

# Antigua and Barbuda

## Evaluation of Progress in Drug Control 2005-2006

# MEM

**Multilateral Evaluation Mechanism**



**Organization of American States - OAS**  
**Inter-American Drug Abuse Control Commission - CICAD**





**OEA/Ser.L/XIV.6.2  
MEM/INF.2006 Add.1**

**ORGANIZATION OF AMERICAN STATES (OAS)  
Inter-American Drug Abuse Control Commission (CICAD)**

**Multilateral Evaluation Mechanism (MEM)  
Governmental Expert Group (GEG)**

# **ANTIGUA AND BARBUDA**

**EVALUATION OF PROGRESS IN DRUG CONTROL  
2005–2006**

---





**CICAD wishes to thank the following national institutions of Antigua and Barbuda which provided information for this MEM national Fourth Round report:**

- National Drug Council.
- Office of National Drug and Money Laundering Control Policy (ONDPCP).



## PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all 34 member states of the Organization of American States (OAS) to periodically carry out comprehensive, multilateral evaluations of the progress of actions taken by member states and by the hemisphere as a whole, in dealing with the drug problem. 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 1998.

The MEM is not only an evaluation instrument, but has also become a vehicle for disseminating information on the progress achieved by 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 MEM process itself is assessed by the Intergovernmental Working Group (IWG), comprised of delegations from the 34 member states, which meets before the onset of each MEM evaluation round to review and improve all operational aspects of the mechanism, including the indicators of the evaluation questionnaire.

National evaluation reports are drafted by experts from each member state, with experts not working on their own country's report, guaranteeing the transparent multilateral nature of the MEM. Each chapter is based on countries' responses to a questionnaire of indicators covering the main thematic areas of institution building, demand reduction, supply reduction and control measures<sup>1</sup> as well as subsequent comments and updated information provided by the government-appointed coordinating entities.

This report covers the full country evaluation for the MEM Fourth Round evaluation period 2005–2006. The follow-up report on the implementation progress of recommendations assigned to Antigua and Barbuda will be published in June 2009. All MEM reports can be accessed through the following webpage: [www.cicad.oas.org](http://www.cicad.oas.org).

---

<sup>1</sup> Information for the money laundering sub-section was also taken from the Caribbean Financial Action Task Force (CFATF) Mutual Evaluation Report on Antigua and Barbuda 2003.



## INTRODUCTION

Antigua and Barbuda has a total area of 442.6 km<sup>2</sup> and 153 km of coastline. Afro-Caribbean, British, Portuguese, Lebanese, and Syrian are the main ethnic groups that make up Antigua's and Barbuda's population of 69,108 (2006). The literacy rate is 85.8%. Antigua and Barbuda is a constitutional parliamentary democracy with six parishes and two dependencies. The islands have a GDP per capita (PPP<sup>2</sup>) of US\$10,900 (2005), and an inflation rate of 0.9% (2005). Exports total US \$46.81 million relying on the principal exports of petroleum, manufactured goods, machinery and transport equipment, and food and live animals.

## I. INSTITUTIONAL STRENGTHENING

### A. National Anti-drug Strategy

Antigua and Barbuda reports that a National Anti-drug Plan is being drafted<sup>3</sup>. The Plan covers actions in the areas of demand reduction, supply reduction, development programs related to the prevention or reduction of illicit crop cultivation, drug production or trafficking, control measures, money laundering, and program evaluation. The Plan has to be formally presented to Cabinet of Ministers of Antigua and Barbuda for approval by the Ministry responsible for coordinating its drafting.

The country reports the following estimated budget for financing the Draft National Anti-drug Plan:

**Budget for financing of the Draft National Anti-drug Plan**

Area	Sources of funding		Total	Percentage %
	National	External		
Supply Reduction	US\$ 1,500,000	US\$ 5,891,000	US\$ 7,391,000	43.51
Prevention	US\$ 340,000	US\$ 685,000	US\$ 1,025,000	6.04
Treatment and Rehabilitation	US\$ 1,633,000	US\$ 6,397,000	US\$ 8,570,000	50.45
Total	US\$ 3,473,000	US\$ 12,973,000	US\$ 16,986,000	100.0
Percentage of the budget assigned per area	20.45%	79.55%	100%	

The National Drug Council, established in 1989, is the national authority that coordinates national anti-drug policies. The National Drug Council is situated within the Ministry of Housing, Culture & Social Transformation. This Ministry is responsible for the Drug Demand Reduction efforts on a national scale. The National Drug Council is an advisory body that brings together various stakeholders in the fight against drugs to discuss policy, share information and promote public awareness. The National Drug Council is comprised of a number of law enforcement agencies and social organizations that are appointed by the Minister of Social Transformation.

<sup>2</sup> Purchasing Power Parity

<sup>3</sup> The country anticipates that the National Anti-Drug Plan will have formal approval of the Cabinet before 31<sup>st</sup> October 2007.



Regarding the budget for the national authority, Antigua and Barbuda does not provide any figures. However, the country indicates that there is a proposed budget in the new National Anti-drug Plan and that this will be the same budget used by the central technical office to implement mandates.

