

Multilateral Evaluation Mechanism MEM



Peru

**2005 PROGRESS REPORT IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE THIRD EVALUATION ROUND**



**RECOMMENDATION 1:****IMPLEMENT A NATIONAL DRUG OBSERVATORY, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru reports that, in order to comply with this recommendation, it has installed an office for the operations of the Peruvian Drugs Observatory (OPD), set up a technical team, established a multisectoral technical committee, and has obtained Belgian technical cooperation funds for financing the Observatory. It has also designed the OPD's webpage.

The country also reports that in February 2006, the National Commission for Development and Life without Drugs (DEVIDA) submitted to the Office of the President of the Council of Ministers the draft Supreme Decree providing for establishment of the OPD as an entity within the organic structure of DEVIDA.

Peru states that it also requires the implementation of legal provisions whereby the sectors responsible for the control of the drugs problem are to provide information on demand reduction and supply reduction.

CICAD acknowledges the efforts made and encourages Peru to continue with the implementation of this recommendation, taking into account that it is reiterated from the Second Evaluation Round, 2001–2002.

RECOMMENDATION 2:**EXTEND COVERAGE OF PREVENTION PROGRAMS TO INCLUDE INDIGENOUS POPULATION**

PUBLICATION DATE: JUNE 2005

Peru reports that, as a part of the country's drug policy decentralization process, the Multisectoral Committees for Drug Use Prevention in Junín, Cajamarca, and Ayacucho, supported by the National Commission for Development and Life without Drugs (DEVIDA), have been developing drug prevention activities, with an impact on alcohol abuse in rural areas of these regions, where the majority of the population is indigenous.

Similarly, the Information and Education Center for Drug Abuse Prevention (CEDRO), a nongovernmental organization, is developing drug-use preventive programs with rural organizations in the coca-growing valleys of the regions of San Martín, Ucayali, Huanuco, and Ayacucho, involving the participation of approximately 50,000 villagers, most of whom are indigenous.

In addition, Peru reports that the Regional Health Departments, through the Mental Health Program, are conducting workshops on prevention of the abuse of alcohol and other drugs throughout the country. Also, activities focusing on the rural and indigenous population have been reported in the regions of Puno and Ayacucho.

The country informs that DEVIDA has initiated coordination with regional and local governments, so that drug policies adapted to each local situation and linked to national policies can be designed and implemented at those levels. Similarly, it has been pursuing efforts to coordinate with the



National Institute of Andean, Amazon, and Afro-Peruvian Peoples (INDEPA), with a view to ensuring that this organization includes the development and promotion of healthy life styles and drug use prevention among its activities that target these peoples.

CICAD expresses its satisfaction at the compliance with this recommendation, and it encourages the country to continue its efforts in carrying out those preventive activities.

RECOMMENDATION 3:

EXTEND PREVENTION PROGRAMS TO THE PRIVATE SECTOR WORKPLACE, A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru reports that, based on information obtained from surveys conducted to prepare the National Report on the Status of Drug Use Prevention and Rehabilitation in Peru, five non-governmental organizations and one public university (the Information and Education Center for Drug Abuse Prevention (CEDRO), National Standing Committee Against Tobacco (COLAT), Universidad Nacional Mayor de San Marcos, the "de Nuevo a la Vida" Therapeutic Community, The "Programa Fénix" Therapeutic Community, and the Association in Defense of Life) have developed preventive programs in 230 private companies located in Trujillo, Huaraz, Arequipa, and metropolitan Lima, to serve approximately 13,000 persons, including workers, employees, officers, and family members.

The country reports that the National Commission for Development and Life without Drugs (DEVIDA) is promoting an agreement with the Labor Ministry to develop policies to reduce drug demand in the public sector workplace.

CICAD expresses its satisfaction at Peru's compliance with this recommendation, and encourages the country to continue with its efforts in carrying out those preventive activities.

