

# ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

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

**OEA/Ser.L/XIV.2.31**  
**CICAD/doc.1183/02**  
**30 April 2002**  
**Original: Spanish**

## **PROPOSAL OF PERU**

### **ON THE ANTI-DRUG STRATEGY IN THE HEMISPHERE**

## REVIEW OF THE ANTI-DRUG STRATEGY IN THE HEMISPHERE

### GENERAL COMMENTS

Peru considers it important to provide the Strategy with new content, in keeping with today's reality. The situation has changed, and the problem is exacerbated by the fact that it is now associated with terrorism, and is one of the factors directly generating corruption.

It would also be advisable for the Strategy to be brought into line with global issues of greatest currency: *inter alia*, democracy, the fight against corruption, human rights, and civil society participation. Moreover, it would be beneficial to associate it with a current trend in the United Nations which, as was not the case in 1996, is to promote and support the activity of the regional or subregional groups as the basis for achieving global cooperation.

The paragraphs of the Strategy as they now stand are set out below. The proposals of Peru appear in bold.

### INTRODUCTION

As the twenty first century draws near, the countries of the hemisphere, convinced of the importance of the efforts our countries are making to deal with the problems created by the abuse and the illicit production, traffic and distribution of drugs, and their modalities, and at the same time realizing that it is imperative to modernize and improve the strategies and measures in this area, have decided to formulate the present Hemispheric Anti-drug Strategy, which shall be applied in accordance with the following terms:

#### Proposal of Peru to amend the paragraph "INTRODUCTION"

The countries of the Hemisphere, ~~en las proximidades del siglo XXI, convencidos de la importancia de los esfuerzos desarrollados por nuestras naciones para hacer~~ in addressing the problems created by the abuse and the illicit production, traffic, and distribution of drugs, their modalities **and the corruption they generate, and convinced of the serious threat they constitute, both to the security of their societies and to their democratic institutions, have decided to step up their comprehensive efforts in the drug control area,** ~~al mismo tiempo admitiendo que es imperativo~~ **and** to modernize and improve the strategies and measures in this area, ~~and~~ **and** have ~~decidido~~ **agreed** to formulate the present Hemispheric Anti-drug Strategy, which shall be applied in accordance with the following terms:

1. The problem of drugs, which has become increasingly important in the world, manifests itself as a complex, shifting and global phenomenon.

2. The problems of drug abuse and the demand for drugs, and the illicit production, distribution and trafficking of drugs, including synthetic or "designer" drugs, continue to be grave and interrelated. Sources of special concern are the negative consequences of illicit drugs and other controlled substances, and related offenses, which pose a serious threat to the health and integrity of the individual and the normal development of society, and at the same time impose enormous social, economic and political costs on countries. Also meriting attention is the abuse of licit psychoactive substances such as alcohol and tobacco, psychotropic drugs and inhalants, which have proven to be dangerous to health.

3. The countries of the hemisphere express their concern over trends that promote the acceptance of drug abuse and its associated problems. Controlling illicit drugs must be part of a comprehensive anti-drug policy, which along with preventing drug abuse and helping to rehabilitate those affected, must ensure through appropriate laws and policies that illicit drugs and drugs diverted to the illegal market are not available and that drug traffickers receive proper sanctions.

4. In view of the complexity and the global nature of the problem, the countries of the hemisphere recognize the need to strengthen international cooperation and for constant review and improvement of national policies, taking into account the particular circumstances of the phenomenon as it appears in each country.

#### **Proposal of Peru (in bold) on paragraph 4**

4. In view of the complexity and the global nature of the problem, the countries of the hemisphere recognize the need to strengthen international cooperation and for constant review and improvement of national policies, taking into account the particular circumstances of the phenomenon as it appears in each country, **and the changes in patterns of production, trafficking, and consumption resulting from the displacement phenomenon and the emergence of new illicit drugs.**

5. In order to facilitate and lend consistency to anti-drug efforts, the countries of the hemisphere agree on the importance of the actions of the respective National Drug Control Commissions, situated at a high political level which results in coordinating the planning and implementation of respective national anti-drug plans, which include, among others, prevention, treatment, assistance, alternative development and law enforcement.