**CICAD observes that Antigua and Barbuda has a national authority that coordinates national anti-drug policies, but has no National Anti-drug Plan in place. CICAD is concerned that no specific budget has been assigned to the national drug authority.**

### **RECOMMENDATIONS:**

1. **APPROVE THE NATIONAL ANTI-DRUG PLAN.**
2. **ASSIGN THE CORRESPONDING SPECIFIC BUDGET FOR THE NATIONAL DRUG AUTHORITY.**

### **B. International Conventions**

Antigua and Barbuda has ratified the following international conventions:

- The Inter-American Convention on Mutual Assistance in Criminal Matters, 1992 (14 July 2004).
- The Inter-American Convention against Corruption, 1996 (15 January 2004).
- The Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA), 1997 (3 December 2003).
- The United Nations Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol (5 April 1993).
- The United Nations Convention on Psychotropic Substances, 1971 (5 April 1993).
- The United Nations Convention on the Law of the Sea, 1982 (25 April 1986).
- The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (2 February 1989).
- The United Nations Convention against Transnational Organized Crime, 2000 (24 July 2002).
- The United Nations Convention against Corruption, 2003 (21 June 2006).

Antigua and Barbuda has not signed or ratified the three Protocols to the United Nations Convention against Transnational Organized Crime, 2000: the Protocol against the Smuggling of Migrants by Land, Sea and Air; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, or the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

**CICAD recognizes that Antigua and Barbuda has ratified most of the anti-drug related Inter-American and United Nations Conventions within the MEM framework. The country has not, however, signed or ratified the three Protocols to the United Nations Convention against Transnational Organized Crime, 2000.**



## **RECOMMENDATION:**

3. ACCEDE TO THE THREE PROTOCOLS TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND 2001–2002;
  - THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
  - THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN;
  - THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

### **C. National Information System**

Antigua and Barbuda does not have a centralized office at the national level that organizes, compiles, and coordinates drug-related statistics and other drug related information.

Antigua and Barbuda does not provide information to CICAD's Uniform Statistical System on Control of the Supply Area (CICDAT), nor to the International Narcotics Control Board (INCB) or the United Nations Office on Drugs and Crime (UNODC) Annual Report Questionnaire. The country has organized collections of drug-related documents.

Regarding the impediments to collecting, organizing, analyzing, and utilizing drug related statistics and other drug related information, the country identifies limited resources in the area of trained manpower, electronic equipment and continuity of essential staff. Furthermore, Antigua and Barbuda indicates that, while "pockets" of information are available, the process of integrating the information with a central depository is required in the country.

Publicly available publications and materials related to the drug problem are distributed via schools/universities/research institutions and press/media. The country does not have a help line or information desk to provide drug related information to the general public. However, the country distributes information on prevention, treatment and rehabilitation programs.

Antigua and Barbuda reports that it has a budget to disseminate information related to the drug problem, but the amounts allocated per year for this purpose are not available. In addition to this budget, a number of voluntary efforts have also been recorded in the effort to disseminate information.

**CICAD notes with concern that Antigua and Barbuda does not have a specific office responsible for coordinating, collecting, organizing, analyzing and reporting on drug-related information. Antigua and Barbuda distributes information related to the drug problem via schools/university/research institutions and press/media, however, the country does not operate a help line or information desk to provide information to the general public.**





## **RECOMMENDATIONS:**

4. SET UP A CENTRALIZED UNIT SPECIALIZED IN COORDINATING, COLLECTING, ORGANIZING, ANALYZING AND REPORTING ON DRUG RELATED INFORMATION.
5. SET UP A HELP LINE OR INFORMATION DESK TO PROVIDE DRUG RELATED INFORMATION TO THE GENERAL PUBLIC.

## **II. DEMAND REDUCTION**

### **A. Prevention**

Antigua and Barbuda is implementing drug abuse prevention programs that target key populations. Activities in the area of peer education have been undertaken by different institutions: the National Drug Information Centre, the Drug Abuse Resistance Program (DARE), and educational programs offered by Junior Achievement and by other private initiatives, such as the Crossroads Drug Rehabilitation Centre and the Red Cross Peer Education Program. These activities targeted children from primary, junior and high school. However, Antigua and Barbuda does not provide specific information on these programs, such as the coverage or the number of participants. The country does not report on any prevention programs that target pre-school children, university students, working children, street or abandoned children, community-based programs for adults, women, or the workplace, and incarcerated individuals.

Regarding the existence of specialized training in drug abuse prevention, treatment and research, the country reports that during the years 2004–2006 it offered short refresher courses or in-service training for teachers, social workers, health care workers, police officers, drug treatment counselors, prison guards, community leaders and others.

**CICAD acknowledges the activities of Antigua and Barbuda in the area of drug abuse prevention programs targeting school children. CICAD encourages the country to develop and implement prevention programs that target university students and the workplace.**

## **RECOMMENDATIONS:**

6. EXPAND COVERAGE OF DRUG PREVENTION PROGRAMS TARGETING SCHOOL CHILDREN.
7. DEVELOP AND IMPLEMENT DRUG PREVENTION PROGRAMS THAT TARGET THE WORKPLACE.

### **B. Treatment**

Antigua and Barbuda has not established guidelines or regulations on standards of care for drug abuse treatment nor does it have instruments for accrediting treatment services and programs. Likewise, the country does not keep a registry of treatment services and programs. There is no mechanism to evaluate the quality of the services provided. Regarding training for drug treatment personnel, the country reports that this information is not available because training is conducted by a private institution. Furthermore, Antigua and Barbuda reports that it is studying which approach would be best for the development of the area of treatment.



The following drug treatment modalities are available: one private ambulatory outpatient and two residential inpatient programs, one public and one private, and both targeting male and female adults. In addition, a private Half-way house is available in the country. Treatment services include detoxification (one public and one private), treatment and rehabilitation (one public and one private), aftercare (one private), and self-help groups (two private). These services are provided on a national level. Two institutions provide treatment services geared specifically towards adolescent offenders: Crossroads, which is a private entity, and the Mental Hospital, which is a public institution. The country does not provide any information regarding treatment programs geared specifically towards women, adolescents and prisoners.

