FORTY-FOURTH REGULAR SESSION
November 19 - 21, 2008
Santiago, Chile

FINAL REPORT

FORTY FOURTH REGULAR SESSION OF CICAD
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INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION (CICAD)
DRAFT FINAL REPORT

I. BACKGROUND

The Statute of the Inter-American Drug Abuse Control Commission (CICAD) provides in Article 21 that the Commission shall hold two regular sessions per year, one to deal with general matters, the other to address specific technical topics determined by the Commission or such other matters as may require its special attention. The Statute also provides that special sessions shall be held whenever the Commission so decides, or at the request of a majority of its member states.

At its forty-third regular session, the Commission decided that the forty-fourth regular session would be held in Santiago, Chile, in November 2008.

II. PROCEEDINGS OF THE FORTY-FOURTH REGULAR SESSION

Inaugural Session

In the opening ceremony, Mr. Gilberto Orozco, Vice Minister of Justice of Colombia and outgoing Chair of CICAD, delivered a summation of the past 12 months in which Colombia occupied the CICAD chair. He highlighted specifically the deliberations of the Commission, the efforts of CICAD Expert Groups, and the Multilateral Evaluation Mechanism (MEM). He also referred to the programs of the Executive Secretariat in the year-round fight against the production and trafficking of drugs and the consequences of drug addiction, the initiatives of alternative development, the use of drug courts in alternative sentencing for non-violent offenders, and the administration of assets seized and forfeited from narcotraffickers and money launderers.
Dr. José Miguel Insulza, Secretary General of the OAS, addressed the Commission through a recorded video because other commitments kept him from attending the meeting. Referring to the outbreaks of drug trafficking-related, criminal violence in the Hemisphere, he said, “I am aware of the onslaughts that some of our countries face from narcotrafficking groups, and we have to respond to these onslaughts, which are international, with international instruments.”

Representing the OAS Secretary General, Dr. Dante Caputo, Secretary for Political Affairs, centered his remarks on a broad regional trend: the need to strengthen the capacity of the State to deal with narcotrafficking forcefully and efficiently (CICAD/doc. 1693/08): “…It is vital that the mechanisms, remedies, and instruments that we invent, devise, and seek to put into practice have the power necessary for enforcement. If we do not have the power to enforce them, they will be good mechanisms… incapable of changing a thing.” He underscored the unique circumstances of the Hemisphere where the unequal distribution of wealth and entrenched poverty coexisted with democratic institutions. He concluded stating that narcotrafficking inserts itself in the social cracks created by the contradictions of these regional characteristics.

Her Excellency Michelle Bachelet Jeria, President of the Republic of Chile, welcomed the delegates, observers and speakers to the country. On domestic matters, she highlighted the drafting and implementation of a national drug policy, the National Strategy on Drugs 2003-2008, which coordinates and integrates the actions of the different agencies that have jurisdiction in the matter, based on the prevailing legal and institutional instruments (CICAD/doc. 1700/08). On international affairs, she underscored the relevance of a multilateral approach as the appropriate environment for confronting the worldwide problem of drugs. She pointed out that “Chile recommits to the importance that is attributed to CICAD as the policy reference point of the region to deal with all aspects of the drug problem.” President Bachelet also confirmed the will of Chile to broaden and strengthening the scope of horizontal cooperation in the whole hemisphere.

III. DECISIONS ADOPTED

1. Approval of the Agenda and Schedule of Activities

The agenda (CICAD/doc.1673/08) and the schedule of activities (CICAD/doc.1674/08)
were adopted as presented.

2. **Election of the Chair and Vice Chair of CICAD**

In compliance with Articles 22 and 23 of the CICAD Statute, the delegation of Mexico nominated Chile for the position of Commission Chair, noting that Dr. María Teresa Chadwick, Executive Secretary of Chile's National Council for the Control of Narcotics (CONACE), who would be designated by her country to serve in that post, was highly qualified. Brazil seconded the nomination and requested that the election take place by acclamation, which was agreed to by the plenary.

