.

Caribbean Basin Trade Partnership Act (CBTPA)

On October 2, 2000, Haiti was designated as a beneficiary of the CBTPA. Congress passed the CBTPA as part of the Trade and Development Act of 2000. It is designed to provide greater duty-free access to U.S. markets for Caribbean and Central American nations. The CBTPA expands on the CBI program by allowing duty-free and quota-free treatment for imports of certain apparel from the region, and by extending NAFTA-equivalent tariff treatment to a number of other products previously excluded from the CBI program.

The Hope and HELP Acts

Partially in response to concerns over Haiti's apparel parity issue, Congress enacted the Haitian Hemispheric Opportunity through Partnership Encouragement (HOPE) Act of 2006, which came into force on March 19, 2007. Congress provided HOPE in addition to other trade preferences under the General System of Preferences (GSP), Caribbean Basin Economic Recovery Act (CBERA), and CBTPA. Eligibility criteria include progress toward achieving a market based economy, increasing employment, enhancing the rule of law, eliminating barriers to U.S. trade, combating corruption, and protecting internationally recognized human and worker rights.

In May 2008 the U.S. Congress passed the Farm Bill attaching an extended HOPE bill known as HOPE II. According to Subtitle D Part 1 (Extension of Certain Trade Benefits), the HOPE II bill includes an extension of 10 years effective October 2008; an extension of eligible woven products from three years to 10 years; an increase in the Tariff Preference Level (TPL) for woven and knit products from 50,000,000 to 70,000,000 square meter equivalent; co-production with the Dominican Republic; and the inclusion of luggage, headgear, and sleepwear.

More recently, after the 2010 earthquake a number of apparel factories based in and around Port-au-Prince were heavily damaged, including the collapse of one major apparel factory that employed nearly 4,000 workers. According to estimates by the Department of Commerce, imports of apparel articles from Haiti to the United States in 2010 decreased by 43 percent in comparison to 2009. As a result, the U.S. Congress passes the Haiti Economic Lift Program (HELP) Act. The bill extends the Caribbean

Basin Trade Partnership Act (CBTPA) and the Haitian Hemispheric Opportunity through Partnership Encouragement Act (HOPE) through September 30, 2020.

The trade preferences available under HOPE/HELP are specifically designed for Haiti, and are conditioned on both the Haitian Government and individual producers meeting certain core labor standards and Haitian labor laws. Producers must participate in a Technical Assistance Improvement and Compliance Needs Assessment and Remediation program (TAICNAR) and comply with internationally agreed core labor standards. HOPE/HELP are intended to strengthen "Brand Haiti."

The Haiti Economic Lift Program (HELP) Act will help create sustainable support for Haiti's economy by expanding tariff benefits for certain Haitian textile and apparel exports to the United States. HELP will allow the expansion of duty-free access to the U.S. market for Haitian textile and apparel exports and extend existing trade preference programs for Haiti.

The Lomé Convention Trade Advantages

On December 15, 1989, Haiti signed the Fourth Agreement on Common Preferences (ACP) Lomé Convention under which products originating from Haiti and numerous other ACP beneficiary countries are exempt from import duties or equivalent taxes upon entry to the European Union. Certain agricultural products, such as rum, bananas, and sugar are subject to import quotas. Other products must comply with specific import regulations. Primary export products benefit from a price insurance fund called Stabex, which is part of a system created to compensate for losses due to world price fluctuations.

Under the Lomé Convention, exporters must obtain proof of origin, called a certificate of circulation of goods, (Form Eur.1) issued by customs officials in the exporting country. The certificate must then be sent to the customs authorities of the importing country within 10 months of the delivery date.

Free Trade Zones

A law on free trade zones entered into force on August 2, 2002, and set out the conditions for operating, creating, and managing free trade zones, along with the exemption or incentive regime applicable to investment in such zones. The law defines free trade zones as geographical areas to which a special regime on customs duties and customs controls, taxation, immigration, capital investment, and foreign trade applies and where domestic and foreign investors can provide services, import, store, produce, export, and re-export goods. Free trade zones may be private or joint ventures, involving state or private investors.

Two free trade zones were granted status in 2003, but only one was operational in northern Haiti. Between February 2012 and March 2013, 3 additional free trade zones were established in Port-au-Prince, bringing total free trade zone space to over 150 hectares of land.

An inter-ministerial commission, called the Free Zones National Council (CNZF),

comprised of representatives from both the public and private sector, is responsible for:

- Receiving applications for approval as a free zone
- Approving applications for admission to the free zone regime
- Ensuring that projects approved are carried out in accordance with relevant regulations
- Authorizing the operation of free zones
- Defining and regulating free zones
- Approving and monitoring procedures and operations in free zones
- Approving its own rules and procedures

The Free Zones Directorate, set up within the Ministry of Commerce and Industry, acts as the CNZF's Technical Secretariat. It implements and ensures implementation of decisions taken by the CNZF; receives investors and potential investors; sends quarterly reports on the establishment and operation of free trade zones to the CNZF for approval; examines applications for approval of free trade zone; participates in all negotiations likely to lead to agreements or conventions on free trade zones at the national and international level; monitors the operation of all free trade zones in Haiti; and ensures regular monitoring of the free trade zones.

The law provides the following incentives for enterprises located in free zones:

- Full exemption from income tax for a maximum 15-year period, to be followed by a period of partial exemption that gradually decreases.
- Customs and fiscal exemption (including registration taxes) for the import of capital goods and equipment needed to develop the area, with the exclusion of tourism vehicles.
- Exemption from all communal taxes (with the exception of the fixed occupation tax) for a period not exceeding 15 years.
- Registration and transposition of the balance due for all deeds relating to purchase, mortgages, and collateral.

Goods and services sold from free trade zones on the Haitian market are considered to have entered through Haitian Customs and are subject to relevant duties and taxes. The volume of free trade zone goods allowed for sale in Haitian markets may not exceed 30 percent of the total production of an enterprise in the free zone.

Web Resources

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Additional information can be found on:

www.brh.net

www.ustr.gov/Trade_Development/Preference_Programs/CBI/Section_Index.html

www.whitehouse.gov/news/releases/2006/06/20060630-8.html

www.answers.com/topic/lom-convention

Chapter 6: Investment Climate

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Openness to Foreign Investment

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Haiti's legislation encourages foreign direct investment. Import and export policies are non-discriminatory and are not based upon nationality. There is no significant public opposition to foreign investment in Haiti. The Government of Haiti has made some progress in recent years to improve the legal framework, create and strengthen core public institutions, and enhance economic governance. The government of President Michel Martelly continued the monetary, fiscal, and foreign exchange policies initiated under the 2004-2006 interim Haitian government with the assistance of the International Monetary Fund (IMF) and the World Bank (WB) aimed at creating a stable macroeconomic environment. Such policies include reducing interest rates to facilitate access to credit and keeping the exchange rate stable. Political infighting and weak institutional capacity within the Haitian government and in the private sector, however, have reduced the impact of the Haitian government's initiatives and stalled much-needed efforts to modernize Haiti's commercial, investment, and tax laws. In 2009, the WB, IMF, and Inter-American Development Bank (IDB) collectively canceled USD 1.2 billion of Haiti's debt in recognition of Haiti's relative macroeconomic stability and adherence to IMF program conditionality. Following the devastating earthquake in 2010, the WB, IMF and IDB wrote off USD 788 million in debt as part of a broad strategy to support Haiti's long-term reconstruction plans. However, largely as a result of infrastructure rebuilding and social programs since the 2010 earthquake, Haiti has incurred USD 1.6 billion in new foreign debt, with more than 75 percent of this owed to the Venezuelan government.

In 2011, the Haitian government began drafting new laws to improve the legal framework and incentives for investment in Haiti. An anti-money laundering law was passed in

November 2013, which regional banking authorities are currently analyzing. In March 2014, Parliament enacted an anti-corruption law that harmonizes Haiti's legislation with international standards. In 2012, the Haitian government submitted for Parliament's approval laws on electronic transactions and electronic signatures, but these have not yet been approved. In addition, numerous pieces of legislation that may improve the investment climate are being reviewed, such as a new mining code, an insurance code, a labor code, a law establishing a public credit bureau, and new construction permit regulations. The Haitian government also continues to upgrade Haiti's historically inadequate infrastructure.

In 2010, the year of the earthquake, Haiti's economy contracted by 5.4 percent. In 2011, the Haitian economy had begun recovering slowly from the effects of the earthquake and a tumultuous electoral period the previous year, showing a 5.6 percent growth of its GDP. However, adverse natural shocks affecting agricultural output and the slow execution of public capital spending negatively affected the economic recovery in 2012, and growth slowed to 2.8 percent. The economy rebounded to 4.3 percent growth in 2013, spurred by public spending and moderate recovery of key sectors such as agriculture, manufacturing, construction, and tourism. The IMF predicts that GDP growth will remain at a similar level in 2014.

Investment Code and Incentives

In 2002, the Haitian Parliament passed an investment code (the Code) prohibiting fiscal and legal discrimination against foreign investors. The Code explicitly recognizes the crucial role of foreign direct investment in spurring economic growth and aims to facilitate, liberalize, and stimulate private investment. The Code contains exemption regimes to promote investment likely to enhance competitiveness in sectors deemed priorities or strategically important, especially export-oriented sectors. Tax incentives, such as reductions on taxable income and tax exemptions, are designed to promote private investment. The Code grants Haitian and foreign investors the same rights. Foreign investors must be legally registered and pay appropriate taxes and fees.

The Code also established an Inter-ministerial Investment Commission (CII) to examine investor eligibility for license exemptions as well as customs and tariff advantages. The CII is chaired by the Prime Minister or his delegate, and is composed of representatives of the Ministries of Economy and Finance, Commerce, and Tourism, as well as those ministries with purview over the prospective area of investment. The CII must authorize all business sales, transfers, mergers, partnerships, and fiscal exemptions within the scope of the Code. The CII also manages the process of fining and sanctioning enterprises that ignore the Code. The majority of economic activities are open to both Haitian and foreign private investors. Investment in certain sectors, however, requires special Haitian government authorization. Investment in "sensitive" sectors, such as electricity, water, and telecommunications, requires a Haitian government concession. Investment in the public health sector requires authorization from the Ministry of Public Health and Population. Investment in agriculture is subject to the Ministry of Agriculture's approval. In general, natural resources are considered to be the property of the state. As a result, prospecting, exploring, or exploiting mineral and energy resources require concessions and permits from the Bureau of Mining and Energy, in the Ministry of Public Works. Mining, prospecting, and operating permits may only be granted to firms and companies established and resident in Haiti.

