

ORGANIZATION OF AMERICAN STATES



INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

FORTY-THIRD REGULAR SESSION
April 30 - May 2, 2008
Washington, D.C.

OEA/Ser.L/XIV.2.43
CICAD/doc. 1672/08 rev 1
29 July 2008
Original: English

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-second regular session, the Commission decided, in accordance with Articles 20 and 21 of the Statute, that the forty-third regular session would be held in Washington, D.C. in the week beginning April 28, 2008.

II. PROCEEDINGS OF THE FORTY-THIRD REGULAR SESSION

Inaugural Session

During the inaugural session, the Secretary General of the Organization of American States (OAS), José Miguel Insulza, focused on the issue of public security, the impact of organized crime and drug trafficking in the hemisphere (CICAD/doc.1658/08): “Public security problems have become one of the main obstacles to stability, democratic strengthening, and the potential for development in our region. This situation directly affects the foundations for economic development and state integrity in many of our countries.”

The theme of human security was reinforced by the Secretary for Multidimensional Security, Ambassador Alexandre Addor-Neto (CICAD/doc.1662/08) who emphasized the need for an integrated response, which motivated the SMS’s creation and guides his secretariat’s policy approach.

Dr. Guillermo Francisco Reyes, the Chair of CICAD and Vice Minister of Justice of Colombia, updated the Commissioners on the CICAD’s activities since the previous regular session, held in November last year in Santa Marta, Colombia, and linked them to the meeting’s agenda (CICAD/doc. 1667/08).

III. DECISIONS ADOPTED

1. Approval of the Agenda and Schedule of Activities

The agenda (CICAD/doc.1638/08) and the schedule of activities (CICAD/doc.1639/08) were adopted without amendment.

2. Multilateral Evaluation Mechanism (MEM)

a. Report on the Preparatory Meeting of the Intergovernmental Working Group (Pre-IWG)

Dr. Mariana Souto (Argentina), the chair of the Preparatory Meeting of the Intergovernmental Working Group (Pre-IWG) of the MEM, informed the Commission about the progress made at its March 25-28 meeting in Buenos Aires, Argentina (CICAD/doc.1666/08).

The meeting had been convened as a preparatory step to the full IWG meeting to take advantage of the recent experience acquired during the Fourth Evaluation Round (2005-2006) and to propose improvements in the MEM process. The following member states sent delegations to the meeting: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, the Dominican Republic, Ecuador, Guatemala, Haiti, Honduras, México, Panama, Paraguay, Peru, Suriname, Trinidad and Tobago, the United States, Uruguay and Venezuela.

The pre-IWG participants agreed to proceed with the modification of the questionnaire of indicators to enable a uniform evaluation of the countries and a better understanding of their diverse realities. They also agreed that the countries should improve the introductory documents that national coordinating entities (NCEs) add to their responses to the questionnaire of indicators to provide more context about the data. They called on each country to redouble its efforts to implement the MEM policy recommendations.

In the CICAD plenary, the delegations of Canada, Ecuador, Mexico, Paraguay, the United States and Venezuela all reconfirmed the importance of the MEM, and underscored the need to revise the indicators in the evaluation questionnaire. The Canadian delegate noted the importance of avoiding duplicating the efforts of other international agencies as well as the need to maintain an appropriate balance between supply reduction and demand reduction. The delegate of Venezuela said that the Executive Secretariat should provide a detailed report to the Commission to evaluate the attendance and participation of the experts, as requested in previous CICAD meetings, so that the Commission can evaluate their performance.

b. Hemispheric Report for the Fourth Evaluation Round (2005-2006)

At the start of the meeting, the Commission set up a working group under the chair of Dr. Luis Eduardo Alvarado of Colombia to review the draft Hemispheric Report and prepare its conclusions (CICAD/doc.1651/08). The working group had representatives from the following 14 delegations: Antigua and Barbuda, Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Ecuador, Guatemala, Mexico, Panama, Trinidad and Tobago, the United States, and Venezuela. In the final session of the plenary, the working group chair reported to the Commission on the preparation of the draft report, the use of statistical data, and the participation of the Governmental Expert Group (GEG) and the MEM Section staff in the drafting process. He also gave a brief overview of the analysis made by the working group and presented the modified draft for the consideration of the Commission.

The CICAD Chair thanked the working group chair for his presentation and the consensus achieved in the meeting. The Commission approved the Hemispheric Report (CICAD/doc.1651/08 rev.1). The CICAD chair informed the commissioners that they had 7-10 days to submit additional comments to the MEM Section.

