

# ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

**THIRTY-FIRST REGULAR SESSION**  
**29 April, 2 May, 2002**  
**Washington, D.C.**

**OEA/Ser.L/XIV.2.31**  
**CICAD/doc.1164/02**  
**25 March 2002**  
**Original: Spanish**

## **PROPOSAL WITH RESPECT TO THE PARTICIPATION OF NON OAS TERRITORIES IN THE CARIBBEAN IN CICAD ACTIVITIES AND MEETINGS**

March 22, 2002

**Thirty-First Regular Session of CICAD  
Washington D.C.**

**Proposal with Respect to the Participation of Non OAS territories  
in the Caribbean in CICAD Activities and Meetings<sup>1</sup>**

**Issue:**

At the 29<sup>th</sup> regular session of CICAD, the Chairman commented on CICAD relations with non-OAS entities in the Caribbean Basin and proposed that the Executive Secretariat establish closer working relations with the relevant institutions of those entities. The Chairman noted that as much as 45% of the drug traffic from South America passed through the Caribbean basin and that to combat it, improved coordination, cooperation and information exchange among all Caribbean entities whether sovereign or not was of enormous strategic and practical value. The transnational nature of the drug problem, he said, knows no borders and respects no territorial jurisdiction.

Following the Chairman's comments and interventions by several delegations, the Secretariat was asked to consider the proposal and to report back to the Commission on the participation of the Caribbean non-OAS entities in CICAD activities and events and the elements of a possible strategy. On this basis, the Secretariat is making the following report to the Commission.

**Present Situation/Actual Practice**

Non-OAS territories in the Caribbean play a role in other international and regional activities. For example, both CARICOM and the United Nations include Caribbean non-OAS territories in their drug control programs. The Barbados Plan of Action is one example.

In addition, the Caribbean Financial Action Task Force (CFATF) addresses cooperation among both independent countries and non-OAS territories against money laundering. The CFATF not only blankets the Caribbean through the inclusion of all non-OAS territories as full members (Anguilla, Aruba, Bermuda, British Virgin Islands, Cayman Islands, Montserrat, Netherlands Antilles and Turks and Caicos), but has had (BVI) and will have (Aruba) as Chairs of that body.

Further, CICAD has involved a number of non-OAS Caribbean territories in certain activities. BVI and the Cayman Islands have attended CICAD sponsored demand reduction programs and meetings, and non-OAS Caribbean territories have

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<sup>1</sup> Presentation made orally by the Executive Secretariat of CICAD to the 30<sup>th</sup> regular session of the Commission, Caracas, Venezuela, November 2001.

been included in a UNDCP-CICAD sponsored University of the West Indies course on addiction studies. In addition, some years ago a Radio Netherlands program on communications for drug prevention strategies was sponsored in part by CICAD involving Aruba and the Netherlands Antilles.

France has made available to CICAD its Centre Interministeriel de Formation Anti-Drogue (CIFAD) facility in Martinique. CIFAD has collaborated with CICAD by making available space and human resources including presenters from observer countries for the holding of information and training seminars and for expert group meetings on a number of topics including sessions to address matters related to CICAD's model regulations. A partial list of these activities includes a 1993 meeting of the Money Laundering Control Expert Group; in 1997 a meeting of the Precursor Chemical Control Expert Group to amend the model regulations and a subsequent seminar on chemical controls; an October 1998 customs control training seminar; a chemical control training seminar in May, 1999; a seminar in May 2000 on the implementation of CICAD's model regulations on firearms for Caribbean and Central American representatives; and in 2000 and 2001 a container profiling course program for customs officials to which both CIFAD and CICAD contributed subject-matter experts.

Representatives of non-OAS territories in the Caribbean have been included in a number of these events held with CIFAD.

### **Actions taken by the Secretariat**

Actions taken to date by the Executive Secretariat regarding the participation of the territories of permanent observer countries in the Caribbean, in the period following the 29<sup>th</sup> regular session of CICAD are as follows.

(i) Legal Opinion

The Executive Secretariat sought a legal opinion from the Secretariat for Legal Affairs on cooperative relations with the non-OAS Caribbean territories and their participation in CICAD events. The opinion of the Legal Secretariat concludes, that there is no legal impediment to cooperation with these territories or their inclusion in CICAD events.

(ii) Discussions with Permanent Observer Missions

The Executive Secretariat has informally discussed the participation of Caribbean non-OAS territories with representatives of the Permanent Missions to the OAS of the metropolitan governments concerned.

- (a) In the case of Caribbean non-OAS territories of the United Kingdom, officials of the Foreign Office have represented to the Secretariat that they were

supportive and have indicated to these entities that they would be notified of CICAD events that they might attend;

- (b) In a conversation with the representative of the Permanent Mission of the Kingdom of the Netherlands, the representative stated that there would be no objection to CICAD directly contacting officials of both Aruba and the Netherlands Antilles provided that the Permanent Mission was kept informed.
- (c) The Ambassador of France's Permanent Mission to the OAS has indicated support for greater cooperation between the overseas departments of that country and CICAD. The possibility of an MOU has been raised with the Secretariat;
- (d) Having regard to the Commonwealth of Puerto Rico, the Executive Secretariat was advised by U.S. representatives that cooperation activities could be coordinated through the corresponding agency of the U.S. government. Cooperation activities with the United States Virgin Islands, an "unincorporated territory of the United States", might be coordinated through the U.S. Government to the Office of the Territorial Governor and the corresponding Ministry. The U.S. will reconfirm this advice following internal discussions.

(iii) Elements of a proposed plan of action and considerations for inclusion in a possible strategy

A proposed strategy for greater inclusion of the non-OAS Caribbean entities in CICAD's activities could include the following:

- A determination of the anticipated threat overview in terms of drug abuse and drug-related offences in the Caribbean region, if the non-OAS territories are not included in CICAD activities;
- Confirmation of an expression of interest in cooperative relations with CICAD on the part of the non-OAS territories concerned through the corresponding permanent observer country;
- Gathering of information on the drug abuse problem and related criminal activities in each of the non-OAS territories as provided by them;
- Determining which agencies are responsible for what facets of drug and related issues in the non-OAS territories;
- A more complete determination of the legal and administrative relationships between the metropolitan governments concerned and the non-OAS territories, and any anticipated changes in those relationships;

- Confirmation of the basis of communication with the relevant agency or agencies of the non-OAS territory concerned and clear guidelines on the steps to be taken with the metropolitan government;
- Establishing contacts and building relationships with the appropriate officials of the relevant drug control government agencies of the non-OAS territories and with their corresponding points of contact in the metropolitan countries;
- Exploring possible projects to be carried out in collaboration with agencies and/or officials of permanent observer countries that would include the non-OAS territories;
- Consideration of financial implications of the proposed increased participation with respect to the Commission, the permanent observer country and the non-OAS territory. Participation by non-OAS Caribbean territories in CICAD events in the past has been underwritten by the metropolitan countries, the territories themselves, or some other donor. CICAD should not be expected to provide support for a non-OAS territory to participate in CICAD-sponsored events.

The Executive Secretariat could be charged with reporting back to the next regular session of CICAD with a report on these and such other matters as the Commission determines.

(iv) Conclusion

In conclusion, from a practical standpoint, given the nature of the drug problem, the routes employed in the trafficking of drugs through the Caribbean region, and the transnational nature of related criminal activity, improved cooperation with these territories whether on the issue of drugs or related matters such as money laundering, chemicals or firearms control, is a legitimate activity of the Commission worthy of continued attention.