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**INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION**

CICAD

Organization of American States

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Secretariat for Multidimensional Security

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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-ninth regular session, the Commission decided, in accordance with Articles 20 and 21 of the Statute, that the fiftieth regular session would be held on November 2-4, 2011, in Buenos Aires, Argentina.

II. PROCEEDINGS

1. Opening Session

a. Ambassador Alberto D'Alotto, Deputy Foreign Minister of the Argentine Republic

Ambassador Alberto D'Alotto, the representative of the host government, welcomed all the delegates, permanent observers, representatives of international organizations and civil society, and other guests and thanked the Commission for giving the Government of Argentina the opportunity to host the event at the historic milestone of its 25th anniversary.

b. Chandrikapersad Santokhi, Senator, National Assembly of the Republic of Suriname, Chair of CICAD

As the outgoing chair of CICAD, Mr. Chan Santokhi addressed the Commission for the last time, highlighting the challenges that CICAD faced during his term, the goals that he had prioritized for the year and the accomplishments that had been attained with the cooperation of all the member states (CICAD/doc. 1912/11). He called on the Commission to re-examine CICAD's role and functions within the roster of international and regional organizations working on drug issues, take a fresh look at CICAD's Statute and Regulations, which were written 25 years ago, and redouble its efforts to draft drug control policy that effectively addresses the security threats facing governments and civil society.

c. Ambassador Adam Blackwell, Secretary for Multidimensional Security, OAS

Ambassador Adam Blackwell offered an analytical perspective on the issue of armed violence in the Americas, citing figures drawn from the latest regional studies. With the region facing this threat, he explained some of the initiatives that the OAS is undertaking to assist member states address this challenge (CICAD/doc. 1921/11).

2. Approval of the Agenda and Schedule of Activities

The Commission approved the draft agenda (CICAD/doc.1893/11) and the draft schedule of activities (CICAD/doc.1894/1 rev.2), as amended, at the request of the delegation of Colombia. The delegations of Mexico, Colombia and Venezuela noted that the suggested questions for discussion that were included in the schedule should not restrict the scope of discussion that the Commission may wish to take.

3. Election of the Chair and Vice Chair of the Commission

In compliance with Article 22 and 23 of the CICAD Statute, the Commission unanimously elected the Argentine Republic in the person of Mr. José Ramón Granero, the Secretary of State of the *Secretaría de Programación para la Prevención de la Drogadicción y el Narcotráfico* (SEDRONAR), as the CICAD Chair for the current period (CICAD/doc. 1898/11). The Commission also elected Costa Rica in the person of Mr. Mauricio Boraschi Hernández, Vice Minister of the Presidency in charge of security issues, as Vice Chair (CICAD/doc. 1899/11).

a. Remarks by the New Vice Chair

Mr. Boraschi Hernández thanked the Commission for the confidence it had placed in Costa Rica to take a leadership role in CICAD at this time of change. He posed the challenge requiring that multiple organizations be brought together to deal with urgent issues of security.

b. Remarks by the New Chair

Mr. Granero expressed his appreciation to the outgoing CICAD Chair for the past year of shared leadership and explained how he planned to work within the framework of the Strategy, from which he underscored respect for human rights, treatment under court supervision for drug dependent offenders and drug addiction as a public health issue (CICAD/doc. 1920/11).

4. The 25th Anniversary of CICAD and a Look to the Future

Ambassador Paul Simons, CICAD Executive Secretary, made a presentation on the *25th Anniversary of CICAD and a Look at its Future* (CICAD/doc. 1922/11). The goal of the presentation was to lay out the major activities, trends and developments that occurred since the signing of the Inter-American Program of Rio in November 1986.

The delegation of Canada stated the need to complement bilateral and multilateral cooperation and strengthen regional cooperation with the United Nations Office on Drugs and Crime (UNODC) and the Pan-American Health Organization (PAHO). It added that the Executive Secretariat should focus on obtaining results under the Hemispheric Drug Strategy and its Plan of Action and demonstrating with all resources, especially those from the OAS Regular Budget, the same transparency and accountability as currently exists with respect to voluntarily funded project spending. Additionally, it pointed out the importance and usefulness of the Multilateral Evaluation Mechanism (MEM), which permits a better understanding of the drug situation in the hemisphere.

The delegation of Mexico indicated that CICAD has assisted in developing confidence and collaboration among the member states, acknowledging the role that the MEM plays in this respect. Additionally, it suggested that a diagnostic study be made of the functioning of the policy and technical bodies of CICAD and to review and update its procedures and regulations.