The delegation of Brazil nominated the United States of America for the position of Vice Chair in the person of Mr. David T. Johnson, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs (INL), U.S. Department of State. The delegates of Suriname and Trinidad and Tobago seconded the nomination and asked that the election take place by acclamation, which was done immediately.

The delegation of Suriname reiterated his government's intention, first expressed in a note (CICAD/doc.1681/08), to be a candidate for CICAD Vice Chair for the period 2009-2010.

3. **Demand Reduction**

a. **Thematic Debate: Building a national substance abuse prevention policy**

Dr. Anna McG. Chisman, Chief of CICAD’s Demand Reduction Section, introduced a panel of experts, noting that they would be discussing prevention policy from three different perspectives: that of a national drug commission/council, a federal government, and a regional program for capacity building in local governments. The goals of this debate were to reflect critically on the problems that have arisen in the process of strengthening national drug use prevention programs in member states and identify those keys that enable the consolidation of comprehensive and efficient public policy in the area of prevention. The presentations were the following:

- *The national drug prevention system in Chile* by Mr. Decio Mettifogo, Chief of Prevention, CONACE, Chile
b. Workplace prevention

During 2007 and 2009, the Expert Group on Demand Reduction met in Santiago to complete a draft document that proposes recommendations on best practices for workplace prevention of alcohol and drug dependency, based on the code of practice of the international Labor Organization (ILO). Because Chile’s CONACE had taken the lead in the Expert Group's work, a representative from that country summarized the document and its conclusions. In addition, a Chilean company described how it had implemented such a program.

- **CICAD Hemispheric Guidelines on Workplace Prevention (draft)** by Ms. Olga Figueroa, Chief, Workplace Prevention, CONACE, Chile (document CICAD/doc.1677/08)

- **Prevention work program in the Huachipato Iron and Steel Company** (CSH, Chile) by Mr. Arturo Aguayo R., Manager of Administration and Human Development, and Mr. Pedro González N., Engineer of Studies (CICAD/doc. 1691/08)

In the ensuing discussion, the delegates of Argentina, Mexico, Paraguay and the United States all stated their support for the guideline document. In later deliberations, the Commission approved the document (See the decisions on expert groups’ reports, point 11. a. below).

c. Thematic Debate: Policy making in drug treatment and rehabilitation

Different approaches to treatment and rehabilitation of drug dependency were highlighted in a panel discussion moderated by Dr. Mariano Montenegro, Director of Treatment of CONACE. The objectives of this discussion were to lay out the technical and policy achievements and difficulties regarding the design and implementation of national systems of
drug treatment in the region and to enable decision making for the resolution of those difficulties that member states have had to instate these systems. The presentations were the following:

- **Policy making in drug treatment and rehabilitation: the perspective from a national drug commission** by Mr. Milton Romani, Secretary General, National Drug Secretariat, Uruguay (CICAD/doc. 1710/08)

- **Recovery-oriented systems** by Dr. H. Westley Clark, Director, Center for Substance Abuse Treatment (CSAT), Substance Abuse and Mental Health Services Administration (SAMHSA), United States Department of Health and Human Services (CICAD/doc. 1687/08)

- **Building policies for treatment and rehabilitation: a perspective from organized civil society** by Mr. José Rubén Gonzalez, President, Association of Non-governmental Organizations (FONGA, Argentina) (CICAD/doc. 1695/08)

Dr. Montenegro summed up the ensuing discussion by emphasizing the following points: (1) the importance of commissioning national drug observatories to provide current, accurate information about drug consumption in specific risk populations; (2) the value of the Demand Reduction Expert Group cataloging and evaluating the available treatment protocols; (3) the need for early detection in at-risk populations, like young people; (4) the need to revive discussion about the issue of social re-integration and to consider it a distinct path of treatment and rehabilitation, with the goal of raising its development; and (5) the lead role of the state in strengthening programs and setting up national treatment systems even though private agencies (church, non-governmental organizations, etc.) may carry out the bulk of work with clients.