#### **Proposal of Peru on paragraph 5**

5. In order to facilitate and lend consistency to anti-drug efforts, the countries of the hemisphere agree on the importance of **strengthening** the actions of the respective National Drug Control Commissions **and of situating them at the highest level, and affording them political support, as well as a broad mandate that enables them to direct and coordinate all elements of** the planning and implementation of respective national anti-drug plans, which include, among others, prevention, treatment, assistance, alternative development, interdiction, and law enforcement

**They also agree on the importance of assigning budgetary resources, and the necessary highly specialized personnel, to the National Commissions in keeping with the important work they are to carry out.**

**The countries of the Hemisphere agree to promote the establishment of national observatories on drugs, with a view to ensuring that the National Commissions may implement organized information systems on all aspects of drug control, which may contribute to the decision-making process. The countries shall also promote the establishment of centers for coordination or unified command in the interdiction area, where so required.**

6. The Hemispheric Anti-drug Strategy addresses the drug problem from a global and multidisciplinary perspective. All countries of the hemisphere recognize that they share a responsibility for ensuring that a comprehensive and balanced approach is taken on all aspects of the phenomenon, taking into account their available capabilities and resources. The measures suggested will take cognizance of the socioeconomic and cultural contexts and be carried out in strict observance of the internal legal order of the countries of the hemisphere.

7. The countries of the hemisphere agree that the application and compatibility of the relevant national laws, the signing of and adherence to conventions and other international instruments, and the conclusion of bilateral agreements on the subject are irrefutable signs of their resolve to join forces to overcome this problem. They also agree on the importance of implementing the international cooperation mechanisms provided for in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Vienna Convention).

#### **Proposal of Peru on paragraph 7**

7. The countries of the hemisphere agree that the application and compatibility of the relevant national laws, the signing of and adherence to conventions and other international instruments, and the conclusion of bilateral **and subregional** agreements on the subject are irrefutable signs of their resolve to join forces to overcome this problem. They also agree on the importance of implementing the international cooperation mechanisms provided for in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Vienna Convention) **and on promoting effective cooperation mechanisms at the subregional and the regional levels.**

8. In the development of this hemispheric Anti-drug Strategy, the countries reaffirm the important role that corresponds to the Inter-American Drug Abuse Control Commission (CICAD) as the competent regional forum. They also recognize the need to implement this Strategy in harmony with the plans and programs of other concerned multilateral institutions.

#### **Proposal of Peru on paragraph 8**

8. In the development of this hemispheric Anti-drug Strategy, the countries reaffirm the important role that corresponds to the Inter-American Drug Abuse Control Commission (CICAD) as the competent regional forum. They also recognize the need

to implement this Strategy in harmony with the plans and programs of other concerned multilateral institutions, **and for these, in turn, to recognize the priorities and needs of the Americas region as a whole and, in particular, those of the respective subregional groups.**

9. The Strategy constitutes a hemispheric effort to frame guidelines, of a recommendatory nature, for cooperation that will enable our countries to adopt a set of measures and actions whose implementation will strengthen the national efforts.

#### **Proposal of Peru on paragraph 9**

**This paragraph summarizes the entire Strategy and the anti-drug effort. It might be replaced with the following wording:**

9. **The hemispheric strategy constitutes an effort intended to promote effective cooperation among the states of the region, as well as a comprehensive reference framework** that will enable our countries to adopt a set of measures and actions whose implementation will strengthen the national **and regional** efforts.

10. In the implementation of this Strategy, the states reaffirm their commitment to respect the principles of international law, in particular those of national sovereignty, territorial integrity and nonintervention in the internal affairs of countries.

#### **DEMAND REDUCTION**

11. The countries of the hemisphere recognize drug abuse as a grave threat not only to the life and health of the user, but also to the community in general. The way in which the problem has evolved demonstrates that demand reduction must be a key component of policies intended to address the problem.

12. Demand remains a powerful driving force for the production of and traffic in drugs. Every member of the global community has the responsibility to address the issue of demand and to reduce its incentive. The countries of the hemisphere recognize the need to continue to consider demand reduction as a priority in anti-drug policies, which covers integral comprehensive demand reduction and law enforcement programs.

#### **Proposal of Peru on paragraph 12**

12. Demand remains a powerful driving force for the production of and traffic in drugs. Every member of the global community has the responsibility to address the issue of demand and to **adopt measures with a view to its effective reduction.** The countries of the hemisphere recognize the need to continue to consider demand reduction as a priority in anti-drug policies, which covers integral comprehensive demand reduction and law enforcement programs.

13. Essential elements of comprehensive demand reduction programs will be considered to include research, prevention, treatment, rehabilitation, social reintegration, program development, education, training, community action, policy-making and measures to build greater social awareness against the use of drugs and encourage nonusers to remain that way.

