

**RECOMMENDATION 1:****RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS**

Argentina reports that the Convention has been approved by the Parliament and enactment of the law ratifying it is pending.

CICAD hopes that the respective procedures will move forward rapidly so as to completely fulfill this recommendation.

**RECOMMENDATION 2:****RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS**

The country reports that while it is not party to the Convention cited, it is obligated to provide assistance for the investigation, prosecution and punishment of crimes, pursuant to the Law of International Cooperation in Criminal Matters, which contemplates assistance in the absence of a treaty. However, the country does not report if it has signed this Convention in order to proceed later to its ratification.

CICAD reiterates the recommendation.

**RECOMMENDATION 3:****ENSURE THAT THE NATIONAL LEGISLATION TO APPROVE ON THE CONTROL OF FIREARMS IS IN AGREEMENT WITH THE PERTINENT MODEL REGULATIONS OF CICAD**

Argentina reports that the National Arms Register applies the Model Regulation of CICAD in the procedures pertaining to the trading of firearms.

CICAD reiterates the need to fulfill the recommendation.

**RECOMMENDATION 4:****ENACT THE DRAFT NATIONAL DECREE ON CONTROL OF CHEMICAL SUBSTANCES**

Argentina reports that on December 6, 2000, the National Executive Branch signed Decree N° 1161/00, which amends Decree N° 1095/96 on the control of chemical substances.

This decree adopts the three lists of CICAD's Model Regulations of 1999 and strengthens controls for substances used for the illicit manufacture of cocaine and heroin. This measure requires pre-export notification for such substances.

CICAD views with satisfaction the fulfillment of the recommendation.

**RECOMMENDATION 5:****EXPAND PREVENTION PROGRAMS TO OTHER KEY GROUPS, SUCH AS STREET CHILDREN AND OUT OF SCHOOL ADOLESCENTS**

Argentina reports that it initiated measures to develop prevention programs targeting street children and out-of-school adolescents.



It further states that the only factor that might represent an obstacle to the implementation of the recommendation would be insufficiency of funds allocated due to the critical economic situation in the country. Nonetheless, the country has made efforts in the area of interagency coordination to expand prevention programs and states that it needs technical assistance to ensure their viability.

CICAD notes the country's efforts and encourages it to continue to take steps to fulfill this recommendation.

#### **RECOMMENDATION 6:**

##### **EVALUATE PREVENTION AND TREATMENT PROGRAMS**

Argentina reports that process evaluations of some of the prevention programs are being implemented. With regard to evaluation of treatment programs, obstacles have been encountered related to NGOs that execute activities in this field. Argentina emphasizes the convenience of receiving technical assistance for the execution of final evaluations and for the training of new methods of evaluations.

CICAD recognizes progress made and encourages Argentina to continue with its efforts to fully comply with the recommendation.

#### **RECOMMENDATION 7:**

##### **IMPLEMENT A DATA COLLECTION SYSTEM TO DETERMINE THE INCIDENCE OF NEW DRUG USERS**

Argentina reports that a data collection system has not yet been established. However, in October and November 2001, a national survey of secondary school students was conducted, which will make it possible to obtain information to determine the annual incidence of drug use in the school environment.

In view of the information provided, CICAD encourages the Argentine authorities to continue their efforts to comply with this recommendation.

#### **RECOMMENDATION 8:**

##### **REQUIRE COUNTRIES TO ISSUE PRE-EXPORT NOTIFICATIONS OF CONTROLLED CHEMICAL SUBSTANCES. IF COUNTRIES PERSIST IN FAILING TO COMPLY WITH THIS PROVISION, ARGENTINA SHOULD NOTIFY THE INTERNATIONAL NARCOTICS CONTROL BOARD (INCB) OF THE SITUATION**

Argentina states that pre-export notifications for chemical substances are carried out in accordance with the provisions of Annex I of Decree n° 1095/96, amended by Decree n° 1161/00.

With respect to this requirement for exporting countries, Argentina argues that the provision of Article 12 of the Vienna Convention of 1988 is optional rather than mandatory.

CICAD reiterates the need for Argentina to request the pre export notification of controlled chemical substances.