RECOMMENDATION 4:

CONDUCT EVALUATIONS OF THE DRUG USE PREVENTION PROGRAMS

PUBLICATION DATE: JUNE 2005

Peru reports that, from 2004 to 2006, 81 preventive projects are underway at the national level within communities and educational facilities, which include base lines and pre and post test designs. In addition, the country informs that work is underway on the implementation of the "Lions Educating" pilot project, combining the joint efforts of the National Commission for Development and Life without Drugs (DEVIDA), the Ministry of Education, CICAD/OAS, Lions Club International Foundation (LCIF), and the Lions Club of Peru, which will include an experimental design for evaluating the program's effectiveness.

The country also informs that in 2005 there were two important outside evaluations of preventive programs developed in the country.

Peru reports that the first evaluation was conducted on the Drug Use Prevention Program for the professional training activities that have been implemented in Occupational Education Centers in



the cities of Lima, Ayacucho, Piura, and Trujillo, with the financial support of the Swiss Cooperation Agency. One of the principal recommendations of this evaluation has to do with incorporating the Program in the structure of the Ministry of Education, as part of the educational curriculum of technical training institutes.

Likewise, the country informs that the second evaluation was conducted on the Program for Drug Use Prevention and Rehabilitation of Drug Addicts, financed by the Belgian Technical Cooperation Agency and involving preventive work carried out by 27 multisectoral drug use prevention committees scattered throughout the country. This program is one of Peru's most important support activities in demand reduction. The principal recommendations of the evaluation team are focused on strengthening the institutions of the multisectoral committees and on furthering their political impact, in close cooperation with DEVIDA.

Peru reports that both evaluations made it possible to modify and redesign strategies for development of preventive programs nationally.

CICAD expresses its satisfaction at Peru's compliance with this recommendation, and encourages the country to continue its efforts in carrying out those activities.

RECOMMENDATION 5:

CONDUCT EVALUATIONS OF DRUG USE TREATMENT AND REHABILITATION PROGRAMS

PUBLICATION DATE: JUNE 2005

Peru states that it has not been able to conduct evaluations of its treatment and rehabilitation programs and that negotiations with different agencies are being pursued in this regard.

CICAD encourages the country to implement this recommendation.

RECOMMENDATION 6:

CONDUCT STUDIES TO ESTIMATE MORBIDITY AND MORTALITY RELATED TO DRUG USE, A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru states that, in July 2005, an interinstitutional agreement was signed between the National Commission for Development and Life without Drugs (DEVIDA) and the Public Prosecution Service through the Institute of Legal Medicine to record the relationship that exists at the national level between deaths and drug consumption.

The country reports that, in compliance with that agreement for the implementation of a computer system that records data on the mortality indicator associated with drug use, a technical team from DEVIDA's Prevention and Rehabilitation Management Office and from the Program for Prevention of Drug Use and Rehabilitation of Drug Addicts is working on the design of a computer system that will consolidate and process information on morbidity and mortality associated with drug use.

The country notes that this information system on morbidity and mortality associated with drug use is expected to be put in operation during 2006. Once it is in service, it will be incorporated into the Peruvian Drug Observatory, which will be responsible for operating it.



CICAD recognizes the actions taken by Peru in implementing this recommendation, which was originally assigned during the Second Evaluation Round, 2001–2002.

RECOMMENDATION 7:

SET UP A SYSTEM FOR GATHERING DATA ON DRUG-RELATED CRIMES AND ACCIDENTS

PUBLICATION DATE: JUNE 2005

Peru reports that the Public Prosecution Service expects to promote the inclusion of the drug-related crime and accident indicator, through the operations of the Peruvian Crime Observatory.

The country notes that to implement this recommendation, information exchange agreements must be signed between the country's competent agencies.

Peru also states that it still has some actions pending in order to implement the interconnections for reporting drug-related crimes and accidents. The country informs that negotiations were scheduled to begin in November 2005.

CICAD notes that the country is implementing this recommendation and encourages Peru to continue with the steps necessary to complete it.

RECOMMENDATION 8:

CONTROL ALL THE PHARMACEUTICAL PRODUCTS LISTED IN THE ANNEXES TO THE 1961 SINGLE CONVENTION ON NARCOTIC DRUGS AND THE 1971 CONVENTION ON PSYCHOTROPIC SUBSTANCES

PUBLICATION DATE: JUNE 2005

Peru reports that it has signed and enforced international instruments and that it has produced Decree Laws, Supreme Decrees, and Ministerial Resolutions, in order to punish, regulate, and control, within its legislation, the terms of the international conventions that address narcotics and psychotropic substances, precursor chemicals, and pharmaceutical products.

