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MULTILATERAL EVALUATION MECHANISM (MEM)

*Evaluation Report on Drug Policies:
Institutional Strengthening; Research,
Information, Monitoring, and Evaluation;
and International Cooperation*

Brazil

Inter-American Drug Abuse Control Commission (CICAD)
Secretariat for Multidimensional Security (SMS)

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BRAZIL

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EIGHTH EVALUATION ROUND

2023

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PREFACE

The Multilateral Evaluation Mechanism (MEM), established by a mandate from the Second Summit of the Americas (Santiago, Chile - 1998), is a unique multilateral evaluation tool designed to measure the progress made and challenges faced by the member states of the Organization of American States (OAS) in implementing the Hemispheric Plan of Action on Drugs of the OAS Hemispheric Drug Strategy, currently in force.

The Inter-American Drug Abuse Control Commission (CICAD) of the Secretariat for Multidimensional Security (SMS) is the OAS specialized agency in charge of implementing this Mechanism.

The current MEM round is based on the objectives of the Hemispheric Plan of Action on Drugs 2021-2025 of the Hemispheric Drug Strategy 2020 and their respective priority actions. These documents take into account the recommendations of the outcome document of the United Nations General Assembly Special Session on the World Drug Problem (UNGASS 2016) and the United Nations 2030 Agenda on Sustainable Development, as well as cross-cutting issues, such as the gender perspective and human rights, cultural context, and social inclusion approaches, among others.

Seven evaluation rounds have been completed from 1998 to 2019 and, during 2020, the MEM Intergovernmental Working Group (IWG), composed of member state delegates, agreed on a new methodology for the eighth round, consisting of annual thematic evaluations with the support of independent technical consultants, as follows: 2021 – Measures for Prevention, Treatment, and Recovery Support; 2022 – Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences; 2023 – Institutional Strengthening; Research, Information, Monitoring, and Evaluation; International Cooperation; and 2024 – Comprehensive Evaluation based on updated information from all thematic areas.

MEM evaluations are carried out based on information provided by the member states' National Coordinating Entities (NCEs), which is analyzed by the MEM Governmental Expert Group (GEG), composed of experts designated by the countries, who do not participate in their own country's evaluation, thus ensuring the transparency and impartiality of the process. The GEG is always supported by the group of independent technical consultants and the MEM Unit. The eighth round represents a more rigorous evaluation process, in which countries are requested to provide valid means of verification to support the information submitted and ensure compliance of each priority action.

Specifically, the GEG's work for the thematic assessment for the areas of "Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation" was conducted during 2023, and covers the 2019 to 2023 period (unless otherwise specified). This work was adapted to the COVID-19 pandemic with the use of technology and virtual tools, as well as taking it into consideration in the evaluation assessments.

Finally, it should be noted that one of the main purposes of MEM evaluation reports is to serve as a useful diagnostic tool to identify opportunities for improvement in drug policies and strategies, both at the national and regional levels.

INSTITUTIONAL STRENGTHENING

OBJECTIVE

1

ESTABLISH AND/OR STRENGTHEN NATIONAL DRUG AUTHORITIES, PLACING THEM AT A HIGH POLITICAL LEVEL AND PROVIDING THEM WITH THE NECESSARY CAPABILITIES, RESOURCES, AND COMPETENCIES TO COORDINATE FORMULATION, IMPLEMENTATION, MONITORING, AND EVALUATION OF NATIONAL DRUG POLICIES.

Priority Action 1.1: Place national drug authorities at a high political level.

Brazil has the National Secretariat for Drug Policy and Asset Management (SENAD) as the national drug authority, which was established in 1993 (under the name Federal Secretariat on Narcotics) and is positioned within the government administrative structure under the Ministry of Justice and Public Security, an organ of the direct administration of the Executive Branch.

Priority Action 1.2: Grant national drug policy entities the authority to guide and coordinate the formulation, implementation, monitoring, and evaluation of national drug policies.

Brazil’s national drug authority has legal basis, through Decree No. 11,348, of January 1, 2023, which approves the Structure and the Demonstrative Chart of the Positions in Commission and the Trust Functions of the Ministry of Justice and Public Security.

Priority Action 1.3: Allocate the necessary resources (material, financial, and human) for the effective functioning of the national drug authorities.

In Brazil there is an annual budget for the national drug authority, which is independent. The amount of the annual budget of the national drug authority for the years 2019-2023 is listed below:

Year	2019	2020	2021	2022	2023
Annual budget amount (US dollars)	\$6,200,000	\$7,600,000	\$9,600,000	\$12,200,000	\$12,800,000

Priority Action 1.4: Design or optimize mechanisms to facilitate effective coordination and collaboration among government institutions for the formulation, implementation, monitoring, evaluation, and updating of evidence-based national drug policies and/or strategies.

Brazil has an ongoing coordination and collaboration mechanism among agencies and other levels of government (national and sub-national) to formulate, implement, monitor, evaluate, and update national drug policies and/or strategies. In this sense, the National Drug Policy Council (CONAD) is the highest-level body of the National Drug Policy System (SISNAD). Decree No. 11,480, of April 6, 2023, establishes its jurisdiction, its composition, and other measures.

The national drug authority of Brazil coordinates the areas of demand reduction, supply reduction, preventive alternative development programs, drug observatory, international cooperation, and program evaluation, but does not coordinate the area of control measures.

OBJECTIVE
2

FORMULATE, IMPLEMENT, EVALUATE, AND UPDATE COMPREHENSIVE NATIONAL DRUG POLICIES AND/OR STRATEGIES THAT PROMOTE BALANCED, MULTIDISCIPLINARY, AND EVIDENCE-BASED APPROACHES, WHILE FULLY RESPECTING HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, UNDER THE PRINCIPLE OF COMMON AND SHARED RESPONSIBILITY, CONSISTENT WITH OBLIGATIONS OF PARTIES UNDER INTERNATIONAL LAW, AND TAKE INTO ACCOUNT GENDER, AGE, COMMUNITY, CULTURAL CONTEXT, AND SOCIALLY INCLUSIVE DEVELOPMENT.

Priority Action 2.1: Collect and use evidence as a basis for the formulation and updating of national drug policies and/or strategies.

In Brazil, the National Secretariat for Drug Policy and Asset Management, with technical support from the Center of Excellence for Reducing the Supply of Illicit Drugs (CdE), collects and uses evidence as a basis for formulating and updating national drug policies and strategies. In that sense, the CdE produces and disseminates studies, research, and specialized technical publications on reducing the supply of drugs and related issues to support the Brazilian State in decision-making. These materials are prepared by using innovative technologies for data capture and analysis based on data from the public security system at the municipal, state, and federal levels. In addition, the CdE ensures the viability of international cooperation mechanisms and the exchange of promising experiences and practices with the objective of getting the Brazilian State to improve public policies on drugs, whether through technical events or training and teaching strategies.

