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

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

**MEXICO**

**EVALUATION OF PROGRESS IN DRUG CONTROL  
2003-2004**

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## INTRODUCTION

Mexico has an area of 1,972,550 km<sup>2</sup>, 9,330 kilometers of coastline, and 4,353 kilometers of borders. It shares borders with the United States to the north (3,141 kilometers) and with Guatemala (962 kilometers) and Belize (250 kilometers) to the south. To the west lies the Pacific Ocean and to the east the Gulf of Mexico and the Caribbean Sea. Mexico has a population of 104,959,594 (2004). The main ethnic groups are mestizo, indigenous, and white. The literacy rate is 92.2%. Mexico is a federal republic divided into 31 states and 1 federal district. GDP per capita is US\$4,699 and the inflation rate is 5.1% (2002). The country has annual exports of US\$164,800 million, which amounts to approximately 33% of GDP (2003). The main exports are manufactured goods, oil and oil byproducts, silver, fruit, vegetables, coffee, and cotton.

## I. INSTITUTIONAL BUILDING/NATIONAL ANTI-DRUG STRATEGY

### A. National Anti-Drug Plan and National Commission

The 2001-2006 National Drug Control Program (PNCD) in Mexico is part of the National Development Plan. The Office of the Attorney General (PGR) coordinates implementation of the Program. The National Center for Planning, Analysis, and Information in Combating Crime (CENAPI), which is subordinate to the PGR, is the agency in charge of integration and follow-up on implementation of the PNCD.

The PNCD involves the participation of 14 Federal Offices, the PGR, and the Office of the Attorney General of the Federal District (PGJDF), which assist in drug control actions in all areas of the drug problem. Most of these offices do not carry out specific programs, apart from the Ministries of National Defense, Public Security, Agrarian Reform, Public Education, and Health.

As regards the municipal plans themselves, 1,270 of the 2,443 municipalities in Mexico have direct informational activities, and cover approximately four million people.

To implement the PNCD, the country reports there is no integrated and independent budget. Each Ministry and the PGJDF allocates the resources they deem appropriate for the implementation of actions in their area of competence under the program. However, the national authority on drugs (the Office of the Attorney General of the Republic) has an independent budget that is financed with government allocations and, to a lesser extent, by international cooperation. This budget has decreased: from US\$527,885 in 2002 to US\$450,000 in 2004. The country provides no information on the budgetary allocation made by each Ministry to anti-drug programs.

CICAD recognizes that Mexico has the necessary instruments and mechanisms to implement the various aspects of the National Drug Control Program (PNCD) and that it has plans at the federal and municipal level. However, CICAD notes with concern that the budget of the national coordinating entity decreased from 2002 to 2004 and that Mexico does not yet have a mechanism to measure the budgets allocated by the Ministries and the PGJDF to different anti-drug programs, although it has begun actions for estimates to be made through CICAD Costs Program. Although the municipalities have anti-drug plans, there are no estimates of the amount of resources they allocate to them.



## B. International Conventions

Mexico has ratified the following international conventions:

- Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials, 1997
- Inter-American Convention against Corruption, 1996
- Inter-American Convention on Mutual Assistance in Criminal Matters, 1992
- United Nations Convention against Transnational Organized Crime, 2000, the three Protocols to the above Convention against the Smuggling of Migrants by Land, Sea and Air; to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and to prevent Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition
- United Nations Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1988
- United Nations Convention on Psychotropic Substances, 1971
- United Nations Single Convention on Narcotic Drug, 1961, as amended by the 1972 Protocol

The country reports that the Office of the Attorney General of the Republic (PGR) has prepared a series of bills to amend different provisions with a view to complying with the United Nations Convention against Transnational Organized Crime and its three Protocols. Most of these initiatives have been introduced in the Senate and are undergoing the legislative process. The country also reports that it presented, on March 29, 2004, an initiative for comprehensive reform of the public security and criminal justice system, which would amend national legislation, and would be relevant in implementing the aforementioned Convention and its Protocols.

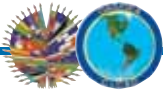
CICAD recognizes the progress made by the country in having ratified all the international instruments identified in the MEM framework, as well as the progress in the ratification during the period under evaluation (2003-2004) of the Inter-American Convention on Mutual Assistance in Criminal Matters and the United Nations Convention against Transnational Organized Crime, 2000, the three Protocols. CICAD also recognizes the actions being carried out to adopt its national legislation to fully implement the conventions Mexico has signed and ratified.

## C. National Information System

Mexico reports that the National Center for Planning, Analysis, and Information in Combating Crime (CENAPI), compiles and coordinates statistics and other drug-related information, while The Division of Epidemiological and Psychosocial Research of the "Ramón de la Fuente" National Institute of Psychiatry coordinates the work of the Mexican Observatory on Tobacco, Alcohol, and other Drugs. However, Mexico does not have a centralized national system for the compilation and distribution of all information related to drugs.

Mexico also participates in the Inter-American Uniform Drug-Use Data System (SIDUC), however, it mentions that it has still not conducted surveys on emergency room patients, or a study on the selling price of drugs. It also provides the Uniform Statistical System on Control of the Supply Area (CICDAT) with full information on 17 of the indicators established.

Mexico presents drug-related statistics with the International Narcotics Control Board (INCB) and completes the questionnaires requested by the United Nations Office on Drugs and Crime (UNODC).



The country informs that it has organized collections of drug-related documents, as well as a formal mechanism to evaluate the effectiveness of its data gathering capacity. This is undertaken through monthly validation, in coordination with each of the dependencies participating in the data gathering process.

Mexico has a Uniform Statistical System on Drug Control (SEUCD), which is under the coordination of CENAPI. It has also started to work on an interagency project intended to unify the indicators of the main information sources on addictions in order to strengthen decision-making in the drug area. There is coordination of information at the federal, state and municipal levels on drug and firearms trafficking control.

The country reports that one of the obstacles it faces in information gathering is that every piece of information CENAPI receives must receive official approval to avoid duplicity, consequently, this results in delays in obtaining information.

Mexico has various means to disseminate information on drugs to the public, such as web sites, the press, media and publications of the Health Ministry and the PGR. It also has a Virtual Information System on Drug Abuse under the National Drug Abuse Prevention Council (CONADIC), through which interagency videoconferences are held. Nationwide anti-drugs marches are also organized in which large sectors of the population have participated; in 2003 approximately 75,000 people took part.

The PGR has a website with information on matters related to procurement of justice and the fight against crime covered by the Federal Law Against Organized Crime. The 2002 Federal Law on Transparency and Access to Public Government Information provides for access to information contained in unclassified files on drug issues.

The country has a round-the-clock public information help line called the Telephone Counseling Center (COT) of the National Council on Addictions and the Aztec Fund (private entity), which received 357,285 calls in 2003. The majority of the users of this help line are in the 16 to 30 age group. The Youth Integration Centers, A.C. (CIJ) also have a telephone line that only covers Mexico City, D.F. and provides information on services available at treatment centers. In 2003 it received 18,756 calls (11,037 from the Federal District and 7,719 from the country's provinces).

Mexico informs that in 2004, the National Council on Addictions allocated, for distribution of drug-related information, two million pesos (approximately US\$ 182,000) and informs that the dissemination material used is on many occasions donated by the pharmaceutical industry and other private institutions.

CICAD recognizes that the country has entities for gathering drug-related statistics that enable it to measure the impact of the drug phenomenon in different areas. It also notes that Mexico provides information to international and hemispheric statistics systems. However, it notes with concern that Mexico lacks an institution that centralizes the gathering and distribution of all drug-related information.