CICAD expresses its satisfaction at Peru's compliance with this recommendation.

RECOMMENDATION 9:

ESTABLISH A MECHANISM TO EVALUATE THE EFFICACY OF THE ENTITIES IN CHARGE OF CONTROL AND SUPERVISION OF PHARMACEUTICAL PRODUCTS BY FOSTERING EFFECTIVE COORDINATION BETWEEN THEM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru reports that in 2005 the Ministry of Health undertook the supervision of the decentralized health organs that are responsible for the oversight of controlled substances and drugs.



In addition, the country states that in order to meet this recommendation and attain ISO 9000 certification, the Health Ministry's Directorate of Medicine, Supplies, and Drugs (DIGEMID) is implementing the United Nations' National Drug Control System (NDS), which will automate the handling of information on imports and exports of substances and medicines subject to sanitary controls.

Peru also states that in order to launch the NDS system, it must first input all the data; this is being done through DIGEMID and it is expected that operations will begin in 2006.

CICAD recognizes the efforts Peru has made in complying with this recommendation, which was originally assigned to the country during the Second Evaluation Round, 2001–2002, and urges the country to implement it fully.

RECOMMENDATION 10:

EXTEND THE CONTROL TO ALL THE CHEMICAL SUBSTANCES LISTED IN TABLES I AND II OF THE 1988 UNITED NATIONS CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru reports that the new Law on Chemical Components and Controlled Substances (Law No. 28305) came into force on October 25, 2005, and its regulations have been published. Article 4 includes the missing chemicals from Schedules I and II of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, signed in Vienna in 1988.

CICAD expresses its satisfaction with the implementation of this recommendation.

RECOMMENDATION 11:

ESTABLISH A MECHANISM TO EVALUATE THE EFFICACY OF THE ENTITIES IN CHARGE OF CONTROL AND SUPERVISION OF CONTROLLED CHEMICAL SUBSTANCES BY FOSTERING EFFECTIVE COORDINATION BETWEEN THEM, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Peru reports that Article 49 of the new Law on Chemical Components and Controlled Substances (No. 28305) states that the public agencies responsible for oversight must maintain certain levels of inter-institutional coordination.

In addition, the country notes that Article 119 of the Regulations adopted by means of Supreme Decree No. 053-2005-PCM creates the Interinstitutional Coordination Committee, tasked with coordinating and assessing policies and actions in the field of chemical control. Similarly, the National Commission for Development and Life without Drugs (DEVIDA) has been designing and identifying indicators to assess the effectiveness of the control agencies' actions, a mechanism that will be incorporated into the Peruvian Drugs Observatory.

CICAD expresses its satisfaction with the implementation of this recommendation.

**RECOMMENDATION 12:****DEVELOP A COMMUNICATION SYSTEM/NETWORK TO FACILITATE A TIMELY EXCHANGE OF INFORMATION BETWEEN THE AGENCIES RESPONSIBLE FOR FIGHTING ILLICIT DRUG TRAFFICKING AND RELATED CRIMES**

PUBLICATION DATE: JUNE 2005

Peru states that it has taken steps to establish a Communication System among the institutions responsible for fighting illicit drug trafficking. During 2005, the National Commission for Development and Life without Drugs (DEVIDA) set up an Intersectoral Anti-Drug Committee, with a view to helping improve the efficiency and effectiveness of activities undertaken by the Peruvian state to control the drug problem.

The country explains that this Intersectoral Committee is made up of officials from Peruvian government sectors involved in the fight against drugs, and by the directors and managers of DEVIDA, who meet every quarter to examine information, situations, and activities that require intersectoral coordination.

In addition to the foregoing, and as part of the process to implement the Peruvian Drug Observatory, DEVIDA has signed cooperation agreements for information exchanges with competent agencies.

CICAD expresses its satisfaction at the compliance with this recommendation.

