

Multilateral Evaluation Mechanism MEM



Canada

2005 PROGRESS REPORT IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE THIRD EVALUATION ROUND



**RECOMMENDATION 1:****RATIFY THE INTER-AMERICAN CONVENTION AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA), A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999–2000**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Canada reports that it has passed all legislation and regulations necessary to implement and ratify the provisions of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA). The country also reports that it will be in full compliance with CIFTA when the Public Agents Firearms Regulations come into force in October, 2006 and when the new Firearms Marking Regulations are made effective in December 2007.

CICAD recognizes Canada's steps to comply with this recommendation and urges the country to continue working towards its implementation, taking into account that this is a recommendation reiterated from the First Evaluation Round, 1999–2000.

RECOMMENDATION 2:**RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION, OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Canada has passed national legislation which brings the country into compliance with the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, of the United Nations Convention against Transnational Organized Crime. The country further reports that once the Public Agents Firearms Regulations come into force in October 2006, and the Firearms Marking Regulations become effective in December 2007, the country will be in a position to ratify the firearms Protocol.

CICAD recognizes Canada's steps to comply with the recommendation and encourages the country to continue working towards its full implementation, taking into account that this is a recommendation reiterated from the Second Evaluation Round, 2001–2002.

RECOMMENDATION 3:**ESTABLISH THE NATIONAL FRAMEWORK FOR ACTION ON SUBSTANCE USE AND ABUSE**

PUBLICATION DATE: JUNE 2005

Canada reports that it organized 10 different meetings representing officials from all parts of the country and held a variety of thematic roundtables between May 2004 and June 2005 to discuss the national framework for action on substance use and abuse. A national forum in June 2005



validated and ratified the National Framework for Action to Reduce the Harms Associated with Alcohol, Other Drugs and Substances.

CICAD views with satisfaction the fulfillment of this recommendation.

RECOMMENDATION 4:

ESTABLISH A SYSTEMATIC REVIEW TO ENSURE THAT THE DEMAND FOR DRUG ABUSE TREATMENT AND PROFESSIONAL TRAINING IN THIS AREA ARE BEING MET

PUBLICATION DATE: JUNE 2005

Canada reports that it conducted a survey of specialized drug abuse agencies throughout the country in 2005. This survey, conducted by Canada's national addictions agency known as the Canadian Centre on Substance Abuse, was followed by a meeting of key stakeholders (persons knowledgeable about demand for drug abuse treatment as well as training for professionals in this area) to identify roles and priorities and establish Canada's National Treatment Workforce Agenda.

CICAD expresses its satisfaction that Canada has implemented this recommendation.

RECOMMENDATION 5:

DEVELOP A MECHANISM TO ALLOW A MORE PRECISE ESTIMATE OF ILLEGAL CANNABIS CULTIVATIONS IN CANADA

PUBLICATION DATE: JUNE 2005

Canada reports that the federal government is working with provincial and territorial counterparts, including academics, researchers and law enforcement officials, to improve Canada's ability to accurately estimate illegal cannabis cultivation in the country. Pilot projects, testing a new system for estimating the drug crop, have been initiated in Canada's largest western province, British Columbia. A similar pilot project was scheduled to be conducted in Alberta. If these pilot projects are considered successful, the government will seek consensus among various federal departments, provinces and territories with respect to a standardized method to measure the illegal crop. The country states that this medium to long term project is considered complex and involves the nation as a whole, thus Canada cannot define a specific timeframe for full compliance with this recommendation.

CICAD acknowledges Canada's progress in implementing this recommendation and encourages the country to take the necessary steps to complete it.

RECOMMENDATION 6:

IMPLEMENT CONCRETE LAW ENFORCEMENT ACTION TO DETER, DETECT AND DISMANTLE ILLEGAL LABORATORIES THAT PRODUCE SYNTHETIC DRUGS

PUBLICATION DATE: JUNE 2005

Canada reports that the Royal Canadian Mounted Police (RCMP), working with local law enforcement and other concerned agencies and organizations, has strategically placed clandestine lab teams throughout the country to deter, detect and dismantle illegal laboratories that



produce synthetic drugs. The country states that the effort by the RCMP is funded through the National Drug Control Strategy.