Haiti has made several commitments to the World Trade Organization (WTO) in relation to the financial services sector. These commitments include permitting foreign investment in financial services, such as retail, commercial, and investment banking, and consulting. Currently, there are two foreign banks operating in Haiti: Citibank of the United States and Scotia Bank of Canada.

Investment Facilitation Institutions

An Investment Facilitation Center (CFI, by its French acronym) was established in 2007 to promote investment opportunities in Haiti. CFI's major activities include: streamlining the investment process by simplifying procedures related to trade and investment; providing updated economic and commercial information to local and foreign investors; and promoting investment in priority sectors. The Haitian government considers strategic investments in sectors that contribute substantially to reductions in the balance of payments deficit, increase economic growth, and improve the skill level of the labor force as priorities. Investments that lead to permanent job creation and a renewal of the domestic production structure are also considered priority or strategic investments. President Martelly's administration redirected CFI's focus towards legal reform, and the promotion of domestic and international investment with continued emphasis on public relations. The institution also offers "red carpet" service for large investors. CFI was also recognized by the World Bank in December 2012 as a regional leader in the promotion of investment online.

CFI has made some progress in reducing delays facing investors in starting a business in Haiti, thereby reducing transaction costs. CFI reports that during 2014, cumbersome entry procedures will be reduced from 12 procedural steps to 5. This may foster competition by facilitating the entry of additional investors. In 2009, CFI began implementing an internet registry that allows investors to search for or verify the existence of a business in Haiti. The registry will eventually provide on-line registration of companies through an "electronic single window". The single window is part of a project sponsored by the Inter-American Development Bank (IDB) that seeks to reduce the time needed to register a limited company in Haiti to 10 days. CFI also launched in April 2013 a service providing pre-registered and fully authorized companies classified in seven different sectors such as manufacturing, agribusiness, and real estate. Once these off-the-shelf companies are validated by the Inter-ministerial Investment Commission, the shares are transferred to the new owners.

In 2011, President Martelly launched a Presidential Advisory Council on Economic Growth and Investment (PACEGI), which aims to improve Haiti's business climate and attract foreign investors. The Council is co-chaired by President Bill Clinton and Haitian Prime Minister Laurent Lamothe and includes many international members such as Nobel Prize winner Dr. Mohammed Yunus.

In July 2012, Prime Minister Laurent Lamothe created an Economic and Social Development Council (CDES), an advisory body under the umbrella of the Prime Minister's office that aims to simplify administrative procedures and promote private investment. The Council is headed by Haitian entrepreneur Jerry Tardieu. In the course of 2013, the CDES has been active in the reform of the existing mining code, and has helped increase the social dialogue between the private sector and the Haitian government in preparation of the national budget.

In 2012, President Martelly created a Presidential Commission for the Reform of Business Law, which aims to coordinate the reform of business legislation and develop a better legal framework for both domestic and foreign investment. The Commission will submit to the Executive recommendations and pro-business project laws that will be included in the Haitian government legislative agenda.

Recent Developments

Despite recent progress and the Haitian government's commitment to improve investment, Haiti's investment climate barely improved in 2013. The WB's "Doing Business 2014" report ranks Haiti as 177 of 189 (first place being the best) on ease of doing business (remaining at the same position as the previous year). Economic growth in the 2013 fiscal year was spurred by large investments in agriculture, infrastructure, manufacturing, tourism, and related public spending.

TABLE 1: Haiti selected indices and rankings

Measure	Year	Index or Rank	Website Address
TI Corruption Perception Index	2013	163 of 177	http://cpi.transparency.org/cpi2013/results/
Heritage Foundation Economic Index	2013	152 of 177	http://www.heritage.org/index/pdf/2013/book/index_2013.pdf
World Bank's Doing Business Report	2013	177 of 189	http://doingbusiness.org/rankings
World Bank GNI per capita (USD amount)	2012	760	(see table 1B below)

TABLE 1B: Haiti Scorecard

The Millennium Challenge Corporation, a U.S. Government entity charged with delivering development grants to countries that have demonstrated a commitment to reform, produced scorecards for countries with a 2012 per capita gross national income (GNI) of USD 4,085 or less. Haiti's scorecard is available here:

<http://www.mcc.gov/documents/scorecards/score-fy14-english-ht-haiti.pdf>. Details on each of the MCC's indicators and a guide to reading the scorecards are available here: <http://www.mcc.gov/documents/reports/reference-2013001142401-fy14-guide-to-the-indicators.pdf>

Despite improvements in several sectors, Haiti did not become more competitive compared to the rest of the region. Overall costs to start a new business in Haiti

remained high, while access to credit as well as structures for investor protection are still insufficient. The Martelly government continued to promote Haiti as “open for business,” but officials recognized the need for coordinated efforts from both the Haitian government and the private sector to make it easier and cheaper for investors to do business in the country. Despite challenges, increased international attention on Haiti since the 2010 earthquake and the pro-business agenda of the Martelly administration have led to increased interest in Haiti from foreign investors. Further reform and improvement of the business climate is necessary to transform this interest into meaningful investment.

Haitian law is deficient in a number of areas, including: operation of the judicial system; organization and operation of the executive branch; publication of laws, regulations, and official notices; establishment of companies; land tenure and real property law and procedures; bank and credit operations; insurance and pension regulation; accounting standards; civil status documentation; customs law and administration; international trade and investment promotion; foreign investment regulations; and regulation of market concentration and competition. Although these deficiencies hinder business activities, they are not specifically aimed at foreign firms and appear to have an equally negative effect on foreign and local companies.

2. Conversion and Transfer Policies

There are no restrictions or controls on foreign payments or other fund transfer transactions and foreign exchange is readily available. All citizens or legal residents have the right to dispose of their assets. While restrictions apply on the amount of withdrawals per transaction, there is no restriction on the amount of foreign currency that residents may hold in bank accounts, and there is no ceiling on the amount residents may transfer abroad. The Haitian government does not impose restrictions on the inflow or outflow of capital. However, stricter measures are now being put in place to monitor money transfers in accordance with Haiti’s efforts to deter illicit cash flows, as mandated by the 2013 Anti-Money Laundering Act and the forthcoming implementation of the United States Foreign Account Tax Compliance Act (FATCA). Banks and currency exchange companies set their rates at the market-clearing rate. The spread between buying and selling rates is generally less than five percent.

The Haitian Central Bank (BRH) publishes a daily reference rate, which is a weighted average of exchange rates offered in the formal and informal exchange markets. The exchange rate for the Haitian gourde (HTG) is determined by the market and based on a floating exchange rate mechanism. The Haitian gourde is fully convertible for commercial and capital transactions to the U.S. dollar, however the HTG is converted to several other currencies including the Euro, the Canadian dollar, the Dominican peso, the Japanese Yen and the Sterling pound, through the U.S. dollar. During FY 13, the average exchange rate was 43 HTG/USD. As of May 2014, the exchange rate is approximately 45 HTG/USD. The exchange rate during FY 13 remained broadly stable against the U.S. dollar. Declining aid inflows have led to a slight depreciation trend of the Haitian gourde, offset by substantial U.S. dollar sales and swap exchanges from the central bank (BRH). Gross liquid reserves during FY 13 topped USD 2.24 billion, covering 6 months of imports of goods and services. Remittances, which are Haiti’s major foreign currency supplier and contribute to a quarter of the GDP, increased by 11 percent.

3. Expropriation and Compensation

The 1987 Constitution allows expropriation or dispossession only for reasons of public interest or land reform and is subject to prior payment of fair compensation as determined by an expert. If the initial project for which the expropriation occurred is abandoned, the Constitution stipulates that the expropriation will be annulled and the property returned to the original owner. The Constitution prohibits nationalization and confiscation of real and personal property for political purposes or reasons.

Title deeds are vague and insecure. The Haitian government has an office (INARA) to implement expropriations of private agricultural properties with appropriate compensation. The agrarian reform project initiated under the first Preval administration (1996-2001) was controversial among both Haitian and U.S. property owners. There have been complaints of non-compensation for the expropriation of property. The Martelly administration's slow but ongoing revision of the land tenure code is expected to address current issues related to the lack of access to land records, surveys, and property titles in Haiti.

4. Dispute Settlement

Haiti's commercial code dates to 1826 and underwent a significant revision in 1944. There are few commercial legal remedies available. The protection and guarantees that Haitian law extends to investors are severely compromised by weak enforcement mechanisms, a lack of updated laws to handle modern commercial practices, and a weak judicial system. Injunctive relief is based upon penal sanctions rather than securing desirable civil action. Similarly, contracts to comply with certain obligations, such as commodities futures contracts, are not enforced. Judges do not have specializations, and their knowledge of commercial law is limited. Utilizing Haitian courts to settle disputes is a lengthy process and cases can remain unresolved for many years. Bonds to release assets frozen through litigation are unavailable. Business litigants are often frustrated with the legal process and pursue out-of-court settlements.

In 2007, the Haitian Chamber of Commerce and Industry (CCIH), in partnership with the Haitian government and with funding from the European Union, established a commercial dispute settlement mechanism -- the Arbitration and Conciliation Chamber - - to provide mechanisms for conciliation and arbitration in cases of private commercial disputes.

There are several ongoing private disputes between U.S. and Haitian entities. Americans seeking resolution of these disputes are often hindered by Haiti's inefficient legal system. There are persistent allegations that some Haitian officials use their public office to influence commercial dispute outcomes for personal gain. As a result of international assistance, however, progress is being made to increase the credibility of the judiciary and the effectiveness of the national police.

Disputes between foreign investors and the state can be settled in Haitian courts or through international arbitration, though claimants must select one to the exclusion of the other. A claimant dissatisfied with the ruling of the court cannot request international arbitration after the ruling is issued. Foreign court decisions are not enforceable in Haiti. International arbitration is strongly encouraged as a means of avoiding lengthy domestic court procedures. In 2009, Haiti ratified the 1965 International Convention on

the Settlement of Investment Disputes between states and nationals of other states (ICSID). Foreign investors can call for ICSID arbitration in case of dispute with the state. Haiti is also a signatory to the 1958 United Nations Convention on the Recognition and Enforcement of Foreign Arbitration Awards, which provides for the enforcement of an agreement to arbitrate present and future commercial disputes. Under the convention, courts of a contracting state can enforce such an agreement by referring the parties to arbitration. Haiti is not a signatory to the Inter-American-U.S. convention on International Commercial Arbitration of 1975 (Panama Convention).

The Haitian government appears to recognize that the protections and guarantees that Haitian law extends to investors are severely compromised by weak enforcement mechanisms and a lack of updated laws to handle modern commercial disputes.