Antigua and Barbuda reports that the number of patients who received treatment or number of treatment episodes during the years 2004–2006 is not available.

**CICAD recognizes that Antigua and Barbuda has facilities that provide treatment services to drug dependents. Efforts should be made to integrate private institutional training with the public treatment sector. CICAD notes that the country does not keep a registry of treatment services and programs, and that it has no information on the number of patients who received treatment. CICAD notes that there are no guidelines or regulations on standards of care for drug abuse treatment programs, nor is there a mechanism to evaluate the quality of services provided.**

### **RECOMMENDATION:**

8. **DEVELOP MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT PROGRAMS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.**

### **C. Statistics on Consumption**

Antigua and Barbuda has carried out a survey of drug use among secondary school students during 2005. However the country does not have an estimate of indicators of drug use for the general population.



**Prevalence of drug use among Secondary School Students  
Secondary School Survey, 2005**

Type of drug	Secondary School survey Representative sample								
	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Alcohol	72.4	74.3	73.5	51.5	54.3	53.1	34.0	31.7	32.6
Tobacco	19.9	15.9	17.6	5.4	4.0	4.6	2.7	1.1	1.8
Solvents & Inhalants	10.7	15.2	13.4	1.9	5.7	4.1	1.5	2.5	2.1
Hashish	3.3	0.4	1.6	1.7	0.1	0.8	1.1	-	0.4
Marijuana	32.6	19.4	24.9	19.8	8.9	13.4	12.6	5.4	8.4
Hallucinogens	2.0	0.6	1.1	-	-	-	-	-	-
Heroin	1.3	0.5	0.9	-	-	-	-	-	-
Morphine	1.2	1.1	1.1	-	-	-	-	-	-
Opium	0.8	-	0.3	-	-	-	-	-	-
Basuco, or coca paste	1.2	0.2	0.6	-	-	-	-	-	-
Cocaine HCL	2.5	1.1	1.7	1.6	0.5	1.0	1.0	0.5	0.7
Crack	2.6	1.0	1.7	1.2	0.5	0.8	0.9	0.2	0.5
Tranquilizers / Sedatives/ Depressants	3.4	2.5	2.9	1.4	1.3	1.3	0.9	0.7	0.8
Stimulants	3.0	2.3	2.6	1.6	1.4	1.5	1.3	0.9	1.1
MDMA (Ecstasy)	2.0	0.7	1.2	-	-	-	-	-	-
Other drugs	4.5	3.4	3.9	3.9	3.1	3.4	2.9	1.8	2.3
Any illicit drug	37.1	29.3	32.6	20.5	14.1	16.8	13.3	8.3	10.4

**Incidence of drug use among Secondary School Students  
Secondary School Survey, 2005**

Type of drug	Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total Population	M	F	Total Population
Alcohol	42.7	46.9	45.0	27.3	28.7	28.1
Tobacco	4.5	3.6	4.0	1.3	0.7	0.9
Solvents or inhalants	2.4	5.2	4.0	2.0	2.6	2.3
Hashish	1.4	0.6	1.0	0.6	0.3	0.5
Marijuana	9.4	6.1	7.4	5.5	3.1	4.1
Cocaine HCL	1.1	0.3	0.6	1.4	0.6	1.0
Crack	1.1	0.6	0.8	0.7	0.2	0.4
Tranquilizers / Sedatives/ Depressants	1.7	1.1	1.4	1.1	0.9	1.0
Stimulants	2.7	1.4	2.0	1.7	0.6	1.1
Other drugs	4.1	3.6	3.8	2.8	1.5	2.0
Any illicit drug	12.8	11.3	11.9	7.5	4.6	5.8



The country reports that it does have an estimate of the number or percentage of youths that perceive drug use as being harmful, as follows:

**Percentage of youths that perceive drug use as being harmful to their health and well-being  
Secondary School Students, 13–17 years old, 2005**

Category	% of those surveyed who believe that persons who carry out the following activities are at a moderate or great risk (or who think that it is quite harmful or very harmful):
Occasionally smoke cigarettes	73.1
Often smoke cigarettes	88.5
Often drink alcoholic drinks	76.5
Get drunk	85.0
Occasionally take non-prescribed tranquilizers/stimulants	75.0
Often take non-prescribed tranquilizers/stimulants	82.0
Occasionally inhale solvents	71.4
Often inhale solvents	80.6
Occasionally smoke marijuana	67.8
Often smoke marijuana	80.7
Occasionally take cocaine or crack	87.3
Often take cocaine or crack	88.7
Occasionally take ecstasy	70.3
Often take ecstasy	74.4

During the years 2004–2006 Antigua and Barbuda reports that no new drugs or new patterns of drug administration have been reported.

The Government has established guidelines at the national level on the prevention activities for alcohol-related accidents. The country reports that this area has not been developed due to the constraints on resources and capacity.

**CICAD acknowledges the implementation of a school drug survey among secondary school students, but notes constraints on the country's resources and capacity to collect drug use statistics.**

### III. SUPPLY REDUCTION

#### A. Drug Production

The country does not report on the area cultivated and potential production of raw materials and drugs, by type of plant. Marijuana plants grown indoors have not been detected in Antigua and Barbuda. The country reports that it does not have a formal crop eradication program. No illicit organic drugs laboratories have been found in the country during years 2004–2006. The country does not provide information for synthetic drug production.



