

M E M M

Multilateral Evaluation Mechanism

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

**Secretariat for
Multidimensional
Security
(SMS)**

Canada

**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)

CANADA

Evaluation of Progress in Drug Control

Implementation of Recommendations from the Fifth Evaluation Round

2012



PREFACE

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

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

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

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

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



RECOMMENDATION 1

RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000.

Canada reports that domestic regulations requiring marking of firearms need to come into force before the country can be in a position to ratify CIFTA.

The country reports that The Public Agents Firearms Regulations (Reporting provisions) came into force on October 31, 2008. However, the country informs that the Firearms Marking regulations were deferred from coming into force until December 2012 to permit further examination of program design and implementation issues associated with various marking options.

CICAD takes note of the information provided, and urges implementation of this reiterated recommendation, given that it was assigned in the First Evaluation Round, 1999-2000.

RECOMMENDATION 2

RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING 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.

Canada reports that The Public Agents Firearms Regulations (Reporting provisions) came into force on October 31, 2008. However, the country informs that the Firearms Marking regulations were deferred from coming into force until December 2012 to permit further examination of program design and implementation issues associated with various marking options.

The country reports that domestic regulations requiring marking of firearms need to come into force before the country can be in a position to ratify The Protocol against the Illicit Manufacturing of and Trafficking In Firearms, their Parts and Components And Ammunition of The United Nations Convention Against Transnational Organized Crime.

CICAD takes note of the information provided, and urges implementation of this reiterated recommendation, given that it was assigned in the Second Evaluation Round, 2001-2002.



RECOMMENDATION 3

DEVELOP A MECHANISM TO ALLOW A MORE PRECISE ESTIMATE OF ILLEGAL CANNABIS CULTIVATIONS IN CANADA, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

Canada reports that it continues developing a predictive model of marihuana cultivation, already being used in some provinces, with the goal of implementing it nationally. This model is used to inform the selection of remotely sensed imagery for surveillance purposes, as well as the flight paths for aerial surveillance.

The country reports that it continues working with provincial and territorial counterparts, including academics, researchers and law enforcement officials, to improve Canada's ability to accurately estimate illegal cannabis cultivation in the country. Pilot projects have been undertaken in the province of British Columbia to test a new system for estimating the cannabis crop. The country is in the process of determining whether or not these pilot projects can be initiated on a national level.

CICAD takes note of the information provided by the country.

RECOMMENDATION 4

INCLUDE NOTARIES WHO WORK WITH FINANCIAL TRANSACTIONS AND ALL LAWYERS IN THE COUNTRY AMONG THE SUBJECTS WHO ARE REQUIRED TO RECORD AND REPORT SUSPICIOUS FINANCIAL TRANSACTIONS THAT MAY BE ASSOCIATED WITH MONEY LAUNDERING, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

Canada reports that regulations were introduced in 2007. However, there is pending a legal challenge to the constitutionality of the application of anti-money laundering and counter financing of terrorism regime to the legal profession. These regulations remain unenforceable until a final determination of their applicability is made by the courts or the parties to the agreement consent to their application.

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



CONCLUSIONS

During the Fifth Evaluation Round 2007-2009, Canada was assigned four recommendations, all of them reiterated. Of the four recommendations assigned, progress was made on three and CICAD took note of the information provided in one.

In institution building, Canada has made progress with The Public Agents Firearms Regulations coming into effect. However, ratification of The Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA) and the Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition of the United Nations Convention Against Transnational Organized Crime is still pending.

In the area of supply reduction, Canada reports that it continues developing a predictive model of marihuana cultivation, already being used in some provinces, with the goal of implementing it nationally. This model is used to inform the selection of remotely sensed imagery for surveillance purposes, as well as the flight paths for aerial surveillance.

In the area of control measures, with regards to the recommendation to include notaries who work with financial transactions and all lawyers in the country among the subjects who are required to record and report suspicious financial transactions that may be associated with money laundering, Canada reports that regulations were introduced in 2007. However, there is pending a legal challenge to the constitutionality of the application of anti-money laundering and counter financing of terrorism regime to the legal profession.

CICAD recognizes Canada's participation in the Multilateral Evaluation Mechanism, and encourages the country to persevere in its efforts to implement the pending recommendations.

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