CICAD also recognizes that the country has mechanisms to disseminate information at the national level. Although some actions are acknowledged in this area, deficiencies are noted regarding coverage and government budgetary allocations for sustainability of information dissemination.

## **RECOMMENDATION:**

1. **EXTEND TO THE NATION THE COVERAGE OF THE DRUG-RELATED INFORMATION DISSEMINATION SYSTEMS AT LEVEL.**



## **II. DEMAND REDUCTION**

### **A. Prevention**

Mexico has prevention programs aimed at primary, secondary, and higher education school students, through the Comprehensive Crime Prevention and Drug Addiction Program. It also has programs targeting teachers and parents, a program to prevent addiction among adolescents and adults, and has established health education programs and help groups. It also has workplace programs and correctional facility programs for inmates. There are programs targeting working children, however they are operated by civil society organizations, as well as re-education programs in strategic areas where most of this population is concentrated. However, Mexico does not have government programs for vulnerable groups, such as working children, street children and women. Prevention programs targeting the indigenous population are in the initial stages.



**Prevention Programs  
2003-2004**

Key Population	Number of participants	Type of program
<b>School-children and university students</b>		
Secondary	Students: 26,093 Teachers: 2,031 Parents: 3,627	Addiction Prevention Education Program. Promotes values among educators through a series of activities to incorporate a comprehensive prevention framework addressing various social problems in the school community into the educational process.
Adolescents 10-19 years old	101,398 Admit: 261; Discharged:651	Education for health. Self-help groups for addiction.
Tertiary (university)	720	"Survey on Drug Use among Undergraduate and Graduate Students" Conducted by the SEP Department of Student Health.
	250	University Students and adolescents Comprehensive Health Program (Department of Medicine, Colima)
	Intermediate-Advanced: 47,230 Advanced: 79,285	- Prevention and Control of Tobacco Use - Human Development - Student Counseling - Special Care - Youth Development without Violence (National Polytechnic Institute, IPN)
	Women 20-59 years old  170,742 Admit: 2,111 Discharged: 791	Education for health. Self-help groups for addiction.
	Men 20-59 92,387 Admit 2,553 Discharged 702	Education for health. Self-help groups for addiction.
	Department of Psychology, UNAM 1,000 participants	Preventive education program based on information and guidance. Debate on preventive awareness, attitudes, and skills (Department of Psychology, UNAM)
<b>Community-based programs for youth (outside of the school system)</b>		
Working children 4-18 years old	Given the instability of this highly vulnerable population group, information on the approximate number of participants is not available.	Addiction prevention and treatment programs for minors working in the informal sector, operated by civil society organizations, as well as reeducation programs for strategic segments of this population.
<b>Community-based programs for adults</b>		
Adolescents	17,424 (Admitted.) 3,690 (Discharged)	CRA, community strengthening program: behavioral approach through contingency management, family therapy, and work club
Women	18,436 (Admitted) 6,902 (Discharged)	
Men	21,826 (Admitted.) 6,002 (Discharged)	
Adults	9,921 (Admitted.) 3,903 (Discharged)	
Department of Psychology, UNAM	50	
Workplace	<u>Education for health</u> Women 5,281 Men 10,265  <u>Help groups – addictions</u> Women: 571 (Admitted) 313 (Discharged) Men: 1,148 (Admitted) 316 (Discharged)	Public and Private Sector 114 No. of Gov. departments 130 No. of Companies
Prisoners	8,000	Cycle of activities to prevent addiction.
	68	World Tobacco Prevention Day
	135	Refresher Training Program for Technical Staff in the Social Readaptation Centers



In addition, specialized training is given through diploma courses, master's programs, and doctorates, benefiting a total of 87,056 people. However, the country indicates that those courses do not meet the country's training needs. The country has a system for accrediting demand reduction professionals. The National Autonomous University of Mexico, the Metropolitan University, and the National Polytechnic Institute, as well as civil society and private institutions, such as the "Ama a la Vida", "Monte Fénix" and "Oceánica Foundations", have diploma, specialization, and master's degree programs in this area, and the University of Veracruz, together with the United Nations Office on Drugs and Crime, offer a master's program on demand reduction.

In 2004, the National Council on Addictions and the Youth Integration Centers had budgets of approximately 350 million pesos (approximately US\$32 million) to implement their programs.

In the evaluation period, 2003-2004, the country evaluated 21 prevention programs, covering processes, results, development, acceptance, and impact. Generally speaking the evaluations yielded positive mid-term results. CONADIC published the document "Prevention Models" to facilitate program evaluation and organized a committee made up of the main organizations in order to establish common indicators.

CICAD recognizes that the country implements programs in the demand reduction area. However, it notes with concern that Mexico has no government programs that target vulnerable populations, such as working children, street children, women, and indigenous groups. CICAD also recognizes the significant strides and efforts made by Mexico in the evaluation of prevention programs.

## **RECOMMENDATION:**

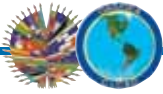
2. **STRENGTHEN GOVERNMENT PREVENTION PROGRAMS SPECIFICALLY TARGETING VULNERABLE POPULATION GROUPS, SUCH AS WORKING CHILDREN, STREET CHILDREN, WOMEN, AND INDIGENOUS PEOPLES.**

### **B. Treatment**

Mexico has demonstrated significant progress and efforts in implementing standards and regulations applicable to the system to evaluate treatment and rehabilitation centers. Specifically, the National Council against Addictions, together with the Ministry of Health, has been able to complete implementation of Mexican Official Standard 028-SSA2-1999, due to the development and implementation of the Minimum Quality Criteria and of a Quality Evaluation System. This, in turn, enabled the country's existing treatment and rehabilitation centers to be evaluated.

In late 2003, an alcoholism and alcohol abuse program was implemented targeting indigenous communities in three states of Mexico, and preparations are under way to implement similar programs in another seven states. The country informs that there are no specialized centers for adolescents.

The country reports the existence of 23 public sector and 23 private sector treatment programs for adults and youth of both sexes, broken down by type as shown in the following table. The country reports that it did not open any new treatment programs in 2003 and 2004.



**Treatment Programs**

Programs	Type of population served					
	Public	Private	Adults		Minors	
			M	F	M	F
Outpatient	8	5	X	X	X	X
Inpatient	10	10	X	X	X	X
Clinics	5	8	X	X	X	X

The country also reports that It has various public and private services that provide municipal, regional and national coverage, explained in the table below:

**Treatment Centers**

Services	Public	Private
Early detection network, training for patients and case referral (health units with outpatient care)	13,861	
Detox (CIJ)	32	
Treatment and rehab	90	20
Social reintegration and follow-up		16
Self-help groups		15,000 (approximate information, which includes Alcoholics Anonymous)

For 2004, a total of 1,200 establishments providing residential care were reported nationwide, of which only 309 have been officially recognized by virtue of having met the requirements established in the Official Mexican Standard for Prevention, Treatment, and Control of Addictions (NOM-028-SSA2-1999). The country plans to recognize 900 establishments by late 2006.

There is also a network of outpatient treatment establishments for which the Youth Integration Centers, A.C. has responsibility. This network brings together a total of 90 units, which provide outpatient consultations, four of which have residential services. There is also a broad support network of mutual help groups throughout the country.

CICAD recognizes the significant efforts made by Mexico in the issuing of standards and regulations applicable to the evaluation system for treatment and rehabilitation centers, and encourages the country to complete the implementation process.

