

**NINTH MEETING OF THE INTERGOVERNMENTAL
WORKING GROUP ON THE MULTILATERAL
EVALUATION MECHANISM (IWG-MEM)
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**FINAL REPORT
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ON THE MULTILATERAL EVALUATION MECHANISM (IWG-MEM)**

I. BACKGROUND

At the Thirty-Seventh Regular Session of CICAD held in Santo Domingo, Dominican Republic, member states agreed to hold the Ninth Intergovernmental Working Group on the Multilateral Evaluation Mechanism (IWG-MEM) in February 2006, to undergo a complete review of the MEM evaluation process and procedural guidelines, and to develop recommendations to present to the Thirty-Ninth Regular Session of CICAD in May 2006. The IWG took place in Washington, D.C., from February 21-24, 2006, under the Chairmanship of Senior Director, Barry MacKillop of the Department of Public Safety and Emergency Preparedness Canada.

In light of the MEM's increasing maturity, Commissioners recognized the magnitude of the work required to effectively review the MEM process and the need to undertake thorough consultations with member states. As such, it was agreed in Santo Domingo that a Preparatory Intergovernmental Working Group (Pre-IWG) meeting should be held to lay the groundwork for discussions at the IWG. The Pre-IWG was chaired by Canada and took place in Washington, D.C., from October 3-6, 2005, during which the participants developed recommendations for the consideration of the IWG concerning the following 5 key areas of the MEM:

- MEM Operational Process Issues;
- The Questionnaire of Indicators;
- Recommendations;
- The MEM Cycle; and
- The proposed creation of a MEM Style and Format Manual.

The Executive Secretariat developed key discussion documents for the Pre-IWG, based on consultations initiated in the summer of 2005 with member states, GEG experts, and National Coordinating Entities (NCEs).

At the Thirty-Eighth Regular Session of CICAD, Commissioners accepted the report on the Pre-IWG and took note of the observations and recommendations to the IWG.

In order to ensure a better understanding of the issues debated, the IWG Chair introduced each discussion item at the IWG by providing a general overview of the specific recommendations of the Pre-IWG.

II. PROCEDURES

A. PARTICIPANTS

1. MEMBER STATES OF CICAD

Delegates from the following 30 countries attended the IWG meeting: Antigua and Barbuda, Argentina, The Bahamas, Belize, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominica, Dominican Republic, Ecuador, El Salvador, Grenada, Guatemala, Haiti, Honduras, Jamaica, Mexico, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Lucia, Suriname, Trinidad and Tobago, United States, Uruguay, and Venezuela.

2. DOCUMENTS ANALYZED, DEVELOPED AND MODIFIED

- a) Questionnaire of Indicators
- b) The Mandatory Introductory Document
- c) MEM Evaluation Cycle and Proposed Timeline for the Fourth Evaluation Round
- d) MEM Procedural Manual (Former Operational Process Paper)
- e) Manual for the Preparation of MEM Reports (including recommendations)

B. DECISIONS ADOPTED

1. QUESTIONNAIRE OF INDICATORS FOR THE FOURTH EVALUATION ROUND

The Executive Secretariat presented a draft questionnaire for the fourth evaluation round to the IWG, which was based on modifications recommended by the Pre-IWG. In general, there was a call for the clarification, simplification and reduction in the number of indicators, where appropriate, to streamline the questionnaire and ensure the relevancy of the indicators as they pertain to the MEM.

IWG Participants supported the following general modifications to the questionnaire:

- A total of 51 indicators are proposed for the questionnaire of the fourth evaluation round;
- 38 indicators in total were eliminated or substituted from the third round questionnaire;
- The questionnaire was divided into chapters instead of sections for ease of reference;

- All of the ‘purposes’ of the indicators were reviewed and amended to ensure clarity between the purpose and the indicator;
- All indicators distinguishing between Civil and Common Law were merged into a single question instead of two;
- Member states will not have to respond to indicators containing questions they have already reported on through SIDUC (Inter-American Drug Use Data System) and CICDAT (Uniform Statistical System on Control of the Supply Area);
- All indicators related to Money Laundering are proposed for elimination and substituted by the new proposed indicator (*National System for the Control of Money Laundering*) and information obtained through the reports of the Financial Action Task Force (FATF), the Caribbean Financial Action Task Force (CFATF), and the South American Financial Action Task Force (GAFISUD); and
- 3 new indicators are being proposed for inclusion (Use of the internet to sell pharmaceutical products and other drugs; Specialized Training in Control of Drug Trafficking; and A National System for the control of Money Laundering)

It was agreed that these general modifications comply with the recommendations of the Pre-IWG and will ensure the enhanced effectiveness of the questionnaire for the fourth evaluation round.