**CICAD observes that Antigua and Barbuda reports that no indoor marijuana plants or laboratories for organic or synthetic drugs have been detected in the country. CICAD notes that the country does not provide the information on the cultivated areas of illicit crops and does not have a formal illicit crop eradication program. CICAD encourages Antigua and Barbuda to develop strategies that address the potential appearance of illicit crop cultivation.**

## **B. Control of Pharmaceutical Products**

The Pharmaceutical Act of Antigua and Barbuda, enacted in 1995, contains the regulations in place for the control of pharmaceutical products. The Pharmaceutical Act establishes a Council to control and regulate the practice of pharmacy, the sale of drugs and poisons, and to make provision for the registration and control of persons permitted to practice as pharmacists and engaged in the business of pharmacy.

Antigua and Barbuda does not report which pharmaceutical products listed in international conventions are not controlled by the country.

The mechanism to monitor and prevent the diversion of pharmaceutical products regulates the following areas in the commercial sector: import/export control, license control, monitoring distribution, inspection, administrative sanctions, registry of licensees, and registry of quantities of pharmaceutical products sold. The areas of the health care sector regulated by the mechanism are: license control, monitoring distribution, monitoring of prescriptions, inspections, administrative sanctions and the transfer of unusual cases detected by administrative authorities to judicial authorities.

Antigua and Barbuda does not have a system to compile information on administrative and regulatory activities and sanctions imposed in connection with them. Antigua and Barbuda does not have an automated information control system in place to facilitate the control of pharmaceutical products.

Regarding training courses being offered for personnel in the public and private sector involved in the handling of pharmaceutical products, Antigua and Barbuda reports that several courses are being made available to persons in the public sector, mainly through the Antigua State College. The country indicates that more training is necessary to obtain the desired standards for handling pharmaceutical products.

Antigua and Barbuda has civil and administrative sanctions for the diversion of pharmaceutical products, but does not provide details regarding the number of times that these sanctions were applied during the years 2004–2006. Information regarding the quantities seized and number of seizures of pharmaceutical products made in Antigua and Barbuda for the years 2004–2006 is not available.

The functions and responsibilities of the administrative offices and police entities involved in the prevention and control of the sale of pharmaceutical products and drugs over the Internet have not been clearly defined. The country does not provide any information related to the mechanisms to prevent or control the use of the Internet in the illicit trafficking of pharmaceutical products and other drugs. However, the country indicates that this area has not been identified as an area of concern.



**CICAD acknowledges that Antigua and Barbuda has the Pharmaceutical Act containing regulations for the control of pharmaceutical products. However, CICAD notes that the country does not have a data collection system through which information could be compiled on administrative and regulatory activities and sanctions imposed in connection with the Pharmaceutical Act, nor on quantities seized and number of seizures of pharmaceutical products.**

**CICAD notes that the country does not have regulations or specific mechanisms in place to prevent and control the illicit traffic of pharmaceutical products and other drugs via the Internet.**

**CICAD is concerned that Antigua and Barbuda did not provide information to allow for an adequate evaluation in the area of seized pharmaceutical products.**

### **RECOMMENDATIONS:**

9. DEVELOP AN INFORMATION SYSTEM TO COMPILE INFORMATION ON ADMINISTRATIVE AND REGULATORY SANCTIONS IMPOSED IN CONNECTION WITH THE PHARMACEUTICAL ACT, AND ON THE QUANTITIES SEIZED AND THE NUMBER OF SEIZURES OF PHARMACEUTICAL PRODUCTS.
10. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIVE NEEDS.

## **C. Control of Chemical Substances**

Antigua and Barbuda does not have laws and regulations in place for the control of chemical substances nor a mechanism in place to monitor and prevent the diversion of chemical products.

The country does not provide information on the extent of the mechanisms for the control of the diversion of controlled chemical substances, nor does it provide information regarding which chemical substances listed in the United Nations International Conventions are not controlled by the country. The country does not report on the national laws and regulations for penal, civil and administrative sanctions for the diversion of controlled chemical substances. It indicates that this data is not available.

Controlled chemical substances are not exported by Antigua and Barbuda. However, the country does not indicate whether there are in-transit shipments. The country does not provide any information related to pre-export notifications, and indicates that this information is not available.

Antigua and Barbuda reports that during the years 2004–2006 there were no seizures involving controlled chemical substances.

**CICAD notes with concern that Antigua and Barbuda does not have laws or regulations in place for the control of diversion of chemical substances and chemical products.**

**RECOMMENDATIONS:**

11. DEVELOP AND ENACT LAWS AND REGULATIONS TO CONTROL THE DIVERSION OF CHEMICAL SUBSTANCES.
12. ESTABLISH A SYSTEM FOR RECEIVING AND REPLYING TO PRE-EXPORT NOTIFICATIONS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.