Haiti's bankruptcy law was enacted in 1826 and modified in 1944. There are three phases of bankruptcy under Haitian law. In the first stage, payments cease and bankruptcy is declared. In the second stage, a judgment of bankruptcy is rendered, which transfers the rights to administer assets from the debtor to the Director of the Haitian Tax Authority (Direction Générale des Impôts, or DGI). In this phase, assets are sealed and the debtor is confined to debtor's prison. In the last stage, the debtor's assets are liquidated and the debtor's verified debts are paid. In practice, the above measures are seldom applied. Since 1955, most bankruptcy cases have been settled through courts. Debts are normally paid in Haitian gourdes (HTG).

Although the concepts of real property mortgages and chattel mortgages -- pledging of personal property, such as machinery, furniture, automobiles, or livestock to secure a mortgage -- exist, real estate mortgages involve antiquated procedures and may fail to be recorded against the debtor or other creditors. Property is seldom purchased through a mortgage and secured debt is difficult to arrange or collect. Liens are virtually impossible to impose, and using the judicial process for foreclosure is time consuming and futile. In order to make progress in this area, Haiti needs to enact a credit bureau law and create an electronic collateral registry. Banks frequently require that loans be secured in U.S. dollars.

5. Performance Requirements and Investment Incentives

Haiti is an original member of the World Trade Organization (WTO). The WTO's latest Trade Policy Review of Haiti in 2003 found Haiti's Investment Code and Law on Free Trade Zones fully consistent with the Agreement on Trade-Related Investment Measures (TRIMs).

Haitian law confers equal treatment to manufacturing companies that produce for the local market regardless of their nationality, as long as they reside in Haiti. There are several special status categories for certain types of investment in priority or strategically significant enterprises.

In order to attract investment to certain industries, the Investment Code created a privileged status for some manufacturers. Eligible firms can benefit from customs, tax, and other advantages under the Code. Investments that provide added value of at least 35 percent in the processing of local or imported raw materials are eligible for preferential status.

The statute allows for a 5- to 10-year income tax exemption. Industrial or crafts-related enterprises must meet one of the following criteria in order to benefit from this exemption:

- Make intensive and efficient use of available local resources (i.e., advanced processing of existing goods, recycling of recoverable materials).
- Increase national income.
- Create new jobs and/or upgrade the level of professional qualifications.
- Reinforce the balance of payments position and/or reduce the level of dependency of the national economy on imports.
- Introduce or extend new technology more appropriate to local conditions (i.e., utilize non-conventional sources of energy, use labor-intensive production).
- Create and/or intensify backward or forward linkages in the industrial sector.
- Export-oriented production.
- Substitute a new product for an imported product, provided that the new product presents a quality/price ratio deemed acceptable by the appropriate entity and comprises a total production cost of at least 60 percent of the value added in Haiti, including the cost of local inputs used in its production.
- Prepare, modify, assemble, or process imported raw materials or components for finished goods that will be re-exported.
- Utilize local inputs at a rate equal or superior to 35 percent of the production cost.

For investment that matches one or more of the criteria described above, the Haitian government provides customs duty and tax incentives. Companies that enjoy tax exemption status are required to submit annual financial statements. Fines or withdrawal of tax advantages may be assessed to firms failing to meet the Code's provisions.

A progressive tax system applies to income, profits, and capital gains earned by individuals. The tax rates on individuals are as follows (45 HTG/USD as of May 2014):

Income (Gourdes)	Rate (percent)
Up to 60,000	0
60,001 to 240,000	10
240,001 to 480,000	15
480,001 to 1,000,000	25
Over 1,000,000	30

The tax rate on corporate income is 30 percent. The Haitian government receives technical assistance from the U.S. Department of the Treasury's Office of Technical

Assistance and USAID to facilitate increasing the Haitian tax base and the Haitian government's tax collection and enforcement capabilities.

The Haitian government does not impose discriminatory requirements on foreigners who wish to invest. Haitian laws, related to residency status and employment, are reciprocal. Foreigners who are legal residents in Haiti and wish to engage in trade have, within the framework of laws and regulations, the same rights granted to Haitian citizens. However, Article 5 of the Decree on the Profession of Merchants reserves the function of manufacturer's agent for Haitian nationals.

Foreign firms are also encouraged to participate in government-financed development projects. Performance requirements are not imposed on foreign firms as a condition for establishing or expanding an investment, unless indicated in a signed contract.

A foreigner who wishes to obtain residential status to conduct business in Haiti must deposit HTG 50,000 (USD 1,110) in a blocked account at the BRH. A professional identity card, issued by the Ministry of Commerce and Industry, is also required. Transient business persons and those temporarily in the country must be accompanied by locally licensed agents when visiting clients or soliciting business.

Foreigners working in Haiti are subject to property restrictions. Foreigners, excluding foreign corporations, may not own more than one residence in the same district or own real estate without prior authorization from the Ministry of Justice. Land ownership is limited to 1.29 hectares (about 3 acres) in urban areas and 6.45 hectares (about 16 acres) in rural areas. Additionally, foreigners may not own property or buildings near the border. Foreigners who establish Haitian corporations with corporate offices located in Haiti are not affected by restrictions on ownership of property or buildings adjacent to the border with the Dominican Republic.

6. Right to Private Ownership and Establishment

Investors in Haiti can create the following types of businesses: sole proprietorship, limited or general partnership, joint-stock company, public company (corporation), subsidiary of a foreign company, and co-operative society. Corporations are the most commonly used business structure in Haiti.

Foreign investors are permitted to own 100 percent of a company or subsidiary. As a Haitian entity, such companies enjoy all rights and privileges provided under the law. Additionally, they are permitted to operate businesses without equity-to-debt ratio requirements. Accounting law allows foreigners to capitalize using tangible and intangible assets in lieu of cash investments.

Foreigners are free to enter into joint ventures with Haitian citizens. The distribution of shares is a private matter between two partners. However, the sale and purchase of company shares are regulated by the state.

Entrepreneurs are free to dispose of their properties and assets and to organize production and marketing activities in accordance with local laws.

7. Protection of Property Rights

Haitian law protects copyrights, patent rights, and inventions, as well as industrial designs and models, special manufacturers' marks, trademarks, and business names. The law penalizes individuals or enterprises involved in infringement, fraud, or unfair competition. Haiti is a signatory to the Buenos Aires Convention of 1910, the Paris Convention of 1883 regarding patents, and the Madrid Agreement regarding trademarks. Haiti has ratified the Bern Copyright Convention.

The current draft trademark law appears to reflect the Haitian government's determination to revise its intellectual property legislation in line with its international agreements. As noted, weak enforcement mechanisms, inefficient courts, and judges' inadequate knowledge of commercial law may significantly impede the effectiveness of statutory protections.

Resources for Rights Holders:

For more information concerning intellectual property rights, please contact the U.S. Embassy's Commercial Attaché Christian Loubeau at PAPECON@state.gov.

Local lawyers list:

<http://photos.state.gov/libraries/haiti/231771/PDFs/List%20of%20Attorneys%20May%202011.pdf>

**Haitian Copyright Office (BHDA)
Ministry of Culture and Communication**

<http://bhdahaiti.com/>

19, Rue Jeanty

Bois-Patate/Canape-Vert

Port-au-Prince

HAITI (West Indies)

(509) 2245 00 86

(509) 2245 00 85

(509) 244 45 72

bhda.gouv@gmail.com

Director general/Directrice générale: Mrs. Emmelie Phrophète Milce

**Industrial Property Offices
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Ministry of Trade and Industry**

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Director of Legal Affairs/Directeur des Affaires Juridiques: Mr. Rodrigue Josaphat

For additional information about treaty obligations and points of contact at local IP offices, please see WIPO's country profiles at <http://www.wipo.int/directory/en/>.

Real property interests are handicapped by the absence of a comprehensive civil registry. Bona fide property titles are often non-existent. If they do exist, they are often in conflict with other titles for the same property. Verification of property titles can take several months or more. The Embassy regularly receives reports of fraudulent or fraudulently recorded land titles. Mortgages exist, but real estate mortgages are expensive and involve cumbersome procedures. They are not always recorded against the debtor or creditors.

8. Transparency of the Regulatory System

Haitian laws are transparent and theoretically universally applicable, but legal enforcement is not universally applied nor observed. The bureaucracy and "red tape" in the Haitian legal system is often excessive.

Haiti does not have laws to specifically foster competition. Tax, labor, health, and safety laws and policies are theoretically universally applicable. However, they are not universally applied, observed, or enforced. Many in the private sector provide services, such as health care, for employees that are not provided by Haitian government agencies.

9. Efficient Capital Markets and Portfolio Investment

The scale of financial services remains modest in Haiti. In principle, there are no limitations on foreigners' access to the Haitian credit market and credit is available through commercial banks. The free and efficient flow of capital is hindered by the difficulties in obtaining financing and by Haitian accounting practices, which often fall below international standards. While there are no restrictions on foreign investment through mergers or acquisitions, there is no Haitian stock market, so there is no way for investors to purchase shares in a company outside of direct transactions.

The standards that govern the Haitian legal, regulatory, and accounting systems often fall below international norms. Haitian laws do not require external audits of domestic companies. Local firms calculate taxes, obtain credit or insurance, prepare for regulatory review, and assess real profit and loss. Accountants use basic accounting standards set by the Organization of Certified Professional Accountants in Haiti (OCPAH).

Practices in the banking sector, however, are superior to other sectors. Under Haitian law, banks are neither required to comply with internationally recognized accounting standards nor to be audited by internationally recognized accounting firms. Haiti's Central Bank, BRH, requires only that banks be audited. Nonetheless, most private banks follow international accounting norms and use consolidated reporting.

The trend in the banking sector has been the proliferation of branches to capture deposits and remittances and the concentration of credit mainly in trade financing. Telebanking now provides access to banking services for many Haitians holding bank accounts for the first time. Three major banking institutions hold 82 percent of total banking sector assets, valued at HTG 176 billion (about USD 4 billion) in September 2013 – nearly half of GDP. The three major commercial banks also hold more than three-quarters of total loan portfolios, while 70 percent of total loans are monopolized by 10 percent of borrowers, which increases the Haitian banking system's

vulnerability to systemic credit risk and restricts the availability of capital. The gross loan portfolio of the banking system in September 2013 was HTG 63 billion (USD 1.45 billion), representing about a 20 percent increase from FY 12. The quality of the loan portfolios in the banking system, measured by the ratio of nonperforming loans over total loans, improved significantly over the past two years, remaining at 2.4 percent in September 2013, the same level as last year, from a 9 percent average during 2006-2010. The improvement of the quality of the loan portfolio over the past years resulted mainly from the cancellation of SOCABANK's nonperforming loans by the state-owned commercial bank BNC. SOCABANK, a privately-owned commercial bank, was taken over by BNC in 2007, which caused it to become the third largest bank in the system.