The CdE already produced several technical studies that used innovative methods for analyzing data, from both official and open sources. It also works to improve the consistency and quality of data and statistical analyses by disseminating information at its website, as well as to consolidate topics relevant to drug policy. In the area of international cooperation, the CdE has the support of the UNODC in Vienna and offices in several countries to strengthen the statistical and analytical capabilities of national public security, producing international reports on the dynamics of transnational drug trafficking and supporting the structuring of relevant programs for monitoring emerging issues on drugs, such as implementation of the Rapid Early Warning Subsystem on Drugs (SAR). Finally, the CdE also developed training strategies on topics relevant to drugs and crime for journalists, students, researchers, agents of the public security forces, and the general public.

Priority Action 2.2: Promote and establish collaborative relationships with the scientific community, public policy experts, community and/or civil society actors, and other relevant stakeholders, to contribute to the evidence-based development, implementation, evaluation, and updating of national drug policies.

In Brazil, the following relevant actors from the priority areas are involved in the development, implementation, evaluation, and updating of national drug policies and/or strategies:

Relevant actors	Development	Implementation	Evaluation	Update
Health Ministry	X	X		X
Justice and Public Security Ministry	X	X	X	X
Education Ministry	X	X		X
Regional and/or local governments	X	X		X
Scientific community/academia			X	
Civil society	X	X		
Private sector				
Others:				
Ministry of Social Development	X	X	X	X
Ministry of Finance	X	X	X	X

The country’s private sector is not involved in the development, implementation, evaluation, or updating of national drug policies or strategies.

Priority Action 2.3: Promote sub-national/local management of drug policies and/or strategies through greater coordination and/or delegation of responsibilities, as appropriate, between sub-national/local and national agencies, taking into account the socio-cultural, demographic and other differences of each region.

Brazil has partially delegated responsibilities on drug issues to local/sub-national governments to implement concrete actions related to drug policies and strategies, in coordination with the national drug authority. In that sense, Brazilian legislation attributes competences to states and municipalities in the areas of supply and demand reduction, from various angles, including: ostensible policing and judicial policing; trials and appeals; criminal enforcement; treatment and social reinsertion; as well as the design of public policies.

The national drug authority of Brazil has, in its central structure, two functional units to promote, coordinate, train, and provide technical support to local/sub-national governments or agencies on drug-related issues: the Brazilian Observatory on Drug Information (OBID) and the CdE.

Until December 2022, the provision of technical support and training to subnational governments, in matters related to drugs, occurred through the opening, by SENAD, of vacancies in distance courses (online); concession of per diems and air tickets to Official State Criminal Experts to participate in face-to-face training/capacity building in Brasília or São Paulo. In

addition, support is provided through the publication of various material to benefit subnational governments, in particular Information, Technical Notes, Reports from the SAR and the CdE, Opinions, Surveys and Research Reports.

The national drug authority of Brazil does not have coordinators, offices, or representatives in the sub-national or local territories, as part of a decentralized operational and coordination structure at the local level to respond to the drug problem.

Brazil has the National Antidrug Fund (FUNAD) as an ongoing mechanism to transfer funds or finance drug initiatives or projects carried out by sub-national or local governments. The FUNAD was established and regulated by Law No. 7,560, of December 19, 1986, called, at the time, the Fund for Prevention, Recovery, and Combat of Drugs subject to Abuse (FUNCAB), with the principal aim of financing actions, projects, and programs related to drug policy.

The resources for the FUNAD come from:

- Specific outlays established in the federal budget
- Grants from national, international, or foreign agencies or entities, as well as national or foreign natural and juridical persons
- Resources from the sale of goods of economic value, apprehended as a result of drug trafficking or used in any way in illegal activities for the production or marketing of abusive drugs, as well as those acquired with the proceeds of said crimes
- Resources from fees and fines collected in the control and inspection of drugs and controlled medicines, as well as from chemical products used in the manufacture and processing of drugs
- Other resources, including those from external and domestic financing
- Resources from the forfeiture to the federal government of goods, duties, and securities tied up with the crime of illegal trafficking in narcotic substances or related drugs
- Amounts from the imposition of fines to guarantee educational measures related to the crime of procuring, keeping, depositing, transporting, and carrying drugs for personal consumption (Art. 29, Law No. 11,343/06)
- Revenue of any sort stemming from the use of the assets of the FUNAD, including those received as remuneration

The earmarking of those resources is especially geared to actions for supply reduction, demand reduction, campaigns, studies, and trainings related to the drug issue. The resources are also applied to the work of the FUNAD and the expenditures stemming from carrying out the attributions of the National Secretariat for Drug Policy (SENAD), which is the lead agency of the Fund.

Supply reduction consists of projects for resupply and costing of activities for inspection, control, and repression of the illicit use and trafficking of drugs and controlled products. Demand reduction is already related to programs for prevention, attention, care, treatment, and social reinsertion of drug users.

Additionally, the country has the Bank of Projects – SENAD, which was instituted with the aim of pulling together previously authorized projects presented by federal, state, and district-level public security bodies. The Bank of Projects will be used for receiving projects whose objective is:

- To foster public policies on drugs that have to do with disseminating knowledge of crimes, offenses, and infractions related to illicit drugs
- To combat drug trafficking and related crimes, including by recovering assets that finance or are the result of those criminal activities

Priority Action 2.4: Engage private sector entities to develop innovative approaches to implementation of drug policy, including the exchange of information on emerging substances and new drug trafficking modalities that may affect the private sector, and best practices for denying criminals access to the private sector platforms and technologies that facilitate international trade.

Brazil does not engage private sector entities to develop innovative approaches in the implementation of drug policies and exchange information and best practices.

Priority Action 2.5: Formulate or update national drug policies and/or strategies in line with the 2020 OAS Hemispheric Strategy on Drugs and this accompanying Plan of Action, taking into account the objectives of the 2030 Agenda for Sustainable Development.

Brazil takes into account the OAS 2020 Hemispheric Drug Strategy and its corresponding Plan of Action to formulate or update national drug policies and strategies. In the federal sphere, both the 2020 Hemispheric Strategy on Drugs of the OAS and the Plan of Action were used as inputs in drawing up the National Drug Policy 2022-2026. In that regard, the PLANAD sought inspiration mainly in the sections related to Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation.

The country's national drug policies and strategies take into account the UN 2030 Agenda for Sustainable Development. In the federal sphere, the UN 2030 Agenda for Sustainable Development was used as input in the process of drawing up the National Drug Policy 2022-2026, mainly as regards reinforcing prevention and treatment of substance abuse, including the abuse of narcotic drugs and the harmful use of alcohol.