**C. Statistics on Consumption**

Mexico has conducted studies and research to estimate the prevalence of drug abuse among the general population and in specific populations. Mexico has conducted household surveys since 1974. In 1993, 1998, and 2002, the second, third, and fourth national surveys of addictions were conducted. It should be mentioned that the 2002 survey included for the first time both the urban and rural populations. The most recent results on licit and illicit drug use among the general population aged 12-64 are:





**Prevalence of users of illicit drugs among  
General Population aged 12-65  
2002**

Drug	Month prevalence (last 30 days)	Year prevalence (last 12 months)	Life prevalence (at some time)
Opiates	0.03	0.05	0.09
Tranquilizers	0.18	0.27	0.68
Sedatives	0.08	0.10	0.24
Stimulants	0.05	0.10	0.34
Inhalants	0.08	0.08	0.45
Cannabis	0.31	0.60	3.48
Cocaine	0.19	0.35	1.23
Cocaine paste	--	0.00	0.04
Crack	--	0.02	0.10
Hallucinogens	0.01	0.01	0.25
Heroin	--	0.01	0.09
Amphetamine-like stimulants	0.01	0.04	0.08
Any drug	0.82	1.31	5.03

**Pattern of tobacco use among  
the general population aged 12-65  
2002**

Life prevalence (at some time)	Smoker	Ex-smoker	Non-smoker
40.89	23.47	17.42	59.11

**Pattern of alcohol consumption among  
the general population aged 12-65  
2002**

Life prevalence (at some time)	Current drinker	Former drinker	Has never drunk alcohol
64.87	46.32	18.55	35.13

\* The above data are included in the final version of the publication "National Survey of Addictions 2002."

In 2003, Mexico conducted four surveys to measure prevalence in specific populations, such as the Survey of Prevalence among Middle and High School Students in the States of Queretaro and Tamaulipas, and among Psychology Students at the Universidad Autónoma de Mexico (UNAM) of the Federal District. It should be mentioned that the highest prevalence levels were for tobacco and alcohol use, followed by cannabis and cocaine use.

According to the 2002 National Drug Abuse Survey, the age of first use for different categories of drugs is as follows: drugs for medical use, 28.43 years old; marihuana, 18.5 years old; cocaine, 22.24 years old; inhalants, 17.79 years old; other drugs, 22.83 years old.



The country reports that it has an estimate of the percentage of youth using illicit drugs and mentions that 91% of alcohol users are aged 10 to 19, with a higher proportion among those in the 15 to 19 year-old range (50%) and under 10 (2.8%). Furthermore, the perception of risk of marijuana use has declined to 74.2% among adolescents. This perception is 81.8% for cocaine use; 78% for inhalants; and 82.7% for heroin.

The country reports it has estimates of intravenous drug use-related morbidity and informs that in the blood transmission category, 8.4% of cumulative cases as of November 2003 corresponded to injected drug use. However, Mexico has no information available on the number of drug dependents who inject drugs, or on the number of infected persons with Hepatitis B, C and HIV who inject drugs.

Among new drugs detected in 2003 in Mexico are AXIXE; S-H-A; GHB; KENTAMINE; and in 2004 ethylene chloride and ethyl chloride. It also reports that the new ways of administering drugs detected are: heroin inhaled, taken orally or smoked.

The country reports that, according to data on mental disorder-related mortality and on behavior related to use of addictive substances, in 2002, 3,832 men and 241 women died from complications related to alcohol use; 10 from opiate use; 18 from cocaine use, and 85 from the use of multiple drugs.

CICAD notes with concern that Mexico has not provided the results of studies or surveys on drug use-related mortality since 2002. Mexico reports that it is compiling data on drug abuse-related crimes and accidents, but does not provide figures.

CICAD recognizes that the country has estimates of intravenous drug use-related morbidity. However, it notes with concern that it has not provided data in this area for the current evaluation period (2003-2004).

### **RECOMMENDATIONS:**

3. STRENGTHEN SYSTEMS FOR COMPILING DATA ON DRUG USE-RELATED MORBIDITY AND MORTALITY.
4. CONDUCT STUDIES TO ESTIMATE THE PREVALENCE OF DRUG USE AMONG NATIONAL SCHOOL POPULATION.

## **III. SUPPLY REDUCTION**

### **A. Drug Production and Alternative Development**

Mexico informs that the cultivation of cannabis increased by 19% from 30,775 cultivated hectares in 2002 to 36,585 in 2003. In 2004, 30,841.3 cannabis cultivated hectares were detected. Mexico does not report how many indoor cannabis plants were seized in the last three years. It reports that in 2002, 30,774 hectares of cannabis and 19,157 hectares of poppy were no longer cultivated. Regarding poppy cultivation, 19,157.9 cultivated hectares were detected in 2002, 20,034.0 in 2003 and 15,925.6 in 2004. Mexico estimates a potential production of 800 kg. of marijuana, taking into account the detected cannabis crops, for the period of years 2002-2004. For this same period the potential production of opium gum is 8 kg. per cultivated hectare, which translates as 1 kg. of heroin per cultivated hectare of poppy. The information provided on detected cultivated areas in 2004 is partial data.



Mexico provided the following information on the variation of illicit crops by plant and year:

**New Illicit crops (area)\***

CROPS	2002	2003	2004
Cannabis	2,075.9	5,809.9	5,744.0
Poppy	42.2	876.1	4,108.4

\* Source: CENAPI

However, the country reports that the data shown do not refer to new plantations detected, since in Mexico eradicated areas may be reused through replanting up to three times a year.

The country reports that it has no alternative development programs, but rather integral development agricultural, agro-industrial, and temporary employment programs. The country reports that it has no specific programs whose purpose is to prevent illicit drug production, but carries out actions in coordination with decentralized federal government entities that assist in discouraging illicit production. In 2002, it implemented 46,749 projects, of a value of 1,979.9 million Mexican pesos (approximately US\$ 203 million) with a coverage of 535,748 families; and in 2003, 19,907 projects, of a value of \$825.8 million Mexican pesos (approximately US\$ 82.5 million), with participation of 418,991 families. To be noted is the fact that coverage in terms of numbers of participating families dropped by 116,757. In addition, the budget for integral development programs fell by over 50% from 2002 to 2003.

The country also reported that the products of alternative or integral development programs are for self-consumption and/or for the benefit of the community and the limited volume of production makes it uncompetitive in the consumer market. The country does not provide information on the impact of programs by type of work. Regarding assessing the impact of its integral development programs, the Mexican Government, through the Secretariat of Social Development (SEDESOL), is developing annual external evaluations on the basis of the guidelines set forth in the Terms of the Reference for the Evaluation of Impact of the Microregions Strategy and in the Agreement stipulating the minimum requirements that agencies and bodies of the Federal Public Administration should consider; moreover, multi-annual evaluations of the impact of some special programs are being carried out.

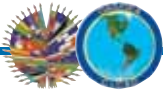
CICAD recognizes the efforts of the country in the area of eradication of cannabis and poppy crops but is concerned at the increase in cannabis crops.

As regards the evaluation of the impact of integral development programs, CICAD notes with concern that the country, despite the fact that it says it has the tools to do so, has not provided any information on the results of these evaluations.

CICAD notes with concern the reduction of coverage in terms of the number of families participating in integral development programs and the 50% decrease in budget for integral development programs from 2002 to 2003.