Please note that due to the significant changes proposed to the questionnaire, the numbering of indicators has changed from the third round evaluation questionnaire to the fourth round evaluation questionnaire. The numbering referred to in the following sections pertains to the numbering of the third round evaluation:

- **CHAPTER I: INSTITUTIONAL STRENGTHENING**

The IWG proposed eliminating indicators 3 (Attributes of the National Drug Authority) and 4 (Budget for the National Drug Authority), and incorporating the relevant elements of these indicators into indicators 1 and 2 in order to avoid redundancy.

The United Nations Convention against Corruption (2003) and the United Nations Convention on the Law of the Sea (1982), were added to the indicator on International Conventions.

The indicator on Data Collection Capacity (new #4) has been expanded to include a question on studies, carried out by member states, to measure the economic and social costs of drugs to their countries. A similar indicator had been eliminated from the First Evaluation Round indicator due to the fact that very few countries had the capacity to respond at that period in time.

- **CHAPTER II: DEMAND REDUCTION**

The IWG proposed the elimination of indicator 19 (Drug-related morbidity), due to the difficulty countries had in presenting information and the lack of accuracy when providing the information.

- **CHAPTER III: SUPPLY REDUCTION**

The IWG proposed subdividing the Supply Reduction chapter into the following four sections: Drug Production, Development programs related to the prevention or reduction of illicit crop cultivation, drug production or trafficking, Control of Pharmaceutical Products, and Control of Chemical Substances. In the previous MEM Round these subjects had been divided into only two sections: *Drug Production and Alternative Development*; and *Drug Supply and Control of Pharmaceutical Products/Chemical Substances*. This modification provides a more effective organization of the indicators related to these areas.

At the IWG, a working group consisting of approximately fourteen countries, was established to review the definition of Alternative Development being used by the MEM questionnaire in light of the context of the countries, and to analyze how a change in this definition would affect the MEM indicators (in particular, indicator 27). It was agreed that for the purposes of the questionnaire, "Alternative Development" should be substituted with "Development programs related to the prevention or reduction of illicit crop cultivation, drug production or trafficking", to include a more holistic perspective of the concept of alternative development.

It was agreed that the sale of drugs via the Internet is an emerging issue which should be captured within the questionnaire. As such, the IWG requested the Executive Secretariat to develop an indicator regarding the *Use of the Internet to sell pharmaceutical products and other drugs*, to present to the Thirty-Ninth Regular Session of CICAD for approval and inclusion in the subsection entitled Control of Pharmaceutical Products.

The IWG proposed the elimination of indicators 26 (Variation of illicit crops, by type of plant and by year) and 33 (Regulation of the use and distribution of pharmaceutical products by health professionals).

- **CHAPTER IV: CONTROL MEASURES**

The IWG proposed significant modifications to Chapter IV: Control Measures.

ILLCIT DRUG TRAFFICKING:

The following indicators have been incorporated into other indicators:

- 42 (Number of persons charged and convicted for illicit drug trafficking);
- 44 (Number of persons charged and convicted for illicit possession of drugs);
- 49 (Criminalization of acts of corruption);
- 50 (Number of public officials arrested/charged/tried and convicted for offenses related to illicit drug trafficking);

It is important to highlight that although the indicators on corruption have been eliminated, key elements of all these indicators have been incorporated into other indicators.

FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS:

The Pre-IWG had recommended that the Executive Secretariat evaluate whether other specialized bodies with a more concentrated focus on the issue of Firearms, are collecting information related to the existing firearms indicators, before proposing their elimination. The Secretariat determined that the other bodies currently dealing with this subject matter do not possess the capacity to provide the information requested in the questionnaire, and that, as a result, the firearms indicators should remain in the questionnaire, until this capacity is further developed. The IWG agreed with this conclusion.

It should be noted, however, that for organization purposes indicators 52 (Scope of national laws and/or regulations that criminalize the illicit possession, trafficking and manufacture of firearms, ammunition, explosives and other related materials), 53 (Number of persons arrested/charged/ tried and convicted for illicit possession and trafficking of firearms, ammunition, explosives and other related materials), and 54 (Scope of laws and/or regulations that establish administrative controls to prevent the diversion of firearms, ammunition, explosives and other related materials) were merged into indicator 44 (Operational scope of activities of national entities responsible for controlling movement of firearms, ammunition, explosives and other related materials and preventing their diversion).