Priority Action 2.6: Integrate a human rights, gender, and social inclusion approach, particularly with respect to at-risk populations, in the process of formulating, implementing, and updating national drug policies and/or strategies.

Brazil's national drug policies and strategies take into account the human rights approach. In this sense, all public policies implemented in Brazil must observe constitutional precepts, and it is no different in the case of the National Drug Policy of 2019. For example, Article 5, section XLVIII, of the Federal Constitution expressly prohibits punishments that are cruel, that entail exile or forced labor, or life sentences and the death penalty, except in the case of a declared war. Moreover, Article 318 of Decree Law 3,689/1941 (Code of Criminal Procedure) authorizes the judge to grant house arrest for pregnant women, women who must care for a person under six years of age or with a disability, or who have a child up to 12 years of age.

Along the same lines, the Federal Constitution, at Article 1, establishes the dignity of the human person as one of the foundations of the Federative Republic of Brazil.

The country's national drug policies and strategies do not take into account the gender perspective.

Brazil's national drug policies and strategies take into account the social inclusion approach. In this sense, the National Drug Policy has components that promote social assistance, health, education, and public security, among others, so as to minimize the deleterious consequences of drugs for families and society. The drug problem in Brazil affects disproportionately the most vulnerable. Mortality and incarceration are more accentuated among the underprivileged social groups.

Priority Action 2.7: Provide adequate financial and other necessary resources for the implementation of drug policies and programs.

Brazil does not have the necessary resources to implement drug policies and programs. There are several indicators that show the existence of an enormous shortage of material, human, and financial resources for implementing policies and initiatives on drugs in Brazil. For example, the number of health and public security professionals is considered far short of the ideal for addressing the demands related to drug use, abuse, and trafficking. The federal, state, and municipal budgets are notably limited and insufficient for dealing with the complex social problem of drugs.

OBJECTIVE
3**DESIGN AND COORDINATE NATIONAL DRUG POLICIES, THAT CAN BE HARMONIZED ACROSS RELATED GOVERNMENT POLICIES AND/OR STRATEGIES, THAT ADDRESS THE FUNDAMENTAL CAUSES AND CONSEQUENCES OF THE DRUG PROBLEM.**

Priority Action 3.1: Establish and/or strengthen interagency and multisectoral policy and technical coordination mechanisms, to achieve a comprehensive, balanced, and multi-disciplinary approach to the drug problem, including its causes and consequences.

Brazil has interagency and multisectoral policy and technical coordination mechanisms to address the drug problem in a comprehensive, balanced, and multidisciplinary approach, including its causes and consequences. In this sense, the National Drug Policy Council (CONAD) ensures the central orientation and decentralized implementation of the activities linked to the National Drug Policy and involves various actors at the federal, state, and municipal levels to provide cross-cutting action among the public policies of the various organs. Among the competences of the CONAD, special mention should be made of:

- Approving, reformulating, and monitoring the National Drug Policy Plan
- Deliberating on initiatives of the federal government that aim to meet the objectives of the National Drug Policy (PNAD)
- Deliberating on the proposals of the Advisory Group and the Bipartite Commission
- monitoring attainment by the SISNAD of the national guidelines for preventing the unlawful use, providing care, and ensuring the social reinsertion of drug users and addicts, and the repression of unauthorized production and illicit drug trafficking
- Identifying and disseminating good drug-related practices at the three levels of government
- Monitoring and making statements on drug-related legislative proposals

The CONAD has the following organizational structure:

- Board of Directors, chaired by the State Minister of Justice and Public Security
- Collegial Body, made up of:
 - State Minister of Citizenship
 - Representative of the Ministry of Defense
 - Representative of the Ministry of Foreign Affairs
 - Representative of the Ministry of Economy
 - Representative of the Ministry of Education
 - Representative of the Ministry of Health
 - Representative of the Ministry of Women, Family, and Human Rights
 - Representative of the Institutional Security Cabinet of the Presidency of the Republic
 - Institutional Representative of the National Agency for Health Surveillance
 - National Secretary for Drug Policy and Asset Management of the Ministry of Justice and Public Security
 - National Secretary for Drug Care and Prevention of the Ministry of Citizenship
 - Representative of the state-level organ responsible for drug policy

- Representative of the state-level drug council
- Bipartite Commission, providing support to the Council
- Advisory Group, providing support to the Council

The Brazilian Observatory on Drug Information (OBID) pulls together and centralizes up-to-date information and knowledge on drugs, including data from studies, research, and national surveys. The Observatory produces and disseminates scientifically grounded information that contributes to the development of new knowledge applied to activities for demand reduction and supply reduction by developing and applying intervention models based on the specific needs of the different target populations, respecting their sociocultural characteristics.

Supplementing the activities of the OBID, the activities of the Center for Excellence for Reducing the Supply of Illicit Drugs (CdE) emphasize providing support for the Secretariat and the Ministry to undertake studies on trends and threats represented by drug trafficking and transnational organized crime. In that context, the CdE acts as a specialized functional unit for sharing scientific evidence on the markets for illicit substances based on extensive research and analysis aimed at strengthening the statistical and analytical capabilities of public security and designing relevant international cooperation strategies.

Priority Action 3.2: Design, implement, and evaluate multisectoral plans and programs based on the principles of human rights, public health, and development, to address and counter the socioeconomic causes and the consequences of the drug problem.

Brazil has concrete multisectoral plans and programs to address the causes and socioeconomic consequences of the drug problem, which are based on the principles of human rights, public health, and development.

The National Drug Policy Plan sets forth the following objectives:

- Promote the interdisciplinary nature and integration of the programs, activities, and projects of the public and private organs and entities in the areas of health, education, work, social assistance, social security, housing, culture, sports, and leisure, with a view to drug use prevention, care, and social reinsertion for drug users and addicts
- Make viable broad social participation in the design, implementation, and evaluation of drug policies
- Prioritize programs, actions, activities, and projects articulated with educational establishments, society, and the family to prevent drug use
- Expand the alternatives for social and economic insertion of drug users and addicts, fostering programs that prioritize improvements in their schooling and professional training
- Promote access for drug users and addicts to all public services
- Establish guidelines for guaranteeing the effectiveness of the programs, actions, and projects of the drug policies

- Foster establishment of a telephone service with guidance and information to support drug users and addicts
- Articulate programs, actions, and projects to provide incentives for employment, income, and job training with the objective of promoting professional insertion of persons who have completed the individual service plan in the phases of treatment or other services
- Promote collective forms of organizing for work, networks in the solidarity economy and cooperative movement as a way to promote the autonomy of drug users or addicts who have come out of treatment or other services, observing the regional specificities
- Propose the design of public policies that lead to implementation of the guidelines and principles of the PNAD
- Articulate health, social assistance, and justice programs for addressing drug abuse

Priority Action 3.3: Participate in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, institutions, and their internal processes.