The delegation of Suriname suggested a strategy of synergy and cooperation with other regional organizations such as the Integration System of Central America (SICA), the Union of South American Countries (UNASUR) and the Caribbean Community (CARICOM), avoiding duplication. It said that regional organizations should be supplementary and complementary to CICAD's work. It noted the need to carry out an analysis of the mandates, financial resources, the statute and regulation, the internal rules and functioning of CICAD. It proposed the implementation of obligatory payments by member states to CICAD. It also said that there should be closer coordination with other global regions (Asia, Africa, and Europe).

The delegation of Chile stated that CICAD had played an important role in capacity building, best practices, model legislation, coordination and analysis. It highlighted, as examples, the drug treatment court and demand reduction programs. Additionally, it indicated the need to incorporate the topic of social integration in CICAD's activities and offered the concrete experience of Chile for support of other states in this matter.

The delegation of Venezuela underscored the importance of defining the scope of action of CICAD with regard to crimes related to illicit drug trafficking, which may enter the Commission's agenda due to their linkage with drug trafficking. With regard to the topic of inter- and extra-regional cooperation with Executive Secretariat participation, the delegation of Venezuela suggested that the participation of the CICAD Executive Secretariat should go beyond the status of observer in meetings and workshops and said that it should proactively participate in the design and execution of meetings and projects, taking into account Executive Secretariat staff expertise. Venezuela commented that the CICAD Experts groups serve in an advisory capacity to the Commission and that the work plans and instructions of these groups must be approved by the Commission for implementation.

The delegation of Colombia supported Venezuela's concept and requested that the Commissioners undertake a review of the work done by the expert groups at the fifty-first regular session of CICAD, and that a process of consultation among the countries should be started to present a proposal for consideration of the Commission at that meeting.

5. Current Situation of Drug Use in the Hemisphere and Future Challenges

Dr. Francisco Cumsille, head of the Inter-American Drug Observatory (OID) of the CICAD Executive Secretariat, gave a report on the latest findings on drug use in the region culled from the most recent research carried out by the national drug observatories of the member states (CICAD/doc.1908/11).

6. Design and implementation of the Argentine Observatory on Drugs as an Information System

Mr. Diego Álvarez and Ms. Graciela Ahumada, both of SEDRONAR, Argentina, informed the Commission on the process that led to the creation of the Argentine Observatory on Drugs (OAD) and how it has evolved over the past decade (CICAD/doc. 1911/11).

7. Cooperation Programme between Latin America and the European Union on Anti-Drugs Policies (COPOLAD)

Mrs. Teresa Salvador, Program Coordinator, provided an overview of the institutional perspective and the objectives of European cooperation in the drug field. Mr. Gustavo Segnana, SEDRONAR, Argentina, explained one of the program components regarding the strengthening of drug observatories. Finally, Mr. Rafael Franzini Batlle, CICAD Assistant Executive Secretary, explained the perspective of collaborating international organizations, emphasizing the search for synergies and avoiding duplication (CICAD/doc. 1923/11 and CICAD/doc. 1924/11).

8. The Multilateral Evaluation Mechanism (MEM)

a. Online Technical Working Group for the Review of the MEM

As part of the ongoing strengthening of the MEM evaluation process for the sixth round, a Online Technical Working Group, mandated by the forty-ninth regular session of CICAD, carried out an online discussion in order to identify and analyze components, best practices, and dynamics of existing evaluation systems that could be incorporated into the MEM process, and based on this, present guidelines for the Inter-Governmental Working Group (IWG) to prepare the necessary instruments for the Sixth Evaluation Round. The Group's coordinators, Ms. Mariana Souto of SEDRONAR, Argentina, and Mr. Daniel Cuzzolino of the Office on National Drug Control Policy (ONDCP), USA, informed the Commission on the Group's findings (CICAD/doc.1907/11). They thanked the member states that participated in the debates. Likewise, several delegations expressed their thanks to the Working Group for the report and to the MEM Section for its support, confirming their commitment to the MEM process and its strengthening, and offering the following comments:

The delegation of the United States stated that its government agreed that the report served the purpose of guiding the IWG. The United States also stated that it was in favor of changes and that the MEM always had been a valuable evaluation tool and as such it had to be supported. It added that the IWG meeting should take place between May and November 2012 and before the fifty second regular session of CICAD.