RECOMMENDATION 13:**SET UP AN INFORMATION CENTER WITHIN THE JUDICIARY TO GATHER AND CONSOLIDATE INFORMATION ON JUDICIAL COOPERATION AND ON PERSONS ARRESTED, TRIED AND CONVICTED FOR DRUG TRAFFICKING AND RELATED CRIMES**

PUBLICATION DATE: JUNE 2005

Peru reports that it has implemented this recommendation with the creation in 2005 of the Public Prosecution Service's Peruvian Crime Observatory, which compiles information on arrests and prosecutions for drug trafficking and related crimes, among others.

Peru additionally states that the following agencies are also involved in the Observatory's activities: Congress of the Republic, Judiciary, Ministry of Defense, Interior Ministry, Ministry of Justice, National Penitentiary Institute, Office of the Ombudsman, Public Prosecution Service.

CICAD notes with satisfaction the country's efforts and encourages it to strengthen the implementation of this recommendation.

**RECOMMENDATION 14:**

CREATE A SYSTEM TO ENABLE THE COUNTRY TO GATHER DATA ON ILLICIT ACTIVITIES RELATED TO THE MOVEMENT OF FIREARMS AND AMMUNITION AND, ALSO, TO CARRY OUT A STUDY ON FIREARMS AND AMMUNITION SEIZURES, ORIGINS AND ROUTES, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Peru states that it has not implemented this recommendation and that it does not have a finalized timetable for its execution.

The country also notes that in 2004, it started the development of the Integrated Weapons Management System (SIGA), related to firearms, ammunition, and explosives. The system is being designed to assist law enforcement in managing their stockpiles of firearms and ammunitions; it contains applications for firearm licenses, identification of storage facilities, the registration of firearms, ammunitions, and explosives, information on the transportation of arms, statistical and substantial reports on weapons stores and movements, settings for access permissions, and other database functions.

The country states that the activities carried out by the Interior Ministry's General Directorate for the Control of Security Services and the Control of Arms, Ammunitions, and Explosives for Civilian Use (DISCAMEC) and the Regional Center for Peace, Disarmament, and Development in Latin America and the Caribbean (UNLIREC) did not conclude with the launching of SIGA on the initially scheduled date in October 2005. Currently, coordination between the two institutions has been reinstated so that the system can be put in operation.

CICAD expresses its concern at the lack of compliance with this recommendation to date, which was originally assigned during the First Evaluation Round, 1999–2000, and urges the country to take the steps necessary to implement it.

RECOMMENDATION 15:

SET UP A MECHANISM TO FOLLOW UP CASES REMITTED TO THE OFFICE OF THE ATTORNEY GENERAL BY THE FINANCIAL INTELLIGENCE UNIT

PUBLICATION DATE: JUNE 2005

Peru reports that an interinstitutional cooperation agreement has been signed by the Public Prosecution Service and Peru's Financial Intelligence Unit (FIU) on March 24, 2004, in order to include the establishment of coordination channels for inter-institutional communications on the status of investigations into the cases referred to the Public Prosecution Service by the FIU, among other things.

The country states that not only does the FIU have a mechanism for following up on the cases it refers to the Public Prosecution Service, it also works with that agency in order to streamline the handing of those complaints.

CICAD expresses its satisfaction at the country's compliance with this recommendation.

**RECOMMENDATION 16:****EXTEND ADMINISTRATIVE CONTROLS TO PREVENT MONEY LAUNDERING TO LAWYERS AND ACCOUNTANTS**

PUBLICATION DATE: JUNE 2005

Peru reports that it requires a new legislative amendment, reforming the law that created Peru's Financial Intelligence Unit in order to incorporate as obliged subjects both lawyers (working as consultants) and accountants, thus raising to 34 the number of obliged subjects required to report. The country anticipates the proposal of this amendment in 2006.

CICAD encourages Peru to make efforts in progressing with the implementation of this recommendation.