**IV. CONTROL MEASURES****A. Illicit Drug Trafficking**

The following table illustrates the cases and quantities of drugs seized by law enforcement agencies during the years 2004–2005 in Antigua and Barbuda:

**Quantities of illicit drugs seized and persons arrested / sentences, 2004–2005**

DATE	SEIZURES	PERSONS ARRESTED/ SENTENCES
25-Feb-04	1.25 kg. Cocaine	1 Arrest/Charges dismissed
27-Feb-04	5.75 kg. of Cocaine	3 Arrests/ 1. Charges withdrawn 2. Fined \$200,000 or 12 months 3. Charges withdrawn
7-Apr-04	12.75 kg. of Cocaine	1 Arrest/3 charges. 1. Fined \$250,000 or 3 yrs 2. 5yrs HL* 3. Withdrawn
20-Apr-04	14.2 grams Cocaine	
5-May-04	6.82 kg. Cocaine & 1 Vehicle	3 Arrests/Case Pending
7-May-04	4.55 kg. Cocaine	1 Arrest/3 Charges 1. 5 yrs HL 2. \$200,000 or 3 yrs 3. Withdrawn
7-May-04	2 kg. of Cocaine	1 Arrest/\$150,000 or 3 yrs HL \$150,000 or 3 yrs, to run concurrently
16-May-04	5.34 kg. Cocaine	1 Arrest/\$200,000 or 3 yrs \$200,000 or 5 yrs
26-May-04	1.02 kg. Cocaine	1 Arrest/4 yrs HL
1-Jun-04	7,392.73 kg. Cannabis & 1 vessel (San Francisco II)	All received 5 charges. 3 were withdrawn. 1. 5 yrs HL 2. 5 yrs HL 3. both to run concurrently
7-Jun-04	540 kg. of Cocaine	Pending
17-Aug-04	22.61 kg. Cannabis	1 Arrest/\$200,000 or 18 months
26-Jan-05	1 kg. of Cocaine	1 Arrest/Pending
9-Feb-05	2,069.55 kg. Cannabis	1 Arrest/Charges withdrawn and drugs ordered destroyed

\* HL = hard labour



During 2004, 196 persons were formally charged with and 40 were convicted of illicit drug trafficking; in 2005, 145 persons were formally charged and 32 were convicted and in 2006, 185 persons were formally charged and 89 were convicted. The country reports that no public officials were formally charged with acts of corruption or other offenses related to illicit drug trafficking.

Antigua and Barbuda reports the following data for persons formally charged with and convicted of illicit drug possession:

**N° of persons formally charged with and  
convicted of illicit drug possession  
2004–2005**

Year	N° of persons formally charged	N° of persons convicted
2004	196	40
2005	145	32
2006	185	89

The laws of the country do not allow for possession of drugs for personal use. There are no regulations that establish exceptions within the definition of the offense of possession for personal use. No judgments have been issued in Antigua and Barbuda that found lawful the possession for personal use. Antigua and Barbuda does not report if alternative sentencing measures exist for persons charged with or convicted of illicit drug possession for personal use.

The country reports that during 2004, 118 persons were arrested for illicit possession of drugs for personal use, 77 during 2005 and 89 during 2006.

In Antigua and Barbuda, the exchange of timely operational information and collaboration among national authorities responsible for controlling illicit drug trafficking is facilitated through the Joint Intelligence Group, comprising police, customs, immigration, the Office of National Drug Control Policy (ONDCP) and the Antigua and Barbuda Defense Force. Furthermore, the country reports that the ONDCP, as an agency specialized in collecting drug intelligence information, has been successful in disseminating operational intelligence to relevant law enforcement counterparts. The absence of an effective telecommunication system has been the major impediment encountered by Antigua and Barbuda in ensuring effective information exchange and collaboration.

To facilitate the timely exchange of operative information and collaboration between national authorities responsible for the control of illicit drug trafficking with other countries, Antigua and Barbuda reports that national points of contact have been established. Information is exchanged through the Regional Security System, the National Joint Coordination Centre, the Egmont secure web site and Interpol.

Antigua and Barbuda did not make any judicial cooperation requests regarding illicit drug trafficking to other states based on international agreements. In the same regard, the country received two judicial cooperation requests regarding illicit drug trafficking from other states during 2004, four during 2005 and four during 2006. The country granted all of these requests during the corresponding years.





The central authority responsible for making and receiving extradition requests is the Minister of Foreign Affairs. In this regard, the country reports that it did not make nor receive any requests for extradition in illicit drug trafficking cases during years 2004–2006. Antigua and Barbuda has bilateral extradition treaties with the United States of America, United Kingdom and Australia.

The country reports that, under its national laws, the extradition of its nationals is permitted. In this regard, it received one extradition request related to an illicit drug trafficking case in 2004, and no extradition requests were received during 2005 and 2006. The country did not grant the extradition request received in 2004.

Antigua and Barbuda has not developed specialized training to address illicit drug trafficking.

**CICAD acknowledges that the Joint Intelligence Group is facilitating the exchange of operational information and collaboration among national authorities responsible for controlling illicit drug trafficking. CICAD also acknowledges that the ONDCP is disseminating operational intelligence to relevant law enforcement counterparts. CICAD notes that the absence of an effective telecommunication system has been the major impediment encountered by Antigua and Barbuda in ensuring effective information exchange and collaboration, and encourages the country to allocate resources to this process. In addition CICAD notes that the country has not developed specialized training for law enforcement, security and customs officers to address illicit drug trafficking.**

### **RECOMMENDATION:**

- 13. DEVELOP SPECIALIZED TRAINING FOR LAW ENFORCEMENT, SECURITY AND CUSTOMS OFFICERS TO ADDRESS ILLICIT DRUG TRAFFICKING.**

## **B. Firearms, Ammunition, Explosives and other Related Materials**

The legal framework for controlling the movement of firearms, ammunition, explosives and other related materials and preventing their diversion is established by the Firearms Act of Antigua and Barbuda and the Explosives Act. These Acts criminalize and establish sanctions for the illicit trafficking and manufacture of firearms, ammunition, explosives and other related materials.