The delegate of Canada indicated continued support for the MEM framework and suggested that its indicators be updated fully to reflect the Hemispheric Drug Strategy's Plan of Action. It emphasized the idea of maintaining the peer review process and the basic indicators, and accepted the report, but warned about being careful with the methodology used. It mentioned the following concerns: the Financial Action Task Force (FATF) system is complicated in its costs and asked the Executive Secretariat to prepare cost estimates for the actions proposed in the report. It raised concerns about an evaluation cycle of two year versus three, and suggested better coordination of technical expertise, including greater use of CICAD's expert groups, and urged the use of modern technology to prepare IWG work, thereby reducing the cost and duration of its meetings, and encouraged work with UNODC and PAHO to avoid duplication.

The delegation of the Dominican Republic stated that the MEM process should be more substantive and less procedural, and the need of reaching a consensus on the idea of *in situ* visits.

The delegation of Venezuela underscored that the Hemispheric Drug Strategy and the Plan of Action should constitute the evaluation framework of the MEM. Therefore, what is expected of the IWG, based on the document presented by the Online Working Group, is to translate the objectives contained in that evaluation framework into recommendations. Likewise, it emphasized that the MEM is an instrument of the member states and it falls to the Commission to instruct the IWG on the evaluation process that it expects. The delegation of Venezuela also stated that in the past, the use of the Commission's expert groups did not produce the expected results. With regard to the use of other experiences and best practices, the delegation of Venezuela pointed out that many new initiatives came out of the region itself.

The delegation of Peru stated that the MEM has had a great impact on national institutions by monitoring anti-drug policies. Among the measures to adopt, it might be possible to reduce the drafting sessions, and make correction of style by using specialists in the matter. In regard to the visits and their costs, there were other mechanisms that could replace these visits, making fewer and shorter meetings, and reducing the use of recommendations. With regard to the questionnaire, it should be shortened and more time should be spent on deepening the responses.

The delegation of Trinidad and Tobago commented on the recommendations presented in the analysis of the report: information should serve as a guide for the work of the IWG; the reassessment of the length of the evaluation cycle had already been made and it would be a step backwards in the evolution of the MEM to return to a three-year period; the *in situ* visits should be made in all the countries during the evaluation and should be designed to obtain political support for the mechanism and seek to determine the real situation in the countries; each round of MEM should have a specific objective according to the indicators. The topics of the implementation of recommendations in terms of their priorities and the presentation of the reports to the plenary, with the participation of the evaluated country, assuring transparency and objectivity, should be clarified.

The delegation of Suriname referred to the *in situ* visits, emphasizing that these would help strengthen the process, are flexible, would help the evaluators find the reasons why a country had not advanced in its drug control work; they would present the visitor team with ample opportunities to speak with key officials at the technical and policy levels, and solutions that could be discussed at that time; and they would offer the availability of technical expertise in the hemisphere in terms of bilateral and multilateral assistance. As an outcome of the visit, a short, balanced plan of action could be developed that monitored the implementation of the recommendations of the mission, bringing together the stakeholders; and a visit represents a good opportunity for the visitor team to understand the complexity of a country's situation,

keeping in mind that reality is also another factor at the time of assigning recommendations aimed at stimulating progress in the country.

The delegation of Colombia highlighted the importance of maintaining a multilateral approach, the interplay between technical and policy considerations, the implementation of recommendations, the dialogue of MEM with the countries, and the urgency to adjust the mechanism to the Hemispheric Drug Strategy and its Action Plan. Regarding visits, the delegation considered these encounters with national teams to be important, as long as they were well regulated by CICAD.

The delegation of Chile noted that the MEM process required some changes. It added that the MEM is technical in nature but has policy consequences. It called for strengthening the area of demand reduction within the MEM. In addition, it noted the importance of generating synergies with the observatories. It also stated that the duration of the evaluation cycle and the length of the meetings should be discussed further.

The delegation of Mexico noted that the MEM had made hemispheric progress in several ways and that the review grew out of the interest of the Commission to adjust and update the process to reflect reality and the Hemispheric Drug Strategy and its Action Plan. It also said that the Commission should suggest guidelines to the IWG towards its Sixth Round, based on the six points analyzed in the report. In this regard, Mexico suggested working on a resolution regarding the scope, content, and normative framework for the convening of the IWG.