The following indicators were eliminated in this section:

- 61 (Number of requests made to other states to obtain information in relation to shipments of firearms, ammunition, explosives and other related materials and replies received, taking into account international agreements);

- 62 (Number of requests received to obtain information in relation to shipments of firearms, ammunition, explosives and other related materials taking into account international agreements);

MONEY LAUNDERING:

All previous indicators related to **Money Laundering** (63 to 83) are proposed for elimination and substitution by the new proposed indicator (*National System for the Control of Money Laundering*). It was agreed that information pertaining to Money Laundering required for the development of the narrative country reports would be obtained through the reports of the Financial Action Task Force (FATF), the Caribbean Financial Action Task Force (CFATF), and the South American Financial Action Task Force (GAFISUD). Given that all CICAD member states report to at least one of these specialized bodies, this proposal will avoid duplication of efforts by member states and will provide an appropriate link between the MEM and the work of these various international organizations.

DISPLACEMENT:

Indicator 84 on Displacement was eliminated. However, the concept of displacement will be included in the mandatory introductory document.

TRANSNATIONAL ORGANIZED CRIME:

The following indicators are proposed for elimination:

- 85 (Prevention, control and repression of Transnational Organized Crime in relation to illicit drug trafficking and related crimes)
- 86 (Enforcement of laws against Transnational Organized Crime in relation to illicit drug trafficking and related crimes)

2. MANDATORY INTRODUCTORY DOCUMENT

The Pre-IWG had recommended to the IWG that the optional introductory document to the MEM questionnaire be made mandatory, and that the Executive Secretariat provide a proposed outline for the approval of the IWG. The IWG approved the outline with amendments.

The purpose of the mandatory introductory document is to help the Governmental Expert Group (GEG) better understand the country's internal context regarding the drug problem, so that the GEG can draft more accurate National Reports and assign more useful and relevant recommendations. The detailed outline will be presented at the Thirty-Ninth Regular Session of CICAD for final approval.

3. MEM CYCLE FOR THE FOURTH EVALUATION ROUND

Based on discussions at the Pre-IWG, the Executive Secretariat developed a proposal for a new MEM cycle for the Fourth Evaluation Round which provides for a three-year cycle, as opposed to a two-year cycle, and which satisfies the following Pre-IWG criteria:

- An appropriate start date for the Fourth Round process;
- A reasonable timeframe for the countries to complete the questionnaire;
- A realistic timeframe for countries to implement recommendations;
- An appropriate number of GEG meetings for the recommendations follow-up phase; and
- A presentation of an annual publication to the OAS General Assembly in June of each year.

The IWG approved the proposal with changes to the initiation of the recommendation follow-up implementation phase. The proposed new cycle provides for the following:

Publication Dates for Fourth Evaluation Round reports:

1. Report of the Impact of the MEM: June 2007

The IWG agreed that a MEM impact Report should be developed by the MEM Unit, in conjunction with the GEG, to be approved by CICAD in May 2007, and subsequently presented to the 2007 OAS General Assembly. This new report will examine the first five years of the MEM and will reflect the achievements of the hemisphere's drug control policies. It will also provide CICAD with a unique opportunity to draw the link between measurement tools and results.

2. Thirty-four Full Evaluation National Reports: December 2007
3. Hemispheric Report: June 2008
4. Follow-up Recommendation Implementation Report: June 2009

Full Evaluation Phase Meetings

1. Two GEG meetings consisting of one week per meeting;
2. One opportunity for countries to provide comments; and
3. One opportunity for countries to update information.

Follow-up Implementation Phase Meetings

1. Two GEG meetings consisting of one week per meeting;
2. One opportunity for countries to provide comments; and
3. One opportunity for countries to update information.

Benefits

The IWG agreed that the proposed cycle ensures the presentation of an annual product to the OAS General Assembly, allowing the MEM to sustain its presence on the political agenda of the OAS. It also provides member states with additional time to fulfill MEM recommendations and respond more effectively to the MEM requirements. It is anticipated that an extended implementation phase will enable countries to report more progress on MEM recommendations. Furthermore, the proposed fewer GEG meetings over a longer MEM cycle with the MEM Unit responsible for preparing the first narrative drafts would provide a substantial financial saving both for member states and the CICAD Secretariat. The IWG concludes that these changes will improve both the data provided by member states and the quality of the MEM reports prepared by the GEG.

4. THE MEM PROCEDURAL MANUAL (Former MEM Operational Process Paper)

Information obtained through consultations initiated in the summer of 2005 with member states, GEG experts and NCE's indicated that many of the challenges which arose during the third evaluation round were caused by a lack of understanding regarding the roles and responsibilities of the various players, as well as of the operation of the MEM process itself. Consequently, clearer guidelines surrounding these issues needed to be developed.

