

Multilateral Evaluation Mechanism MEM



Panama

2009 EVALUATION OF PROGRESS IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE FOURTH EVALUATION ROUND



**RECOMMENDATION 1:****ALLOCATE, WITHIN THE NATIONAL BUDGET, APPROPRIATIONS TO SUPPORT SUSTAINABLE IMPLEMENTATION OF PANAMA'S NATIONAL ANTI-DRUG STRATEGY, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Panama reports that it is working with the relevant authorities in order to develop budget appropriations for the implementation of the National Strategy, which is currently in the approval process.

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

RECOMMENDATION 2:**ESTABLISH AN INTEGRATED DRUG DATA AND STATISTICS SYSTEM THAT FACILITATES THEIR COLLECTION, ORGANIZATION, ANALYSIS, AND DISSEMINATION THROUGH THE PANAMANIAN OBSERVATORY ON DRUGS.**

Panama reports that the National Commission for the Study and Prevention of Drug-Related Crimes (CONAPRED) is responsible for coordinating the activities of the Panamanian Drugs Observatory (OPADRO). However, the information is disseminated among the various public and private agencies involved with this issue.

The country reports that as part of the actions to reactivate OPADRO, it is working to submit the proposal for approval by the authorities.

CICAD encourages the country to continue its efforts to implement this recommendation.

RECOMMENDATION 3:**EXTEND THE COVERAGE OF DRUG PREVENTION PROGRAMS TARGETING PRIMARY AND SECONDARY SCHOOL STUDENTS.**

Panama reports that it has conducted training programs for teachers, who will then train other teachers, in each of the nation's educational regions, in topics such as school prevention policies, the philosophy of prevention programs, implementing school prevention programs, training preventive teams, and the legal framework for dealing with trafficking and drug use on school premises.

Panama reports that it has been carrying out several prevention programs aimed at primary and secondary school students at the national level, including Join the Winners (Únete a los Ganadores), Smoke Hunters (Cazadores de Humo), Youth Against Crime (Jóvenes contra el Delito), We Are Champions (Somos Triunfadores), Families United for Prevention (Familias Unidas en Prevención), and Drug Abuse Resistance Education (DARE), among others.



The country reports that the various programs for primary and secondary schools have reached the following numbers and percentages of students across the nation: Join the Winners reached 19.7% (17,400) of students; Smoke Hunters reached 16.1% (16,860) of students; Youth against Crime and DARE reached 1.5% (2,435) of students; We Are Champions reached 29.33% (12,120) of students; and Families United for Prevention reached 10% (2,225) of parents, i.e. 10% of the members of the nation's Parents' Associations, which also represents 10% of all schools.

CICAD views with satisfaction the implementation of this recommendation.

RECOMMENDATION 4:

DEVELOP DRUG PREVENTION PROGRAMS TARGETING OUT-OF-SCHOOL YOUTH.

Panama reports that it carried out the "Youth in the Community" (Jóvenes en Comunidad) project, during which training sessions were held in communities, targeting youths with literacy and disability problems who are not enrolled in school. The country also carried out the trainer training exercise, which involved demand reduction components. However, the country states that it is working on fundraising efforts in order to continue with the program.

CICAD encourages the country to continue with its efforts to implement the recommendation.

RECOMMENDATION 5:

EXTEND COVERAGE OF DRUG TREATMENT PROGRAMS TO PROVIDE ASSISTANCE TO THE POPULATION IN NEED THEREOF, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

Panama reports that it increased the number of professionals to attend to the population seeking treatment, contracting psychiatrists, psychologists with drug expertise, and sociologists, at the national level. However, the country provided no figures enabling an assessment of the expansion of coverage of the programs for individuals seeking treatment.

CICAD urges the country to continue its efforts to fully implement this reiterated recommendation, given that it was assigned in the Third Evaluation Round, 2003-2004.

RECOMMENDATION 6:

IMPLEMENT A STUDY TO ESTIMATE THE MAGNITUDE OF DRUG USE IN SCHOOLS.

Panama reports that in the third quarter of 2008, it administered the Survey on Pre-Secondary and Secondary School Students, using a sample of 6,128 students from public and private schools across the nation. The country states that it is currently analyzing the database and drafting the report on the results of the nationwide School Student Survey.

Panama also reports that it administered a prevalence survey among school students in the Kuna Yala indigenous region, and is currently analyzing the results.

CICAD recognizes the progress made by Panama and encourages the country to continue with the process to fully implement the recommendation.

**RECOMMENDATION 7:****CARRY OUT TRAINING AND RESEARCH 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.**

Panama reports that it developed a training programs on the prevention and control of illicit trafficking in pharmaceutical products and other drugs over the Internet, targeting institutional and interinstitutional forums, the private sector, and the general public.

The country reports that it has carried out training activities on the topic of counterfeit medications, with the participation of health and judicial authorities, private companies, and other sectors. However, no specific reference was made to activities related to the topic of illicit trafficking in pharmaceuticals and other drugs over the Internet, as was recommended.

CICAD encourages the country to continue its efforts to fully comply with this recommendation.

RECOMMENDATION 8:**IMPLEMENT AN AUTOMATED SYSTEM FOR TIMELY MANAGEMENT OF INFORMATION TO FACILITATE CONTROL OF PHARMACEUTICAL PRODUCTS BY THE COMPETENT ENTITIES.**

Panama reports that it approved the execution of the "Project to Modernize the National Pharmacy and Drugs Office Information System." The objective of this project is to involve the National Pharmacy and Drugs Office of the Ministry of Health in the oversight, control, information, coordination, and development of procedures emanating from CONAPRED and from the country's current legal rules and regulations concerning pharmaceuticals. Likewise, the project aims to modernize information systems and networks, as well as improve quality and efficiency and share information with entities involved with this topic. However, selection of the entity that will supply the software for the project remains pending.