### 4. Thematic Debate: Security and drugs: Hemispheric challenges

Mr. Rafael Franzini Batlle, CICAD’s Assistant Executive Secretary, moderated a panel of experts who described the risks posed by crime, violence, drug trafficking, drug abuse, and their impact on government, society and the economy. The goals of this debate was to obtain an assessment of the current situation regarding illicit drug trafficking in the continent, make known some of the normative advances around the world and the region in terms of trafficking, detail experiences towards reducing criminality in drug matters, establish efficient indicators to evaluate drug control policies and know the main trends of trafficking in the continent. The presentations were the following:

CICAD/doc. 1714/08
5. Supply Reduction and Control Measures

d. Ephedrine and pseudoephedrine control policy in Mexico

Mr. David Cortes, Coordinator of Chemical Precursors, Federal Commission on Health Risks (COFEPRIS), Secretariat of Health (Mexico), delivered a report on the Mexican government’s efforts to prevent the diversion of chemical substances used in the manufacture of common cold medicines to the production of illicit drugs (CICAD/doc. 1708/08). As a result of these strict control measures, ephedrine-related imports went from 230 tons in 2004 to 11.8 tons in 2007. He stated that Mexico had had to make adjustments in the implementation of these procedures along the way and that the “lessons learned” in the process would be made available to all member states. The delegate of Guatemala said that her government was following Mexico’s example in implementing strong controls on chemical substances and pharmaceutical products.

e. Bolivia and drug trafficking

CICAD/doc. 1714/08
Mr. Felipe Cáceres, Vice Minister of Social Defense and Controlled Substances of Bolivia, informed the Commission about the Bolivian government's efforts to control drug trafficking (CICAD/doc. 1704/08) over the past three years. The delegates of Argentina, Ecuador, Honduras, Peru, Uruguay and the United States emphasized the importance of bilateral, regional and international assistance in dealing with drug trafficking since the repercussions of trafficking in a single country spread far beyond its national borders. The delegate of the United States also expressed concern about the effectiveness of Bolivia's measures to control illicit coca and expressed regret over Bolivia's decision to significantly reduce its counternarcotics cooperation with the United States.

6. Money Laundering

f. BIDAL Project: Administration of seized and forfeited assets in Latin America

Mr. Denis Cheng, Project Coordinator of CICAD's BIDAL Project, informed the Commission about the first full year of operations of the project and its partnerships with the governments of Argentina, Chile and Uruguay (CICAD/doc. 1705/08). He detailed the outcomes of the first phase: a comparative study of relevant legislation in the region and the world, a draft manual of best practices in the administration of seized assets, an assessment of national requirements in each participating county; and a regional workshop that shared experiences, work plans and mutual assistance. (See decisions on the report of the expert group on the control of money laundering, point 11. d.)

7. CICAD's financial situation

Mr. James F. Mack, CICAD Executive Secretary, addressed the Commission on the achievements of the Executive Secretariat's program to strengthen the capacities of member states to deal with all aspects of the drug problem, as well as its efforts to overcome its serious financial challenges. Due to depleted reserves, reduced financial contributions and the fact that the Regular Fund budget covered only a quarter of CICAD's operating budget, the Executive Secretariat would have to cut back sharply on the activities starting in late 2009 unless the situation was reversed. He concluded by emphasizing that a strong CICAD was in the interest of all member states and urged each to make it a practice to make a generous annual contribution to the Executive Secretariat.

CICAD/doc. 1714/08
The Chair thanked the Executive Secretary for his report and opened the floor for discussion. All the delegates praised the Executive Secretariat for CICAD’s accomplishments and assistance to the countries and the region. The delegates of Canada, Colombia, the Dominican Republic, Mexico, Peru, Suriname, Trinidad and Tobago, the United States, and Uruguay stated that their governments would start or continue to make yearly financial contributions to CICAD’s budget in 2009. The delegate of Venezuela stated that it was taking measures to contribute to CICAD’s budget that same year. The delegates of Argentina, Bahamas, Brazil, Ecuador, Guatemala, Honduras, Panama, and Paraguay said that their governments were taking steps (legislative branch, executive budget drafting process, etc.) to set aside funds in future national budgets to support CICAD activities in 2010 and later.