In 2013, the BRH's main challenge was maintaining monetary policy in a context of a larger-than-expected government deficit. While inflation was eased by stable international food commodity prices, the exchange rate suffered from continued pressures in the foreign exchange market resulting from an increased fiscal deficit and a social-political backlog. In order to ease down the pressures on the local currency, the Central Bank increased net dollar sales in 2013 to USD 120 million, from USD 72 million in 2012, while raising twice during the year the reserve requirement ratios on bank deposits.

There are no legal limitations on foreigners' access to the domestic credit market. Credit is available on market terms through commercial banks. However, banks demand a pledge of real property to grant loans. Given the lack of effective cadastral and civil registries, loan applicants face daunting challenges in obtaining credit. The banking sector is extremely conservative in its lending practices. Banks typically lend exclusively to their most trusted and credit-worthy clients. In addition, the high concentration of assets does not allow for product innovation at major banks.

In order to give greater financial services access to individuals and prospective investors, the Haitian government adopted a chattel law in 2009 and a new banking law in 2012 that both recognize tangible movable property (ex. portable machinery, furniture, tangible personal property) as collateral for loans. These laws allow individuals to buy condominiums and banks to accept personal properties, such as cars, bank accounts, etc., as a pledge for loans. USAID/Haiti has a loan portfolio guarantee program with a diversified group of financial institutions in order to encourage them to expand credit to productive small and medium enterprises and rural micro-enterprises. The Haitian government plans to establish a credit rating bureau to disseminate data on the total indebtedness and concentration of credit risks of businesses and individuals in the financial sector, but to date there has been little progress in setting up the bureau.

10. Competition from State Owned Enterprises

In 1996, the Haitian government established legislation on the privatization of public enterprises, which allows foreign firms to invest in the management and/or ownership of Haitian state-owned enterprises. The Haitian government established the Commission for the Modernization of Public Enterprises (CMEP) in 1996 to facilitate the privatization process by creating strategies to privatize Haitian state enterprises. Despite initial enthusiasm in both the public and private sectors for privatization, progress has been slow. To date, three Haitian state-owned enterprises have been privatized, and two other privatizations are under consideration.

In 1998, two U.S. companies, Seaboard and Continental Grain, purchased 70 percent of the state-owned flourmill. Currently, each partner owns 23 percent of the new company known today as "Les Moulins d'Haiti". In 1999, a consortium of Colombian, Swiss, and Haitian investors purchased a majority stake in the national cement factory. In 2010, a Vietnamese corporation, Viettel, officially acquired 60 percent of the state telecommunications company Teleco (now operating as Natcom), with the Haitian government retaining 40 percent ownership. Several schemes are envisaged for the privatizations of the National Port Authority (APN) and the state electricity company EDH.

The Haitian government has allowed private sector investment in electricity generation to compensate for the state electricity company's (Electricite d'Haiti - EDH) inability to supply sufficient power. Three independent power producers (IPP) generate electricity for EDH, the most recent being the Haitian firm E-Power, which opened a 32 megawatt, USD 56 million heavy fuel-oil power plant in Port-au-Prince in late 2010. Notably, E-Power shut down production for much of the last year as a result of non-payment from government-owned EDH; this payment dispute was eventually resolved. The Haitian government has also allowed limited private sector investment in selected seaports, and has expressed interest in privatizing the Port-au-Prince and Cap Haitien airports.

11. Corporate Social Responsibility

Awareness of corporate social responsibility among producers and consumers is limited, but growing. Irish-owned telecoms company Digicel, for example, sponsors an Entrepreneur of the Year program and has built 120 schools in Haiti. Les Moulins d'Haiti, partially owned by U.S. firm Seaboard Marine, provides some services including electrical power to surrounding communities. In the aftermath of the 2010 earthquake, many firms provided logistical or financial support to humanitarian initiatives, and many continue to contribute to reconstruction efforts. Haiti's various chambers of commerce have become more supportive of social responsibility programs as well.

12. Political Violence

Haiti's political situation has improved in recent years, but remains fragile. The uncertainty that overdue elections, frequent cabinet changes, infighting in Parliament, and poor relations between Parliament and the Executive have created has hindered both reconstruction efforts and passage of important legislation. However, political violence is rare, and recent statistics suggest increasing capacity of law enforcement officials to deter and prosecute violent crime.

There have been no recent cases of political groups targeting foreign projects and/or installations. Historically, and continuing into 2014, politically motivated civil disorder, such as periodic demonstrations and labor strikes, sometimes interrupted normal business operations. Land invasions by squatters are a problem in both urban and rural areas, and requests for help to law enforcement authorities often go unanswered.

13. Corruption

Corruption, including bribery, raises the costs and risks of doing business. Corruption has a corrosive impact on both market opportunities overseas for U.S. companies and

the broader business climate. It also deters international investment, stifles economic growth and development, distorts prices, and undermines the rule of law.

It is important for U.S. companies, irrespective of their size, to assess the business climate in the relevant market in which they will be operating or investing, and to have an effective compliance program or measures to prevent and detect corruption, including foreign bribery. U.S. individuals and firms operating or investing in foreign markets should take the time to become familiar with the relevant anticorruption laws of both the foreign country and the United States in order to properly comply with them, and where appropriate, they should seek the advice of legal counsel.

The U.S. Government seeks to level the global playing field for U.S. businesses by encouraging other countries to take steps to criminalize their own companies' acts of corruption, including bribery of foreign public officials, by requiring them to uphold their obligations under relevant international conventions. A U. S. firm that believes a competitor is seeking to use bribery of a foreign public official to secure a contract should bring this to the attention of appropriate U.S. agencies, as noted below.

U.S. Foreign Corrupt Practices Act: In 1977, the United States enacted the Foreign Corrupt Practices Act (FCPA), which makes it unlawful for a U.S. person, and certain foreign issuers of securities, to make a corrupt payment to foreign public officials for the purpose of obtaining or retaining business for or with, or directing business to, any person. The FCPA also applies to foreign firms and persons who take any act in furtherance of such a corrupt payment while in the United States. For more detailed information on the FCPA, see the FCPA Lay-Person's Guide at: <http://www.justice.gov/criminal/fraud/fcpa/>.

Other Instruments: It is U.S. Government policy to promote good governance, including host country implementation and enforcement of anti-corruption laws and policies pursuant to their obligations under international agreements. Since enactment of the FCPA, the United States has been instrumental to the expansion of the international framework to fight corruption. Several significant components of this framework are the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Antibribery Convention), the United Nations Convention against Corruption (UN Convention), the Inter-American Convention against Corruption (OAS Convention), the Council of Europe Criminal and Civil Law Conventions, and a growing list of U.S. free trade agreements. This country is party to the UN Convention and the OAS Convention, but generally all countries prohibit the bribery and solicitation of their public officials.

OECD Antibribery Convention: The OECD Antibribery Convention entered into force in 1999. As of 2012, there were 39 parties to the Convention including the United States (see <http://www.oecd.org/corruption/oecdantibriberyconvention.htm>). Major exporters China, India, and Russia are not parties, although the U.S. Government strongly endorses their eventual accession to the Convention. The Convention obligates the Parties to criminalize bribery of foreign public officials in the conduct of international business. The United States meets its international obligations under the OECD Antibribery Convention through the U.S. FCPA. Haiti is not a party to the OECD Convention.

UN Convention: The UN Anticorruption Convention entered into force in 2005, and there are 164 parties to it as of November 2012 (see <http://www.unodc.org/unodc/en/treaties/CAC/signatories.html>). The UN Convention is the first global comprehensive international anticorruption agreement. The UN Convention requires countries to establish criminal and other offences to cover a wide range of acts of corruption. The UN Convention goes beyond previous anticorruption instruments, covering a broad range of issues ranging from basic forms of corruption such as bribery and solicitation, embezzlement, trading in influence to the concealment and laundering of the proceeds of corruption. The Convention contains transnational business bribery provisions that are functionally similar to those in the OECD Antibribery Convention and contains provisions on private sector auditing and books and records requirements. Other provisions address matters such as prevention, international cooperation, and asset recovery. Haiti is a party to the UN Convention.

OAS Convention: In 1996, the Member States of the Organization of American States (OAS) adopted the first international anticorruption legal instrument, the Inter-American Convention against Corruption (OAS Convention), which entered into force in 1997. The OAS Convention, among other things, establishes a set of preventive measures against corruption, provides for the criminalization of certain acts of corruption, including transnational bribery and illicit enrichment, and contains a series of provisions to strengthen the cooperation between its States Parties in areas such as mutual legal assistance and technical cooperation. As of November 2012, the OAS Convention has 34 parties (see <http://www.oas.org/juridico/english/Sigs/b-58.html>). Haiti is a party to the OAS Convention.

Council of Europe Criminal Law and Civil Law Conventions: Many European countries are parties to either the Council of Europe (CoE) Criminal Law Convention on Corruption, the Civil Law Convention, or both. The Criminal Law Convention requires criminalization of a wide range of national and transnational conduct, including bribery, money-laundering, and account offenses. It also incorporates provisions on liability of legal persons and witness protection. The Civil Law Convention includes provisions on compensation for damage relating to corrupt acts, whistleblower protection, and validity of contracts, inter alia. The Group of States against Corruption (GRECO) was established in 1999 by the CoE to monitor compliance with these and related anti-corruption standards. Currently, GRECO comprises 49 member States (48 European countries and the United States). As of December 2012, the Criminal Law Convention has 47 parties and the Civil Law Convention has 47 (see <http://conventions.coe.int/Treaty/en/Treaties/Html/174.htm>) Haiti is not a party to the Council of Europe Conventions.

Free Trade Agreements: While it is U.S. Government policy to include anticorruption provisions in free trade agreements (FTAs) that it negotiates with its trading partners, the anticorruption provisions have evolved over time. The most recent FTAs negotiated now require trading partners to criminalize “active bribery” of public officials (offering bribes to any public official must be made a criminal offense, both domestically and trans-nationally) as well as domestic “passive bribery” (solicitation of a bribe by a domestic official). All U.S. FTAs may be found at the U.S. Trade Representative Website: <http://www.ustr.gov/trade-agreements/free-trade-agreements>. Haiti does not have an FTA with the United States, but benefits from trade preference programs.