Finally, the delegation of Costa Rica noted the need to emphasize the political importance of the MEM recommendations. It also suggested that this mechanism should be more agile, and that it could be improved in terms of the duration of the meetings and their structure. Regarding the expert groups, these should cover the areas of the Hemispheric Drug Strategy and make the most of existing resources, such as the evaluations of the FAFT, the South American Financial Action Task Force (GAFISUD), and the Caribbean Financial Action Task Force (GAFIC).

Ambassador Paul Simons offered to carry out estimates of the cost and technical requirements of *in situ* visits.

In response to previous observations, the co-coordinators said that with the report they proposed presenting a series of draft guidelines that the IWG could follow and that in a proposed resolution, the Commission could establish guidelines for the IWG.

As a result of the discussion, the delegation of Mexico prepared and presented a resolution that the Commission subsequently approved (See Chapter III -- Decisions).

b. Report of the First Drafting Session on the Implementation of Recommendations of the Governmental Expert Group (GEG) of the Multilateral Evaluation Mechanism (MEM)

Mr. Carlos Muralles, GEG General Coordinator, informed the Commission about the report of the first drafting session on the implementation of the Governmental Expert Group (GEG) of the MEM, which took place in Washington, DC, September 26–October 5, 2011 (CICAD/doc.1906/11). The delegation of Venezuela expressed its support for the report. In the absence of additional comments, the Commission approved the document.

9. *Drug control initiatives in The Bahamas*

Mr. Tommy Turnquest, Minister of National Security of the Commonwealth of The Bahamas informed the Commission about the latest drug control initiatives carried out by the government (CICAD/doc. 1919/11).

10. *Challenges Facing CICAD*

As CICAD Chair, Dr. Granero introduced the topic of the new challenges facing the Commission and moderated the ensuing discussion, making the following proposals to the Commissions:

- ⤴ Prioritization of the topics discussed at Commission meetings
- ⤴ Resources for the execution of activities
- ⤴ Frequency of meetings

The delegation of Canada referred to the first point by stating that priorities should arise out of the Plan of Action of the Hemispheric Drug Strategy. On the second point, it stated that member states should make voluntary contributions, and that specific contributions should be sought based on good performance on project management and accountability. On the third point, it proposed that one annual meeting be held, seeking close coordination with the work of the expert groups and assistance from information technology in order to maintain regular contact between formal meetings.

The delegation of Chile supported Canada's proposal, as well as the Chair's proposal of obtaining resources through the administration of confiscated assets.

The delegation of the United States said that priority should be placed on controlling drug demand, and stated that its government could not divert funds coming from confiscated assets to other purposes because U.S. law does not permit it, so it was imperative to emphasize the obligation of member states to make their payments to the Organization.

The delegation of Mexico stated that its government could not legally divert confiscated assets to international organizations, but it did not want to discourage other governments from doing so, within their possibilities. On the number of meetings, it preferred that the Commission hold one policy meeting and a second, technical one, with a format that permitted more flexibility and better use of resources. It also wanted to shift the focus of expert group meetings to the new strategy and its plan of action.

The delegation of the Dominican Republic agreed with the holding of two meetings, one on policy and the other on technical matters. The delegation also explained that national law determined the allocation of confiscated assets and that the Administration of Seized Assets (BIDAL) project was helping to guide local authorities to improve their administrative systems for seized assets.

The delegation of Venezuela stated that the CICAD statute establishes two sessions, not two meetings. With regard to the issue of resources, CICAD should not just focus on available financial resources, but also consider other forms of available, in-kind resources such as the fellowship proposal of the Executive Secretariat, as a means of assistance.

The delegation of Colombia agreed with the proposals of Mexico on Commission meetings and proposed the possibility of have technical meetings simultaneously with the plenary. It noted that while domestic legislation does not allow funds from seizures to be allocated to international organizations, its government could share experience, knowledge and technical assistance among member states, which would contribute added value and optimize the use of resources.

The delegation of Peru considered that it was necessary to have policy and technical forums to be able to confront transnational organized crime. Peru stated that its government would take part in the BIDAL project. It supported the proposal presented.

The delegations of Brazil and Argentina supported the proposals of Colombia, Venezuela, Mexico and Chile.

The delegations of Bolivia and Uruguay stated that they supported the public health approach for the treatment of problematic drug use.

11. *SEDRONAR's e-Learning Platform*

Mr. Diego Alvarez and Ms. Valeria Marrolla, both of SEDRONAR (Argentina), gave a presentation on the use of new information technologies as an efficient resource for the training of greater numbers of people (CICAD/doc.1927/11).