Brazil participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, and institutions and their internal processes. In this sense, Brazil has developed important initiatives for international cooperation in bilateral and multilateral forums, such as:

- Bilateral mixed commissions with several countries that address cooperation in demand reduction and supply reduction. The recent mixed commissions have included the Tenth Brazil-Peru Mixed Commission and the Ninth Brazil-Colombia Mixed Commission
- Cooperation Programme among Latin America, the Caribbean, and the European Union on Drug Policy (COPOLAD)
- Project BRA/15/009 (Partnership between the SENAD and the United Nations Office on Drugs and Crime)

In addition, the country acts together with Interpol on several initiatives geared to furthering the international control of legal and illegal drugs.

Priority Action 3.4: Promote comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption.

Brazil promotes comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social exclusion, and corruption. In this sense, the objectives of the National Policy for Public Security and Social Defense are:

- To foster integration in strategic and operational actions, in public security intelligence activities and in managing crises and incidents

- To support actions to maintain public order and the integrity of persons, property, the environment, and goods and rights
- To encourage measures for modernizing equipment, investigation, and expertise for standardizing the technology used by public security agencies and institutions
- To encourage and support actions to prevent violence and crime, with priority on those related to lethality of the young black population, women, and other vulnerable groups
- To promote social participation in the Public Security Councils
- To encourage the production and publication of studies and assessments for designing and evaluating public policies
- To promote the interoperability of public security system
- To encourage and expand prevention, control, and oversight activities for repressing cross-border crimes
- To encourage the exchange of public security intelligence information with counterpart foreign institutions
- To integrate and share information on public security, prisons, and drugs
- To encourage the standardizing of education, training, and qualification of professionals in the area of public security, respecting regional specificities and diversities, in keeping with this policy, at the federal, state, district, and municipal levels
- To foster improvement of the application and implementation of measures that restrict rights or non-custodial sentences
- To foster the improvement of the regimes to ensure that prison sentences are proportional to the seriousness of the crimes committed
- To rationalize and humanize the prison system and other spaces for incarceration
- To foster studies, research, and publications on the policy for addressing drugs and reducing harm related to drug users and the social groups with which they live
- To foster permanent actions for fighting organized crime and corruption
- To establish mechanisms for monitoring and evaluating the actions implemented
- To promote a collaborative relationship between the public security agencies and the members of the judiciary to devise the strategies and carry out the actions necessary for attaining the goals established
- To encourage granting protective measures in favor of persons in vulnerable situations
- To encourage the establishment of mechanisms to protect public agents who are part of the national public security system and their family members
- To encourage and incentivize the preparation, implementation, and monitoring of actions in the areas of professional worth, health, quality of life, and security for the public servants who work in the national public security system
- To prioritize policies for reducing deadly violence
- To strengthen the mechanisms for investigating heinous crimes and homicides
- To strengthen the actions to inspect firearms and munitions, with a view to reducing armed violence
- To strengthen actions to prevent and repress cybercrimes

In addition, the government instated the National Program for Public Security with Citizenship (PRONASCI).

Priority Action 3.5: Implement measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context.

Brazil implements measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context approaches. In this sense, by Decree No. 11,348, of January 1, 2023, the Federal Executive Branch gained a new secretariat in the Ministry of Justice and Public Security. Named the “Secretariat for Access to Justice (SAJU),” it is tasked with the following:

- Promoting public policies for modernizing, improving, digitally transforming, and democratizing access to justice and citizenship, including on the digital platforms
- Orienting and coordinating actions within the competence of the Executive branch with a view to adopting measures to improve the judicial services provided to citizens
- Assisting the State Ministry in supervising and coordinating the activities to foster modernization of the administration of justice
- Promoting actions to improve the justice system and judicial policy, in coordination with other agencies and entities of the Executive and Judicial branches and with the Office of the Public Prosecutor, the Office of Public Defense, the Brazilian Bar Association (OAB), international organizations and agencies, and civil society organizations
- Promoting, in coordination with the Office of General Counsel of the Federal Government, actions aimed at disseminating alternative dispute settlement, including trainings
- Promoting actions to confront racism in the justice system
- Promoting actions related to the justice system that contribute to reducing violence against women, the LGBTQIA+ population, Indigenous peoples, and traditional communities and for improving the justice system

Priority Action 3.6: Implement measures that foster citizen participation in crime prevention, build community cohesion, increase public safety, and emphasize social inclusion.

Brazil implements measures that foster citizen participation in crime prevention, build community cohesion, increase public safety, and emphasize social inclusion. In this sense, Law No. 11,530, of October 24, 2007, institutes PRONASCI, whose main guidelines are the following:

- Promoting human rights, intensifying a culture of peace, support for disarmament and fighting prejudices related to gender, ethnicity, race, age, sexual orientation, and cultural diversity
- Creating and strengthening social and community networks
- Strengthening the councils for defending the rights of children and adolescents
- Promoting security and peaceful coexistence

- Modernizing public security institutions in the prison system
- Valuing public security professionals and those working in prisons
- Participation of youth and adolescents, persons coming out of the prisons, families exposed to urban violence, and women in facing violence
- Re-socialization of individuals who serve prison sentences and who come out of the prisons by implementing educational, sports, and job-training programs
- Intensifying and expanding measures for tackling organized crime and police corruption
- Guarantee of access to justice, especially in vulnerable territories
- Guarantee, through urban development measures, the recovery of public spaces
- Observance of the principles and guidelines of the decentralized and participatory management of social policies and resolutions of the councils for social policies and defense of rights associated with PRONASCI
- Participation and inclusion in programs capable of responding, consistently and on an ongoing basis, to the demands of crime victims through psychological, legal, and social support
- Participation of homeless youths and adolescents in educational and job-training programs with a view to re-socialization and reintegration to the family Promotion of studies, research, and indicators on violence that consider the dimensions of gender, ethnicity, race, age, and sexual orientation
- Transparency in implementation, including by electronic means of public access
- Guarantee the participation of civil society

OBJECTIVE

4

DESIGN, ADOPT, AND IMPLEMENT ALTERNATIVES TO INCARCERATION FOR MINOR OR NON-VIOLENT DRUG OR DRUG-RELATED OFFENSES, WHILE TAKING INTO ACCOUNT NATIONAL, CONSTITUTIONAL, LEGAL, AND ADMINISTRATIVE SYSTEMS, AND IN ACCORDANCE WITH RELEVANT INTERNATIONAL INSTRUMENTS.