The delegate of Chile stated that its government would instruct its OAS Permanent Mission to find ways to make adjustments to the OAS Regular Fund budget so that it reflected the political priorities and mandates that were assigned to CICAD. The delegates of the United States and Mexico asked the Executive Secretariat to undertake a process of selection of priority projects to help member states get a clear vision of where funding should be concentrated.

8. Multilateral Evaluation Mechanism (MEM)

Mr. Alberto del Río, the General Coordinator of the Governmental Experts Group (GEG) of the MEM, informed the Commission on the GEG’s work during its first drafting session for country reports on follow-up recommendations of the Fourth Evaluation Round (CICAD/doc. 1701/08). He also reported on the GEG’s preparation of a draft document (CICAD/doc.1702/08), based on MEM hemispheric reports, which could serve as a starting point for a coordinated CICAD contribution, to be presented at the March 2009 meeting of the United Nations Commission on Narcotic Drugs (Vienna 2009), to the 10-year review of implementation of goals established in 1998 by the UN General Assembly’s 20th Special Session on the World Drug Problem (UNGASS). The Commission considered and adopted the GEG report.

The Commission also welcomed the report of the Deputy General Coordinator of the GEG of the MEM, Mr. Manodj Hindori, who referred to the on-site visit to Saint Lucia, the progress made during that visit, and the concern about the lack of participation of some Caribbean states in the MEM process. On the last point, the Chair pledged to do her utmost to ensure the restoration of full participation by those countries in the evaluation process. The
representatives of Suriname and Trinidad and Tobago encouraged the Executive Secretariat to pursue further collaboration with the CARICOM Secretariat as an interlocutor and ally in the region.

9. **UNGASS: Feasibility of hemispheric coordinated action**

The representative of Mexico proposed, and the Commission approved, a timetable for review and approval by the Commission of document CICAD/doc.1702/08, aiming to present it to the CND in March 2009 and requesting that the Chair coordinate the activities that this process implies, relying on the work of the GEG and the assistance of the Executive Secretariat:

- **November 20, 2008**: distribution of the draft document to the countries for information and possible comments.

- **December 16, 2008**: deadline for country input to the GEG, via the Executive Secretariat. The Executive Secretariat and the Chair review, incorporate, and transmit the comments to the GEG.

- **January 20, 2009**: The GEG submits a corrected version of the draft document to the Chair for it to be sent to the Executive Secretariat for retransmission to the countries.

- **February 6, 2009**: deadline for adoption by the countries of the final document to be presented in Vienna. Silence in this case signifies assent.

The majority of the delegations debated the role of political bodies of the OAS with respect to the approval of the document that would be presented to the CND, and as a result, the Commission decided to approve the following statement:

"Reaffirming the will of the member states, document CICAD/doc.1702/08, prepared by the GEG experts, will be adopted by CICAD, which will inform the political bodies of the Organization of American States of the desire to have that document presented to the CND in Vienna in March 2009."

10. **Reports of CICAD Expert Groups**

The Executive Secretary of the Commission, Mr. James Mack, reported on the following CICAD expert groups that met in 2008 (CICAD/doc.1676/08): Demand Reduction; Chemical
Substances; Pharmaceutical Products; and Maritime Narcotrafficking, while the Control of Money Laundering report was made by its Chair.

After hearing Mr. Mack’s reports, the Commission adopted the following decisions, with the understanding that the products of the expert group meetings are frequently tools for action for member states but are not binding:

a. **Demand Reduction:**
   - To adopt the document “CICAD Hemispheric Guidelines on Workplace Prevention” (CICAD/doc.1677/08).
   - To adopt the work plan of the Group of Experts on Demand Reduction covering the next two years (approach on treatment and rehabilitation of drug dependency).

b. **Chemical Substances and Pharmaceutical Products:**
   Having considered the (provisional) final report of the CICAD Groups of Experts on Chemical Substances and on Pharmaceuticals (CICAD/doc.1683/08), the Commission decided:

   (1) **Chapter on the Group of Experts on Chemical Substances**
   - To adopt the Group of Experts' plan of action for 2009,
   - To convene the Group of Experts for a meeting in Peru in 2009, and
   - To adopt the Report except for the section pertaining to the document “Legal Framework for Synthetic Drug Control,” as explained below.