12. *Expert Groups*

a) Demand Reduction

Mr. Daniel Cuzzolino (ONDCP, USA), the chair of the Demand Reduction Expert Group, informed the Commission about the expert group meeting held in Washington, DC (CICAD/doc.1900/11), and presented the report that included the outlines of three proposed publications and a new work plan. The Commission approved the report and the work plan (See the Chapter III -- Decisions).

b) Maritime Narcotrafficking

On behalf of this expert group's chair, the Dominican Republic, Mr. Ziggy Malyniwsy, chief of the CICAD Supply Reduction Section, informed the Commission about the meeting of the Expert Group on Maritime Narcotrafficking, held in Santo Domingo and its report that contained a set of guidelines and a work plan for 2012 (CICAD/doc. 1896/11 and CICAD/doc. 1901/11). Prior to this regular session of CICAD, Venezuela sent several documents that raised questions about some of the work done by this group (CICAD/INF. 2/11) and these were forwarded to permanent and principal representatives.

The delegation of Venezuela raised its concerns regarding a perception that some expert groups, rather than the Commission itself, may be assigning or identifying tasks that the expert group should undertake. The delegation made specific reference to the change in methodology for the expert group that included sending out requests to the experts prior to the meeting to identify issues of concern, new threats, trends and challenges. The delegation also noted that the work undertaken by expert group should be consistent with priorities defined by the Hemispheric Strategy and its Plan of Action.

The Executive Secretariat explained that the change in methodology was intended to make a more efficient and focused meeting. The approach in question mimics the "round table" process whereby experts are called upon to identify issues of concern. These issues of common concern are then forwarded to working groups for further consideration. The tasks assigned to working groups are then submitted to the Commission for its approval through the final report of the meeting as part of its plan of action. Under this model, the Commission is asked for approval of a work plan that contains these tasks. The

Commission has the opportunity to approve, reject, or amend these tasks or add others. In this way, the Commission clearly defines what the work of the expert groups.

The delegation of Venezuela also noted that definitions in the Guide to Best Practices for Combating Illicit Drug Trafficking on Lakes and Waterways were inconsistent with those found in existing treaties and conventions. As such, it requested that this document be returned to the Group so that these inconsistencies could be addressed.

With respect to the reference document on the use of go-fast boats in drug trafficking and distribution, the delegation of Venezuela noted that the expert group did not have a mandate to develop model regulations on this issue. As such, it requested that this document be removed from the report.

In the discussion that followed, several delegations expressed their support for the report and the methodology used by the expert group to identify new issues and threats. It was stressed that this process did, in fact, allow the Commission to define what tasks the Group would undertake.

The Chair noted this general support of the report and suggested that it be approved as presented. The delegation from Venezuela acknowledged the position presented by other member states. At the same time, it advised that its government would submit a formal note concerning its reservations that would be noted in the final report. The report was approved by the Commission and the Republic of Argentina was subsequently elected chair for 2011-2012 (See the Chapter III -- Decisions).

c) Chemical Substances and Pharmaceutical Products

On behalf of the Expert Group's chair, Ecuador, Mr. Ziggy Malyniwsy informed the Commission about the work of the Expert Group on Chemical Substances and Pharmaceutical Products in Quito, (CICAD/doc. 1897/11 and CICAD/doc.1902/11), as well as a work plan for 2012.

The delegation of Venezuela reiterated the points included in Venezuela's note submitted previously (CICAD/INF. 2/11) making reference to the special note that requested interpretative clarification in the Model Regulations concerning its article 7 and Title XV. It also asked that the text concerning the "outreach" proposal involving major chemical source countries be clarified so that it was clear that the proposal that the expert group ultimately developed would go back to the Commission for discussion and eventual approval. In response to concerns expressed by Venezuela, Mr. Malyniwsy noted that the final report would be appropriately amended in regard to the outreach proposal for chemical source countries. Venezuela also comment on written inconsistencies between what the English and Spanish versions

concerning the outreach proposal, and urged that CICAD Commissioners be informed in detail about the proposal before it makes a decision to approve it.

On the recommendation dealing with the topic of national legitimate needs estimates for chemicals in the countries, several delegations (Venezuela, Argentina and Chile) expressed their opposition to having the Group of Experts prepare draft articles on that issue for the consideration of the Commission and possible inclusion in the model regulations. Other member states supported the report as presented and proposed that it be accepted.