RECOMMENDATION 17:**ESTABLISH THE REQUIREMENT OF REPORTING LARGE TRANSACTIONS TO FINANCIAL INSTITUTIONS**

PUBLICATION DATE: JUNE 2005

Peru reports that the Financial Intelligence Unit (FIU) is empowered to request Operations Records, other than those covered by bank secrecy regulations, under Article 2(5)(2) of the Peruvian Constitution. This provision states that this information can only be requested with respect to the case under investigation directly through Peru's FIU if a Suspicious Operations Report exists, and from the same financial institution that made the report or, through the Public Prosecution Service, from the entire financial system, by means of a joint investigation carried out by the two agencies, and solely into the individuals under investigation.

The country informs that, to complete the implementation of this recommendation, section 5 of Article 2 of the Peruvian Constitution would have to be amended. In this regard, two bills are currently before Congress that would allow Peru's FIU to lift bank secrecy throughout the entire financial system with respect to a case under investigation. However, these proposals have not yet been debated.

CICAD encourages Peru to continue with actions toward complying with this recommendation.

RECOMMENDATION 18:**ESTABLISH AN INFORMATION SYSTEM THAT WILL ENABLE THE COUNTRY TO GATHER DATA ON PERSONS ARRESTED, TRIED AND CONVICTED FOR MONEY LAUNDERING OFFENSES**

PUBLICATION DATE: JUNE 2005

Peru reports that it has not begun implementing this recommendation.

CICAD encourages the country to take the necessary actions to implement this recommendation.

**RECOMMENDATION 19:****ESTABLISH AN INFORMATION SYSTEM THAT WILL ENABLE THE COUNTRY TO GATHER DATA ON PERSONS ARRESTED, TRIED AND CONVICTED FOR CORRUPTION OFFENSES RELATED TO ILLICIT DRUG TRAFFICKING**

PUBLICATION DATE: JUNE 2005

Peru reports that on July 8, 2005 it created the Public Prosecution Service's Crime Observatory, which was inaugurated on September 21, 2005 and, in order to comply with this recommendation, it has developed an action plan for its completion during 2006.

CICAD recognizes Peru's efforts and encourages the country to continue implementing this recommendation.

CONCLUSIONS

During the Third Evaluation Round, 2003–2004, Peru was assigned a total of 19 recommendations, out of which eight have been completed, nine are in progress, and two have not been started.

Peru has made progress with implementing the National Observatory on Drugs, a development that reflects the country's efforts to comply with a recommendation that was originally assigned during the Second Evaluation Round, 2001–2002.

Also, Peru has developed prevention programs for its indigenous population and private-sector workplace and has conducted evaluations of its drug-use prevention programs.

Peru has legal provisions for controlling all the pharmaceutical products listed in the 1961 Single Convention on Narcotic Drugs and the 1971 Convention on Psychotropic Substances.

The country reports that it has not implemented and has no timetable for launching a system to provide data on illegal activities related to movements of firearms and ammunition. The country also reports that it has not conducted a study into the seizures, origins, and routes taken by the movement of firearms and ammunition. In this regard, CICAD has expressed its concern at the lack of implementation of this recommendation, since it was assigned during the First Evaluation Round, 1999–2000. CICAD therefore asks the country to take the steps necessary to implement this recommendation.

Similarly, the country indicates that one of the reasons why it has been unable to implement some of the recommendations is that it lacks financial and technical resources.

Peru also states that the new Law on Chemical Components and Controlled Substances came into effect on October 25, 2005, thereby complying with the CICAD recommendation to extend controls over all the chemicals listed in Schedules I and II of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and for the establishment of a mechanism for assessing the effectiveness of the agencies charged with the control and oversight of controlled chemical substances, both of which are reiterated recommendations from the Second Evaluation Round, 2001–2002.



CICAD notes with satisfaction the implementation of the recommendation for the establishment of a mechanism for following up on the cases referred to the Public Prosecution Service by the Financial Intelligence Unit.

Additionally, CICAD encourages the country to take the necessary actions to establish an information system that will enable it to consolidate data on individuals arrested, tried, and convicted for money laundering crimes.

CICAD expresses its satisfaction with the efforts made by Peru and encourages the country to continue taking actions to comply with the pending recommendations that were assigned by the Multilateral Evaluation Mechanism.