Priority Action 4.1: Adopt alternative measures to incarceration for minor or non-violent drug-related offenses, where appropriate, while safeguarding the sovereignty of states, and ensuring individual accountability, respecting human rights and the gender perspective.

Brazil's law provides for alternative measures to incarceration for minor or non-violent drug-related offenses through Law No. 11,343 of August 23, 2006, and Law No. 9,099, of September 26, 1995.

These measures respect human rights and take into account the gender perspective in accordance with relevant international instruments. In this sense, Article 5(XLVIII) of the Federal Constitution expressly prohibits cruel punishments, exile, forced labor, life sentences, and capital punishment, except in case of a declared war. In addition, Article 318 of Decree Law 3,689/1941 (Code of Criminal Procedure) authorizes the judge to grant house arrest to pregnant women, women essential for caring for a person under 6 (six) years of age or with a disability, or who have a child up to 12 (twelve) years old.

Priority Action 4.2: Develop mechanisms to monitor and evaluate alternative measures to incarceration for minor or non-violent drug-related offenses, in collaboration with academic and research institutions, as well as civil society.

Brazil does not develop mechanisms to monitor or evaluate alternative measures to incarceration for minor drug-related offenses.

Priority Action 4.3: Promote common understanding of national legal norms, regulations, and internal procedures for the implementation of alternatives to incarceration.

Brazil promotes a common understanding of national legal norms, regulations, and internal procedures for the implementation of alternatives to incarceration. In this sense, the case-law of the Supreme Court has a strong influence over the decisions handed down at trial, providing a check on monocratic decisions. Special criminal court judges are responsible for deciding which punitive measures other than prison to be applied in specific cases, whereas the Executive branch, through the various agencies for criminal enforcement and re-socialization, is competent for implementing and overseeing the enforcement of those measures.

OBJECTIVE
5**PROMOTE AND IMPLEMENT, AS APPROPRIATE, IN ACCORDANCE WITH THE POLICIES, LAWS AND NEEDS OF EACH COUNTRY, COMPREHENSIVE PROGRAMS THAT PROMOTE SOCIAL INCLUSION, ESPECIALLY TO THOSE AT-RISK POPULATIONS.**

Priority Action 5.1: Design and implement, in accordance with the characteristics, interests, and needs of each country, inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations.

Brazil has inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations. In this sense, the country has a series of such initiatives at the various levels of government (federal, state, and municipal). In the Federal government, the project “Tô de Boa” stands out (acronym for “Work Geared to Economic and Biopsychosocial Development, based on Offer of Alternatives”). An emblematic initiative at the state level is the Program I Begin Anew – A Life without Drugs, an initiative of the Government of the State of São Paulo that promotes prevention of unlawful drug use, controlling and repurposing sites that have become degraded due to the use of psychoactive substances, access to justice and citizenship, support in the form of social assistance and medical treatment for persons with problems stemming from the use of psychoactive substances, their families, and the community. The Program for Qualified Intervention in Situations of Crack Use of the municipality of Belo Horizonte was developed by the Municipal Secretariat for Security and Prevention, under the coordination of the Bureau for Social and Crime Prevention. It represents a policy of the municipal government to intervene on an intersectoral basis and with inclusion in situations of crack use, and use of other drugs, in Belo Horizonte. The methodology incorporates and articulates actions in respect of health, public security, social assistance, culture, sports and leisure, urban planning, and economic development, with the objective of offering specialized and multidisciplinary attention to the target audience, as well as promote the repurposing of the urban space, offering training and community inclusion programs geared to promoting coexistence and the local cultures. As a rule, all those federal, state, and municipal initiatives involve providing trainings, vocational support, specialized assistance (health services), income-generating activities, and socio-productive inclusion of persons in vulnerable situations and facing social risks.

Priority Action 5.2: Disseminate best practices and lessons learned to improve institutional responses to the needs of at-risk populations.

Brazil disseminates best practices and lessons learned to improve institutional responses to the needs of people in at-risk situations, such as mechanisms, programs, and interventions, through publications, meetings, workshops, among others. In that sense, Dissemination of best practices is done by means of publications, events (workshops, congresses, and technical meetings) and various mechanisms. For example, the Brazilian Drug Policy Platform (PBPD) is a national network that seeks to debate and promote drug policies grounded in guaranteeing of human rights and

using scientific evidence, reducing harms caused by problematic drug use and the violence associated with the illegality of the circulation of substances, as well as promoting education and public health. At the federal level several events and publications are produced in the course of the year, mainly in the period of the National Drug Policy Week, instituted by Law 13,840, of June 5, 2019. Another noteworthy example is the Brazilian Center of Information on Psychotropic Drugs (CEBRID), a non-profit entity that organizes research and scientific meetings tied to activities on the drug question with the Universidade Federal de São Paulo (UNIFESP), that publishes books, and collects statistics on drug use among students, homeless children, among others; maintains a collection of Brazilian scientific papers on drug abuse; and publishes informational newsletters quarterly.

OBJECTIVE
6

PROMOTE PROPORTIONATE SENTENCING FOR DRUG-RELATED CRIMES THAT PROVIDES FOR PENALTIES COMMENSURATE WITH THE RELATIVE SERIOUSNESS OF OFFENSES, IN LINE WITH THE INTERNATIONAL DRUG CONVENTIONS AND RESPECTING THE PRINCIPLES OF DUE PROCESS, WITH GENDER PERSPECTIVE, AGE, COMMUNITY, AND A HUMAN RIGHTS APPROACH.

Priority Action 6.1: Promote proportional legal sentencing for minor drug-related offenses in accordance with domestic law.

Brazil promotes Art. 28 of Law No. 11,343, of August 23, 2006, which provides for proportional legal sentencing for minor drug-related offenses, in accordance with domestic law.

The country has special courts or tribunals for minor drug-related offenses. In that sense According to Article 48, § 1, of Law 11,343/2006, referring to users of illegal drugs, where there is a lesser offensive potential, the suspect should be prosecuted and judged by the Specialized Criminal Court.

Priority Action 6.2: Promote legal reforms as needed, to promote proportional sentencing for minor drug-related offenses.

Brazil promotes legal reforms, where appropriate, regarding proportional sentencing for minor drug-related offenses. In this sense, A distinction is drawn between user and trafficker in the definition and, above all, in the penalties, under the Law No. 11,343.

RESEARCH, INFORMATION, MONITORING, AND EVALUATION

OBJECTIVE
1

ESTABLISH OR STRENGTHEN NATIONAL OBSERVATORIES ON DRUGS, OR SIMILAR TECHNICAL OFFICES, STRENGTHENING NATIONAL DRUG INFORMATION SYSTEMS, AND FOSTER SCIENTIFIC RESEARCH TO GENERATE, COLLECT, ORGANIZE, ANALYZE, AND DISSEMINATE INFORMATION TO INFORM THE DEVELOPMENT AND IMPLEMENTATION OF EVIDENCE-BASED DRUG POLICIES AND STRATEGIES.