As there was no consensus on this point, the Chair directed interested delegations to meet and find common ground for a consensus on the report. The delegations reached an agreement to remove the two recommendations dealing with national requirements and replace them with the following text:

Mandate the Group of Experts to discuss the concept and feasibility of conducting national legitimate needs estimates for chemicals controlled under the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances

The Commission accepted the report and recommendations as amended above, and subsequently elected the Dominican Republic as the chair for 2011-2012 (Chapter III - Decisions).

d) Control of Money Laundering

The Expert Group Chair, Mrs. Annalibe Ruíz of the National Antidrug Office (ONA), Venezuela informed the Commission about the two meetings of the Expert Group in Washington, DC, and Caracas, (CICAD/doc.1903/11), put forward a strategic work plan for 2012-2013. The delegation of Mexico welcomed the report and the proposal for strategic planning of the work of the expert group, but noted that the Mexican government would not accept the strategic planning proposal.

The delegation of Canada requested that the money laundering expert group postpone the study of financing of terrorism until such time as the CICAD Chair could coordinate with CICTE's Chair to ensure no overlap with CICTE's mandate. The expert group chair stated that the financing of terrorism was being studied as a predicate offense of money laundering, without infringing on the mandates of CICTE.

Uruguay asked that the report be approved as presented without modifications and the Commission Chair noted the broad consensus in favor of the report and suggested that the report be approved with the observations of Mexico and Canada.

The Commission approved the report as suggested by Dr. Granero, and subsequently elected Argentina as chair and Brazil as vice chair for 2012-2013 (Chapter III -- Decisions).

13. *Fourth Biennial Meeting of the Caribbean Drug Observatories*

Mr. Trevor Percival, Chairman of the National Drug Council (Trinidad and Tobago), reported on the Fourth Biennial Meeting of the Caribbean Drug Observatories that took place in Trinidad and Tobago (CICAD/doc.1918/11), including the conclusions resulting from the discussion at the event.

14. *Presentation of the Publication “Systems for the Administration of Assets in Latin America and Guide for the Administration of Seized and Forfeited Assets from Organized Crime”*

Mr. Nelson Mena, coordinator of CICAD's Anti-Money Laundering Section, introduced Dr. Isidoro Blanco, Law Professor of the University of Alicante (Spain) and lead author of a CICAD-sponsored study. Dr. Blanco presented the publication *Systems for the Administration of Assets in Latin America and Guide for the Administration of Assets Seized and Forfeited from Organized Crime*, which was published by CICAD (CICAD/doc.1905/11). In the subsequent discussion, Dr. Blanco clarified points raised by Panama and Argentina concerning the administration of assets.

15. *UNODC System for the Control of Chemical Precursors*

Mr. Gert Eideherr, Global Project Manager of the UNODC's National Drug Control System (NDS), updated the Commission on the software application, which the UNODC started developing 15 years ago. This system has been implemented by several member states and it continues evolving with new improvements. Mr. Eideherr encouraged governments around the world to adopt this system (CICAD/doc. 1914/11 and CICAD/doc. 1915/11).

16. *Drug Treatment Courts*

The panel included Justice Kofi Barnes, of the Ontario Court of Justice of Canada; Judge Rogelio R. Flores, Superior Court, County of Santa Barbara, California, USA; Chief Justice Zaila McCalla O.J. of Jamaica; Dr. Carlos Tena Tamayo, Commissioner, National Commission Against Addictions (CONADIC) of Mexico; and Mr. Nicolás Arrieta Concha, Director of the Specialized Unit for Illicit Trafficking, Public Prosecutor's Office of Chile (CICAD/doc.1910/11, CICAD/doc.1916/11, CICAD/doc.1925/11, CICAD/doc.1928/11 and CICAD/doc. 1930/11).

The speakers referred to the experiences of Canada, the United States, Jamaica, Mexico and Chile in the application of drug treatment under judicial supervision as an alternative to incarceration and the achievements obtained by its application: reduced relapse into drug use, less crime, a reduction of the prison population and efficient use of resources. At the same time, they offered their knowledge and studies (protocols, instruments, knowledge, and practice) for the use of other countries that are currently analyzing the feasibility of this model.

The delegations of The Bahamas, Costa Rica, Trinidad and Tobago, the United States, Argentina, Uruguay, Peru and Suriname, among others, congratulated the Executive Secretariat for its management of this initiative, and suggested that a conceptual effort be made to integrate the judicial and health aspects of the approach, without detaining the process, since drug treatment courts are a necessity. Several delegations also thanked the participation of other collaborating organizations, such as CARICOM and the Inter-American Development Bank (IDB).