## **RECOMMENDATIONS:**

5. INCREASE THE COVERAGE OF, AND THE BUDGET APPROPRIATION FOR, INTEGRAL DEVELOPMENT.
6. INCORPORATE AN ALTERNATIVE DEVELOPMENT COMPONENT IN THE EXISTING INTEGRAL DEVELOPMENT PROGRAMS TO PREVENT ILLICIT DRUG PRODUCTION.
7. EVALUATE THE IMPACT OF INTEGRAL DEVELOPMENT PROGRAMS, A RECOMMENDATION REITERATED SINCE THE SECOND EVALUATION ROUND, 2001-2002.



## B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances

Mexico reports to have destroyed 2 illicit drug laboratories (1 of Cocaine Hydrochloride and 1 of heroin), 4 in 2003 (1 of Cocaine Hydrochloride and 3 of heroin) and 2 in 2004 (1 of Cocaine Hydrochloride and 1 of heroin). The country reports that in the cocaine laboratories coca paste is the raw material to which the process is applied to obtain cocaine hydrochloride, this bearing in mind that illicit coca leaf cultivation has not been detected in Mexico.

With respect to the destruction of illicit laboratories of synthetic drugs, the country reported that in 2002, it destroyed 11 laboratories in 2002 (1 of MDMA and 10 of methamphetamines), 18 in 2003 (1 of MDMA and 17 of methamphetamines) and 18 in 2004 (all of them of methamphetamines). All of them were small in terms of facilities used and had rudimentary equipment.

Among the most frequently seized precursors and synthetic drugs, Mexico reports ephedrine for the period of years 2002-2004 and pseudoephedrine in the period under evaluation 2003-2004.

CICAD recognizes the efforts carried out by Mexico in destroying illicit drug laboratories.

### Pharmaceutical Products

The Federal Commission for Protection against Health Risks is the national authority which has the principal responsibility for controlling exportation, importation, production and distribution of pharmaceutical products listed in the United Nations Conventions and preventing their diversion. This Commission has responsibilities, in the Pharmaceutical Products Commercial Sector, over the Import/export control, License control (manufacture, distribution), Monitoring distribution, Inspection, Regulatory control, Administrative sanctions and Registry of Licensees. In the Health Care sector, the Federal Commission for Protection against Risks to Health has responsibilities over License control (distribution), Monitoring distribution, Monitoring of prescribing, Inspection, Investigation, Regulatory control, Administrative sanctions and Registry of Licensees including pharmacies. Mexico uses verification visits to evaluate the effectiveness of the Commission.

Mexico reports that it controls all pharmaceutical products whose active principle contains substances listed in the international conventions.

The country has criminal and administrative sanctions to prevent the diversion of controlled pharmaceutical products. The Federal Commission for Protection against Health Risks imposes administrative sanctions in accordance with national laws on establishments that handle controlled substances. The country reports 34 administrative sanctions imposed in 2003 and 57 in 2004. The country reports that repeated diversion of controlled pharmaceutical products constitutes a crime against health as trafficking, in the precise terms of Article 194.I of the Federal Penal Code.

Mexico has a mechanism that controls and regulates use and distribution of pharmaceutical products. The country reports that the percentage of inspections that have led to an investigation has risen from 5% to 13.5%, owing to better coordination among police authorities. However, compliance with regulations among pharmaceutical professionals fell from 65% in 2003 to 54% in 2004 because it has not yet been possible to professionalize 100% of pharmacies.<sup>1</sup>

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<sup>1</sup> The country reported, in May 2005, that the drop in the number of pharmaceutical professionals complying with regulations is due to the implementation of verification criteria whose objective is to raise the quality of services being offered.



Mexico has provisions for the imposition of administrative sanctions to prevent the diversion of pharmaceutical products. The Penal Code establishes the sanctions and fines, and provides for forfeiture of the instruments, objects, and proceeds of this offense by individuals who divert or in any way contribute to the diversion of precursor chemicals, essential chemical products, or machinery, for cultivation, extraction, production, preparation, or conditioning of narcotics in any way prohibited by law. It also provides for disqualification for five years from any public employment, office, or assignment for any public official who, in the exercise of his functions, permits or authorizes any of the acts included in the said article.

Mexico reports seizures of pharmaceutical products and informs that they are disposed of by incineration.

#### Quantity of Pharmaceutical Products Seized

Pharmaceutical product (seized)	Unit of Measurement	Quantity Seized		
		2002	2003	2004*
Pseudoephedrine	Unit	5,100,328	7,991,950	10,179,271
Diazepam	Unit	124,291	72,325	13,347
Amphetamines	Unit	25,550	505,789	1,604
Fentermine	Unit	19,030	65,500	5,253
Alprozolam	Unit	18,307	4,558	253,426
Clobenzorex	Unit	9,421	26,173	5,802
Flunitrazepam	Unit	2,916	2,534	3,096
Clonazepam	Unit	2,147	22,432	4,010
Phenproporex	Unit	1,780	2,000	
Phenobarbital	Unit	1,440	210	139
Loracepan	Unit	609	1,100	1,555
Nalbufine	Unit	597	27	
Buprenorphine	Unit	513	6	
Codeine	Unit	210	390	
Levotiroxine	Unit		131,600	
Estazolam	Unit	180		
Bromazepam	Unit	150	18,250	108
Selegiline	Unit	140		
Carbamazepine	Unit		2,599	45
Anfepramone	Unit		1,565	
Triazolam	Unit	2,142	1,440	1,440
Dextropropoxifene	Unit	108	291	33
Biperidene	Unit			373

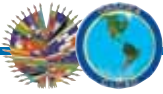
\* The country provided partial data for year 2004

CICAD notes with concern the decrease in the percentage of professional pharmacists that comply with the regulatory provisions established for due control and oversight of pharmaceutical products.

### Controlled Chemical Substances

Mexico has a mechanism for control and regulation of the use and distribution of controlled chemical substances. All substances included in Table II of the International Narcotics Control Board (INCB), but not all substances listed by CICAD, are controlled.

The Federal Commission for Protection against Health Risks has responsibility for control activities, apart from transport, for which the Secretariat of Communications and Transport has responsibility. It carries out this activity through transport notifications and reports provided each year by carriers. The country reports that limited human resources are the main problem facing national entities in effectively carrying out their responsibilities.



Mexico has penal and administrative penalties to sanction the diversion of controlled chemical substances. The Federal Commission for Protection against Health Risks imposes administrative sanctions on establishments that handle controlled substances, in accordance with national laws. Mexico reported the imposition of 45 administrative sanctions in 2003 in relation to controlled chemical substances. In 2003, three penal sanctions were imposed for diversion of precursor chemicals, while in 2004, 16 investigations were conducted, which are still under way, and 4 penal sanctions were imposed.

Mexico has several systems for information exchange among the authorities in charge of monitoring essential precursor chemicals. The Federal Commission for Protection against Health Risks analyzes and collects all data on import and export licenses, as well as the annual reports submitted by companies that handle controlled substances. The system automatically crosses information on controlled substance export/import quotas allocated, licenses granted to handle controlled substances, and applications for import and export permits.

The National Center for Planning, Analysis, and Information in Combating Crime (CENAPI) crosses information and generates lines of investigation. The Office of the Assistant Prosecutor for Specialized Research in Organized Crime also has a mechanism for information exchange and promotion of reporting of possible diversion or crimes against health. In addition, authorities of the Office of the Attorney General of the Republic, Mexican Customs, and the health authorities coordinate approval for imports of psychotropic substances, narcotics, and precursor chemicals at the four authorized customs facilities. They also compare information with the International Narcotics Control Board (INCB) in connection with "Operation Purple" (to control potassium permanganate used to manufacture cocaine), "Prism" (to control synthetic drug precursors), and "Topaz" (to control acetic anhydride used to manufacture heroin).