CICAD expresses its satisfaction with Canada's implementation of this recommendation.

RECOMMENDATION 7:

REVIEW THE NATIONAL PHARMACEUTICAL PRODUCT MONITORING SYSTEMS TO ENSURE THAT THEY ARE EFFECTIVELY COMBATING VIOLATIONS ASSOCIATED WITH THE DIVERSION OF PHARMACEUTICAL PRODUCTS

PUBLICATION DATE: JUNE 2005

Canada reports that an ongoing review is being conducted by Health Canada which has developed a compliance and enforcement strategy for controlled substances, using both centralized monitoring and the expertise of field inspectors. The country reports that a component of the strategy is to expand monitoring and compliance resources and to develop a new inspection program. To this end, Canada reports that additional compliance officers will be hired during 2006.

CICAD expresses its satisfaction with Canada's fulfillment of this recommendation.

RECOMMENDATION 8:

DEVELOP A SYSTEM TO MONITOR AND EVALUATE SEIZURES OF CONTROLLED CHEMICALS

PUBLICATION DATE: JUNE 2005

Canada reports that the Royal Canadian Mounted Police (RCMP) maintains a database that records the numbers and amounts of seizures of controlled chemicals. In addition to data collected by the RCMP, the data bank also includes information supplied by the Canada Border Service Agency as well as other law enforcement agencies.

CICAD expresses its satisfaction with Canada's implementation of this recommendation.

RECOMMENDATION 9:

EVALUATE THE COUNTRY'S DATA GATHERING MECHANISMS ON CONVICTIONS FOR ILLICIT DRUG POSSESSION AND TRAFFICKING

PUBLICATION DATE: JUNE 2005

Canada reports that it maintains and collects comprehensive data and trends on drug trafficking and drug possession offenses. Moreover, the "Statistics Canada" agency collects data on convictions for illegal drug possession and trafficking in collaboration with federal and provincial ministries which are responsible for the administration of justice. The country notes that elements of this data are reported in Canada's Third Evaluation Round report of the MEM.

CICAD appreciates the information provided by Canada and considers this recommendation fulfilled.

**RECOMMENDATION 10:****INCREASE PENAL SANCTIONS FOR LARGE SCALE PRODUCTION OF ILLEGAL DRUGS**

PUBLICATION DATE: JUNE 2005

CICAD takes note of the information provided by Canada in this regard and accepts the justification provided by the country.

RECOMMENDATION 11:**IMPLEMENT INTERNAL REGULATIONS TO THE CANADIAN FIREARMS ACT AS A PREREQUISITE TO RATIFICATION OF THE INTER-AMERICAN CONVENTION AGAINST ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, AMMUNITIONS, EXPLOSIVES AND OTHER RELATED MATERIALS (CIFTA) AND THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME**

PUBLICATION DATE: JUNE 2005

Canada reports that, as a prerequisite to ratification of CIFTA and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition of the United Nations Convention against Transnational Organized Crime, the Public Agents Firearms Regulations will come into force in October 2006, and the new Firearms Marking Regulations will be made effective in December 2007.

CICAD notes that Canada has an established timeframe for these two sets of internal regulations and encourages the country to fully implement them.

RECOMMENDATION 12:**EXPAND THE STATISTICAL DATABASE ON FIREARMS IMPORTS AND EXPORTS TO INCLUDE RELEVANT DATA ON THE TRANSIT OF FIREARMS AND RELATED MATERIAL THROUGH CANADA**

PUBLICATION DATE: JUNE 2005

Canada reports that it is taking steps to record information about in-transit authorizations for firearms and related materials through the country. In this sense, Canada informs that records on in-transit movements of firearms through the country will be included in the regular database used for firearms imports and exports. At the same time, taking into account related issues in Canada, the country reports that it cannot provide an estimate for completion of the initiative for record-keeping associated with in-transit movements of firearms. Canada also comments that record keeping for in-transit movement of firearms and related materials is an issue of a more complex nature that requires serious consideration and consultation prior to implementation.