Priority Action 1.1: Develop and strengthen national drug observatories (NDO) or similar technical offices ensuring they have adequate human and financial resources.

Brazil has the Brazilian Observatory on Drug Information (OBID), which was established by Decree No. 4,345, of August 26, 2002. At present, its maintenance and updating are provided for in Decree No. 9,761, of April 11, 2019, and Decree No. 11,348, of January 1, 2023.

The OBID has been assigned financial and human resources to carry out its functions. The main source of its financing is the National Antidrug Fund (FUNAD), which was instituted by Law No. 7,560, of December 19, 1986.

Priority Action 1.2: Strengthen ties to academic and research institutions, as well as specialized non-governmental organizations, to foster scientific research and studies on the various aspects of the drug phenomenon.

Brazil has established and maintained working relationships with the Brazilian Center for Information on Psychotropic Drugs (CEBRID) of the Universidade Federal de São Paulo (UNIFESP) and with the Institute for Communication and Scientific and Technological Information in Health (ICT/FOCRUZ).

The country has carried out the following study on the drug problem through academic and research institutions:

- The National Research study on crack use: “Who are the users of crack and/or similar products in Brazil? How many are in the capital cities of Brazil?”, 2023

Priority Action 1.3: Develop and adopt quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries.

Brazil has developed and adopted quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries. In this sense, the studies used quantitative research methods by applying a questionnaire with a population sample to understand aspects of the pattern of drug use and provide estimates of the population consuming psychoactive substances.

However, the country has not carried out studies on drug use applying the Inter-American Uniform Drug Use Data System (SIDUC) methodology or a national methodology harmonized with SIDUC. In addition, Brazil has not used CICAD's standardized indicators for drug information networks to collect, analyze, or report national drug-related information.

Brazil has not carried out studies using methods that are non-representative of the population or qualitative methodologies to obtain information on drugs that can be shared with other countries that have carried out studies with similar methodologies.

Priority Action 1.4: Establish and strengthen national drug information networks (DINs) to carry out long-term monitoring and early warning systems (EWS), including the use of a broad range of research methods and information sources, to develop rapid responses to emerging threats.

Priority Action 1.5: Contribute to the Early Warning System of the Americas (Spanish acronym SATA) to gather the available national alerts and disseminate them to member states, so that member states can respond in the shortest possible time to new threats.

Priority Action 1.6: Publish updates annually, when possible, on drug supply and drug demand utilizing the information provided on the national drug situation by using information from the national DINs.

The OBID does not have a national drug information network (DIN).

Brazil has an early warning system (EWS) to identify NPS and other emerging drug-related threats, which is led by the OBID. The EWS shares information, alerts, and reports with the Early Warning System of the Americas (SATA).

The EWS does not have a mechanism to share information in real time.

The following stakeholders participate in the EWS:

Stakeholders	Yes	No
Universities/Academia	X	
Health institutions	X	
Drug treatment facilities		X
Law enforcement	X	
Forensic laboratories	X	
Statistical and census institutions		X
Private consultants		X
Civil society and other social stakeholders		X
International organizations of cooperation	X	
Others: Customs authority and National Health Surveillance Agency	X	

Priority Action 1.7: Build capacity among relevant stakeholders to enhance the collection, management, and dissemination of drug related information.

The OBID does not carry out training sessions with local stakeholders to enhance data collection and management.

The OBID does not convene meetings or other workshops where the results of studies and other information gathering activities are shared with local stakeholders.

Priority Action 1.8: Establish or strengthen forums at which drug researchers can present their findings to policymakers, and encourage their participation in CICAD experts groups.

Brazil has not established forums that allow drug researchers to present their findings to policymakers.

Priority Action 1.9: Foster and disseminate best practices and the exchange of successful experiences in research among member states.

The OBID does not promote or disseminate good practices or the exchange of successful research experiences among member states.

OBJECTIVE
2

EXPAND ACCESS TO INFORMATION ON DRUG USE AND RELATED ISSUES THROUGH THE USE OF SOUND, SYSTEMATIC DATA COLLECTION PRACTICES, SCIENTIFIC RESEARCH, AND STANDARDIZED METHODOLOGIES, ENSURING THAT COUNTRIES HAVE THE INFORMATION NECESSARY TO DEVELOP SOUND DEMAND REDUCTION PROGRAMS AND POLICIES.

Priority Action 2.1: Generate information on the incidence, prevalence, and modes of drug use and health impacts of drug use (e.g. non-fatal overdose, fatal overdose, infectious disease transmission), as well as drug use and health impact trends over time using sound, systematic data collection practices, scientific research, and standardized methodologies to monitor use across the general public and in key populations, whenever possible utilizing the Inter-American Drug Use Data System (SIDUC) as the standard methodology for epidemiological surveillance.

Brazil has carried out and published the following demand reduction study:

Demand reduction			
Studies	Studies carried out and published		Year of most recent study
	Yes	No	
Survey of secondary school students		X	
National household surveys (12-64 years)		X	
Cross-section survey of patients in treatment centers		X	
Survey of patients in emergency rooms		X	
Survey of university students		X	
Survey of incarcerated individuals		X	
Studies on drug-related mortality		X	
Studies on drug-related morbidity	X		2019
Survey of other target populations		X	

Priority Action 2.2: Develop drug treatment information systems that record the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes.

Brazil does not have a national system for the collection of data on the number of patients treated, diagnoses, clinical history, or available information on treatment outcomes.

Priority Action 2.3: Evaluate and monitor the impact and the results of treatment and prevention programs using scientific methodologies and make recommendations to update programs based on findings.

Brazil has not carried out studies to evaluate treatment and prevention programs or interventions.

The country has not carried out process or intermediate outcome evaluations of prevention and treatment programs.

Brazil has not carried out impact evaluations of its prevention or treatment programs.

The country has mechanisms to continually monitor and evaluate the results of the following programs and services in the public health and/or social protection network:

Programs/ Services	Mechanisms to continually monitor and evaluate the results		Name of the mechanisms
	Yes	No	
Care	X		Primary Health Care of the Single Health System (SUS) and Center for Psychosocial Care.
Treatment	X		National Health Plan 2020-2023
Rehabilitation		X	
Recovery and social integration		X	

OBJECTIVE
3

EXPAND AND ENHANCE THE COLLECTION AND DISSEMINATION OF INFORMATION ON ILLICIT DRUG PRODUCTION, TRAFFICKING, AND RELATED ISSUES, THROUGH THE USE OF SOUND, SYSTEMATIC DATA COLLECTION PRACTICES, SCIENTIFIC RESEARCH, AND STANDARDIZED METHODOLOGIES.