Significant progress has been made in the area of chemical substances regarding information systems, and the implementation of verification strategies that include the hiring of checkers and inspectors, centralization under the control of only one controlled chemical substance entity, as well as random inspections of distribution chains carried out by the health sector.

Mexico reports that it has still not implemented the recommendation from the previous evaluation round as the bill to amend the Federal Act for the Control of Precursors, Essential Chemical Products and Machines to Manufacture Tablets and Pills has yet to be finalized.

The country has implemented the pre-export notification mechanism since March 2003, which has made it possible to prevent exportation by unauthorized Mexican companies, and assisted in implementing international commitments made to other countries. The country reports that in 2003 it sent 783 pre-export notifications and replied to 781, while in 2004, it received 74 and replied to 74.

The country provides information on the number and amounts of seizures of controlled chemical substances in the period 2002-2004, as follows:



**Quantity of Chemical Substances Seized  
2002-2004**

Controlled Chemical Substances	Unit	Quantity Seized		
		2002	2003	2004
Ephedrine	Kg	0.2	0.4	3.0
Piperonal	Kg	10,000.0		
Phenylpropanolamine	Kg	0.1		
Pseudoephedrine	Kg	3,032.2	3,381.1	257.0
Hydrochloric acid	Lt	2.0	7.5	7.0
Sulfuric acid	Lt	19.0	24.5	42.3
Sodium hydroxide	Kg	262.0	77.3	413.0
Acetone	Lt	157.3	200.0	931.6
Ethyl alcohol	Lt	3,180.9	254.4	241.1
Red phosphorous	Kg	115.1	5.0	0.0009
Iodine	Kg	111.5	51.9	129.9
Sodium Carbonate	Kg			0.02
Potassium Permanganate	Kg			0.4
Toluene	Lt			770.0
Methylene chloride	Lt		18	
Ethylene Ether	Lt			1.9
Kerosene	Lt			10.0

\* The country has provided partial data for 2004

CICAD recognizes that the country has made efforts to strengthen control of pharmaceuticals and controlled chemical substances. The Federal Commission for Protection against Health Risks has made major efforts to hire and train controllers. However, CICAD observes that it still lacks sufficient human resources and budget to discharge its responsibilities effectively<sup>2</sup>. CICAD notes that the control over transport is still insufficient. Mexico imposes administrative but not criminal sanctions for the diversion of precursor chemicals, although it does not report the number of sanctions imposed.

### **RECOMMENDATION:**

8. UPDATE LEGISLATION ON CONTROLLED CHEMICAL SUBSTANCES IN LIGHT OF THE NEW TRENDS IN THEIR DIVERSION, A RECOMMENDATION REITERATED SINCE THE SECOND EVALUATION ROUND, 2001-2002.

<sup>2</sup> The country informs that one of the priorities in the reorganization of COFEPRIS was to raise the level of the Directorate in charge of controlling narcotics, psychotropic substances, chemical precursors and essential chemicals. To this end, more controllers were hired, and training was offered to all controllers working in the country.





## IV. CONTROL MEASURES

### A. Illicit Drug Trafficking

Mexico reports that it has improved coordination and communication between entities responsible for the surveillance and control of illicit drug trafficking.

Quantity of Drugs Seized

Type of drug	Unit of measurement	Quantity		
		2002	2003	2004
Opium	Kg.	309.9	198.4	463.9
Poppy plants	units	206,904	207,789	129,189
Poppy seeds	Kg.	853.6	1,411.1	2,028.4
Heroin	Kg.	282.7	306.2	302.4
Cocaine salts	Kg.	12,639.0	21,157.9	26,839.0
Crack	Kg.	0.3	1.5	0.6
Cannabis plants	units	355,578	347,283	254,549
Cannabis leaves	Kg.	1,633,326.2	2,247,796.5	2,113,337.1
Cannabis resin	Kg.	0.0390	1.1	0.3
Cannabis seeds	Kg.	10,214.4	14,123.9	14,102.1
Amphetamine/methamphetamine	Kg.	459.1	771.3	954.3
MDMA (Ecstasy) and derivatives	Kg.	32.0	16.3	-

In the evaluation period 2003-2004, the country has not identified new trafficking routes for cocaine, cannabis and heroin.

The country reports on numbers of persons arrested, tried and convicted for illicit drug trafficking in the table below:

Persons arrested, tried and convicted for illicit drug trafficking\*

Year	Arrested	Tried	Convicted
2002	7,055	315	108
2003	8,985	433	97
2004*	14,266	30	9

\* Data for 2004 and persons tried and convicted are partial  
Source: CENAPI and SIEDO

The information provided by Mexico on persons convicted of illegal drug possession refers to the number of cases and not the number of individuals. The country reports 5,718 cases for 2002; 5,831 cases for 2003; and 3,873 for 2004. The country reports that it does not have laws, regulations, or provisions that permit (consider legal) the possession of drugs for personal use. Nor are their exceptions to the offense as defined. Mexico has clear guidelines on distinction between possession for personal use and possession with intent to traffic.

The country provided data on persons arrested and convicted of illegal possession of drugs for personal use but has no information on the number of persons convicted. The country states that the data refer only to people arrested and convicted in the Federal District and that it is working to collect information on the other States.





**Persons arrested and convicted in the Federal District  
for illicit possession for personal use**

Year	Persons arrested for illicit possession for personal use	Persons convicted of illicit possession for personal use
2002	307	340
2003	396	395
2004	374	317

The country reports that there are alternatives to criminal punishments, such as parole, for people charged, tried or convicted for illicit possession for personal use. It does not mention any evaluations of the results of application of alternatives to criminal punishments.

Mexico reports that it has the following methods for exchanging information on operations and cooperation between authorities: an inter-institutional committee, joint operations forces, joint training, information network and inter-institutional communication systems, and it has improved coordination and communication between the entities responsible for implementing surveillance and controlling illegal drug trafficking. It also has a formal mechanism to assess the effectiveness of the methods, which it implements through a permanent inter-institutional working group that evaluates the results of major events, such as technical groups that carry out post-seizure analyses in coordination with the different dependencies involved.

It also reports that it has strengthened its criminal intelligence activities; exchange of information on seizures, drug pushers, criminal organizations and drug interception operations in general. It has also worked with different countries in line with the bilateral agreements, under which it has promoted the creation of bilateral cooperation mechanisms for exchanging strategic, tactical and operative information.

Mexico has mechanisms for coordinating the exchange of intelligence information in real time, to integrate both strategic, tactical, and operational intelligence.

The number of requests for judicial cooperation on illegal drug trafficking sent out by Mexico to other countries under international agreements is shown in the table below:

**Judicial Cooperation Requests Made to Other Countries**

Year	Number of requests submitted	Number of replies to the requests
2002	50	51 *
2003	42	42
2004	40	16

\* The figure 51 refers to requests made in previous years.

The country also reports that requests for judicial cooperation on illegal drug trafficking were received and that it replied to those requests as follows:

**Requests for Judicial Cooperation Received from Other Countries**

Year	Number of Requests Received	Number of replies to the requests
2002	21	23 *
2003	20	11
2004	5	2

\* The figure 23 refers to requests in previous years.



Mexico issued 10 requests in 2002, 1 in 2003 and 3 in 2004 for extradition for cases of illegal drug trafficking but no replies were received. The country informs that it takes approximately one year from the time extradition is requested to when it becomes effective, depending on the case.