The responsibility for executing control activities in the area of firearms, ammunition, explosives and other related materials in Antigua and Barbuda is divided between the Commissioner of Police and the Comptroller of Customs. The Commissioner of Police is responsible for the issuance and cancellation of import, export and in-transit licenses and authorizations of firearms and ammunition and other related materials, for the confiscation or forfeiture of illicitly trafficked firearms or ammunition, and for information exchange among relevant national and international entities. The Comptroller of Customs is responsible for these aspects when they involve explosives.



**Regulations that establish administrative controls over the importation and exportation of firearms, ammunition, explosives and other related materials**

<b>Operation under administrative control</b>	<b>Title, dates and articles of current laws and/or regulations</b>	<b>Type of sanction for non-compliance</b>
<b>Firearms and Ammunition</b>		
Importation	Firearms Regulations, Cap. 171, regulation 15; Firearms Act, Cap. 171, section 10	Summary conviction: 2 years or \$10,000; indictment conviction: 5 years
Exportation	Firearms Regulations, Cap. 171, regulation 16; Firearms Act, Cap. 171, section 6	Summary conviction: 2 years or \$15,000; indictment conviction: 10 years
<b>Explosives</b>		
Importation	The Explosives Order, Cap. 159, section 2, Explosives Act, Cap. 159, section 6, 7, 8	Summary conviction: \$5,000
<b>Other Related Materials</b>		
Importation	Firearms Regulations, Cap. 171, regulation 15; Firearms Act, Cap. 171, section 10	Summary conviction: 2 years or \$10,000; indictment conviction: 5 years
Exportation	Firearms Regulations, Cap. 171, regulation 16; Firearms Act, Cap. 171, section 6	Summary conviction: 2 years or \$15,000; indictment conviction: 10 years

Antigua and Barbuda has a record keeping system that maintains a record (by date, description and serial or lot number) of the importation, exportation and in-transit of firearms and ammunition. It also has a record keeping system for the importation of explosives. The country does not indicate how long these records are maintained, nor if the records are computerized.

The national entities responsible for the exchange of information and collaboration with agencies in other countries regarding the control of firearms, ammunition, explosives and other related materials are: the police (law enforcement activities); ONDCP (logistical and intelligence support); the Customs Department (inventory and listings); and the Immigration Department (logistical support).

Antigua and Barbuda facilitates information exchange and collaboration among the national entities through interagency information systems. The ONDCP, customs and the police promote and facilitate information exchange and collaboration with similar agencies in other countries, and these institutions operate under the relevant national law. The country reports that the area of Anti-Terrorism is coordinated by the ONDCP, which includes routine intelligence surveillance in the area of firearms, ammunition, explosives and other related materials. Additionally Antigua and Barbuda reports that Immigration and Customs officials are in communications with their counterparts in other countries.

**CICAD acknowledges that Antigua and Barbuda has a legal framework in place for controlling the movement of firearms, ammunition, explosives and other related materials and preventing their diversion. CICAD notes that the country has a record-keeping system that maintains records of the importation, exportation and transit of firearms, ammunition and explosives, however, the country does not report whether these records are computerized. CICAD observes that Antigua and Barbuda has a mechanism to exchange information and to facilitate collaboration among the national entities in the area of firearms, ammunition, explosives and other related materials.**



### C. Money Laundering

Section 3 of the “*Money Laundering Prevention Act*” (MLPA) makes it an offense to engage directly or indirectly in a transaction that involves money or other property, knowing or having reasonable grounds for suspecting that the money or other property is derived, obtained or realized, directly or indirectly from some form of unlawful activity. It is also an offense to receive, possess, manage, invest, conceal, disguise, dispose of or bring into Antigua and Barbuda any money or other property having the same knowledge, reasonable grounds or suspicion that the money or property is likewise from unlawful activity. Section 5 makes it an offense to aid, abet, counsel or procure or conspire to commit money laundering.

The MLPA presents a wide definition of money laundering to include the proceeds of any unlawful act or omission that would constitute an offense in Antigua and Barbuda. The definition also extends to acts or omissions committed outside the country, subject to the dual criminality principle. The Act specifically states that money laundering offenses can be committed by a corporate entity and empowers the country to try for that offense any person who acted for that corporate body, as director, manager, secretary or other officer. The Act is applicable to any property, whether or not it is situated in Antigua and Barbuda, as well as any interest in such property.

The MLPA is the key piece of legislation in the Antigua and Barbuda anti-money laundering legal framework. This Act places obligations and responsibilities for anti-money laundering compliance on financial institutions. The list of financial institutions subject to this Act is set out in the First Schedule. Financial institutions involved in the following activities are covered: banking business and financial business as defined in the Banking Act and the Financial Institutions (Non-Banking) Act; international offshore banking business as defined in the International Business Corporation Act; venture risk capital; money transmission services; issuing and administering means of payment; guarantees and commitments; trading for own account or for account of customers in money market instruments, foreign exchange, financial and commodity based derivative instruments and transferable or negotiable instruments; money brokering; money lending and pawning; money exchange; real estate business; casinos; building societies; trust business; credit unions; internet gambling; and sports betting. During the years 2004–2006, no person has been formally charged or convicted for money laundering.

The Office of National Drug and Money Laundering Control Policy (ONDCP) is the primary agency responsible for anti-money laundering law enforcement and the co-ordination of the country’s anti-money laundering efforts. The operational units of the ONDCP comprise: a Financial Investigation Unit, a Financial Intelligence Unit, a National Joint Headquarters Unit, and a Drugs Intelligence Unit. The ONDCP also has a legal department. The investigative officers are seconded from the immigration, police, customs and the defence force.