3. Alternative, Integral and Sustainable Development

Following up on the decisions made at the forty-second regular session of CICAD in Santa Marta, Colombia, CICAD Assistant Executive Secretary Rafael Franzini-Battle informed the Commission about the preparations made to set up an Expert Group on Alternative Development, including a series of subsequent discussions carried out in Washington, DC with some Permanent Missions which had demonstrated interest in this issue. In February, after extensive deliberations, the Executive Secretariat had sent to the Commissioners the terms of reference for the Expert Group on Alternative Development as well as previous background information on the functioning of CICAD expert groups (CICAD/doc.1641/08). These instructions were again clarified in the plenary, which removed two suggested topics (the development of a marketing seal for alternative development products and an intervention before the World Trade Organization to promote trade opportunities for Alternative Development products) from

consideration of the expert group. In addition, the Commission decided to adopt the terminology used by the Andean Community of Nations (CAN) for rural development strategy in areas growing illicit crops: “Comprehensive and Sustainable Alternative Development.”

Peru was elected chair and Ecuador, vice chair of the Expert Group. The Expert Group will meet in Lima, Peru on September 24-26. In the final session, the Commission approved an agenda for the expert group meeting that had been discussed with participating delegations. The meeting will focus on producer associations, their role in alternative, integral and sustainable development, their existing links to market niches, and a search for mechanisms that could unleash their full potential. The meeting participants will also make a field trip to Tarapoto to see Peru’s producer associations first hand.

4. Supply Reduction

a. Prevention and Control of Synthetic Drugs

A panel discussion on the prevention and control of synthetic drugs in the hemisphere allowed the Commission to get a sense of the scope of the problem and, in so doing, orient the Executive Secretariat as to possible lines of action. Mr. Ziggie Malyniwsky, the chief of the CICAD Supply Reduction Section, gave a brief overview of the hemispheric situation. Mr. Scott Masumoto, coordinator of the Office of Enforcement Operations, Dangerous Drugs and Chemicals Section at the U.S. Drug Enforcement Administration (DEA), explained that synthetic drug trends were dynamic and flexible, and that production systems can escalate quickly from small-scale “kitchen labs” using inputs bought from retail stores to industrial-scale “mega labs” requiring large volumes of precursor chemicals (CICAD/doc. 1660/08). He described global trends in trafficking and consumption, chemical control efforts in the hemisphere, international conventions and operations, and national prevention programs.

In the discussion following the presentations, member states were urged to establish regulatory chemical control regimes that kept pace with the rapidly changing nature of synthetic drugs; they were also encouraged to have public awareness programs in place for at-risk groups in order to be prepared to deal with this emerging threat to the region. Most member states outside of North America report insignificant use of synthetic drugs. But the case of Mexico was cited as an example of how synthetic drugs can become a major problem in just a few years. Finally, the CICAD Executive Secretariat was instructed to collaborate with international law enforcement agencies (for instance, INTERPOL) and governments to provide training programs in related areas, such as investigative techniques, drug identification, clandestine laboratories, etc.

5. Demand Reduction

a. Public Policies in Drug Treatment

In a discussion moderated by CICAD Executive Secretary James Mack, a panel of experts dealt with the latest trends in drug treatment. Dr. Wallace Mandell, Professor Emeritus at Johns Hopkins University (USA) gave an overview of the seven methodologies to provide treatment services and spoke about the factors that influence the effectiveness of treatment (CICAD/doc.1643/08). Dr. Bertha Madras, Deputy Director for Demand Reduction at the Office of National Drug Control Policy (USA), spoke about an approach that used screening by first-line health providers to detect substance abuse in its early phases and referred the flagged patients to treatment as appropriate (CICAD/doc.1644/08). Dr. Paulina do Carmo Arruda Vieira Duarte, PhD in Health Science from the University of São Paulo (FMUSP) and Deputy National Anti-Drug Secretary of Brazil, informed the Commission about Brazil’s training in and application

of this brief intervention technique with promising results (CICAD/doc. 1663/08).

b. Drug Treatment Courts

The Commission heard the presentations of two experts in the use of court-supervised drug treatment programs. In the first, Mr. C. West Huddleston, III, CEO and Executive Director of the U.S. National Association of Drug Court Professionals, explained the history and performance of drug treatment courts in the United States as an adaptive approach to handling minor crimes involving drug abuse (CICAD/doc.1665/08). The most striking conclusion in the presentation were study findings that for every US dollar spent on drug courts, US\$ 9.43 was saved (costs of trials, incarceration, recidivism, repeated offenses, damages to victims, etc.).