14. National demand reduction programs will take account of the cultural, social and economic conditions of the population groups for whom they are intended. Equally, they will also foster dialogue with educational and research institutions and nongovernmental organizations to bring about improved understanding of the trends and ways in which the problem of the demand for drugs manifests itself and its evolution over time, as well as the possibility of using scientific criteria to measure the results of strategies developed.

15. They should also consider promoting citizen participation, public information on the harmful effects of drug use through the media, treatment and rehabilitation of addicts, as well as other alternative measures. The countries will be able to request assistance from OAS/CICAD and the United Nations International Drug Control Programme (UNDCP) in the development of demand reduction programs and strategies, as well as the development of scientifically-based systems that will enable them to recognize the dimensions and trends of demand and to evaluate the results of the strategies adopted.

16. Accordingly, the countries will strengthen their preventive education programs to reduce drug consumption, the levels of drug dependency and the consequences of drug use. Designing effective prevention programs requires close cooperation, consultation and association with the community. Those programs will be targeted particularly at high-risk groups.

17. The gathering, analysis and dissemination of information are important components of demand reduction, and they serve to identify groups at high risk, their characteristics and needs, the obstacles to prevention and treatment, and emerging trends.

#### **Proposal of Peru on paragraph 17**

17. The gathering, analysis and dissemination of information are important components of demand reduction, and they serve to identify groups at high risk, their characteristics and needs, the obstacles to prevention and treatment, and emerging trends. **The countries shall also promote exchanges of professionals in the strategic planning of demand reduction programs, as required by the member states.**

18 Treatment and rehabilitation provide drug users with the means to break with drug abuse and live freer, healthier and more productive lives, and constitute an ethical duty for society in general.

19. Every country must make a special effort to share with others its experience and knowledge in this field to optimize demand reduction programs in the hemisphere.

## **SUPPLY REDUCTION**

**20.** In this comprehensive and balanced strategy for supply reduction, the countries of the hemisphere recognize that their actions will be aimed at all categories of psychoactive drugs, that is, drugs of natural origin, synthetic drugs, as well as psychoactive pharmaceuticals, the latter of which become illicit when diverted from their proper purposes.

**21.** The countries recognize that the illicit supply of natural and synthetic drugs constitutes another basic problem in the hemisphere that requires the adoption and improvement of measures to eliminate their availability. In the case of drugs of natural origin, comprehensive measures such as alternative development, law enforcement, and eradication, among others, could be applied. In the case of synthetic drugs, control and law enforcement mechanisms could be provided to suppress their production and traffic. These measures will be applied with respect for the particular conditions and circumstances in each country. It will be the exclusive responsibility of each government to determine, frame and enforce them in accordance with their national programs and internal legal order.

### **Proposal of Peru on paragraph 21**

**21.** The countries recognize that the illicit supply of natural and synthetic drugs constitutes another basic problem in the hemisphere that requires the adoption and improvement of measures to eliminate their availability. In the case of drugs of natural origin, comprehensive measures such as alternative development, law enforcement, **interdiction**, and eradication, among others, could be applied. In the case of synthetic drugs, control and law enforcement mechanisms could be provided to suppress their production and traffic. These measures will be applied with respect for the particular conditions and circumstances in each country. It will be the exclusive responsibility of each government to determine, frame and enforce them in accordance with their national programs and internal legal order.

**The states shall promote the establishment of patterns of cooperation at the bilateral and subregional levels, including information exchange, joint training, and other activities, with a view to improving their capacity to interdict drug trafficking by land, air, sea, and river.**

**Rationale: When the Strategy was drafted, the importance was not evident of interdiction programs, and their effect on coca leaf prices. It was thus considered that, apart from alternative development, crop reduction could only be achieved by eradication. Neither had the displacement phenomenon yet occurred, nor was there an evident need to establish subregional cooperation patterns to promote interdiction capacity.**

**22.** The countries of the hemisphere recognize that alternative development is an important component for generating and promoting lawful, viable and sustainable

economic options that will make it possible to overcome the factors that give rise to the phenomenon, and lead to a reduction in the supply of illicit drugs. In this connection, in reinforcing their national plans on this subject, they call upon the community of nations and the specialized international organizations to cooperate vigorously in attaining that goal and to work in close cooperation with the OAS/CICAD to ensure that the best experience in the region is employed in planning and developing these programs.