Local Laws: U.S. firms should familiarize themselves with local anticorruption laws, and, where appropriate, seek legal counsel. While the U.S. Department of Commerce cannot provide legal advice on local laws, the Department's U.S. and Foreign Commercial Service can provide assistance with navigating the host country's legal system and obtaining a list of local legal counsel.

Assistance for U.S. Businesses: The U.S. Department of Commerce offers several services to aid U.S. businesses seeking to address business-related corruption issues. For example, the U.S. and Foreign Commercial Service can provide services that may assist U.S. companies in conducting their due diligence as part of the company's overarching compliance program when choosing business partners or agents overseas. The U.S. Foreign and Commercial Service can be reached directly through its offices in every major U.S. and foreign city, or through its Website at www.trade.gov/cs.

The Departments of Commerce and State provide worldwide support for qualified U.S. companies bidding on foreign government contracts through the Commerce Department's Advocacy Center and State's Office of Commercial and Business Affairs. Problems, including alleged corruption by foreign governments or competitors, encountered by U.S. companies in seeking such foreign business opportunities can be brought to the attention of appropriate U.S. government officials, including local embassy personnel and through the Department of Commerce Trade Compliance Center "Report A Trade Barrier" Website http://tcc.export.gov/%5C%5C/Report_a_Barrier/index.asp.

The U.S. Commercial Service (USCS) and the U.S. Department of State started in 2011 a "Partner Post" program in Haiti where USCS does not have its own operations. Through this program, the U.S. Embassy in Haiti provides U.S. companies with standard Commercial Service products and services (e.g. International Partner Search and Gold Key Services) at a cost. More information can be found on the U.S. Export Assistance (USEAC) website at <http://www.export.gov/>.

Guidance on the U.S. FCPA: The Department of Justice's (DOJ) FCPA Opinion Procedure enables U.S. firms and individuals to request a statement of the Justice Department's present enforcement intentions under the anti-bribery provisions of the FCPA regarding any proposed business conduct. The details of the opinion procedure are available on DOJ's Fraud Section Website at www.justice.gov/criminal/fraud/fcpa. Although the Department of Commerce has no enforcement role with respect to the FCPA, it supplies general guidance to U.S. exporters who have questions about the FCPA and about international developments concerning the FCPA. For further information, see the Office of the Chief Counsel for International Counsel, U.S. Department of Commerce, Website, at http://www.ogc.doc.gov/trans_anti_bribery.html. More general information on the FCPA is available at the Websites listed below.

Exporters and investors should be aware that generally all countries prohibit the bribery of their public officials, and prohibit their officials from soliciting bribes under domestic laws. Most countries are required to criminalize such bribery and other acts of corruption by virtue of being parties to various international conventions discussed above.

Public sector corruption, including bribery of public officials, remains a major challenge for U.S. firms operating in Haiti. Transparency International's Corruption Perception

Index for 2013 ranked Haiti the most corrupt country in the Caribbean region, ranking 163th out of 177 countries, with little improvement from last year. The Haitian government has made some progress in enforcing public accountability and transparency, but substantive institutional reforms are still needed. In 2004, the Haitian government established the Specialized Unit to Combat Corruption (ULCC) in the Ministry of Economy and Finance. In 2008, the law on disclosure of assets by civil servants and high public officials prepared by ULCC was approved by Parliament, but to date compliance has been almost nonexistent.

In 2005, the Haitian government created the National Commission for Public Procurement (CNMP) to ensure that Haitian government contracts are awarded through competitive bidding and to establish effective procurement controls in public administration. The CNMP publishes lists of awarded Haitian government contracts. In 2009, the Haitian government enacted a procurement law that requires contracts to be routed through CNMP. In 2012, however, a presidential decree substantially raised the threshold at which public procurements must be managed by the CNMP, decreasing transparency for many smaller government contracts. Moreover, the Haitian government frequently enters into no-bid contracts, sometimes issued using "emergency" authority derived from natural disasters, even when there is no apparent connection between the stated emergency and the contract at hand.

U.S. firms have complained that corruption is a major obstacle to effective business operation in Haiti. They frequently point to requests for payment by customs officials in order to clear import shipments as examples of solicitation for bribes. Some importers reportedly "negotiate" customs duties with inspectors.

Haitian law, applicable to individuals and financial institutions, criminalizes corruption and money laundering. Bribes or attempted bribes toward a public employee are a criminal act and are punishable by the criminal code (Article 173) for one to three years of imprisonment. The law also contains provisions for the forfeiture and seizure of assets.

Resources to report corruption

Any corruptive activity can be reported to the Haitian Anti-Corruption Unit, responsible for combatting corruption, or Transparency International's branch in Haiti, Haiti Heritage Foundation, which monitors corruption:

Name : Antoine Atouriste

Title : Director General

Organization: Unité de Lutte Contre la Corruption

Address : 13, rue Capotille, Pacot, Port-au-Prince, Haiti

Telephone : (509)2940-0946 / (509)2940-0947 / (509)2940-0948

Email address : aatouris@ulcc.gouv.ht / info@ulcc.gouv.ht

Name: Marilyn B. Allien

Title: President

Organization: Fondation Heritage pour Haiti

Address: Petionville, Haiti

Telephone: (509)3701-7089

Email address: admlfhh@yahoo.com / heritagehaiti@yahoo.com

Some useful resources for individuals and companies regarding combating corruption in global markets include the following:

- Information about the U.S. Foreign Corrupt Practices Act (FCPA), including a “Lay-Person’s Guide to the FCPA” is available at the U.S. Department of Justice’s Website at: <http://www.justice.gov/criminal/fraud/fcpa>.

- Information about the OECD Antibribery Convention including links to national implementing legislation and country monitoring reports is available at: http://www.oecd.org/department/0,3355,en_2649_34859_1_1_1_1_1,00.html. See also new Antibribery Recommendation and Good Practice Guidance Annex for companies: <http://www.oecd.org/dataoecd/11/40/44176910.pdf>.

- General information about anticorruption initiatives, such as the OECD Convention and the FCPA, including translations of the statute into several languages, is available at the Department of Commerce Office of the Chief Counsel for International Commerce Website: http://www.ogc.doc.gov/trans_anti_bribery.html.

- Transparency International (TI) publishes an annual Corruption Perceptions Index (CPI). The CPI measures the perceived level of public-sector corruption in 180 countries and territories around the world. The CPI is available at: http://www.transparency.org/policy_research/surveys_indices/cpi/2009. TI also publishes an annual Global Corruption Report which provides a systematic evaluation of the state of corruption around the world. It includes an in-depth analysis of a focal theme, a series of country reports that document major corruption related events and developments from all continents and an overview of the latest research findings on anti-corruption diagnostics and tools. See <http://cpi.transparency.org/cpi2013/>.

- The World Bank Institute publishes Worldwide Governance Indicators (WGI). These indicators assess six dimensions of governance in 212 countries, including Voice and Accountability, Political Stability and Absence of Violence, Government Effectiveness, Regulatory Quality, Rule of Law and Control of Corruption. See <http://data.worldbank.org/data-catalog/worldwide-governance-indicators>. The World Bank Business Environment and Enterprise Performance Surveys may also be of interest and are available at: <http://data.worldbank.org/data-catalog/BEEPS>.

- The World Economic Forum publishes the Global Enabling Trade Report, which presents the rankings of the Enabling Trade Index, and includes an assessment of the transparency of border administration (focused on bribe payments and corruption) and a separate segment on corruption and the regulatory environment. See <http://www.weforum.org/en/initiatives/gcp/GlobalEnablingTradeReport/index.htm>.

- Additional country information related to corruption can be found in the U.S. State Department’s annual Human Rights Report available at <http://www.state.gov/g/drl/rls/hrrpt/>.

14. Bilateral Investment Agreements

In 2008, the U.S. Congress passed the Haitian Hemispheric Opportunity through Partnership Encouragement Act (HOPE II) to enable the Haitian textile industry to benefit from tariff advantages on the condition that the Haitian government and eligible

producers comply with internationally recognized labor standards. HOPE II allows for duty-free entry into the United States for a limited number of garments imported from Haiti, provided that 50% of the value when imported originates in Haiti, the United States, or another country that has a free-trade agreement with the United States. This percentage increases to 50 % through December 2015; 55% through December 2017, and 60% through December 2018. In 2010, the U.S. Congress responded to the Haitian apparel industry's needs following the earthquake by amending the HOPE Act with the Haiti Economic Lift Program (HELP) Act. HELP extends HOPE II tariff advantages until 2020. HOPE/HELP has stimulated job creation within the garment industry, which has added approximately 11,000 jobs since 2008, bringing the assembly sector overall employment to about 32,750. The HOPE and HELP Acts are critical in Haiti's recovery and will help create sustainable support for Haiti's economy.

Haiti has signed mutual investment protection treaties or conventions with the U.S. (1953, 1983), France (1973, 1984), Germany (1975), and Canada (1980). The 1983 treaty with the U.S. and Haiti on the Reciprocal Encouragement and Protection of Investment has not yet been ratified. Haiti intends to deepen its regional integration efforts with its neighbors by participating in agreements and treaties with countries in the region. Haiti, a CARIFORUM member, signed an economic partnership agreement (EPA) with the European Union (EU) in 2009. The EPA allows the export of products from Haiti to EU countries without tariffs or quotas. Haiti is a member of the Caribbean Community (CARICOM), and assumed chairmanship of CARICOM on January 1, 2013. The CARICOM Single Market and Economy (CSME), which was created in 1989 and aims to advance the region's integration into the global economy by facilitating free trade in goods and services and the free movement of labor and capital, became operational in January 2006 among twelve of the fifteen Member States. Haiti -- a member of CARICOM, but not yet a participant in CSME -- has expressed an interest in participating fully in CSME. In 2009, a new tariff schedule went into effect in Haiti, based on the Haitian government's prior announcement that tariffs would be increased to meet CARICOM requirements. The schedule provides for significant increases in tariffs on many products, averaging between three and a half and five percent. The Haitian government is currently amending the customs code, to align the local tariffs to both CARICOM and WTO standards.

15. OPIC and Other Investment Insurance Programs

The Overseas Private Investment Corporation (OPIC) offers insurance against political risks and financing programs for U.S. investments in Haiti. OPIC financing includes two programs: direct lending and investment guarantees. Direct loans are available to investment projects sponsored by or significantly involving U.S. small businesses. Investment guarantees are available to U.S. eligible investors of any size. OPIC has invested more than USD 223 million in 78 projects in Haiti over 40 years, in infrastructure, renewable resources, and other sectors.