The delegations of The Bahamas, Argentina, Costa Rica, Trinidad and Tobago, and Suriname informed the Commission of the progress being made within the program that the Executive Secretariat was leading, as well as announced the pilot projects planned for 2012. The Executive Secretariat announced that El Salvador had made a formal request to join the initiative while the delegation of Panama expressed its similar interest.

17. *Smokable cocaine in South America*

Mr. Vladimir Andrade Stempliuk, Director of International Affairs and Strategic Projects of the National Secretariat for Drug Policy (SENAD) of the Ministry of Justice of Brazil, informed the Commission about the situation in which Brazil is confronting the use of crack and the initiatives that the government is taking to address the problem (CICAD/doc. 1926/11). It urged the member states to develop a regional approach to deal with the problem, since the problem extends beyond Brazil's borders and is affecting other Southern Cone countries.

18. *First Diagnostic Study on Narcotrafficking in the Salta Province*

Mr. Eduardo Sylvester of the Anti-Drug Office of Salta Province and Ms. Mariana Souto of SEDRONAR (Argentina) presented the findings of the first diagnostic study on narcotrafficking in the Salta Province (CICAD/doc. 1917/11).

19. Training and Certification Program for Drug and Violence Prevention, Treatment and Rehabilitation in the Caribbean (PROCCER-Caribbean)

Mrs. Esther Best, the Manager of the National Drug Council of Trinidad and Tobago and Coordinator of the Advisory Committee of the PROCCER-Caribbean, gave a report on the progress being made in implementing the program (CICAD/doc.1909/11). The delegation of Panama formally requested assistance to implement the PROCCER Program in its country.

20. Remarks by Permanent Observers and International Organizations

Representatives of the Russian Federation, the Government of Spain, the Andean Parliament, the Canadian Centre on Substance Abuse (CCSA), COPOLAD – Cooperation Programme between Latin America and the European Union on Anti-Drugs Policies, INTERPOL, the Inter-American Development Bank, and the Washington Office on Latin America spoke at the closing session.

Among them, the Government of Spain repeated the support that it has been offering CICAD.

The representative of the Russian Federation repeated its continued interest in cooperating with CICAD in the effort to control drug trafficking (CICAD/INF. 4/11).

The representative of COPOLAD reiterated its appreciation to CICAD for its cooperation in this project, as well as the efforts of coordination and the forum to present its progress. She thanked those countries that are not members of the consortium, but are contributing to its development. Likewise, she announced that Caribbean countries can participate in project activities by contacting the representatives of the European Commission in their countries.

The representative of the Juvenile Integration Centers of Mexico relayed the message of the Canadian Centre on Substance Abuse (CCSA, Canada), whose representative had to catch a flight home, that CICAD should encourage the incorporation of non-government organizations and civil society within its discussions and plans for implementing the Hemispheric Drug Strategy (CICAD/INF. 3/11).

For its part, the representative of the Inter-American Development Bank (IDB), as part of the Inter-American System, said that his institution is working on issues of prevention and violence in the region. It recognized the importance of statistical systems of the drug observatories, especially for improving public drug policies; of innovative initiatives, especially the partnership that is being forged in the drug treatment courts project, and of monitoring and evaluating policies based on scientific evidence. The Bank was prepared to continue supporting these initiatives to improve public policies in the region.

The representative of the INTERPOL stated that a project was underway that would permit clustering of agencies to create a technical bloc that would facilitate, on an operational level, an analysis of drug trafficking in South America and later for the rest of the world, and that thus achieve greater efficiency in the fight against drug trafficking and related crimes, carrying out an updated mapping of the different routes that are being used in the illicit drug trade.

The Association *Intercambios* of Argentina announced its firm interest in working together with CICAD to fulfill its mission, suggesting the need of studying concrete mechanisms to develop trends and best practices and to confront the world drug problem in a coordinated manner with the participation of civil societies.

The representative of the Washington Office on Latin America (WOLA) of the United States drew the Commission's attention to a recent study that the organization had published with the Transnational Institute -- *Systems Overload: Drug Laws and Prisons in Latin America* in which they studied the impact of the drug laws and prison systems in eight Latin American countries – Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Peru and Uruguay – and revealed that drug laws contributed to the prison crises these countries were experiencing. It concludes that the weight of the law falls on the most vulnerable individuals, overcrowding the prisons, but allowing drug trafficking to flourish.