The ONDCP is the specialized central agency responsible for receiving, requesting, analyzing and disseminating to competent authorities, disclosures of information relating to financial transactions. The Financial Investigation Unit within the ONDCP can undertake investigations, or it can be referred to another agency. The ONDCP now also has responsibility for initiating proceedings for freeze orders, forfeiture orders, production orders, search warrants and other investigative procedures. It also receives and acts upon mutual legal assistance treaties requests from foreign countries relating to anti-money laundering matters and the collection and dissemination of drug intelligence. The ONDCP is also mandated to implement and adjust the National Drug and Money laundering Control Policy.

The Government of Antigua and Barbuda has also established the Supervisory Authority (SA) as mandated by the Money Laundering Prevention Act (MLPA). The Supervisory Authority is also the Director of the ONDCP. The amount allocated to the ONDCP is US \$ 1.3 million. Forty-three persons are employed at the ONDCP.



All financial institutions have the duty to report suspicious activities to the Supervisory authority, where there is reasonable suspicion that the transaction could be related to money laundering. The country does not report the number of Suspicious Transaction Reports (STRs) received by the ONDCP in its role as a Financial Intelligence Unit.

The Money Laundering Prevention Act of 1996, Section 13, imposes an obligation on financial institutions to file suspicious transaction reports with the Supervisory Authority, and provides them protection from legal action for so doing. Section 25 of the Act provides that the Money Laundering Prevention Act is applicable, notwithstanding any obligations for secrecy or other restrictions upon the disclosure of information imposed by any law or otherwise.

The MLPA provides strong freezing and forfeiture provisions, all of which can be enacted by the Supervisory Authority (ONDCP). In fact the property of a person may be frozen upon a money laundering conviction, or when someone is or is about to be charged with money laundering. The strength of this provision resides in the fact that it applies to a person who has not yet been charged. The court must be satisfied only that the person is 'about to be charged.' Also, in order to link the property with the person convicted, charged or about to be charged, the court needs only be satisfied that there is a 'reasonable suspicion' that the defendant has an interest in the property.

Property frozen under this Act may be forfeited to the Crown if: (1) a person has been convicted of a ML offense and (2) a freeze order has been issued over property (which can occur pre- or post-conviction) and (3) property the subject of the freeze order has not been made the subject of an exclusion order – the property will be forfeited automatically 90 days after conviction or the freeze order, whichever is later. In the absence of a conviction, the onus is on the person with an interest in the property to apply to the court for the property to be released.

The Proceeds of Crime Act, 1993 (POCA) provides for the forfeiture or confiscation of the proceeds of crime. Under this Act the 'proceeds of the crime' must be linked to the proceeds of a scheduled offense.

The "*Money Laundering Prevention Act*" (MLPA 1996) addresses the issue of international cooperation. In particular this section provides for the rendering of assistance to foreign countries in accordance with any mutual legal assistance treaty. This section empowers the Supervisory Authority to use its powers to freeze and forfeit property connected to money laundering offenses upon a request from a court or competent authority of another state. In addition to this exchange of information within the confines of a mutual legal assistance treaty, the Act also provides for the sharing of information related to Suspicious Transaction Reports (STRs) with any government agency or regulatory authority within or outside Antigua and Barbuda for a criminal investigation or prosecution.

The "*Mutual Assistance in Criminal Matters Act*", 1993 (MACM) makes provisions for mutual assistance in criminal matters with Commonwealth as well as non-Commonwealth countries. Section 29 provides for the application of the Act to countries other than those of the Commonwealth. 'Criminal matter' is defined in the Act to mean (a) an investigation certified to have commenced or (b) criminal proceedings that have been instituted. This wide definition allows for international cooperation at the investigative stage. This Act allows for assistance in obtaining evidence; locating or identifying persons; obtaining articles by search and seizure, arranging the attendance of person to give evidence; transferring a prisoner; and serving documents.



The Act also provides for mutual assistance in relation to serious offenses, which include assistance in tracing property and in connection with a restraining order. A serious offense in Antigua and Barbuda is one that carries a sentence of death or imprisonment of not less than 3 years or where the value of the proceeds of the offense is not less than twenty-five thousand EC dollars (\$25,000, approximately US\$ 9,363.30<sup>4</sup>).

The “*Extradition Act*” 1993 provides for the extradition from Antigua and Barbuda for crimes committed in a foreign jurisdiction. An extraditable offense means conduct which, if it were committed in Antigua and Barbuda, would be punishable with a term of imprisonment of twelve months or more. It also must meet the following technical conditions: the country bases its jurisdiction on the nationality of the defendant; and the conduct occurred outside of Antigua and Barbuda. Given that money laundering carries a term of imprisonment of more than 12 months it would qualify as an extraditable offense.

**CICAD recognizes that Antigua and Barbuda has a legal framework that includes the areas of prevention, law enforcement, and procedural and international cooperation for the control of money laundering. However, CICAD notes that the country has not provided information on the criminalization of money laundering as an autonomous offense and the inclusion in their legislation of the use of special investigation techniques.**

---

<sup>4</sup> Exchange rate from March 5, 2007: 1 XCD = 0.374532 USD.



## CONCLUSION

Antigua and Barbuda has made some progress in its overall efforts to address the drug control issues that it has been facing. CICAD notes that Antigua and Barbuda has a national drug authority that coordinates national anti-drug policies. However, CICAD observes that Antigua and Barbuda does not have a National Anti-drug Plan in place for the review period. CICAD is concerned that no specific budget has been assigned to the national drug authority, limiting the effectiveness of this body.

