

M E M M

Multilateral Evaluation Mechanism

**Inter-American Drug Abuse
Control Commission
(CICAD)**

**Secretariat for
Multidimensional
Security
(SMS)**

Brazil

EVALUATION OF PROGRESS IN DRUG CONTROL

**IMPLEMENTATION OF RECOMMENDATIONS
FIFTH EVALUATION ROUND**



**Organization of
American States**

2012



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American States



Inter-American Drug Abuse
Control Commission

Multilateral Evaluation Mechanism (MEM)

BRAZIL

Evaluation of Progress in Drug Control

Implementation of Recommendations from the Fifth Evaluation Round

2012



PREFACE

The Multilateral Evaluation Mechanism (MEM) is an instrument designed to measure progress in actions taken by the member states of the Organization of American States (OAS) to address the global drug problem and other related offenses.

The Inter-American Drug Abuse Control Commission (CICAD), an OAS specialized agency, implemented this Mechanism in 1998, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in April 1988.

The MEM is not only a diagnostic tool but has also become a vehicle for disseminating information on the progress achieved through the individual and collective efforts of OAS member state governments, catalyzing hemispheric cooperation, promoting dialogue among member state government authorities, and precisely channeling assistance to areas requiring greater attention by optimizing resources.

The evaluation reports are drafted by the Governmental Expert Group (GEG), a multidisciplinary group composed of experts designated from all OAS/CICAD member states. Each expert functions independently from his or her own government, and experts do not participate in the evaluation of their own countries. Additionally, each country has the opportunity to review and comment on the contents of the evaluations, ensuring an open and participatory process.

The Fifth Evaluation Round, covering the period 2007-2009, consisted of two phases. The full evaluation phase assessed progress made by all member states in combating the drug problem in the subject areas of institutional strengthening, demand reduction, supply reduction and control measures. This culminated with the publication of national reports containing 350 recommendations for individual member states. The follow-up phase evaluated progress made in the implementation of the recommendations assigned in the Fifth Round.



RECOMMENDATION 1

CREATE A MECHANISM TO RECORD THE NUMBER OF PATIENTS TREATED FOR DRUG USE RELATED PROBLEMS.

Brazil reports that under its Unified Health System (SUS), the country collects partial data, which consists of the number of procedures carried out at medical treatment facilities.

Brazil states that a new National Health Card (CNS) strategy currently being implemented will link a variety of data, including procedures performed on each patient, which will ultimately allow the country to establish a uniform system to record the number of patients treated throughout the country for drug-use related problems.

The Ministry of Health reports concrete progress on the compilation of data on hospital and outpatient procedures, including the printing of patient record cards prior to full implementation of the mechanism.

CICAD takes note of Brazil's progress and encourages the country to complete implementation of the recommendation.

RECOMMENDATION 2

STRENGTHEN THE INFORMATION SYSTEM FOR PHARMACEUTICAL PRODUCTS TO PROVIDE DATA ON THE NUMBER OF SEIZURES, THE QUANTITIES OF PHARMACEUTICAL PRODUCTS SEIZED AND THE APPLICATION OF SANCTIONS FOR THESE PRODUCTS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Brazil reports that the National Health Surveillance Agency (ANVISA) and the Ministry of Justice signed an agreement in 2008 that includes provision for systematic, joint operations involving State and Municipal Health Surveillance, the Federal Police, the Federal Highway Police and Civil Police. Brazil states that such joint operations established among the agencies concerned has allowed the country to record appropriate statistical data on seizures and sanctions, including illicit activity related to pharmaceutical drugs. This database is supplemented through ANVISA and data available through Brazil's individual states and municipalities.

CICAD takes note of the information provided and considers the recommendation fulfilled.



RECOMMENDATION 3

ESTABLISH A SYSTEM TO INTEGRATE INFORMATION ON LICENSES ISSUED AND INSPECTIONS CARRIED OUT FOR REGULATED ACTIVITIES AND AGENCIES RELATED TO PHARMACEUTICAL PRODUCTS AT THE NATIONAL LEVEL.