### **Proposal of Peru on paragraph 22**

**22.** The countries of the hemisphere recognize that alternative development is an important component for generating and promoting lawful, viable and sustainable economic options that will make it possible to overcome the factors that give rise to the phenomenon, and lead to a reduction in the supply of illicit drugs. In this connection, in reinforcing their national plans on this subject, they call upon the community of nations and the specialized international organizations to cooperate vigorously in attaining that goal and to work in close cooperation with the OAS/CICAD to ensure that the best experience in the region is employed in planning and developing these programs.

**Alternative development programs must be designed taking a comprehensive and participatory approach, one based on criteria of economic, social, political, and environmental sustainability. Alternative development shall seek to promote lawful economic, agricultural, agro-industrial, aquatic, tourist, and other activities that generate profitable products and services capable of accessing markets on an ongoing basis.**

**Programs must include the construction of infrastructure and the establishment of other support services, such as access to credit and technical assistance, in order to create the conditions necessary to generate interest in private investment, with a view to supplementing public investment.**

**Alternative development programs shall seek to develop a basket of products and services of dynamic and flexible composition, in keeping with the reality of the geographic areas, and which may be adapted in line with market trends.**

**Expansion and extension of trade preference systems that may open new markets to alternative development products is a key element in the success of such programs. The states shall also promote the establishment of coordination mechanisms that may contribute to a regional approach in this area, with a view to ensuring that such products may be marketed internationally.**

**23.** In the execution of supply reduction programs, the countries will give special attention to the ecological aspects of the problem, so as to provide adequate protection for the environment.

**24.** The countries of the hemisphere stress the importance of adopting measures to control pharmaceuticals, and agree on the need to strengthen the agencies responsible for regulating them and to eliminate the production of substances that have no therapeutic purpose.



**25.** The countries of the hemisphere recognize the need to eliminate the surplus production of psychoactive pharmaceuticals that bear not relation to therapeutic needs. This measure will help improve controls over psychoactive pharmaceuticals.

**26.** The countries of the hemisphere are prepared to cooperate economically and technically, to the extent of their capabilities, so that these programs will be effective and enable the region to attain its objectives for solving the problem of illicit drug supply. Equally, they will continue to seek the support of other countries and of international organizations to broaden and strengthen the development of those programs.

### **CONTROL MEASURES**

**27.** Dismantling criminal organizations and their support networks should be another of the key objectives of initiatives taken by the countries of the hemisphere against illegal drug trafficking and related crimes. Enforcing the law with respect to perpetrators, instrumentalities, and proceeds from criminal activities is an effective deterrent to participation in these unlawful activities.

**28.** The countries of the hemisphere will intensify their efforts to exchange information and gather evidence to enable them to bring to trial and sentencing the leaders and other members of criminal organizations and their support networks, within the framework of full respect for due process of the law.

**29.** The countries of the hemisphere recognize that priority should be given to developing their legal systems, taking particular account of the complex nature of the problem of illegal drug trafficking and related crimes. They also recognize the need to adopt legal mechanisms that will help harmonize their laws and their investigative and evidence-gathering procedures.

**30.** The countries of the hemisphere recognize the importance of having modern legal systems for an effective strategy against the problem of illegal drug trafficking and related crimes and the need to have adequate extradition procedures.

**31.** The countries of the hemisphere express that control of the diversion of precursors and essential chemicals is one of the most effective and efficient strategies available for confronting the drug problem. Accordingly, it is necessary to establish and strengthen internal mechanisms for control of precursors and essential chemicals according to the provisions of the 1988 Vienna Convention and consistent with the CICAD Model Regulations to Control Chemical Precursors and Chemical Substances, Machines and Materials. They view with concern the emergence of new chemical substances employed in drug processing and production, and all of them should update their lists of controlled chemical substances, when necessary.

The countries of the hemisphere also recognize the importance of having cooperation agreements for preventing and controlling the diversion of precursors and essential chemicals frequently employed in drug manufacture, taking into consideration any new diversion trends that are detected.

32. The countries note that application of compatible laws and procedures promotes better cooperation among chemical substance exporting and importing countries. It is necessary to strengthen cooperation on cross-border controls of precursors and essential chemicals. For this, it is necessary to have information and statistics on the production, marketing, licit use and diversion and seizure of those substances.

33. The countries of the hemisphere encourage OAS/CICAD to promote cooperation in controlling these substances and increase training for this purpose, including cooperation with the International Narcotics Control Board and other appropriate international agencies.