CICAD recognizes that Antigua and Barbuda has ratified most of the anti-drug related Inter-American and United Nations Conventions included in the MEM framework. The country, however, has not signed or ratified the three Protocols to the United Nations Convention against Transnational Organized Crime, 2000, a recommendation from the Second Evaluation Round (2001–2002).

Regarding the national information system, CICAD notes with concern that Antigua and Barbuda does not have a specific office responsible for collecting drug-related information. This limits the country's capacity for analyzing drug related statistics. CICAD observes also that the country does not operate a help line or information desk that would inform the general public about the drug problem.

In the area of demand reduction, CICAD acknowledges the activities of Antigua and Barbuda in the area of drug abuse prevention programs targeting school children. CICAD encourages the country to develop and implement more prevention programs using CICAD's hemispheric guidelines.

CICAD recognizes that Antigua and Barbuda has facilities that provide treatment services to drug dependents. CICAD is concerned that the country does not keep a registry of treatment services and programs, and that it has no information on the number of patients who received treatment, making it difficult to assess national drug abuse treatment capacity. CICAD notes that there are no minimum standards of care for drug abuse treatment programs. Having such standards would increase the quality of services for drug dependents.

In the area of drug production, CICAD notes that information regarding the quantities seized and number of seizures of pharmaceutical products made in Antigua and Barbuda is not available. CICAD notes that the country does not have regulations or specific mechanisms in place to prevent and control the illicit traffic of pharmaceutical products and other drugs via the Internet. CICAD notes with concern that Antigua and Barbuda does not have laws or regulations in place for the control of diversion of chemical substances. The country is encouraged to develop these laws and regulations.

Regarding control measures, CICAD acknowledges that Antigua and Barbuda has an internal mechanism that facilitates the exchange of timely operational information and collaboration among national authorities responsible for controlling illicit drug trafficking. CICAD, however, notes that the country has not developed specialized training to address illicit drug trafficking. CICAD also acknowledges that Antigua and Barbuda has a legal framework in place for controlling the movement of firearms, ammunition, explosives and other related materials and preventing their diversion. CICAD notes that the country has a record keeping system that maintains records of the importation, exportation and transit of firearms, ammunition and explosives.

CICAD recognizes that Antigua and Barbuda has a legal framework that includes the areas of prevention, law enforcement, and procedural and international cooperation for the control of money laundering. However, CICAD notes that the country has not provided information on the criminalization of money laundering as an autonomous offense and the inclusion in its legislation of the use of special investigation techniques.

Antigua and Barbuda has been participating in the process of establishing and implementing the Multilateral Evaluation Mechanism (MEM). However the country needs to step up efforts to comply with the reporting requirements of the MEM, enabling an adequate evaluation of the progress in drug control. CICAD encourages the country to fulfill the recommendations made by CICAD during the evaluation rounds.



## SUMMARY OF RECOMMENDATIONS

The following recommendations are assigned to Antigua and Barbuda in order to assist the country in strengthening its policy to combat the problem of drugs and related activities and increase multilateral cooperation in the Hemisphere:

### INSTITUTIONAL STRENGTHENING

1. APPROVE THE NATIONAL ANTI-DRUG PLAN.
2. ASSIGN THE CORRESPONDING SPECIFIC BUDGET FOR THE NATIONAL DRUG AUTHORITY.
3. ACCEDE TO THE THREE PROTOCOLS TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND 2001–2002;
  - THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
  - THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN;
  - THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.
4. SET-UP A CENTRALIZED UNIT SPECIALIZED IN COORDINATING, COLLECTING, ORGANIZING, ANALYZING AND REPORTING ON DRUG RELATED INFORMATION.
5. SET-UP A “HELP LINE” OR INFORMATION DESK TO PROVIDE DRUG RELATED INFORMATION TO THE GENERAL PUBLIC.

### DEMAND REDUCTION

6. EXPAND COVERAGE OF DRUG PREVENTION PROGRAMS TARGETING SCHOOL CHILDREN.
7. DEVELOP AND IMPLEMENT DRUG PREVENTION PROGRAMS THAT TARGET THE WORKPLACE.
8. DEVELOP MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT PROGRAMS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.

### SUPPLY REDUCTION

9. DEVELOP AN INFORMATION SYSTEM TO COMPILE INFORMATION ON ADMINISTRATIVE AND REGULATORY SANCTIONS IMPOSED IN CONNECTION WITH THE PHARMACEUTICAL ACT, AND ON THE QUANTITIES SEIZED AND THE NUMBER OF SEIZURES OF PHARMACEUTICAL PRODUCTS.
10. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIVE NEEDS.
11. DEVELOP AND ENACT LAWS AND REGULATIONS TO CONTROL THE DIVERSION OF CHEMICAL SUBSTANCES.



12. ESTABLISH A SYSTEM FOR RECEIVING AND REPLYING TO PRE-EXPORT NOTIFICATIONS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.

### **CONTROL MEASURES**

13. DEVELOP SPECIALIZED TRAINING FOR LAW ENFORCEMENT, SECURITY AND CUSTOMS OFFICERS TO ADDRESS ILLICIT DRUG TRAFFICKING.







[www.cicad.oas.org](http://www.cicad.oas.org)

**Organization of American States - OAS**

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

**1889 F Street, N.W. Washington D.C. 20006**