Mexico also mentions that extradition treaties have facilitated the requests to other countries with which extradition agreements have been signed, such as: Australia, Belgium, Belize, Brazil, Canada, Colombia, Cuba, El Salvador, France, Great Britain, Guatemala, Holland, Italy, Korea, Nicaragua, Panama, Peru, Portugal, Spain, United Kingdom and USA.

With respect to extradition for illegal drug trafficking, the country provides the following data:

#### Extradition Requests

Country requesting the extradition	Number of requests			Number of replies to the requests		
	2002	2003	2004	2002	2003	2004
USA	33	38	32	13	14	4
Germany	1	0	0	0	0	0
Italy	0	0	1	0	0	0
Bolivia	0	0	1	0	0	0

Mexico's legal system enables nationals to be extradited at the discretion of the executive branch, but it indicates that under military jurisdiction (Article 9 of the Law on International Extradition), members of the Mexican armed forces cannot be extradited.

Mexico's Ministry of Foreign Affairs and the Office of the Attorney General of the Republic are responsible for receiving and processing extradition requests. Mexico also points out that one of the main factors hampering receipt of requests from other countries for extradition are the sanctions established in the territorial jurisdiction requesting extradition, as, for the extradition request to be admissible, imprisonment must be among the possible sanctions and the principle of no double jeopardy must be enshrined in its law, which implies that the act must be punishable under the laws of the contracting parties. The country also indicates that under Mexican law there is a special rule setting time limits for institution of criminal proceedings, and doubling of time depending on whether or not the requested person is in Mexican territory.

CICAD recognizes that Mexico has improved coordination and communication among the entities responsible for carrying out surveillance and control of illicit drug trafficking, which has been reflected in, among other things, the increase in seizures.

CICAD expresses its concern over the lack of adequate information on persons arrested, tried, and convicted for illicit drug trafficking.

CICAD recognizes the major strides made in the area of criminal intelligence, exchange of operational information, coordination and communication among the entities responsible, as well as in evaluation of results.

### **RECOMMENDATION:**

9. ESTABLISH INFORMATION MECHANISMS TO REGISTER THE NUMBER OF PERSONS ARRESTED, TRIED AND CONVICTED FOR ILLICIT DRUG TRAFFICKING AND FOR ILLICIT POSSESSION OF DRUGS.



## B. Firearms and Ammunition

Mexico reports that the Ministry of National Defense and the Office of the Attorney General of the Republic are the entities responsible for controlling movements of firearms, ammunition, explosives, and other related materials.

The Ministry of Foreign Affairs and the Institutional Coordination Group for Prevention and Control of Firearms, Ammunition and Explosives are the entities responsible for exchanging information at national and international level.

In order to evaluate the effectiveness of the entities that control the movement of firearms, there is a mechanism whereby general, ordinary and special import and export permits, arms registrations and six-month inspection visits to military zones are granted. These entities exchange information on the quantities and characteristics of firearms, ammunition and explosives seized, and data on the importer, ports of entry and exit of cargo.

Laws related to firearms criminalize the illicit possession, trafficking and manufacture of firearms as an offense, and establish sanctions that include fines, imprisonment and confiscation. The country presents the following information on persons arrested, tried and convicted for the mentioned offenses:

**Persons arrested, tried and convicted for illicit possession and trafficking of firearms and ammunition**

YEAR	ARRESTED	TRIED	CONVICTED
2002	7,229	426	426
2003	4,832	512	512
2004*	3,952	28	28

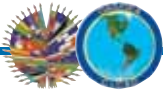
\* Partial data provided for year 2004

The Federal Law on Firearms and Explosives and their Regulations establish the requirements for granting import or in-transit licenses or permits before authorizing the entry of cargo consisting of firearms, ammunition and explosives; and an export permit once the importing country issues the appropriate license. It also reports that during the period 2002-2004 entry was not authorized in the absence of a license for the following materials:

**Quantity of firearms whose entry into Mexico was not authorized**

Year	Quantity of firearms	Quantity of ammunition	Quantity of explosives
2002	389	253,297	3,078 Kg.
2003	316	200,943	353,358 Kg.
2004	10	28,945	47,474 Kg.

The country reports that in the period 2002-2004, it has confiscated 18,848 firearms (8,381 in 2002; 5,618 in 2003 and 4,849 in 2004) and 1,280,779 rounds of ammunition (402,960 in 2002; 419,898 in 2003, and 457,921 in 2004). It also keeps records as to confiscation of firearms and ammunition related to illicit drug trafficking and the percentage destined to criminal originations.



### Seizures of firearms, ammunition and explosives related to illicit drug trafficking

Year	Number of Arrests	Quantity of firearms confiscated	A*	Quantity of ammunition ammunition	B*
2002	677	808	9.64	32,086	7.96
2003	767	886	15.77	39,086	9.29
2004	817	1,031	21.26	41,496	9.06

A: percentage of firearms destined for illicit drug trafficking organizations

B: percentage of ammunition destined for illicit drug trafficking organizations

Mexico cooperates and exchanges information with other countries. The country informs that thanks to exchanges of information with various agencies it has been possible to detect the origin, points of entry, and trail of trafficking in firearms; this information is disseminated throughout the country. Within this context, in 2002, 2003 and 2004 it issued 12,761, 11,678 and 617 requests to other countries for information respectively, and obtained replies on 12,539, 6,262 and 0 in the respective years.

During the years 2002, 2003 and 2004, Mexico received 7,333 requests from the Bureau for Alcohol, Tobacco, Firearms and Explosives (ATF) of the USA Government and concerned firearms that had been stolen from various gun shops in the United States, which at a given time could have been smuggled into Mexico. Mexico replied to six of these requests corresponding to firearms detected in Mexico.

The Federal Law on Firearms and Explosives allows administrative controls for these goods imported, exported or in transit and provides for administrative sanctions. During the evaluation period 2003-2004, no sanctions were applied.

The country requires that firearms be marked during manufacture in order to be eligible for official use after being seized or confiscated.

CICAD highlights Mexico's strengths in controlling illicit traffic of firearms, ammunition, explosives, and other related materials. CICAD also recognizes that the country has adequate legal provisions in place in the area of illicit trafficking control in the above-mentioned items, which are in keeping with the international conventions in this area identified within the MEM framework. The country also has control mechanisms and provides considerable cooperation at the bilateral level.

## C. Money Laundering

Money laundering is defined as an offense in three major bodies of law: (a) the Federal Penal Code (Art. 400 bis, which defines the offense); (b) the Federal Code of Penal Procedure (Art.194.32, which categorizes it a serious offence); and (c) the Federal Act against Organized Crime (Art.2.1, which provides that money laundering may be committed by members of criminal organizations). It is not necessary for a person to be convicted of a predicate offense to establish that certain assets are proceeds of this offense, therefore money laundering is criminalized as an autonomous offense.

The country reports that the penalty for this crime is five to 15 years imprisonment and 1,000 to 5,000 days' fine (a day's fine is equivalent to the person's net daily income at the time when the offense was committed, taking all his/her income into account). This penalty is increased by half when the crime is committed by government officials responsible for preventing, reporting, or



trying crimes (Article 400 Bis, Federal Penal Code). Regardless of money laundering sanctions imposed, members of criminal organizations who commit this crime are subject, in addition, to penalties ranging from four to 16 years' imprisonment and a fine of 250 to 25,000 days' fine (Article 4.II, Federal Act against Organized Crime).

The offense as defined includes the proceeds of all offenses defined as "predicate" offenses, except the financing of terrorism, which is not currently defined as an autonomous offense. However, an initiative has been introduced in Congress that amends and adds several articles to the Federal Penal Code, the Federal Code of Procedure, and to the Federal Law against Crime, in which the financing of terrorism is defined as an offense.