OPIC has an on-lending facility with Citibank available to several Caribbean countries, including Haiti. OPIC participation in this facility is through loan guarantees totaling USD 100 million, with up to 20 percent of this amount available for Haiti. The OPIC risk share for the facility ranges from 25 to 75 percent for each loan.

Haiti is a member of the WB's Multilateral Investment Guarantee Agency (MIGA). MIGA guarantees investments against non-commercial risks and facilitate access to funding sources including banks and equity partners for investors.

16. Labor

Haiti's apparel industry has expanded in recent years, and now counts several local and foreign manufacturers, including U.S., Dominican, and Korean investors, which produce a wide range of clothing articles. The sector has notable strengths and advantages, such as an abundant workforce, duty-free access to the U.S. market, and a program implemented by the International Labor Organization's Better Work program that ensures good working conditions in factories. Measures are currently underway to enhance the technical skills of the Haitian workforce. In 2010, a USAID-funded Haitian Apparel Center was set up by TC2, a U.S. based firm specialized in apparel vocational training, with the capacity to train 2,000 sewing workers per year. The construction of an additional apparel training center in the Caracol Industrial Park in Northern Haiti is being funded by the South Korean International Cooperation Agency.

Labor unions are generally receptive to investment that creates new jobs, and support from the international labor movement including the AFL-CIO and ITUC is building the capacity of unions to represent workers and engage in social dialogue. As of December 2013, the Ministry of Labor and Social Affairs is revising a new labor code that will be more in compliance with international labor standards.

Labor-management relations in Haiti have at times been strained. In some cases, however, industries have autonomously implemented good labor practices. For example, the apparel assembly sector established its own voluntary code of ethics to encourage its members to adopt good labor practices. In addition to local entities, the International Labor Organization (ILO) has an office in Haiti and operates an ongoing project with the assembly industry to improve productivity through improvement in working conditions. In 2009, the ILO officially launched the Better Work Program, designed to ensure compliance with labor standards and create jobs in the garment sector in Haiti over the next ten years. Better Work Haiti's biannual report is available at <http://betterwork.org/haiti/?cat=7>.

17. Foreign-Trade Zones/Free Ports

A law on Free Trade Zones (FTZ) entered into force in 2002. It sets out the conditions for operating and managing economic FTZs, together with exemption and incentive regimes granted for investment in such zones. The law is not specific to a particular activity. The law defines FTZs as geographical areas to which a special regime on customs duties and controls, taxation, immigration, capital investment, and foreign trade applies and where domestic and foreign investors can provide services, import, store, produce, export, and re-export goods.

FTZs may be private or joint venture. The law provides the following incentives and benefits for enterprises located in FTZs:

-- Full exemption from income tax for a maximum period of 15 years, followed by a period during which there is partial exemption that gradually decreases;

- Customs and fiscal exemptions for the import of capital goods and equipment needed to develop the area, with the exception of tourism vehicles;
- Exemption from all communal taxes (with the exception of fixed occupancy tax) for a period not exceeding 15 years; and
- Registration and transfer of the balance due for all deeds relating to purchase, mortgages, and collateral.

A FTZ has been established in the northeastern city of Ouanaminthe, where a Dominican company, Grupo M, manufactures clothing for a variety of U.S. companies -- Sarah Lee, Nautica, Dockers, Fruit of the Loom and Levi Strauss -- at their CODEVI facility. In October 2012, the Government of Haiti with the support of the Inter-American Development Bank (IDB) and the United States Government opened a 617-acre Caracol Industrial Park (CIP) mixed industrial zone located in proximity to the town of Caracol in Haiti's northern region. In 2012, two companies began operating in CIP: the Korean garment company S&H Global and a Haitian paint manufacturer, Peinture Caraibe. A Dominican jeans manufacturer and a Haitian paint producer began operations in 2013, while several other companies including a fragrance and cosmetics manufacturer, a steel producer, and a Haitian garment manufacturer are slated to commence in 2014.

In addition, the International Finance Corporation and the WB's Investment Climate Advisory Services are supporting the Haitian government's plans to implement integrated economic zones (IEZ) throughout Haiti. The project, partly funded by the Netherlands, is expected to generate more than 380,000 jobs and 100,000 home sites in Haiti over the next two decades following implementation. The Haitian government is currently working on developing an IEZ law and the regulatory framework to pilot the program under a public-private partnership approach.

18. Foreign Direct Investment and Foreign Portfolio Investment Statistics

OAS trade sanctions in 1991 and a comprehensive UN trade embargo in 1994 led to significant divestment of foreign holdings. Since the lifting of international sanctions in 1994, new foreign direct investment (FDI) has been limited. A large increase in FDI in 2006 occurred due to cellular phone company Digicel's investments in the telecommunications sector. FDI inflows were very limited in 2008 and 2009, but have risen tremendously since 2011, with new investments in the construction, transportation, manufacturing, and hotel industries. Total FDI inflows amounted to USD 119 million in 2011 and USD 156 million in 2012. FDI inflows went down to USD 118 million in 2013, however the Ministry of Economy and Finance foresees an increase of FDI inflows in 2014, up to USD 150 million.

TABLE 2: Key Macroeconomic data, U.S. FDI in Haiti

	Year	Amount	Source
Economic Data			
Nominal GDP (millions USD)	2013	8,458	Haiti Statistical Unit (IHSI); IMF
Foreign Direct Investment			
FDI inflows in Haiti	2013	118	IMF

Total Stock of FDI in Haiti (millions USD)	2013	1,024	Haiti's Central Bank; IMF
Total Stock of FDI as % GDP	2013	12	

Statistics on direct foreign investment by country of origin and sector are not available. Detailed and reliable statistics on total investment are also difficult to retrieve.

Major Foreign Investors

U.S. Companies:

- American Airlines
- Delta Airlines
- Spirit Airlines
- Citibank
- Avis Rent-a-Car
- Radio Shack
- Dominos Pizza
- Fox River Caribe
- Compagnie de Tabac Comme Il Faut (Lockett Inc.)
- Seaboard Marine
- Crowley Maritime
- Continental Grain
- Newmont Mining
- The Sol Group (Puerto Rico)
- Quick Response Manufacturing
- Western Union
- Culligan
- Ashbritt
- TOMS Shoes
- Marriott International
- Best Western Hotels
- JetBlue Airways
- SAFI Apparel

Other countries:

- Elf Aquitaine (France)
- Scotia Bank – Air Transat (Canada)
- Royal Caribbean (UK/Norway)
- Digicel (Ireland)
- Total (France)
- Viettel (Vietnam)
- Insel Air (Curacao)
- Empresas Estrella (Dominican Republic)
- S&H Global (South Korea)
- DHL (Germany)
- Occidental Hotels (Spain)
- NH Hotels (Spain)

Resident U.S. citizens own light manufacturing assembly sector plants in Haiti. Other manufacturing plants operate as subsidiaries of U.S. manufacturing companies. The Haitian government does not consider these firms as major investors since they generally occupy leased facilities, and capital investment is often limited to sewing machines and office equipment. Some smaller agribusiness enterprises and hotels, partly owned by U.S. citizens, also operate in Haiti.

Chapter 7: Trade and Project Financing

- [How Do I Get Paid? \(Methods of Payment\)](#)
- [How Does the Banking System Operate?](#)
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How Do I Get Paid (Methods of Payment)

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Foreign exporters to Haiti have access to a wide range of payment arrangements (advances, letters of credit, bank guarantees) and are free to use domestic or foreign financing.

How the Banking System Operates

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The Haitian financial sector consists of a dozen commercial banks concentrated in the Port-au-Prince area. There are five locally incorporated banks (Sogebank, Unibank, Banque de l'Union Haitienne, Capital Bank and Banque Industrielle et Commerciale d'Haiti) and two foreign banks (Scotiabank and Citibank). There are also two state-owned banks (Banque Populaire Haitienne and Banque Nationale de Credit), a private development finance institution (SOFHIDES), one mortgage bank (Sogebel), and a consumer credit bank (Sogefac). Commercial banks have opened many branches to capture deposits, provide loans, and offer other banking services. However, their credit policy supports mainly trade financing and remains very concentrated. On average, 11 percent of borrowers hold over 70 percent of the formal loan portfolios.

These banks offer a full range of banking services including demand deposits, checking services, savings and time deposits, purchase and sale of foreign currency, opening and amending of letters of credit, safety deposit services, bid and performance bonds for bidding competitions, discounting of commercial paper, warrants, lines of credit, etc. Citibank runs the GSM program - a program offering credit guarantees for agricultural exports from the U.S. Citibank also finances the OPIC facility for micro financing, administered by ProCredit Holding AG, which offers loans to Haitian and American business enterprises for investment in Haiti.

A 2002 Investment Code removed all discriminatory treatment against foreign investors regarding rights, privileges, and obligations. However, foreign investors who reside in

Haiti must obtain a residence permit. Bond and securities markets and equity financing are not available. Dollar accounts, including certificates of deposit, are available, and approximately half of the banking system deposits and loans are in dollars. Long-term financing is constrained by the short-term structure of deposits.

The Bank of the Republic of Haiti (BRH), an autonomous government agency, functions as Haiti's Central Bank, and is responsible for:

- Advising the government in matters of monetary policy
- Regulating the money supply
- Administering and managing exchange reserves
- Controlling and directing the distribution of credit
- Issuing bank notes, minting coinage, and creating representative money
- Providing all appropriate services as banker for the government
- Recording public debt transactions
- Administering the activities of the clearinghouse for inter-bank payments

Commercial and mortgage banks are required to hold legal reserves in the form of currency or deposits at the Central Bank. The Central Bank has rediscount and lending facilities for the commercial banks and there is also an active inter-bank market.

Foreign-Exchange Controls

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Haiti has a liberal foreign exchange regime with no limitations on cross-border payments. There are controls on the movement of cash into and out of Haiti, with reporting requirements for transactions of more than USD 10,000.

U.S. Banks and Local Correspondent Banks

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- Capital Bank: Bank of New York (NY)
- BPH: Bank of America (NC), Citibank International (NY)
- BUH: Bank of New York (NY) , First Union (FL)
- BNC: Bank of New York (NY)(NC)
- Sogebank: Bank of America (FL and NY),
- Unibank: Bank of America (FL), Bank of New York (NY), JPMorgan Chase Bank (FL)

Project Financing

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Investors in Haiti have access to a limited variety of credit instruments, ranging from short-term loans, to generate working capital, to medium- and long-term credit arrangements to finance the construction or purchase of buildings, or to purchase and replace production equipment and fixtures.