Brazil reports that the National Health Surveillance Agency (ANVISA) has a statistical database for the collection of data on licenses/permits and inspections carried out by ANVISA that is connected to companies and their subsidiaries involved in pharmaceutical sales at the national, state and municipal levels. The country also notes that businesses involved in pharmaceutical sales must be periodically re-certified through on-site inspections to ensure compliance with established norms and procedures.

CICAD takes note of the information provided and considers the recommendation fulfilled.

RECOMMENDATION 4

ESTABLISH A REGISTRY SYSTEM ON THE NUMBER OF ADMINISTRATIVE, PENAL AND CIVIL SANCTIONS APPLIED FOR NON-COMPLIANCE WITH LAWS AND REGULATIONS RELATED TO CONTROLLED CHEMICAL SUBSTANCES.

Brazil reports that there are currently registry systems for reporting on civil, penal and administrative sanctions for health-related products, including chemical substances.

CICAD takes note of the information provided and considers the recommendation fulfilled.

RECOMMENDATION 5

DEVELOP AN INFORMATION SYSTEM ON THE CONTROL OF ILLICIT DRUG TRAFFICKING THAT CONSOLIDATES DATA PROVIDED BY THE POLICE AGENCIES, PUBLIC PROSECUTOR'S OFFICE, AND JUDICIAL BRANCH, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Brazil reports that it is developing a national computerized system under the auspices of the Federal Police, the National Secretariat of Public Security, the State police and the National Secretariat on Drug Policies (SENAD), which will consolidate an information system on illicit drug trafficking that will be accessible to all concerned agencies. The creation of a National Drug Statistics system is contained in the Brazilian Law on Drugs.

Brazil reports progress on a consolidated website for the comprehensive system, although the country has not established a deadline for full implementation of the network to consolidate data.

CICAD takes note of the information provided and urges the country to implement this reiterated recommendation, given that it was assigned in the Fourth Evaluation Round, 2005-2006.



RECOMMENDATION 6

ESTABLISH A NATIONAL REGISTRY FOR DATA ON THE IMPORTATION, EXPORTATION AND TRANSIT OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS.

Brazil informs that it currently uses an Import/Export Control System for Firearms, Ammunition, Explosives and Related Materials, which includes control of these materials throughout Brazil. Brazilian institutions that collaborate on and use this national registry include Federal and State police, the Ministry of Defense and the Brazilian Army.

CICAD takes note of the information provided and considers this recommendation fulfilled.

RECOMMENDATION 8

EXPAND THE OBLIGATION TO SUBMIT SUSPICIOUS TRANSACTION REPORTS TO INCLUDE LAWYERS, PUBLIC NOTARIES AND ACCOUNTANTS.

Brazil reports that Draft Law No. 3.443/2008 provides for the expansion of the list of professionals and activities that may be subject to reporting suspicious transactions, to include lawyers, notaries and accountants. The country states that the bill has been approved by the Chamber of Deputies and is pending Senate approval.

CICAD takes notes of the information provided and encourages the country to complete the recommendation.



CONCLUSIONS

During the Fifth Evaluation Round, eight recommendations were assigned to Brazil. The country has completed four and advanced toward full implementation of three. One recommendation made to Brazil was withdrawn.¹

CICAD recognizes Brazil's implementation of recommendations on strengthening the information system for pharmaceutical products, establishing a system to integrate information on licenses and inspections related to pharmaceuticals, the establishment of a registry on sanctions imposed for non-compliance with laws related to controlled chemical substances, and the operation of the "Import/Export Control System for Firearms, Ammunition, Explosives and Related Materials."

Brazil's full implementation of recommendations related to a mechanism to record the number of patients treated for drug use problems, a consolidated database related to illicit drug trafficking for law enforcement agencies, and the requirement for suspicious transaction reporting by lawyers, notaries and accountants is still pending.

CICAD recognizes Brazil's participation in the Multilateral Evaluation Mechanism (MEM) and the advances made in the implementation of Fifth Evaluation Round recommendations, and encourages the country to implement the pending recommendations.

¹ Recommendation 7 was withdrawn.

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