Mexico reports that legal provisions in force provide for the following actions to prevent money laundering: electronic surveillance, use of informers, and "effective remorse," i.e., cooperative testimony. Current provisions do not expressly permit "undercover police operations" or "controlled delivery." However, based on Article 11 of the Federal Law against Crime, such operations are permissible when carried out by infiltration of agents.

Mexico does not yet have legal provisions establishing administrative controls to prevent money laundering in the activities of casinos, real-estate agencies, and professional services (lawyers, notaries, and accountants). Mexican legislation prohibits the establishment of casinos and off-shore banks.

#### Persons arrested, tried and convicted for Money laundering

YEAR	ARRESTED	TRIED	CONVICTED
2002	65	65	11
2003	41	41	17
2004	64	64	16

The country reports the following information on judicial proceedings brought in connection with financial system transactions:

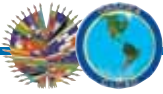
#### Judiciary proceedings as a result of operations made through the financial sector

YEAR	PROCEEDINGS (1)	PERSONS TRIED (2)	TRIALS RELATING TO USE OF THE FINANCIAL SYSTEM
2002	59	65	3 of 59
2003	34	41	10 of 34
2004	35	64	7 of 35
TOTAL	128	170	20 of 128

(1) Includes proceedings from operations made through the financial sector and proceedings where the financial sector was not used.

(2) Of the persons tried in 2002, 2003 and 2004, none of these proceedings originated from suspicious transactions reports.

The country reports that in 2003, it imposed nine administrative sanctions, and that in 2004, it instituted 93 proceedings to sanction financial entities for violations of anti-money laundering provisions.



The country reports that documents and financial records may be obtained in cases of money laundering for prosecution purposes. Data on the number of cases where documents and financial records were obtained are as follows:

#### Documents and financial records

Year	Money laundering cases	Requests to obtain documents from banks or other financial institutions	Cases where documents and financial records were obtained
2002	58	228	218
2003	69	144	130
2004	152	193	180

Mexico's law provides for forfeiture of property in cases of money laundering, and for sharing of property with other countries when those countries' authorities have cooperated during proceedings. The entity in charge of administering seized and forfeited property is the "Property Administration and Disposition Service." The values of property forfeited in money laundering cases is reported by the country as follows:

#### Value of property forfeited in money laundering cases

Year	Value of property forfeited
2002	US \$ 2,304,390.00
2003	52,536,830.13 mexican pesos or approximately US\$ 3,635,620.00
2004	7,159,600.00 mexican pesos or approximately US\$ 276,040.00

Prior to the amendments to the internal regulations of the Secretariat for Finance and Public Credit (SHCP), published in the Official Gazette of the Federation on May 7, 2004, the General Office of Investigation of Operations (DGAIO) prepared technical and accounting opinions at the request of the PGR. Based on those amendments, the now defunct DGAIO became the Financial Intelligence Unit (FIU) of the SHCP, expanding its powers and responsibilities in money laundering prevention and the financing of terrorism. Its functions now are to receive, analyze, and communicate reports on the results of transaction reports received. In September 2003, the SHCP began to implement a project to substantially restructure its procedures in the money laundering prevention and financing of terrorism areas.

This Unit brings together all areas involved in analyzing transactions with illicit proceeds and financing of terrorism by the SHCP and, among other duties, handles the system for transmitting reports of transactions and following up on reports submitted to judicial authorities. In that connection, in 2004, 635 "transaction analysis reports" were sent to the competent authorities as proactive cases (304 to the PGR and 331 to the SAT), and 64 reports were made to the PGR, 30 of which have crimes against health as predicate offenses. However, the FIU does not have a system that enables it to follow-up on and evaluate the results of the communications sent.

In order to facilitate the exchange of information and cooperation with other FIUs, it has executed Memoranda of Understanding with the FIUs of Canada, Colombia, and Peru, and has signed treaties in this area with Spain, United States, France, Guatemala, and Panama. It is also a member of the Egmont Group. In the framework of cooperation and the Memoranda of Understanding, the FIU received and made requests to exchange financial information in money laundering cases. Mexican legislation enables the FIU to share information with another foreign FIU without signature of a Memoranda of Understanding.



Mexico states that there is no limitation in internal laws that may prevent extradition of those who commit the offense of money laundering, provided they comply with international agreements executed by the country.

From 2002 to 2004, Mexico received five requests to freeze money laundering assets and replied to four acceding to these requests. The country in turn made one request in 2002 and one in 2004, to which it has not received a reply.

Training provided by the Office of the Attorney General in the area of the administration of money laundering offenses has been mainly targeted at prosecutors and administrative officers. In 2002, 124 prosecutors received training, in 2003, 126, and in 2004, 146. All remain in their positions. The country reports that the judiciary provides training for judges.

CICAD recognizes the progress made by Mexico in the process of restructuring financial investigation mechanisms, which will increase capacity for unification and coordination, and it hopes that it will be possible in the short-term to follow up on complaints presented to judicial authorities.

CICAD notes with concern that Mexico still has no legal provisions establishing administrative controls to prevent money laundering in the activities of real estate agencies and professional services (lawyers, notaries, and accountants).

## **RECOMMENDATIONS:**

10. ESTABLISH A MECHANISM TO BE USED BY THE FINANCIAL INTELLIGENCE UNIT TO FOLLOW UP ON REPORTS PRESENTED TO JUDICIAL AUTHORITIES.
11. ENSURE THAT THE LAWS ON MONEY LAUNDERING INCORPORATE ADMINISTRATIVE CONTROLS ON THE ACTIVITIES OF REAL ESTATE AGENCIES AND PROFESSIONAL SERVICES (LAWYERS, NOTARIES, AND ACCOUNTANTS), A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.

## **D. Corruption**

Acts of corruption are criminalized as offenses in the Mexican Federal Penal Code, and they are in keeping with the provisions of the Inter-American Convention against Corruption.

From 2002 to 2004, 87 government officials were arrested for illicit drug trafficking-related corruption offenses, 77 of whom were tried, and 10 convicted. The country does not clarify whether the remainder of the persons tried (67) were acquitted or whether their trials continue. The country does not provide information on arrests, trials, and convictions in the Federal District for illicit-drug trafficking-related corruption offenses.

CICAD notes that the country shows weakness in its ability to provide information regarding arrests, trials, and convictions for illicit-drug trafficking-related corruption offenses.

## **RECOMMENDATION:**

12. IMPLEMENT A SYSTEM TO REGISTER COMPLETE NATIONAL STATISTICS ON PERSONS ARRESTED, TRIED AND CONVICTED FOR ILLICIT DRUG TRAFFICKING-RELATED CORRUPTION OFFENSES.





## E. Organized Crime

Mexico has detected new trends in illicit trafficking, consumption, and money laundering, as well as the reactivation of flights, especially as transit points to Europe, using couriers of different nationalities.

The country reports that new legislation has been passed to fight transnational organized crime and its connection with illegal drug trafficking and new related crimes (Federal Law against Organized Crime, Federal Criminal Code, Federal Code of Criminal Procedure and Federal Law on Firearms and Explosives).

These laws cover the crimes of participation in an organized criminal group, money laundering and corruption, obstruction of justice, trafficking in persons, trafficking in migrants, manufacture of and traffic in illegal firearms, parts and components and ammunition.