Dr. Manuel Guerra, Director of the Specialized Unit of the Attorney General's Office (Chile), spoke about how the drug court treatment approach had been adapted to the Chilean context since its implementation in 2004 (CICAD/doc.1648/08). Chile's program is currently available in about 60 percent of the national territory. As illustrated by the Chilean case, these courts do not necessarily try "drug cases" (possession, sale or trafficking of illicit drugs), but deal with cases in which a defendant may have committed a non-violent crime (theft, breaking and entering, child abandonment) and drug use may have motivated or enabled the behavior. In consultation with the prosecutor and the defense attorney, the judge may suspend judicial proceedings while the defendant is treated by a team of professionals (social workers and psychiatrists).

This approach is relatively new to legal systems in Latin America. The delegates questioned the presenters about procedural issues, the selection criteria, and the feasibility of generating public support for a program that did not "punish" the offender.

c. Prevention in leisure and recreational centers for youth

Mr. René Donoso, Chief of Prevention, and Ms. Patricia Farías, Chief of Communications, both of CONACE (Chile), described a national program to create an outreach activity that focused on the night life scene of Chilean youth in major urban centers and to provide substance abuse prevention information and assistance to a vulnerable population group (CICAD/doc. 1646/08 and CICAD/doc. 1647/08). The speakers explained how the program fits into the national strategy for preventing substance abuse among young adults, how it is in accordance with the guiding principles of Chile's national drug strategy, and how the initiative allowed CONACE to monitor and track trends in drug use.

d. CICAD Initiatives: Central American Training and EU-LAC City Partnerships

The CICAD Executive Secretariat's demand reduction staff made presentations on several CICAD programs on treatment for drug dependency. Dr. Luis Alfonzo, demand reduction expert, summarized the overall program (CICAD/doc.1650/08), highlighting the rationale for dealing with drug abuse and the main principles that guide public policy.

Ms. Alexandra Hill, also an expert in demand reduction, reported to the Commission on the Central American training and certification program for drug treatment counselors (CICAD/doc.1652/08).

Finally, Mr. Antonio Lomba, who manages CICAD's European/Latin American and Caribbean (EURO-LAC) City Partnerships in Drug Treatment Program (CICAD/doc.1655/08), informed the Commission about this program, which held its first inter-regional forum April 2-6 in Santo Domingo, the Dominican Republic. This inaugural event drew more than 286 representatives and participants from 44 cities and organizations. Mr. Lomba mapped out three

broad areas of future activities (policy and strategies, treatment intervention options, and alternatives to incarceration) over the remaining two years of the program, funded by the European Commission.

In the discussion, the delegate of Barbados asked that a drug treatment counselor training, certification, and appraisal program similar to the one in Central America be offered for the English-speaking Caribbean.

6. Money Laundering

a. Asset Forfeiture through Court Order and the Administration of Assets Seized from Narcotrafficking

Dr. Gladys Lucía Sánchez, Chief of the National Unit for Asset Forfeiture and Money Laundering, Attorney General's Office of Colombia (CICAD/doc. 1663/08) explained the application of Colombia's law for asset seizure and forfeiture (*extinción de dominio*) over the past decade in the fight against drug trafficking. Dr. Carlos Albornoz Guerrero, National Director of Narcotic Drugs (DNE, Colombia), explained Colombia's experience in administering seized and forfeited assets (CICAD/doc. 1664/08). The speakers underscored the importance of updating legislation as more experience is acquired, traffickers change their tactics, and administrative bottlenecks are identified. Colombia offered its services and expertise to other countries wishing to incorporate this legal tool into their judicial system. Peru and Ecuador expressed their appreciation to Colombia for the technical support provided to their countries by Colombian experts in the preparation of legislation.

b. Arms and Drug Trafficking

CICAD Assistant Executive Secretary Rafael Franzini-Battle gave an overview of CICAD's involvement in initial phases of international coordination to regulate trade involving firearms in the region, especially the process of drafting and approving CICAD regulations for the control of international traffic of firearms, their parts and components. He also made reference to how the Organization of American States had lobbied for the approval of the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunitions, Explosives and other Related Materials, known by its Spanish acronym CIFTA, and how CICAD had coordinated action with the OAS Department of International Legal Cooperation which in the past had had the responsibility of following CIFTA.