Other non-commercial institutions, created and financed largely with the support of international donors, provide credit to micro-entrepreneurs. Their purpose is to mobilize financial resources for working capital and fixed-asset investment of priority sector enterprises. These banks offer longer-term loans and assume risks that commercial banks decline.

GSM credit guarantees are available to companies doing business with Haiti; however, Ex-Im Bank financing is not currently available. Insurance programs through the World Bank's Multilateral Investment Guarantee Agency (MIGA) are now available to U.S. investors. Private Haitian insurance companies and agents representing foreign insurance companies cover risks associated with overland, maritime, and air transportation. Several local companies that meet international operation standards provide export insurance.

U.S. Overseas Private Investment Corporation (OPIC) financing is available for suitable projects in Haiti. Standard commercial financing is available from Haitian and foreign banks; however, long-term financing is constrained by the short-term structure of deposits. SOFIHDES, a private financial corporation founded with USAID support, finances small- and medium-sized investments in agribusiness and export industries.

International financing is available to potential investors through the following financial institutions:

- Banque Européenne d'Investissement (BEI) under the Lomé Convention
- Caribbean Export Development Agency (European Union)
- U.S. Overseas Private Investment Corporation (OPIC)
- Inter-American Investment Society/Inter-American Development Bank (IIS/IDB)
- International Finance Corporation (IFC)/World Bank

Multilateral development banks are also active in financing various projects. The Inter-American Development Bank (IDB) and the World Bank have set aside funding for several projects for infrastructure development (e.g., sanitation, water management, waste disposal, energy, road construction, and rehabilitation). The IDB and World Bank also fund other projects designed for municipal development and institutional strengthening. Contact information for the World Bank and the IDB can be found in [Chapter 9: Contacts, Market Research and Trade Events](#).

Country Limitation Schedule: USAID is also involved in financing various productive sectors that have traditionally been underserved in terms of credit. USAID works through a mechanism known as the Development Credit Authority (DCA) and guarantees up to 50% of a loan portfolio. The DCA is a partial loan guarantee to local financial institutions and commercial banks which gives the necessary protection to banks to provide loans to borrowers in markets such as agriculture, handicrafts, tourism, garment industry, waste management and construction/infrastructure.

Web Resources

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Export-Import Bank of the United States: <http://www.exim.gov>

OPIC: <http://www.opic.gov>

Trade and Development Agency: <http://www.tda.gov/>

SBA's Office of International Trade: <http://www.sba.gov/oit/>

USDA Commodity Credit Corporation: www.fsa.usda.gov/cc

U.S. Agency for International Development: <http://www.usaid.gov>

Chapter 8: Business Travel

- [Business Customs](#)
- [Travel Advisory](#)
- [Visa Requirements](#)
- [Telecommunications](#)
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- [Language](#)
- [Health](#)
- [Local Time, Business Hours and Holidays](#)
- [Temporary Entry of Materials and Personal Belongings](#)
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Facilities for visiting business persons have improved significantly with the opening of two additional hotels in Petion-Ville, a suburb of Port-au-Prince. These hotels offer a full range of business services, including internet connectivity and voicemail. The most prominent are Hotel Karibe, El Rancho, Kinam Hotel, Visa Lodge, Royal Oasis, Best Western and the Villa Creole. Reservations can be made by telephone, fax, e-mail, or online; however, only the Best Western and Royal Oasis offer the online booking service.

The construction of the Marriott hotel located in the area of Turgeau will help meet high demand for quality hotel rooms in the downtown area of Port-au-Prince. The Marriott hotel will open early in 2015, and the Hilton hotel in 2016.

Business Customs

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Haitians are open to working with foreign investors and are particularly well disposed towards American investors. Haitians are also well acquainted with American culture and products. Most Haitian businesspersons speak English fluently. Appointments with Haitian business operators should be made in advance. Invitations to restaurants for meetings are appreciated and business is usually discussed in restaurants and hotels as much as in offices.

Travel Advisory

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Visit the following site for the latest travel advisory on Haiti:

<http://haiti.usembassy.gov/service/us-citizen-services/travel-warning.html>

Visa Requirements

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Visitors are required to have a valid passport. Visitors, except from the Dominican Republic, Panama, and Colombia, do not require a visa. However, a U.S. Citizen expecting to be in the country for more than 90 days must apply for an extension of stay with the Haitian Immigration Service in order to obtain an exit visa. It is highly recommended to do this procedure prior to the 90 days expiration date. An airport tax of USD 55.00 is required from foreigners departing Haiti, and is included in the price of airline tickets. The Haitian Ministry of Tourism recently announced a new \$10 fee for persons entering Haiti with a foreign passport payable upon arrival.

A publication ("Guide for Business Representatives") is available for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC, 20402, telephone 202-512-1800, or fax 202-512-2250. Business travelers to Haiti seeking appointments with U.S. Embassy officials in Port-au-Prince should contact the Economic Section in advance of their arrival date by calling 509-2-229-8000 and ask to be transfer to the Economic section, by fax at 509-2-229-8024 or via e-mail at Papecon@state.gov

Haitian Immigration Service
Avenue John Brown, Lalue
Port-au-Prince, Haiti
Tel: 2244-1737

More information may be found at:
<http://www.travel.state.gov/>

U.S. Companies that require travel of foreign businesspersons to the United States should direct potential Haitian travelers to the following links.

State Department Visa Website: http://travel.state.gov/visa/visa_1750.html

U.S. Embassy Port-au-Prince Consular Section: <http://haiti.usembassy.gov/visas.html>

Telecommunications

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The number of telephones has significantly increased since 2007. In 2013, CONATEL reported 7 million of cell phone users in Haiti. In 2012, the leading cellular company, Digicel, bought their biggest competitor, Comcel. Digicel uses GSM wireless cellular phone technology. Cellular and prepaid cellular telephones are available for rent and can be purchased cheaply. Natcom, a Vietnamese/Haitian state joint venture created in April 2010, is Digicel's main competitor. Natcom is providing a high-speed bandwidth through its network of 3,500 kilometers of fiber optic cable broadband throughout Haiti, which allows high-speed stability and a high-quality connection.

Transportation

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The major car rental agencies located in Port-au-Prince include Hertz, Avis, Budget, Dollar, and Secom. Air travel is possible from Port-au-Prince to most of the provinces. Though distances are short, travel in Haiti specifically in the Port-au-Prince area is

extremely slow. In a study conducted by IDB in 2010, it was reported that only 5 percent of the country's road network was in good condition. As of 2014 many roads have been built or refurbished, but the percentage of paved roads remains unclear. Many national highways have been constructed and many more are being built, which makes traveling to the cities outside of Port-au-Prince much easier. Privately operated taxicabs and other public transportation vehicles are not recommended for use (U.S. Embassy officers are not allowed to use public transportation). ACGH taxis are available at the airport. Accredited by the ACGH (Association des Chauffeurs Guides d'Haiti), these taxis are generally the most courteous and reliable. Visitors are advised to hire a driver for ground transportation.

Language

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French and Haitian Creole are the official languages of Haiti; however, English is widely spoken in the business community. Spanish is spoken to lesser extent.

Health

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Medical facilities are limited, particularly in areas outside of the capital. In April of 2014, the Haitian government and Medishare announced the construction of a world-class trauma and critical care hospital in Haiti. The General Hospital in downtown Port-au-Prince is being rehabilitated. The Bernard Mevs hospital and Canape Vert hospital are two of the higher quality hospitals in Port-au-Prince. Doctors and hospitals often expect immediate cash payment for health care services. U.S. medical insurance is not always deemed valid or accepted outside the United States. Travelers should confirm the validity of their insurance coverage before departing the U.S. The Medicare/Medicaid program does not provide for payment of medical services outside the United States. It is prudent to have medical evacuation coverage.

Local Time, Business Hours, and Holidays

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Government and commercial offices typically open between 8:00 AM and 9:00 AM and close between 3:30 PM and 5:00 PM. Retail businesses remain open until 6:00 PM. Depending on the area, supermarkets might close at 7:00 PM and 8:00 PM. Most businesses do not open on weekends.

Haitian Holidays for 2014:

January 1, New Year's Day
January 2, Ancestors' Day
March 4-5, Carnival
April 18, Good Friday
May 1, Labor and Agriculture Day
June 19, Corpus Christi
July 28-29, Flower Carnival
August 15, Assumption Day
October 17, Death of Dessalines
November 18, Battle of Vertieres Day

December 25, Christmas

Temporary Entry of Materials and Personal Belongings

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There is no fee for the entry of personal belongings. Goods that will be in the country temporarily must be imported under the temporary entry regime. Temporary entry refers to goods that will be processed before being re-exported. These goods are subject to a security deposit equivalent to one and a half times the duties and taxes payable under the release for consumption regime. This deposit is paid in the form of a *chèque de direction* (banker's check) that will be released once the goods are re-exported. Goods that enter the country under the temporary entry regime and are then used for consumption purposes are taxed on the amount of their depreciation when they are re-exported.

All imported goods are subject to verification fees and administrative costs.

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Chapter 9: Contacts, Market Research, and Trade Events

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- [Market Research](#)
- [Trade Events](#)

Contacts

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U.S. Department of Commerce
Office of Latin America and the Caribbean
Haiti Desk, Room 3204
Washington, D.C. 20230
Tel: (202) 482-0704
Fax: (202) 482-0464
<http://www.buyusa.gov>

U.S. Department of State
Office of the Haiti Special Coordinator
2201 C Street NW, Room 12B63
Washington, D.C. 20520
Tel: (202) 647-9510
Fax: (202) 647-2901
<http://www.state.gov/p/wha/ci/ha/>

U.S. Agency for International Development (USAID)
Bureau for Latin America and the Caribbean Affairs
Room 5-8-90
Ronald Reagan Building, 1300 Pennsylvania Avenue, NW
Washington, D.C. 20523-5900
Tel: (202) 712-0000 / 712-4810,
Fax: (202) 216-3524
<http://www.usaid.gov/who-we-are/organization/bureaus/bureau-latin-america-and-caribbean>

USAID Haiti Office
Boulevard du 15 Octobre
Tabarre 41
Tabarre, Haiti
P.O. Box 1761
Port-au-Prince, Haïti
Tel: (509) 2-229-8000
Fax: (509) 2-229-8024
<http://www.usaid.gov/haiti>

U.S. Department of Agriculture
1400 Independence Ave. SW
Washington, D.C. 20250
Foreign Agriculture Service

Trade Assistance and Promotion Office
Room 3246 South Building
Washington, D.C. 20250
Tel: (202) 720-7420
Fax: (202) 690-3982
<http://www.fas.usda.gov/>