In the international cooperation area, these laws pertain to extradition, reciprocal and mutual assistance (preventative and enforcement), interdiction, forfeiture, and victim protection and assistance. They do not pertain to interdiction operations. As regards special investigation techniques, the laws address: undercover operations, telephone interception, controlled deliveries, and other techniques (provision of bond, searches, anonymous tips, procedural secrecy, and non-disclosure of witness identity). Provisions currently in force do not expressly permit "undercover police operations" or "controlled deliveries." However, under Article 11, Federal Law against Crime, such operations may be conducted when done so by infiltration of agents.

The main institutions responsible for applying the laws on transnational organized crime and related crimes are the Office of the Attorney General of the Republic, the Judiciary of the Federation and the Ministry of Finance and Public Credit.

Training is offered through conferences, diploma courses, refresher courses, among others, which are given by the National Institute of Criminal Sciences of the Office of the Attorney General of the Republic, and scheduled in accordance with the budget assigned each year to the institution. During 2002 and 2003, 22 and 63 government officials were trained respectively.

The country reports that the number of people convicted for crimes connected with transnational organized crime in 2002, 2003, and 2004 was 26, 5, and 5, respectively. However, it provides no information on numbers of people arrested and tried, since there is only global data on processes in general and is no specific information about the type of crimes for which individuals are arrested and tried. That said, work is underway on a database to record numbers of people arrested and tried, by case number, individual, and offence.

The country provides the following information on requests for assistance received and made in connection with transnational organized crime in 2002 and 2004.

**Requests for judicial assistance sent and received by the country**

	2002		2003		2004	
	Received	Issued	Received	Issued	Received	Issued
Number of reports received and issued	0	0	4	4	1	1
Number of reports requested and issued	Requested	Issued	Requested	Issued	Requested	Issued
	15	15	21	20	32	11





CICAD recognizes that Mexico has in place standards and mechanisms to combat transnational organized crime. CICAD also takes note that work is underway on a database to record numbers of people arrested and tried, by case number, individual, and offense.



## V. CONCLUSIONS

CICAD recognizes that Mexico has tools and mechanisms to implement the National Drug Control Program (PNCD) to fight drugs in its different manifestations, as well as plans at the federal and municipal levels. The country has information and data collection systems and mechanisms for information dissemination at the national level. One of the challenges is allocation of budget to the national coordination entity, whose budget was reduced from the year 2002 to 2004. CICAD also considers that Mexico must advance to establishing a mechanism to measure the budgets allocated by government Ministries and the Office of the Attorney General of the Federal District to different anti-drug programs. Mexico has ratified both the international and the Inter-American conventions and is taking steps to implement them.

Additionally CICAD notes that Mexico shows progress in implementing demand reduction programs. The country evaluates prevention programs and has made progress in issuing standards and regulations for evaluation of treatment and rehabilitation centers. However, it must pay particular attention to creating and implementing government programs targeting vulnerable groups, such as working children, street children, women, and indigenous groups. The country is encouraged to step up its efforts to establish at the national level the indicators necessary to measure their impact and conduct studies in the national school population. Although Mexico has earlier studies, for this evaluation period (2003-2004), it did not provide results of studies or surveys or drug use-related mortality, drug abuse-related crimes and accidents, and intravenous drug use-related morbidity.

CICAD notes with concern the increase in cannabis crops detected, although efforts are made on an ongoing basis to eradicate crops detected, and also notes that Mexico has not begun actions to measure the impact of such programs. There has been a 50% decrease in the budget for integral development programs, reflected in the reduction in the number of participating families. CICAD notes with concern that these programs are not aimed to prevent illicit drug production.

CICAD recognizes the efforts carried out by Mexico to control and oversee pharmaceutical products and controlled chemical substances, but it needs to strengthen its actions and budgets and to update its legislation on controlled chemical substances. Mexico has increased the number of seizures of illicit drugs through better coordination and communication among entities with responsibility for surveillance, control, and intelligence actions. Also to be noted are the country's strengths in controlling illicit trafficking in firearms, ammunition, explosives, and other related materials, and in restructuring financial investigation mechanisms, which will enable anti-money laundering actions to be improved.

CICAD considers it necessary to highlight that one of the areas where the country needs to make particular effort is in the supply of information regarding arrests, trials, and convictions for illicit drug trafficking, illicit drug trafficking-related corruption offenses, and crimes related to international organized crime. CICAD also notes with concern that Mexico still has no legal provisions for the establishment of administrative controls to prevent money laundering in the activities of real estate agents and professional services (attorneys, notaries, and accountants), nor does it have a mechanism to enable the Financial Intelligence Unit to follow up on reports made to judicial authorities.

CICAD recognizes Mexico's participation within the framework of the Anti-drug Strategy in the Hemisphere and the Multilateral Evaluation Mechanism (MEM).



## VI. SUMMARY OF RECOMMENDATIONS

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

### INSTITUTION BUILDING

1. EXTEND TO THE NATION THE COVERAGE OF THE DRUG-RELATED INFORMATION DISSEMINATION SYSTEMS AT NATIONAL LEVEL.

### DEMAND REDUCTION

2. STRENGTHEN GOVERNMENT PREVENTION PROGRAMS SPECIFICALLY TARGETING VULNERABLE POPULATION GROUPS, SUCH AS WORKING CHILDREN, STREET CHILDREN, WOMEN, AND INDIGENOUS PEOPLES.
3. STRENGTHEN SYSTEMS FOR COMPILING DATA ON DRUG USE-RELATED MORBIDITY AND MORTALITY.
4. CONDUCT STUDIES TO ESTIMATE THE PREVALENCE OF DRUG USE AMONG NATIONAL SCHOOL POPULATION.

### SUPPLY REDUCTION

5. INCREASE THE COVERAGE OF, AND THE BUDGET APPROPRIATION FOR, INTEGRAL DEVELOPMENT.
6. INCORPORATE AN ALTERNATIVE DEVELOPMENT COMPONENT IN THE EXISTING INTEGRAL DEVELOPMENT PROGRAMS TO PREVENT ILLICIT DRUG PRODUCTION.
7. EVALUATE THE IMPACT OF INTEGRAL DEVELOPMENT PROGRAMS, A RECOMMENDATION REITERATED SINCE THE SECOND EVALUATION ROUND, 2001-2002.
8. UPDATE LEGISLATION ON CONTROLLED CHEMICAL SUBSTANCES IN LIGHT OF THE NEW TRENDS IN THEIR DIVERSION, A RECOMMENDATION REITERATED SINCE THE SECOND EVALUATION ROUND, 2001-2002.

### CONTROL MEASURES

9. ESTABLISH INFORMATION MECHANISMS TO REGISTER THE NUMBER OF PERSONS ARRESTED, TRIED AND CONVICTED FOR ILLICIT DRUG TRAFFICKING AND FOR ILLICIT POSSESSION OF DRUGS.
10. ESTABLISH A MECHANISM TO BE USED BY THE FINANCIAL INTELLIGENCE UNIT TO FOLLOW UP ON REPORTS PRESENTED TO JUDICIAL AUTHORITIES.
11. ENSURE THAT THE LAWS ON MONEY LAUNDERING INCORPORATE ADMINISTRATIVE CONTROLS ON THE ACTIVITIES OF REAL ESTATE AGENCIES AND PROFESSIONAL SERVICES (LAWYERS, NOTARIES, AND ACCOUNTANTS), A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.
12. IMPLEMENT A SYSTEM TO REGISTER COMPLETE NATIONAL STATISTICS ON PERSONS ARRESTED, TRIED AND CONVICTED FOR ILLICIT DRUG TRAFFICKING-RELATED CORRUPTION OFFENSES.