

M E M M

Multilateral Evaluation Mechanism

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

**Secretariat for
Multidimensional
Security
(SMS)**

Paraguay

**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)

PARAGUAY

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

APPROVE A NATIONAL ANTI-DRUG PLAN THAT SERVES AS THE FRAMEWORK FOR ALL ANTI-DRUG ACTIVITIES.

Paraguay has not reported any progress in approving a National Anti-drug Plan.

CICAD encourages the country to comply with this recommendation.

RECOMMENDATION 3

COMPLETE THE EVALUATION OF THE “LEONES EDUCANDO” PROGRAM.

Paraguay reports that evaluation of the Drug Abuse Prevention Program targeting the School Population “Leones Educando” has been completed, and that the results were presented to all the entities involved during the Tenth Congress on Human Rights Education held on November 20, 2010.

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

RECOMMENDATION 4

EXPAND THE COVERAGE OF PREVENTION PROGRAMS FOR SCHOOL POPULATIONS, IN ACCORDANCE WITH THE RESULTS OF THE EVALUATION.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.

RECOMMENDATION 5

ESTABLISH A NATIONAL REGISTRY OF TREATMENT FACILITIES FOR PERSONS WITH PROBLEMS ASSOCIATED WITH DRUG USE.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.



RECOMMENDATION 6

IMPLEMENT AN OFFICIAL LICENSING PROCEDURE FOR SPECIALIZED TREATMENT FACILITIES FOR PERSONS WITH PROBLEMS RELATED TO DRUG USE.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.

RECOMMENDATION 8

CONDUCT A STUDY ON THE MAGNITUDE OF DRUG USE AMONG THE SCHOOL POPULATION.

Paraguay reports that it has a draft survey “Departmental Study on the Prevalence of Drug Use, Risk Factors and Prevention among the School Population” that is being analyzed by the competent authorities.

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

RECOMMENDATION 10

IMPLEMENT ALTERNATIVE, INTEGRAL AND SUSTAINABLE DEVELOPMENT PROGRAMS.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.

RECOMMENDATION 11

INCLUDE WITHIN THE MECHANISMS TO CONTROL THE DIVERSION OF PHARMACEUTICAL PRODUCTS, AN AUTOMATED SYSTEM TO CONTROL THEIR MANUFACTURE AND SALE.

Paraguay reports that its National Anti-drug Secretariat and different public institutions within the country, with the support of the United Nations Office on Drugs and Crime (UNODC), have begun taking steps to implement a program that would allow for cross-controls among the public institutions as a mechanism to control the diversion of pharmaceutical products.

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



RECOMMENDATION 12

CREATE A REGISTRY THAT WILL PROVIDE INFORMATION ON THE NUMBER OF ADMINISTRATIVE AND CIVIL SANCTIONS IMPOSED IN CASES OF DIVERSION OF PHARMACEUTICAL PRODUCTS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003-2004.

Paraguay has not begun implementation of this recommendation.

CICAD urges the country to comply with this reiterated recommendation, given that it was assigned during the Third Evaluation Round, 2003-2004.

RECOMMENDATION 13

ESTABLISH A DATA REGISTRY OF THE ADMINISTRATIVE AND CIVIL SANCTIONS IMPOSED TO CONTROL CHEMICAL SUBSTANCES.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.

RECOMMENDATION 14

IMPLEMENT TRAINING COURSES FOR PERSONNEL RESPONSIBLE FOR ENFORCING CONTROLS TO PREVENT THE DIVERSION OF CHEMICAL SUBSTANCES.

Paraguay has not begun implementation of this recommendation.

CICAD encourages the country to comply with the recommendation.

RECOMMENDATION 15

IMPLEMENT AN INFORMATION MANAGEMENT SYSTEM TO PROCESS PRE-EXPORT NOTIFICATIONS FOR CONTROLLED CHEMICAL SUBSTANCES AND HELP PREVENT THEIR DIVERSION.

Paraguay reports that it has had the International Narcotics Control Board (INCB) PEN ON LINE System since 2010.

CICAD views with satisfaction the fulfillment of this recommendation.



RECOMMENDATION 16

IMPLEMENT A REGISTER OF THE NUMBER OF PUBLIC OFFICIALS FORMALLY CHARGED WITH AND CONVICTED OF CRIMES RELATED TO ILLICIT DRUG TRAFFICKING, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Paraguay has not begun implementation of this recommendation.

CICAD urges the country to comply with this reiterated recommendation, given that it was assigned during the Fourth Evaluation Round, 2005-2006.