   The delegation of Venezuela requested that the group discontinue its work on the document “Mechanisms for Determining National Legitimate Requirements for Chemical Substances and Precursors,” and that the document “Legal Framework for Synthetic Drug Control” not be considered for adoption until the next regular session. Those proposals were accepted by the Commission.

   (2) **Chapter on the Group of Experts on Pharmaceuticals**
   - To adopt the (provisional) Final Report,
   - To adopt the Group of Experts’ plan of action for 2009, and
   - To convene the Group of Experts for a meeting in Peru in 2009.
c. Maritime Narcotrafficking:

Having considered the (provisional) Final Report (CICAD/doc.1684/08), the Commission decided:

- To adopt the Final Report,
- To adopt the plan of action for 2009, and
- To convene the Group of Experts for 2009.

d. Money Laundering:

Having considered the (provisional) Final Report (CICAD/doc.1688/08) presented by Ms. Marcela Mora Córdoba, Chair of the Expert Group, the Commission adopted the following decisions:

- To adopt the Final Report,
- To commend the working group for the preparation of a draft manual on best practices on the management of forfeited and seized assets and to ask the group to continue work, taking into account the suggestions made by the delegations of Canada, Mexico and the United States, in order to submit an expanded draft to the Commission at its next regular session, as well as to prepare an English version and distribute it to member states,
- To adopt the plan of action for 2009-2010, and
- To approve incorporation of the legal tool “confiscation without a conviction” into Article 9 of CICAD’s Model Regulations on money laundering control.

e. Alternative, Integral, and Sustainable Development:

The Commission considered the (provisional) Final Report (CICAD/doc.1678/08) and decided to adopt it.

On the proposal of the delegation of the United States, it was decided that, due to a shortage of resources, once the Expert Group completed its Manual of Best Practices for Producers via the Internet, it would suspend any additional meetings or activities until the Commission determines otherwise.
11. **Election of the chairs of CICAD Expert Groups**

The Commission elected chairs of the Expert Groups with results of the elections as follows:

- Peru was reelected Chair of the Group of Experts on Chemical Substances and the Group of Experts on Pharmaceuticals,
- Chile, on the proposal of Argentina, was elected Chair of the Group of Experts on Maritime Narcotrafficking, and
- Uruguay was elected Chair and Costa Rica, Vice Chair of the Group of Experts to Control Money Laundering.

12. **Working Group for Drafting Recommendations to the General Assembly**

In the inaugural session, the Commission established a working group to review the CICAD’s draft annual report to the June 2009 OAS General Assembly and accompanying resolutions (CICAD/doc. 1685 and 1686/08). The working group chair, Mr. Rogério Ghesti, a member of the Brazilian delegation, reported that the representatives from 13 member states had reviewed the draft annual report, requesting that the Executive Secretariat update the document to include year-end figures for 2008, and respond to a few requests for details. The final draft will be sent back to the national representatives via e-mail, to speed up the process of final approval. He also stated that the drafts of the two resolutions would be distributed to the member states via the Internet so that they could make suggestions and changes before the Commission approves the final versions in CICAD’s forty-fifth regular session.

13. **Proposed topics, place and date for the forty-fifth regular session of CICAD**

It was proposed tentatively that the next CICAD meeting be held in Washington, D.C. on April 22-24. Having accepted the Paraguayan delegation’s suggestion to include a panel on marijuana abuse and trafficking, it was requested that member states propose to the Executive Secretariat other topics to be discussed at the forty-fifth regular session.