For the past two years, responsibility within the OAS for following through on CIFTA has rested with the Secretariat for Multidimensional Security's Department of Public Security. Mr. Christopher Hernandez, head of that OAS area, informed the Commission about current activities of the CIFTA Consultative Committee. Finally, the delegate of the Mexican government provided graphic testimony and statistics on the heavy toll illicit firearms are taking on Mexican society, stemming from the close links between drug trafficking organizations and the illicit arms trade (CICAD/doc. 1669/08). The delegate also warned that information indicated that organized crime – and its indiscriminate use of intimidating violence – was moving into Central America. The delegate of Argentina warned against any attempt to choke off the legitimate ownership and use of firearms for sports or self-defense, as recognized in national legislation.

7. UNGASS

a. Report of the Executive Secretariat

CICAD Executive Secretary James Mack informed the Commission about CICAD's efforts at the Vienna meeting of the Commission on Narcotic Drugs (CND) and the preparations

for the 10-year review of the implementation of the declarations and measures adopted by the UN General Assembly at its 20th Special Session on the World Drug Problem (UNGASS 1998). He also provided the Commission with a tentative schedule of five technical working groups that would be meeting in June, July and September to provide guidance to the United Nations Office on Drugs and Crime (UNODC). An inter-ministerial meeting will take place in Vienna in March 2009.

As a result of the discussion, a consensus was reached that called for each country to carry out its own assessment of its achievements towards UNGASS goals and to channel the results of its review through the CICAD Executive Secretariat. Based on the suggestions of Argentina and Colombia, the Commission instructed the Executive Secretariat to use the existing infrastructure of the MEM's Government Expert Group and CICAD's expert groups on specialized topics to create, to the degree possible, coordinated regional positions for the technical working group meetings. The Commission also agreed that at its next meeting in Chile it would discuss the feasibility and substance of a coordinated line of action to take to the March 2009 UNGASS inter-ministerial meeting.

b. Beyond 2008: Global NGO Forum on the UNGASS Review

Michel Perron, General Director of the Canadian Centre for Substance Abuse (CCSA) and Chair of the "Beyond 2008" Committee (a working group of the Vienna NGO Committee on Narcotic Drugs), briefed the Commission on how civil society was preparing its own contribution to the UNGASS process by holding a series of regional meetings to tap into the experience of non-government organizations and other representatives (CICAD/doc.1649/08).

8. Statements by Permanent Observer Countries to the OAS, International Organizations and Regional Organizations

• **Spain**

Dr. Carmen Moya García, Government Delegate for the National Plan on Drugs of Spain, Ministry of Public Health and Consumer Affairs, informed the Commission on Spain's support for CICAD via the with the 2008-2010 SAVIA (*Salud y Vida en las Américas* – Health and Life in the Americas) program. The program will work with the national drug control commissions of Bolivia, Colombia, Ecuador, Peru and Venezuela, plus Uruguay as a new partner to strengthen the decentralization of national drug policies, and particularly to improve the capacity of local governments to detect new trends of drug use and conduct locally tailored prevention and treatment programs. She underscored Spain's commitment to the EU-LAC city partnership in drug treatment program. During the initiative's inception, Spain had advocated for the program within the European Commission. Moreover, six Spanish cities are participating, making up a third of the European share of the city partnership. Through the Spanish Agency for International Cooperation for Development (AECID), the government will continue to support the strengthening of human resources by making its training centers in Bolivia, Colombia and Guatemala available for CICAD workshops.

• **France**

Mr. Stéphane Thomas, the Director of France's Inter-Ministerial Anti-Drug Training Center (*Centre Interministeriel de Formation Anti-Drogue*, CIFAD) in Martinique, informed the Commission about the cooperation between the French government and CICAD over the past year and his government's intention to continue that assistance. In 2007, France participated in four CICAD-sponsored workshops: two on shipping container control in Colombia, a third in Saint Lucia, and another at the Andean Community Regional Intelligence School (ERCAIAD) in Peru. In 2008, France will support a joint workshop in Martinique on coast guard security, another workshop on synthetic drugs in Colombia, a seminar on container security in Chile and

two intelligence (ERCAIAD) seminars, one in Peru and another in Argentina on synthetic drugs.