RECOMMENDATION 17

IMPLEMENT A REGISTRY OF PERSONS CONVICTED OF ILLICIT DRUG POSSESSION, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.

Paraguay reports that its Public Ministry has a registry of persons convicted of illegal drug possession.

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

RECOMMENDATION 18

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.

Paraguay reports that personnel from the National Anti-drug Secretariat (SENAD) took part in the “Training Workshop on Researching Drug Trafficking via the Internet,” which was organized by CICAD in Buenos Aires, Argentina, in September 2011.

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



RECOMMENDATION 19

IMPLEMENT A REGISTRY TO PROVIDE INFORMATION ON SEIZURE AND CONFISCATION OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS AND THEIR LINK WITH NARCOTRAFFICKING.

Paraguay reports that, under the provisions of Law 4.036/10, a National Weapons Tracking Center has been established within the National Directorate for War Materiel (DIMABEL) under the Armed Forces Command, which is responsible for tracing all firearms, explosives and ammunition that have been either seized or confiscated.

CICAD takes note of the information provided.

RECOMMENDATION 21

IMPLEMENT AN INFORMATION SYSTEM ON THE NUMBER OF PERSONS FORMALLY CHARGED WITH AND CONVICTED OF MONEY LAUNDERING OFFENSES.

Paraguay reports that it has a Statistical Information System of cases filed for punishable offenses under the provisions of Law No. 1.160/97 “Paraguayan Penal Code,” as amended by Law No. 3.440/09, including Money Laundering, that have been referred to the Criminal Assignment Division of the Judicial Branch. The information is maintained by the Criminal Statistics Division of the Judicial Branch.

CICAD takes note of the information provided.

RECOMMENDATION 22

INCORPORATE IN MONEY LAUNDERING NATIONAL LEGISLATION PROVISIONS, THE USE OF SPECIAL INVESTIGATIVE TECHNIQUES.

Paraguay reports that national legislation regarding money laundering rests under Law No. 1.015/97 “That Prevents and Represses the Illicit Acts Destined to Legitimize Money or Assets,” and its amending Law No. 3.783/09 does not determine the use of special investigative techniques in the area of money laundering.

CICAD encourages the country to fulfill this recommendation.



CONCLUSIONS:

During the Fifth Evaluation Round, 2007-2009, Paraguay was assigned a total of 22 recommendations, of which four are fulfilled. The country has made progress on two and has not started the implementation of 10. CICAD took note of the information provided on two, and four were withdrawn.¹ Five of the recommendations are reiterated from previous MEM rounds.

In the area of Institutional Strengthening, Paraguay has not reported progress in adopting a National Anti-drug Plan.

In the area of Demand Reduction, Paraguay completed the evaluation of the Drug Abuse Prevention Program Targeting the School Population “Leones Educando” and, cited progress in implementing a study of the magnitude of drug abuse among the school population. However, CICAD notes that Paraguay has not begun expanding the coverage of drug abuse prevention programs targeting the school population, nor has it established a National Registry of Treatment Facilities or implemented an official accreditation and licensing procedure for specialized facilities that provide treatment services to persons with drug abuse related problems.

In the area of Supply Reduction, since 2010 the country has implemented the PEN ON LINE System of the International Narcotics Control Board (INCB) and taken steps to implement an automated information system to control the manufacture and sale of pharmaceutical products. However, Paraguay has made no visible progress in implementing alternative, integral and sustainable development programs; establishing a registry to collect information on the number of civil and administrative sanctions imposed for the diversion of pharmaceutical products; establishing a database of civil and administrative sanctions imposed in the control of controlled chemical substances; or implementing training courses for personnel responsible for controlling the diversion of chemical substances.

In the area of Control Measures, Paraguay established the registry of persons convicted for illegal drug possession and has trained personnel on the prevention and control of illicit trafficking of pharmaceutical products and other drugs via the internet. On the other hand, CICAD takes note of the information provided regarding the establishment of the National Weapons Tracking Center and a statistical information system in the Judicial Branch that includes money laundering prosecution processes. Additionally, the country has not implemented a registry of the number of public officials formally charged with and convicted of crimes related to illicit drug trafficking nor included special investigative techniques in national legislation on money laundering.

CICAD recognizes the participation of Paraguay in the Multilateral Evaluation Mechanism (MEM) process and urges the country to fully comply with the pending recommendations.

¹ Recommendations 2, 7, 9 and 20 were withdrawn.

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ISBN 9780-8270-5612-5