**Note:** The definitive date, approved after the meeting, was May 6-8.
14. Statements by Permanent Observer countries to the OAS, international organizations and regional organizations

- **France**

  Amb. Marie-France Pagnier, Ambassador, Observer Permanent of France before the OAS, congratulated all participants for the free and open debates that had taken place during the meeting. She stated that France shares the same concerns as CICAD and its member states, and pursues similar strategies for addressing a serious problem that affects the health, security and social fabric of our countries. The 2009-2010 work plan of the French inter-ministerial anti-drug agency (MILTD) lays emphasis on three areas: preventing first use of drugs by young people; providing drug treatment and rehabilitation for drug-dependent persons, particularly the most vulnerable; and strengthening its ties with partner countries and international organizations, such as UNODC, WHO, the Council of Europe, and, of course, CICAD. She recognized that international exchanges of experience are fundamental to combating the drug problem around the world, and in that regard, was pleased to take note of the meeting of representatives of cities from the European Union, the Caribbean and Latin America in April 2008. She will transmit the concerns about funding limitations, and hopes that CICAD can be provided with the resources it needs to continue its work.

- **Russian Federation**

  Amb. Yuriy Filatov, Ambassador of the Russian Federation to Chile, stated that his government has benefited from its ongoing observation of CICAD meetings, especially in the areas of money laundering and precursor chemicals. He briefed the Commission on his government’s efforts to deal with trafficking, especially heroin from Afghanistan.

- **United Nations Office on Drugs and CRIME (UNODC)**

  Ms. Cristina Albertin, the UNODC Representative in Bolivia, spoke about UNODC projects underway in the region, which are valued at $250 million, (CICAD/doc. 1711/08). She stated that UNODC is relaunching its technical assistance program in the region following an evidence-based evaluation.

- **Andean Community**

  Mr. Adolfo Miguel López Bustillo, Project Coordinator, General Secretariat of the Andean Community, stated that the Andean Community had commissioned the Inter-American
Observatory on Drugs to carry out a study on the consumption of synthetic drugs among university students in the region, funded by the European Commission.

- **Central American Permanent Commission for the Eradication of the production, Trafficking and Illicit Consumption of Narcotics and Psychotropic Substances** *(Comisión Centroamericana Permanente para la Erradicación de la Producción, Tráfico, Consumo y Uso Ilícito de Estupefacientes y Sustancias Psicotrópicas*, CCP)

  Mr. Oscar Roberto Hernández Hidalgo, CCP Executive Secretary, spoke about the latest trends in Central America, especially the rising tide of drug trafficking and violence. He described the CPP’s initiatives to address these threats.

- **Pan American Health Organization (PAHO)**

  Mr. Armando Vásquez, PAHO/WHO, Chile, spoke about the organization’s efforts to combat alcoholism, especially its endorsement of a brief intervention methodology to detect early stages of addiction and to get low-cost treatment.

- **International Criminal Police Organization (INTERPOL)**

  Mr. Armando de Assis Possa, Chief of the INTERPOL Subregional Office (Brazil) for Latin America, spoke about INTERPOL’s efforts in communication and information services in the region.

15. **Participants at the forty-four regular session of CICAD**

f. **CICAD Member States**

  Representatives of Argentina, The Bahamas, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Trinidad and Tobago, the United States of America, Uruguay, and Venezuela were present.

g. **Permanent Observers**

  Also attending in their capacity as Permanent Observers to the Organization of American States were representatives of Austria, France, the Russian Federation, and Portugal.

h. **Inter-American Specialized Organizations and International Agencies**
Representatives attended from the Andean Community (CAN), Inter-American Institute for Cooperation on Agriculture (IICA), United Nations Office on Drugs and Crime (UNODC), and International Criminal Police Organization (INTERPOL).

i. Civil Society

Also attending were representatives from civil society: Centros de Integración Juvenil C.A. of Mexico, Federación de Organismos No Gubernamentales (FONGA, Argentina) and RIOD – Red Iberoamericana que trabajan en Drogodependencias.