- **Russian Federation**

Mr. Yan A. Burlyay, Deputy Director, Latin American Department, Ministry of Foreign Affairs, told the Commission that his government was stepping up its efforts to engage Latin American countries and learn from their experience in the fight against drug trafficking. He said that his government had already signed 14 cooperation agreements with member states and another six were under negotiation. He said that Russia was prepared to learn from CICAD's best practices and adapt them to its own context. He informed the Commission that last year the government set up a national drug council that coordinated all the activities at the federal, republic, provincial, and local levels.

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

The Chief of Colombia office of the United Nations Office on Drugs and Crime (UNODC), Mr. Aldo Lale-Demoz, spoke about the ongoing collaboration between the UNODC and CICAD in hemisphere, mentioning the following projects:

- ❖ **Anti-Money Laundering:** mock trials for judges prosecutors and defense lawyers, financed by the Inter-American Development Bank; mock investigations for financial intelligence units staff, police and prosecutors; and investigative techniques training;
- ❖ **Inter-American Observatory on Drugs:** the program to strengthen information and research systems in seven South American countries;
- ❖ **Institutional Development:** decentralization of drug policy through the SAVIA project; and
- ❖ **Demand Reduction:** the evaluation of Life Skills substance abuse prevention programs (Colombia); the use of alternatives to incarceration (drug courts) and professionalization of treatment counselors, all with.

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

Dr. Maristela Monteiro, Regional Advisor on Alcohol and Substance Abuse at PAHO, spoke about the published research from her program that might be useful to member states in the areas of substance abuse, brief interventions and treatment protocols. She referred those interested to check out the PAHO website.

9. Election of the Chairs of CICAD Expert Groups

The Commission determined the chairs of two CICAD Expert Groups:

- **Demand Reduction**

Mexico will serve as the Chair of the Expert Group on Demand Reduction (CICAD/doc. 1642/08) once Chile finishes its two-year term at the end of 2008. The United States will serve as Vice Chair. Brazil withdrew its candidacy for the vice chair (CICAD/doc.1653/08) and seconded the U.S. candidacy.

- **Alternative, Integral and Sustainable Development**

Peru was chosen as the Chair (CICAD/doc.1645/08) and Ecuador as the Vice Chair.

10. Working Group for Drafting Recommendations to the General Assembly

In the first plenary session, a working group was established to review the CICAD's draft annual report to the June 2008 OAS General Assembly and accompanying resolution. In the final plenary session, working group chair Mr. Mauricio Baquero of Colombia, informed the Commission about the updating of these documents that had originally been reviewed in the

forty-second regular session that was held in Santa Marta, Colombia. The Commission approved the documents as updated and thanked the working group for its efforts.

11. Proposed Topics, Place and Date for the Forty-fourth Regular Session of CICAD

The forty-fourth regular session of CICAD is to take place in Chile on November 19-21. The delegates suggested the following topics in the agenda of that meeting:

- Findings of the National Survey on Drug Use in Mexico
- Ecuador's National Drug Control Plan and the Ecuadorian law for the forfeiture of assets (if approved)
- Update of UNGASS process and a decision about a hemispheric policy position

12. Closing Session

The Secretary for Multidimensional Security reviewed the issues dealt with by the Commission and reiterated the holistic approach to combating the drug problem contained in the OAS security policy. In his closing remarks, the Chair summarized the proceedings of the three days of meeting and detailed the decisions that the Commission had made (CICAD/doc.1671/08).

13. Participants

a. CICAD Member States

Representatives of Antigua and Barbuda, Argentina, the Commonwealth of The Bahamas, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, St. Kitts and Nevis, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela attended the forty-third regular session of CICAD.

b. Permanent Observers

Also attending the forty-third regular session in their capacity as Permanent Observers to the Organization of American States were representatives of France, Germany, the Russian Federation, and Spain.

c. Inter-American Specialized Organizations and International Agencies

Representatives attended from the Andean Community (CAN); Pan American Development Foundation (PADF); Financial Action Task Force of South America (*Grupo de Acción Financiera de Sudamérica*, GAFISUD); Inter-American Institute for Cooperation on Agriculture (IICA); Inter-American Defense Board (IADB); United Nations Office on Drugs and Crime (UNODC); International Criminal Police Organization (INTERPOL); and the Pan American Health Organization (PAHO).

d. Civil Society

Representatives from civil society attended from the Canadian Centre on Substance Abuse (CCSA), *Centros de Integración Juvenil C.A.* of Mexico, the Mentor Foundation, and the Washington Office on Latin America (WOLA).