

# M E M M

## Multilateral Evaluation Mechanism

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

**Secretariat for  
Multidimensional  
Security  
(SMS)**

**Bolivia**

**EVALUATION  
OF PROGRESS  
IN DRUG CONTROL**

**IMPLEMENTATION OF RECOMMENDATIONS  
FIFTH EVALUATION ROUND**

**2012**



Organization of  
American States





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American States



Inter-American Drug Abuse  
Control Commission

## Multilateral Evaluation Mechanism (MEM)

# BOLIVIA

## Evaluation of Progress in Drug Control

## Implementation of Recommendations from the Fifth Evaluation Round

2012

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## PREFACE

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

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

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

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

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





## RECOMMENDATION 1

RATIFY THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA, AND AIR OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.

Bolivia has not commenced the implementation of this recommendation.

CICAD notes with concern the lack of progress in ratifying the Protocol, and urges the country to implement this reiterated recommendation, given that it was assigned during the Second Evaluation Round, 2001-2002.

## RECOMMENDATION 2

ACCEDE TO THE PROTOCOL AGAINST THE ILLICIT MANUFACTURE OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS, AND AMMUNITION OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.

Bolivia has not commenced the implementation process for this recommendation.

CICAD notes the lack of progress, and urges the country to implement this reiterated recommendation, given that it was assigned during the Second Evaluation Round, 2001-2002.

## RECOMMENDATION 3

IMPLEMENT A CENTRALIZED OFFICE TO CONDUCT STUDIES AND TO ORGANIZE, GATHER AND COORDINATE STATISTICS AND OTHER DRUG-RELATED INFORMATION.

The country reports that it is in the process of implementing the Bolivian Drug Observatory (OBD).

CICAD takes note of the information provided and encourages the country to implement the recommendation.



## RECOMMENDATION 4

IMPLEMENT DRUG USE PREVENTION PROGRAMS TARGETING SECONDARY SCHOOL STUDENTS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.

Bolivia reports that it is in the process of developing the National Plan for the Prevention, Treatment and Reinsertion of Persons suffering from Drug Addiction which addresses the implementation of drug abuse prevention programs targeting secondary school students.

CICAD takes note of the information provided and urges the country to fulfill this reiterated recommendation, given that it was assigned during the Third Evaluation Round, 2003-2004.

## RECOMMENDATION 5

CARRY OUT RESULTS EVALUATIONS OF DRUG USE PREVENTION PROGRAMS.

Bolivia reports that it does not have a certified system to evaluate the progress, outcomes and impact of drug abuse prevention programs.

CICAD encourages the country to fulfill this recommendation.

## RECOMMENDATION 7

ESTABLISH A SYSTEM TO GATHER INFORMATION ON THE NUMBER OF PENAL SANCTIONS IMPOSED FOR VIOLATING LAWS ON THE CONTROL OF CHEMICAL SUBSTANCES.

Bolivia reports that it has been implementing the IANUS system – Judicial Proceedings and Statistical Information System – which makes it possible to record the beginning and completion of proceedings by type of crime (including penal sanctions imposed for violations of laws to control chemical substances), based on the Code of Penal Procedure. This system is being implemented in the nine capital cities of the Plurinational State of Bolivia.

The country also implemented the CERBERO system – Registration and Certification of Criminal Records, which generates a database of information gathered from all criminal courts in the country, that includes all criminal records associated with final judgments as well as information regarding the crime committed based on the Code of Penal Procedure, and which can also provide statistical data on that type of offense.

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





## RECOMMENDATION 8

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, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Bolivia attended the “Training Workshop on the Investigation of Drug Trafficking over the Internet”, which was provided by CICAD in Bogota, Colombia in August 2011.

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

## RECOMMENDATION 9

ENACT LAWS TO CRIMINALIZE THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.

Bolivia reports that it has prepared a preliminary draft law, which was agreed upon with the consensus of the competent institutions, which is awaiting approval by the Legislative Branch.

CICAD urges the country to implement this reiterated recommendation, given that it was assigned in the Second Evaluation Round, 2001-2002.

## RECOMMENDATION 10

UPDATE THE LEGAL FRAMEWORK OF BOLIVIA TO INCLUDE THE USE OF SPECIAL INVESTIGATION TECHNIQUES SUCH AS ELECTRONIC SURVEILLANCE IN INVESTIGATIONS INTO MONEY LAUNDERING, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Bolivia reports that on September 9, 2011, it enacted Law 170 updating the Manuals of Operational Procedures and Specific Guidelines for the Prevention, Detection, Control and Reporting of Legitimation of Illicit Profits, Financing of Terrorism and/or Predicate Offenses. This includes the use of electronic surveillance to prevent money laundering, as well as other special investigation techniques.

CICAD recognizes the efforts made by the country and considers the recommendation fulfilled.



## CONCLUSIONS

During the Fifth Evaluation Round, the Plurinational State of Bolivia was assigned a total of eleven recommendations, of which the country implemented four, took initial steps to implement three, did not start the implementation of three, and one was withdrawn<sup>1</sup>.

CICAD observes with satisfaction the progress made by the country in the thematic area of money laundering, with the update of its legal framework for the inclusion of special investigation techniques, as well as extending the list of subjects that are required to report suspicious transactions.

Moreover, CICAD notes that the country has established a system to collect information on the number of penal sanctions imposed for violating laws on the control of chemical substances, and participated in a training workshop on the investigation of drug trafficking over the Internet.

However, CICAD notes that Bolivia has still not adhered to or ratified legal instruments of multinational scope, such as the Protocol against the Smuggling of Migrants by Land, Sea, and Air, and the Protocol against the Illicit Manufacture of and Trafficking in Firearms, Their Parts and Components, and Ammunition of the United Nations Convention against Transnational Organized Crime. CICAD notes that the country has yet to complete the establishment of the Bolivian Drug Observatory.

CICAD observes that the country has not completed the implementation of drug use prevention programs targeting secondary school students, and the enactment of laws to criminalize the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials is pending. The country has also not initiated the process of carrying out results evaluations of drug use prevention programs.

CICAD recognizes the participation of the Plurinational State of Bolivia in the Multilateral Evaluation Mechanism (MEM) and encourages the country to continue its efforts to fully implement the pending recommendations.

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<sup>1</sup> Recommendation 6 was withdrawn.



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