Priority Action 3.1: Generate information on illicit drug production, trafficking, drug markets, and related issues, using systematic data collection practices, scientific research, and wherever possible applying comparable methodologies.

Brazil has mechanisms to collect and analyze information related to the illicit supply of drugs. The National Secretariat for Public Security, the Federal Police, the Federal Highway Police, and the Center of Excellence for Reducing the Supply of Illicit Drugs (CdE) participate in these mechanisms.

The country has the following information related to supply reduction, trafficking, and related crimes:

Supply reduction, trafficking, and related crimes			
Information	Available information		Year of most recent information
	Yes	No	
Quantification of illicit crop cultivation including crops grown indoors	X		2021
Number of seizures of illicit drugs and raw materials for their production	X		2021
Quantities of illicit drugs and raw materials for their production seized	X		2021
Number of seizures of controlled chemical substances (precursors)		X	
Quantities of seized controlled chemical substances (precursors)	X		2021
Number of seizures of pharmaceutical products	X		2021
Quantities of seized pharmaceutical products	X		2021
Number of persons formally charged with drug use, possession, and trafficking	X		2021
Number of persons convicted of drug use, possession, and trafficking		X	
Number of laboratories producing illicit plant-based drugs detected and dismantled		X	
Number of laboratories producing illicit drugs of synthetic origin detected and dismantled		X	
Chemical composition of seized drugs	X		2020
Sale price of drugs (for consumers)	X		2022
Number of persons formally charged with money laundering	X		2022
Number of persons convicted of money laundering	X		2022
Number of persons formally charged with trafficking in firearms, explosives, ammunition, and related materials	X		2022

Supply reduction, trafficking, and related crimes			
Information	Available information		Year of most recent information
	Yes	No	
Number of persons convicted of trafficking in firearms, explosives, ammunition, and related materials	X		2022
Number of persons formally charged with diversion of chemical substances		X	
Number of persons convicted of diversion of chemical substances		X	

Brazil carries out the following periodic studies and research on the illicit drug market:

Type of Study	Title of report	Year of publication of research findings
Strategic Study	Dynamics of the Market for Illicit Drugs in Brazil	2022
Strategic Study	COVID-19 and Drug Trafficking in Brazil	2021
Exploratory	Monitoring Prices of Illicit Drugs: Lessons learned in Colombia and possible challenges in Brazil	2022

The country carries out the following studies on the medical and scientific use and other legal uses of narcotics or psychotropic substances, subject to international control systems:

Type of Study	Title of report	Year of publication of research findings
Periodic report	Report on Early Warning Subsystem on Drugs	2021/2022
Master's dissertation	Regulatory expansion of the medicinal use of marijuana as a way of implementing the fundamental right to health	2019
Master's dissertation	Cannabis-based medicines, preparations, and substances: pharmacological and toxicological aspects	2019
Final Paper Course in Law (undergraduate)	Legal Access to Medicinal Cannabis: A Fundamental Right	2020
Final Paper Graduate Degree in Law	Taxing the market for Cannabis Sativa Linnaeus in Brazil: The possibilities for constitutionally appropriate tax treatment	2022
Final Paper Course in Law (undergraduate)	Regulatory sandbox for industrial hemp in Brazil	2022

Priority Action 3.2: Conduct studies on the price, purity or concentration, and chemical profile of drugs.

Brazil collects information on the drug price, purity or concentration, and chemical profile of drugs, through publications such as the following:

Type of Study	Title of report/publication	Year of report/ publication
Strategic Study	Dynamics of Market for Illicit Drugs in Brazil	2022

The country conducts chemical characterizations and tests of purity for substances that may or may not be subject to international control. The country has the following mechanisms through which substances that have been identified as not being under international control can be placed under control:

- Pequi (Chemical Profile) Project of the Federal Police
- Administrative Ruling 344 of ANVISA
- Working Group for Classification of Controlled Substances, created by ANVISA Executive Order No. 898, of August 6, 2015
- Administrative Ruling SVS/MS No. 344/1998, together with its Regulatory Instruction (Administrative Ruling SVS/MS No. 06/1999)

Priority Action 3.3: Establish and strengthen the relationship between the NDOs, or similar technical offices, and national, and when applicable, local, or sub-national forensic laboratories to bolster the collection of data on the chemical composition of substances and precursors seized.

In Brazil, National Agency for Health Surveillance (ANVISA), the Federal Police, and the Early Warning Subsystem on Drugs are responsible for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances, ANVISA and the Federal Police are part of the Early Warning Subsystem on Drugs.

The country implements and/or participates in the following periodic training programs for personnel involved in the analysis of chemical substances, precursors, and pharmaceutical products, including new psychoactive substances:

Implements or participates in the program	Type of Training	Targeted institutions	Year when training was last done
Implements and participates	In-person/laboratory	Official crime experts	2023
Implements and participates	Distance with tutoring	Office crime experts and health units	2022

Priority Action 3.4: Strengthen drug information networks in member states by improving the mechanisms used to gather and analyze data to inform the development of public policies that control the illicit supply of drugs.

Not applicable.

OBJECTIVE

4

PARTICIPATE IN AND STRENGTHEN THE MULTILATERAL EVALUATION MECHANISM (MEM) PROCESS, CONSIDERING ITS RECOMMENDATIONS.

Priority Action 4.1: Regularly collect information and data to evaluate implementation of the Hemispheric Plan of Action.

For the eighth round of evaluation of the MEM, Brazil collected information on the implementation of the Hemispheric Plan of Action on Drugs 2021-2025 and submitted it in a timely manner for evaluation by the Governmental Expert Group (GEG) in the following thematic areas:

- Measures of Prevention, Treatment, and Recovery Support (2021)
- Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences (2022)
- Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation (2023)

Priority Action 4.2: Support and facilitate active and timely participation in each of the MEM activities agreed to by member states.

For the eighth evaluation round of the MEM, Brazil designated delegates for the following MEM groups, actively participating and contributing to the evaluation process:

Thematic evaluation	National Coordinating Entities (NCEs)	Governmental Expert Group (GEG)
Measures of Prevention, Treatment, and Recovery Support (2021)	Yes	Yes
Measures to Control and Counter the Illicit Cultivation, Production, Trafficking, and Distribution of Drugs, and to Address their Causes and Consequences (2022)	Yes	Yes
Institutional Strengthening; Research, Information, Monitoring, and Evaluation; and International Cooperation (2023)	Yes	Yes

Priority Action 4.3: Disseminate MEM evaluation reports by member states among national stakeholders, other pertinent organizations, and the general public.