CICAD recognizes Canada's steps to comply with this recommendation and encourages the country to continue working towards its implementation.

**RECOMMENDATION 13:****DEVELOP AND IMPLEMENT A DATABASE SYSTEM TO GATHER CANADIAN STATISTICS ON MONEY LAUNDERING CONVICTIONS**

PUBLICATION DATE: JUNE 2005

Canada states that it maintains and collects comprehensive data on money laundering convictions. According to records, four persons were convicted of money laundering in Canada during fiscal year 2003–2004. The country reports that figures for 2004–2005 will be published in 2006.

CICAD expresses its satisfaction that Canada has implemented this recommendation.

RECOMMENDATION 14:**DEVELOP A SYSTEM TO TRACK AND COMPILE AT THE FEDERAL LEVEL DATA ASSOCIATED WITH THE FREEZING OF ASSETS CONNECTED TO MONEY LAUNDERING**

PUBLICATION DATE: JUNE 2005

Canada reports that, based upon the Seized Property Management Act (SPMA), the Seized Property Management Directorate (SPMD) is responsible for administering the Seized Property Management System, which tracks all assets seized or restrained pursuant to federal prosecution.

CICAD views with satisfaction the fulfillment of this recommendation.

RECOMMENDATION 15:**INCLUDE NOTARIES AND LAWYERS WITH OTHER ENTITIES REQUIRED TO RECORD AND REPORT SUSPICIOUS FINANCIAL TRANSACTIONS THAT MAY BE ASSOCIATED WITH MONEY LAUNDERING**

PUBLICATION DATE: JUNE 2005

Canada reports that it has repealed regulations on reporting of suspicious transactions that applied to lawyers and notaries, the latter of which operate only in the provinces of Quebec and British Columbia. According to the country, through on-going negotiations with the legal community, the government is working to reincorporate lawyers and notaries into Canada's Proceeds of Crime (Money Laundering) and Terrorist Financing Act (PCMLTFA).

CICAD notes the actions taken by Canada to reincorporate lawyers and notaries in regulations which would require them to report suspicious transactions and encourages the country to continue working towards the full implementation of this recommendation.

**RECOMMENDATION 16:****DEVELOP A STATISTICAL SYSTEM TO IDENTIFY PUBLIC OFFICIALS WHO ARE CHARGED AND/OR CONVICTED WITH ACTS OF CORRUPTION PUNISHABLE UNDER THE CANADIAN CRIMINAL CODE**

PUBLICATION DATE: JUNE 2005

Canada states that it maintains a system to identify public officials who are charged and/or convicted with acts of corruption, which are punishable under the Canadian Criminal Code. The country reports that 11 public officials were convicted of acts of corruption in 2003–2004.

CICAD expresses its satisfaction that Canada has implemented this recommendation.

CONCLUSIONS

During the Third Evaluation Round, 2003–2004, Canada was assigned a total of 16 recommendations, out of which ten have been completed or adequately addressed, and six are in progress.

CICAD states its satisfaction that Canada has implemented the majority of the recommendations.

Those recommendations which are recorded as still in progress include those relating to ratification of conventions which require prior implementation of national laws and regulations, as well as recommendations for which the country must report whether or not the results of initiatives are effective (e.g. a new methodology for measuring Canada's large marijuana crop, much of which is grown indoors and therefore challenging to measure) before CICAD can consider them completed.

CICAD recognizes Canada's participation in the MEM process and its organized response to MEM recommendations designed to enhance drug and crime control efforts in the country.