U.S. Trade and Development Agency (USTDA)
Regional Director for Latin America and the Caribbean
1000 Wilson Blvd., Suite 1600
Arlington, VA 22209
Tel: (703) 875-4357
Fax: (703) 875-4009
<http://www.ustda.gov>

Overseas Private Investment Corporation (OPIC)
1100 New York Avenue, NW
Washington, D.C. 20527
E-mail: info@opic.gov
Tel: (202) 336-8400
(Insurance Department)
Tel: (202) 336-8590/8400 Fax: (202) 408-5142
(Finance Department)
Tel: (202) 336-8452/8490 Fax: (202) 408-9866
<http://www.opic.gov/>

U.S. Embassy - Port-au-Prince
American Embassy
Boulevard 15 Octobre
P.O. Box 1761
Port-au-Prince, Haïti
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<http://haiti.usembassy.gov/>

Economic Section
Tel: (509) 2-229-8631
Tel: (509) 2-229-8841
Tel: (509) 2-229-8183
Fax: (509) 2-229-8024

Consular Section
Tel: (509) 2-229-8584
Fax: (509) 2-229-8022

GOVERNMENT OF HAITI CONTACTS

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H.E. Michel Martelly
Palais National
Port-au-Prince, Haïti

7/3/2014

Tel: (509) 2228-2855/ 2228-2846/ 2228-2800
Fax: (509) 2228-2772

Office of the Prime Minister
H.E. Laurent S. Lamothe
Blvd. Harry Truman, Port-au-Prince, Haïti
Tel: (509) 2228 6135/ 2228-6136
Fax: (509) 2249-5561

Minister of Foreign Affairs and Religious Affairs
H.E. Duly Brutus
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Fax: (509) 2298-3772/3773

Minister of Economy and Finance
H.E. Marie Carmelle Jean-Marie
5, Ave. Charles Sumner
Port-au-Prince, Haïti
Tel: (509) 2992-1023
Fax: (509) 2223-5359/7530

Minister of Haitians Living Overseas
H.E. Francois Guillaume II
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Port-au-Prince, Haïti
Tel: (509) 2255-9983 / 4424-6463
Fax: (509) 2245-3400

Minister of Agriculture, Natural Resources and Rural Development
H.E. Thomas Jacques
Damien. Rte Nationale #1
Croix des Missions
Port-au-Prince, Haïti
Tel: (509) 2510-3916/ 2943-2851
Fax: (509) 2298 3014

Minister of Public Health and Population
H.E. Florence Duperval Guillaume
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Port-au-Prince, Haïti
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Fax: (509) 2223-3375/3292

Minister of Environment
H.E. Jean Francois Thomas
Paco Rue 4
Port-au-Prince, Haïti
Tel: (509) 2245-7572 2244-2338
Fax: (509) 2245-7360

Minister of Tourism and Creative Industries
H.E. Stephanie Balmir Villedrouin
8, rue Legitime, Champs de Mars.
Port-au-Prince, Haïti
Tel. (509) 2949-2010 / 2949-2011 / 2223-5633

Minister of Social Affairs and Labor
H.E. Charles Jean-Jacques
7, Ave. Charles Sumner.
Port-au-Prince, Haïti
Tel: (509) 2940-1095/ 2519-0069/ 2940-0905
Fax: (509) 2221-0717/3853

Minister of Women Rights and Feminine Condition
H.E. Marie Yanick Mezile
4, Rue Magny.
Port-au-Prince, Haïti
Tel: (509) 2813-9120

Minister of Commerce and Industry
H.E. Mr. Wilson Laleau
Parc Industriel Métropolitain (SONAPI),
Route de l'Aéroport
Port-au-Prince, Haïti
Tel: (509) 2943-4488
Fax: (509) 2223-8402 2221-3103 2223-5950

Minister of Planning and External Cooperation
H.E. Laurent S. Lamothe
Route de Bourdon (Ancien local PNUD)
Port-au-Prince, Haïti
Tel: (509) 2816-1750
Fax: (509) 2222-0226

Minister of Public Works, Transports and Communications
H.E. Jacques Rousseau
Laboratoire National (Delmas 33)
Port-au-Prince, Haïti
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Fax: (509) 2223-4519

Minister of Justice and Public Security
H.E. Jean Renel Sanon
18, Ave. Charles Sumner
Port-au-Prince, Haïti
Tel: (509) 2245-0474/9737
Fax: (509) 2245-0474

Minister of Youth and Sports
H.E. Himler Rebu

Ranch de la Croix des Bouquets
Port-au-Prince, Haiti
Tel: (509) 2245-4566 – 2244-2858
Fax: (509) 2245-3400

Minister in Charge of Relations with Parliament
H.E. Phelito Doran
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Minister of National Education and Professional Training
H.E. Nesmy Manigat
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Fax: (509) 2245-3400

Minister of Interior and Territorial Collectivities
H.E. Reginald Delva
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Fax: (509) 2222-8057/4429

Minister of Communication
H.E. Rudy Heriveaux
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Fax: (509) 2221-7318

STATE-OWNED (PUBLIC) COMPANIES

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#14, Delmas 29, Rue Nina;
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Port-au-Prince, Haïti
Tel: (509) 2227-6639 / 2227-6640 /2227-6641
Fax: (509) 2246-2248
E-mail: bme@bme.gouv.ht / rema53@yahoo.com
Website: <http://www.bme.gouv.ht>
(Mr. Ludner Remarais, General Director)

Conseil National des Télécommunications (CONATEL)
4, Ave Christophe, B.P. 2002
Port-au-Prince, Haïti
Tel. (509) 2511-3940/ 2221 8337/ 2223 9229/2222 0119
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Bank of the Republic of Haiti (Central Bank of Haiti)
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E-mail: webmaster@brh.net
Website: www.brh.net
(Mr. Charles Castel, Governor)
(Mr. Marc Ebert Ignace, General Director)

Bank of the Republic of Haiti (Central Bank of Haiti)
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(509) 22-62-5208
(509) 22-62-5209
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Customs Administration (AGD)
Delmas 28, #162
Port-au-Prince, Haïti
Tel: (509) 3701 7372/ 3701 0721 / 3848 5786
Fax: (509) 2299-1761/1763
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Electricity of Haiti (EDH)
BLVD Harry Truman
B.P. 1753
Port-au-Prince, Haïti
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Fax: (509) 2223-8750
(Mr. Jean Errol Morose, General Director)

National Communication Association (NATCOM)
Angle Martin Luther King et Rue Fernand
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Fax: (509) 2245-1169
(Mr. Nguyen Manh Hung, Deputy CEO)

National Port Authority (APN)
Boulevard de la Saline
B.P. 616
Port-au-Prince, Haïti
Tel: (509) 2298-4071/ 2223-2440/ 2224-5212
Fax: (509) 2221-3479
Website: <http://www.apn.gouv.ht/>
(Mr. Alix Celestin, General Director)

Commission National des Marchés Publics
4, Rue Coutilien, Musseau, Bourdon
PO BOX 15220
Port-au-Prince, Haiti,
Phone: (509) 2943-0545
Website: <http://www.cnmp.gouv.ht/message/index>

Direction National de l'Eau Potable et de l'Assainissement (DINEPA)
Angle rue Metellus et Route Ibo lélé, No 4 Pétion-Ville, ht6140, Haïti
Tel: (509) 509-22564770 / 509-25132078 / 509-29400873
E-mail: communication@dinepa.gouv.ht
Website: <http://www.dinepa.gouv.ht>
(Mr. Lionel Duvalsaint, General Director)

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Port-au-Prince, Haiti
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(Mr. Jean-Marc Flambert, General Director)

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Route de l'Aéroport
Port-au-Prince, Haiti
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(Mr. Pierre Andre Laguerre, General Director)

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(Mr. Paul Altidor, Ambassador)

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Fax: (212) 661 8698

Consulate General of Haiti
220 S. State Street, Suite 2110
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Fax: (312) 922-7122
(Mr. Leslie Conde, Consul General)

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(Mr. Stephane Gilles, Consul General)

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Email: adminidtration@adih.ht / info@adih.ht
Web: www.adih.ht
(Mr. Carl-Frederic Matsen, President)
(Ms. Marie-Louise Augustin Russo, Executive Director)

Haitian Canadian Chamber of Commerce and Industry (CCIHC)
Hotel Visa Lodge, Suite 219
Rue des Nimes
Route de l'Aéroport
Port-au-Prince, Haïti
Tel: (509) 2813-0773
Email: Direction@ccihc.com/ secretariat@ccihc.com
Web: www.ccihc.com
(Mrs. Nathalie Pierre-Louis Laroche, President)
(Mrs. Martine Denis Chandler, Executive Director)

Center for Free Enterprise and Democracy (CLED)
12 Rue Borno
Petion-Ville, Haiti
Tel. (509) 3701-0601
Email: Bcraan@gmail.com
(Mr. Bernard Craan, President)
(Mr. Lionel DeLatour, Secretary General)

Haitian Chamber of Commerce and Industry (CCIH)
Adresse: 4^{ème} étage, Immeuble Digicel, #151 angle Ave Jean Paul II & imp.
Duverger, Turgeau
Port-au-Prince, Haïti
Tel: (509) 2946-7777 / 2943-1173
Email: directionexecutive@ccih.org.ht
Website: <http://www.ccih.org.ht>
(Mr. Dider Fils Aime, President)
(Mrs. Christine Boncy, Executive Director)

AHTIC
Association Haitienne pour le Developpement des Technologies de l'Information et de
la Communication
18 Rue Moise
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Chamber of Commerce and Industry of the Professionals of the North (CCIPNNE)
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E-mail: parcindustriel@yahoo.com

Caracol Industril Park (PIC)
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Shodecosa Industrial Park
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Port-au-Prince, Haïti
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Website: www.shodecosa.com
(Mrs. Youri Mevs, General Director)

Airport Industrial Park
Rue Sol SOLON
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INTERNATIONAL DEVELOPMENT BANKS

Inter-American Development Bank (IDB)
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Port-au-Prince, Haiti
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E-mail: bidhaiti@iadb.org
Website: www.iadb.org

World Bank
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Website: www.worldbank.org

Market Research

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Trade Events

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Chapter 10: Guide to Our Services

The U.S. Commercial Service offers customized solutions to help your business enter and succeed in markets worldwide. Its global network of trade specialists will work one-on-one with you through every step of the exporting process, helping you to:

- Target the best markets with our world-class research
- Promote your products and services to qualified buyers
- Meet the best distributors and agents for your products and services
- Overcome potential challenges or trade barriers

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