CICAD notes the information provided by the country and encourages it to continue its efforts toward full implementation of the recommendation.

RECOMMENDATION 9:**INCLUDE IN THE LEGAL FRAMEWORK PUNITIVE MEASURES FOR FAILURE TO COMPLY WITH REGULATIONS ON IN-TRANSIT MOVEMENT OF FIREARMS, AMMUNITION, EXPLOSIVES, AND RELATED MATERIALS.**

Panama reports that sanctions for failure to comply with the established regulations regarding in-transit movement of firearms, ammunition, explosives and other related materials were incorporated into the Penal Code through Law 14 of 2007, with revisions introduced through Law 26 of 2008.

CICAD expresses its satisfaction with the implementation of this recommendation.

**RECOMMENDATION 10:****IMPLEMENT A COMPUTERIZED REGISTRATION SYSTEM FOR THE IMPORT, EXPORT, AND IN-TRANSIT MOVEMENT OF FIREARMS, AMMUNITION, EXPLOSIVES, AND RELATED MATERIALS.**

Panama reports that a draft Law on the Control of Firearms, Ammunition, Explosives and Fireworks is undergoing its second reading by the National Assembly; it envisages a computer-based registration system for the import, export, and in-transit movement of firearms, ammunition, explosives, and other related materials.

CICAD recognizes Panama's efforts and encourages the country to continue with the process toward full implementation of the recommendation.

RECOMMENDATION 11:**EXPAND THE LIST OF PREDICATE OFFENSES FOR MONEY LAUNDERING TO INCLUDE ALL CRIMINAL ACTIVITIES CONSIDERED SERIOUS CRIMES UNDER THE PALERMO CONVENTION (PUNISHABLE BY A MAXIMUM DEPRIVATION OF LIBERTY OF AT LEAST FOUR YEARS OR A MORE SERIOUS PENALTY), A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Panama reports that by means of Law 14 of May 28, 2007, Article 389 of the Criminal Code was amended and replaced by Article 250, using both the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, and the United Nations Convention against Transnational Organized Crime as the framework of reference. The list of predicate offenses for money laundering was increased from 10 to 22 items, including the funding of terrorism. These penal reforms came into force in May 2008 and include illicit firearms trafficking, human trafficking, pornography and corruption of minors, and trafficking and sexual exploitation for commercial purposes. They do not, however, cover trafficking in human organs.

CICAD recognizes the progress made by Panama in expanding the list of predicate offenses for money laundering, and urges the country to continue its efforts to incorporate the crime of trafficking in organs into its legislation in order to fully comply with this reiterated recommendation, given that it was assigned during the Third Evaluation Round, 2003-2004.

RECOMMENDATION 12:**INCLUDE PUBLIC NOTARIES AMONG THOSE OBLIGATED TO COMPLY WITH ANTI-MONEY LAUNDERING ADMINISTRATIVE CONTROLS, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

Panama reports that it is in the process of studying the regulatory framework, aimed at changing and expanding the functional capacity of Law 42 of 2000 related to this subject.

CICAD urges the country to increase its efforts to implement this reiterated recommendation, given that it was assigned during the Third Evaluation Round, 2003–2004.

**RECOMMENDATION 13:****EXTEND THE OBLIGATION TO REPORT SUSPICIOUS TRANSACTIONS TO NATURAL OR LEGAL PERSONS INVOLVED IN THE BUYING AND SELLING OF ART, ANTIQUITIES OR OTHER LUXURY GOODS, COLLECTIBLE STAMPS OR COINS, JEWELS, OR PRECIOUS STONES OR METALS.**

Panama reports that it is in the process of studying the regulatory framework, aimed at changing and expanding the functional capacity of Law 42 of 2000 related to this subject.

CICAD encourages the country to increase its efforts to implement this recommendation.

CONCLUSIONS

Panama has made efforts to comply with the recommendations assigned during the Fourth Evaluation Round. Of these 13 recommendations, the country has implemented two and initiated 11, three of which were reiterated from the Third Evaluation Round, 2003-2004.

The country has taken steps toward allocating finances for the implementation of its national anti-drug strategy.

In the area of demand reduction, CICAD recognizes that the country expanded the coverage of its school prevention programs and has trained trainers who will now serve as multipliers in each of the nation's educational regions. Likewise, work is pending on expanding the coverage of prevention programs for out-of-school youths and on extending the coverage of treatment programs. In addition, CICAD notes that Panama has carried out a study on prevalence among school students, which is now in the final phase.

Regarding control measures, CICAD acknowledges Panama's progress with the approval of the Project to Modernize the National Pharmacy and Drugs Office Information System, as well as in adopting a legal framework that includes sanctions for noncompliance with regulations governing in-transit movement of firearms, ammunition, explosives, and other related materials, and in establishing an agency to record firearms imports and exports.

CICAD views with satisfaction that Panama has expanded the list of predicate offenses for money laundering. However, CICAD notes that the country has not yet incorporated trafficking in organs as a predicate offense in its legal framework; has not included notaries as entities obligated to comply with administrative controls against money laundering; and has not extended the obligation to report suspicious transactions to individuals and corporations that trade in works of art, antiques, other luxury goods, collectible stamps or coins, jewels, or precious stones or metals.

CICAD acknowledges Panama's participation in the Multilateral Evaluation Mechanism (MEM) process, and encourages the country to continue its efforts to fully implement the recommendations.