**RECOMMENDATION 9:****CLOSELY MONITOR THE APPEARANCE OF ILLICIT CROPS WITHIN ARGENTINE TERRITORY, EVEN WHEN QUANTITIES ARE MINIMAL**

Argentina reports that the Police Forces plan ongoing actions to locate and destroy illicit crops, even when the quantity of such crops is minimal.

CICAD recognizes that Argentina is carrying out actions to monitor illicit crops.

**RECOMMENDATION 10:****STRENGTHEN CONTROLS FOR ILLICIT FIREARMS TRAFFICKING BY MAINTAINING RECORDS OF SEIZURE OPERATIONS, MATERIAL SEIZED, DIVERSION ROUTING, ORIGIN, AND PERSONS CHARGED AND CONVICTED FOR OFFENSES INVOLVING FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER MATERIALS RELATED TO ILLICIT DRUG TRAFFICKING**

Argentina reports that a bill is currently before the Chamber of Deputies that will create a national centralized register of firearms and controlled, confiscated, or seized materials; this register will strengthen control of illicit arms trafficking.

Further, enactment of Law N 25.434 of 2001 broadens the control powers of the forces responsible for law enforcement in this area.

CICAD recognizes that Argentina is making progress in the fulfillment of this recommendation.

**RECOMMENDATION 11:****ESTABLISH INTERNATIONAL COOPERATION TO INVESTIGATE AND PROSECUTE OFFENSES INVOLVING THE MANUFACTURE AND ILLICIT TRAFFICKING OF FIREARMS**

Argentina reports that the Law on International Cooperation in Criminal Matters envisages legal cooperation for this type of crime.

Notwithstanding the aforementioned, Argentina does not mention if it has the mechanisms which allow the establishment of such cooperation. CICAD invites Argentina to take actions towards the fulfillment of the recommendation.

**RECOMMENDATION 12:****ESTABLISH INTERNATIONAL COOPERATION TO INVESTIGATE AND PROSECUTE MONEY- LAUNDERING OFFENSES**

Argentina reports that under the Law on International Cooperation in Criminal Matters it is obligated to provide any requesting State with the broadest assistance related to the investigation, prosecution, and punishment of crimes.

Additionally, the country reports that it has signed bilateral agreements that complement the regulations which legally establish international cooperation to investigate and prosecute money laundering offenses, allowing more cooperation with a certain number of countries.

CICAD recognizes the progress and encourages Argentina to continue with its efforts to fully comply with the recommendation.

**RECOMMENDATION 13:****IMPLEMENT THE FINANCIAL INTELLIGENCE UNIT CREATED THROUGH MONEY LAUNDERING ACT. NO. 25,246**

Argentina reports that on February 13, 2001, it signed regulatory decree N° 169/2001 of Law 25.246, establishing a schedule for opening the competitive process for candidates to comprise the Financial Intelligence Unit.

This decree also contains provisions regarding decision-making processes, budget, physical location, etc. Further, it introduces provisions concerning the reporting obligations of those subject to the law, and the concept of suspicious transactions.

CICAD views with satisfaction the fulfillment of this recommendation.

**RECOMMENDATION 14:****DEVELOP THE CAPACITY TO ESTIMATE THE HUMAN, SOCIAL AND ECONOMIC COST OF ITS DRUG PROBLEM**

Argentina sustains that it is not possible to establish a time line for implementation of the recommendation and requests technical or financial assistance in order to be able to comply adequately with the implementation of this recommendation

CICAD concludes that for this recommendation to be implemented, it will be necessary to devise a project addressing the methodological bases for conducting a study of the social, human, and economic costs of the drug problem.

Accordingly, in the first half of 2002 CICAD, together with states in the Hemisphere that have progressed in this area, will present a proposed basic and homogeneous methodology applicable to all countries.

**FINAL COMMENTS**

CICAD recognizes Argentina's will to fulfill the recommendations of the Multilateral Evaluation Mechanism (MEM).

Finally, CICAD urges Argentina to continue its efforts to overcome, in the near future, the difficulties which have impeded the initiation or implementation of some of the recommendations.