21. Proposed Date, Place, and Topics for the Fifty First Regular Session of CICAD

The Commission determined that the next regular session of CICAD would take place in the city of Washington, DC, and left the exact date in the hands of the Chair and the Executive Secretary. The discussion brought out several suggested topics for the next session:

- Annual Work Plan of the CICAD Executive Secretariat in light of the Hemispheric Drug Strategy and its Plan of Action (Mexico and Venezuela),
- Report of the Inter-Governmental Working Group,
- How to incorporate civil society and other partners in CICAD discussions (Mexico),
- Review of the role and functions of expert groups as advisory bodies of the Commission, with online forum prior to the next meeting (Colombia, Venezuela, Mexico and Chile).

III. DECISIONS

The Commission agreed to the following decisions:

1. Approved the draft agenda and the draft schedule of activities (CICAD.doc 1893/11 and 1894 rev.2).
2. Elected Argentina and Costa Rica as president and vice president respectively of the Commission. These positions are held by Mr. José Ramón Granero, Secretary of State, SEDRONAR, Argentina, and Mr. Mauricio Boraschi Hernández, Vice Minister in the Office of the President, Costa Rica.
3. Approved the report and the work plan of the Expert Group in Demand Reduction.
4. Approved the report and the work plan of the Expert Group in Maritime Narcotrafficking, with the observations of the delegation of the Republic of Venezuela.
5. Elected Argentina as the chair of the Expert Group on Maritime Narcotrafficking for the period 2011 – 2012.
6. Approved the report and work plan of the Expert Group on Chemical Substances and Pharmaceutical Products with the modifications on the legitimate national needs of controlled chemical substances already mentioned in this report.
7. Elected the Dominican Republic as chair of the Expert Group on Chemical Substances and Pharmaceutical Products for the period 2011 – 2012.
8. Approved the report of the Expert Group on the Control of Money Laundering with the observations made by Mexico and Canada.
9. Elected Argentina and Brazil as chair and vice chair respectively of the Expert Group on the Control of Money Laundering for the period 2012 – 2013.
10. Approved the draft resolution on the preparatory process for the Sixth Round of the MEM Evaluation presented by the delegation of Mexico (CICAD.doc 1932/11 rev. 2.)
11. Elected Mr. Mauricio Boraschi Hernández as the Coordinator of the Inter-Governmental Working Group (IWG) for the sixth round of the MEM.

IV. WORKING LUNCHES

Outside the Agenda, there were two working lunches to encourage a frank and open discussion among the Principal Representatives of the Commission, which were governed by the Chatham House Rule. The first one focused on the future role of CICAD regarding some of the key elements of the Hemispheric Drug Strategy and its Action Plan (summary notes of the ideas discussed in the meeting were distributed to each of the participants after the event). The second lunch featured the presence of the OAS General Secretary, Dr. José Miguel Insulza, who referred to current affairs, especially the issues of democracy and security, in which the Commission should take action.

V. PARTICIPANTS

1. CICAD Member States

Representatives of Argentina, the Commonwealth of The Bahamas, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guyana, Haiti, Mexico, Panama, Paraguay, Peru, St. Kitts and Nevis, Suriname, Trinidad and Tobago, United States, Uruguay and Venezuela participated the fiftieth regular session of CICAD.

2. Permanent Observers

Also attending the fiftieth regular session in their capacities as Permanent Observers to the Organization of American States were representatives of France, the Russian Federation and Spain.

3. Specialized Inter-American Organizations and International Agencies

Also attending the meeting were representatives of the Andean Parliament, the Cooperation Programme between Latin America and the European Union on Anti-Drugs Policies (COPOLAD), the European Union, the Inter-American Development Bank (IDB), the International Criminal Police Organization (INTERPOL), the Pan American Health Organization (PAHO), *Grupo de Acción Financiera de Sudamérica* (GAFISUD), and the United Nations Office on Drugs and Crime (UNODC).

4. Civil Society

Also attending were representatives of the Canadian Centre on Substance Abuse (CCSA, Canada), DIANOVA (Uruguay), *Foro de Estudio Sobre la Administración de Justicia* (FORES, Argentina), *Fundación Convivir* (Argentina), *Intercambios Asociación Civil* (Argentina), *Mesa Redonda Panamericana* (Argentina), *Red Iberoamericana de ONGs que Trabajan en Drogodependencia* (RIOD), and the Washington Office on Latin America (WOLA, USA) attended the meeting.