34. The countries of the hemisphere recognize the progress made in establishing stricter controls to prevent the movement of money and property derived from illicit activities and to facilitate the forfeiture of assets relating to such activities. In this connection, the countries must take steps to keep criminal organizations from finding mechanisms to legalize the proceeds of crime.

35. To accomplish this objective, the countries commit to carry out effective hemispheric cooperation, in the framework of both the OAS/CICAD and the Summit of the Americas, taking action compatible with the CICAD Model Regulations, the Buenos Aires Declaration of Principles and Plan of Action, and any future measures that may be agreed upon on the subject, particularly within the framework of the OAS or the United Nations.

#### **Proposal of Peru on paragraph 35**

35. To accomplish this objective, the countries commit to carry out effective hemispheric cooperation, in the framework of both the OAS/CICAD and the Summit of the Americas, taking action compatible with the CICAD Model Regulations, the Buenos Aires Declaration of Principles and Plan of Action, and any future measures that may be agreed upon on the subject, particularly within the framework of the OAS or the United Nations.

**Aware of the importance of financial intelligence units as effective instruments in preventing money laundering, the countries of the Hemisphere urge that such units be established in all countries of the region, and assure them of sufficient budgetary support to be able to move forward with their work. They underscore the importance of establishing patterns of coordination and information exchange among the region's financial intelligence units and reaffirm the need to report suspicious transactions and to facilitate the lifting of bank secrecy.**

36. The smuggling of drugs and precursors and essential processing chemicals, particularly through ports and containerized cargo, is one of the fastest-growing problems at the international level. That is why every effort must be made to improve national control agencies and conclude international agreements to prevent these illicit activities. Such efforts include working through the OAS, the United Nations, the World Customs Organization and other international organizations.

### **Proposal of Peru on paragraph 36**

**36.** The smuggling of drugs and precursors and essential processing chemicals **by sea through ports and containerized cargo, or in fishing and recreational vessels for transfer to larger vessels on the high seas**, is one of the fastest-growing problems at the international level. That is why every effort must be made to improve national control agencies and conclude international agreements to prevent these illicit activities. Such efforts include working through the OAS, the United Nations, the World Customs Organization and other international organizations.

**37.** The countries of the hemisphere recognize that the smuggling of drugs, chemicals, weapons and explosives, and the cross-border movement of illicitly acquired assets by any means or method to avoid detection is a grave problem for our societies.

### **Proposal of Peru on paragraph 37**

**37.** The countries of the hemisphere recognize that the smuggling of drugs, chemicals, weapons and explosives, and the cross-border movement of illicitly acquired assets by any means or method to avoid detection, **as well as the corruption they generate**, is a **serious threat to our societies and their democratic institutions**.

**38.** The countries of the hemisphere also recognize that implementation of national programs and effective international cooperation in the area of information exchange, training and the conduct of operations to detect, track and confiscate these illicit shipments are, inter alia, important aspects of a comprehensive strategy to be developed with due respect for the sovereignty and territorial integrity of each country.

**39.** Strengthening of measures for the control of weapons and explosives is among the priorities of the hemispheric anti-drug strategy. The countries of the hemisphere will undertake efforts to strengthen measures to control and monitor the trade in firearms, ammunition and explosives in order to avoid their diversion. To that end, they will promote communication between countries of origin and countries of destination regarding international transactions.

**40.** The countries support the continued need for statistics on smuggled weapons and explosives and for exchange of information regarding seized weapons and explosives in order to facilitate identification and determination of their origin, as well as prosecution of those responsible for their illegal trafficking.

### **Proposal of Peru on an additional paragraph**

Rationale:

The Strategy does not mention centers for instruction or training, or coordination mechanisms, such as CADA, or mechanisms for information exchange, such as RETCOD, which provide support to CICAD.

A paragraph promoting such support might be included, which might read:

**The countries agree to assign the Executive Secretariat of CICAD the task of supporting the establishment of regional or subregional centers of instruction to train personnel in the different drug-related specialized areas. Such centers shall use, preferentially, existing installed capacity. They also assign it the task of supporting the establishment and operation of mechanisms for cooperation and information exchange at the regional and subregional levels.**

### **GLOBAL COMMITMENT**

**41.** This anti-drug strategy adopted by the countries of the hemisphere represents a major commitment to address the multi-faceted nature of the drug problem and must be complemented with the efforts of other regions of the world.

**42.** Finally, the countries of the hemisphere support initiatives such as holding in 1998 the Special Session of the United Nations General Assembly, which will address the topic of international cooperation to combat the problem posed by illicit drugs.