Based on these consultations, the Executive Secretariat redrafted the MEM Operational Process Paper to include clear guidelines and instructions to distinguish and manage the relevant characteristics, functions and operations of the GEG experts, the National Coordinating Entities, and the MEM Unit of the Executive Secretariat. Specific guidelines regarding the procedures of the GEG Plenary, characteristics of the various MEM Reports, In-Situ Country Visits, the Solidarity Fund, and the role of the IWG were also developed.

This revised document, renamed the **MEM Procedural Manual**, was approved by the IWG with many new areas included.

Key changes and newly drafted text include:

- Detailed explanations of the role and functions of the GEG General Coordinator, the GEG Deputy General Coordinator and the Working Group Coordinators;
- Guidelines on procedure of Plenary operations and Working Group sessions;
- Responsibilities and role of the Experts;
- Convocation and role of the Intergovernmental Working Group (IWG);
- MEM Unit responsibility for preparing the first narrative drafts of all MEM reports, based on information provided by the country;

- Detailed explanations of how reports will be produced;
- Mandatory nature to the introductory document introduced for all countries;
- Clarification of the purpose, operating principles and authorization of In-Situ Visits; and
- Statement indicating that all member states should provide resources to the Solidarity Fund, as a demonstration of commitment to the MEM.

The complete version of the MEM Procedural Manual, incorporating the highlighted changes suggested by the IWG, will be presented at the Thirty-Ninth Regular Session of CICAD.

5. MANUAL FOR THE PREPARATION OF REPORTS

During the extensive IWG consultation process, which began in the summer of 2005, several concerns were raised regarding the inconsistency in formulating reports and recommendations. The former guide called “The Operational Process Paper” offered little guidance regarding style, format and use of language. As a result, different ad hoc agreements on these questions were reached during the GEG sessions and consequently tended to vary from session to session. This ad hoc approach created several challenges, including:

- Lack of uniformity among national reports; and
- Lack of agreement on the formulation of recommendations and notes to country.

The Pre-IWG delegates agreed that the IWG should consider for approval the creation of a new Manual for the Preparation of Reports, with the caveat that previous-style-related agreements reached by the GEG for the formal drafting of reports also be captured. The Executive Secretariat developed this new document and presented it to the IWG for approval. The IWG approved the manual with minor modifications.

The Manual is intended to provide the GEG with clear guidance in matters such as the drafting, reiteration and prioritization of recommendations, together with the structure of national and hemispheric reports. This document is meant to be dynamic and flexible and not to be seen as restricting or limiting to the GEG and NCEs. It is anticipated that the use of this tool will lead to higher-quality, more standardized and ultimately more useful reports. The Manual is divided into 3 subsections.

Section 1: Content, Style and Format of MEM Reports

This first section will provide guidance in developing the content, style and format of all MEM full evaluation reports (both national and hemispheric) as well as the evaluation reports on the follow up of recommendations. Sample outlines are provided as well as characteristics distinguishing descriptive and evaluative texts, and suggestions on how to draft notes to country. The content of the chapters and sub-chapters of the report is

directly related to all the indicators contained in the questionnaire, and will be updated accordingly.

Section 2: Guidelines for Drafting Recommendations

This section includes general considerations for drafting recommendations, such as the need for clear, concise and constructive language to avoid confusion. It also encourages the GEG to take a country's internal context and structure into account when developing recommendations.

The follow-up form for the implementation of recommendations has been revised to include a question for each recommendation, so that countries may identify if the recommended action is perceived as a High, Mid-level or Low priority according to their respective national anti-drug strategy.

Specific guidelines are provided for preparing final recommendations and addressing reiterated recommendations.

Section 3: Style Manual

Section 3 establishes guidelines for style in an effort to harmonize and create uniformity among the reports. Issues such as the use of abbreviations, acronyms, enumerations in the text, charts and tables, monetary quantities, quotes, dates and references are all addressed. Furthermore, there is a brief sub-section dedicated to units of measurement, symbols and numeric quantities.

6. WORK ENTRUSTED TO THE EXECUTIVE SECRETARIAT

The Executive Secretariat was asked to prepare the following documents, containing the amendments made at the IWG, for final approval at the Thirty-Ninth Regular Session of CICAD in May 2006:

- a) The Draft Questionnaire of Indicators for the Fourth Round Evaluation;
- b) The MEM cycle and proposed timelines for the Fourth Evaluation Round;
- c) The Outline of the Mandatory Introductory Document;
- d) The MEM Procedural Manual; and
- e) The Manual for the Preparation of Reports.

7. OTHER BUSINESS

The delegation of Brazil tabled a proposal for the consideration of the Thirty-Ninth Regular Session of CICAD, to make countries initial responses to the questionnaire of indicators publicly available.