Brazil carried out the following periodic activities to promote and raise awareness of the MEM Drug Policy Evaluation Reports aimed at national institutions:

Name of the activity	Date	Participating institutions
First National Forum on Drug Policy	2021	Federal Government of Brazil (Ministries, Agencies, and related entities) and universities
Official communication-circular	2019	Ministry of Justice and Public Security

Priority Action 4.4: Promote use of the MEM’s findings to identify technical assistance needs.

Brazil has promoted the analysis of the findings of MEM Evaluation Reports on Drug Policies for national institutions to identify areas where technical assistance is needed to improve national drug-related policies and programs. In December 2019, the National Secretariat for Drug Policy sent out, electronically, a circular for all the organs of the Ministry of Justice and Public Security on the conclusion of the work of the 7th Round of the Multilateral Evaluation Mechanism. In July 2021, the First National Forum on Drug Policy (I FND) included a specific session on cooperation with international inter-governmental organizations; when discussing the OAS/CICAD, the report of the 7th Round was distributed, with emphasis on the conclusions.

Priority Action 4.5: Increase hemispheric cooperation and partnerships among member states and sharing of best practices and lessons learned.

Brazil has reviewed the MEM Evaluation Reports on Drug Policies and identified opportunities to increase cooperation and partnerships with other member states and share best practices and lessons learned (horizontal cooperation) through Bilateral cooperation with Paraguay on eradication of illicit marijuana crops; bilateral cooperation with Colombia and Peru on asset management (with Colombia, learning lessons; with Peru, presenting the Brazilian experience, to support the country’s nascent asset management process). As a result, the country carried out bilateral joint commissions (known as COMIXTAS) and technical visits.

INTERNATIONAL COOPERATION

OBJECTIVE

1

PROMOTE AND STRENGTHEN COOPERATION AND COORDINATION MECHANISMS TO FOSTER TECHNICAL ASSISTANCE, IMPROVE EXCHANGE OF INFORMATION AND EXPERIENCES, AND SHARE BEST PRACTICES AND LESSONS LEARNED ON DRUG POLICIES.

Priority Action 1.1: Develop and implement a plan for promoting and strengthening technical assistance and horizontal cooperation among member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, and related initiatives and programs.

Brazil develops and implements a plan for the promotion and strengthening of technical assistance and horizontal cooperation among member states and with states outside the Western Hemisphere, as well as with relevant international and regional organizations, and related initiatives and programs through representatives at the embassies and police attaches, in addition to representatives at international organizations to conduct joint operations and exchange information.

The country has established secure communication channels for the exchange of intelligence information on drug interdiction and control through contacts through intelligence units with counterpart representatives.

Brazil promotes the exchange, with member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, of best practices on training, specialization, and professional development of the staff responsible for implementing the national drug policies and strategies through continuous and joint training activities. Among them, the following can be mentioned:

- Within the framework of the United Nations, through the United Nations Office on Drugs and Crime (UNODC): provision of data and information in Spanish and English, mainly for neighboring countries, within the framework of the Center of Excellence for Reducing the Drug Supply Drugs (CdE) and the Drug Rapid Alert Subsystem
- Within the framework of the United Nations, through the International Narcotics Control Board (INCB): Training on New Psychotropic Substances, Synthetic Opioids and other Dangerous Substances
- Under INTERPOL: catalog with 90 distance learning courses in 2021
- Within the framework of AMERIPOL (Police Community of the Americas): meetings and courses
- Within the scope of IBERPOL (Ibero-American Police School): library and magazine
- SENAD initiative: Training Course on National Drug Policies - CAPTA, provided by SENAD Brazil, aimed at “Spanish-speaking professionals who share with their Brazilian peers the concern for reducing the supply and demand of drugs in their own countries, in the Americas and throughout the world”
- Initiative of the Federal Highway Police: Police Training Course, provided by the Federal

Highway Police, with openings for foreign police officers

The country participates in regional coordination activities to prevent crimes related to drug trafficking, such as firearms trafficking, extortion, kidnapping, money laundering, and corruption, among others. In this sense, the country carried out eradication of marijuana plantations, jointly with Paraguay, in addition to investigations with the support of international police in connection with the International Police Cooperation Center.

In Brazil, there are bilateral mechanisms for coordination and collaboration with other countries, focused on the dismantling of criminal groups linked to drug trafficking and related crimes with countries with which the Federal Police maintains Police Attachés and Liaison Officers. These mechanisms are used very frequently, and information sharing happens daily.

Priority Action 1.2: Promote technology transfers and information sharing among and between member states and international organizations.

Brazil has promoted technology transfers among and between OAS member states and international (including regional) organizations through the donation of various types of equipment to police organizations in neighboring countries.

The country has promoted sharing of a variety of police intelligence information among and between OAS member states and international (including regional) organizations. The transfer of technology and the exchange of information and police intelligence is carried out through specific systems that, as a rule, are not available to the public. For example, within the scope of the INCB, Brazil contributes with intelligence through the PEN On-line and IONICS systems. Within the scope of INTERPOL, the exchange is carried out via the infol-24/7 system. Additionally, technology exchange and transfer can be carried out bilaterally, each with a specific scope. Finally, Brazil and the United States of America signed a series of agreements about security in 2019.

Priority Action 1.3: Promote the dissemination of good practices and exchange of successful research experiences among and between member states and international organizations.

Brazil promotes the dissemination of good practices and the exchange of successful research experiences among and between member states and international organizations on drug policies through participation in seminars, congresses, and international gatherings; exchange of materials (studies, research, surveys); holding trainings and joint courses.

OBJECTIVE
2**STRENGTHEN INTERNATIONAL COOPERATION AS DEFINED IN THE INTERNATIONAL LEGAL INSTRUMENTS RELATED TO THE WORLD DRUG PROBLEM, MAINTAINING RESPECT FOR HUMAN RIGHTS.****Priority Action 2.1: Strengthen regional and international cooperation by competent authorities to investigate and prosecute criminals on drug-related offenses.**

The competent authorities in Brazil carry out cooperative activities at the regional and international levels to investigate and prosecute criminals for drug-related offenses through mutual legal assistance treaties and the exchange of information through police attachés and Liaison Officers.

When carrying out these activities, the country takes into account human rights and guarantees provided for in the Constitution of Brazil, in addition to international treaties and conventions of which Brazil is a signatory.

Priority Action 2.2: Strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses.

Brazil carries out activities to strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses. Under Decree No. 11,348, of January 1, 2023, there is a department of Asset Recovery and International Legal Cooperation associated with the National Justice Secretariat at the Ministry of Justice and Public Security. That department is responsible for structuring, implementing, and monitoring government actions, in addition to promoting the articulation of the organs of the Executive and Judicial branches and of the Office of the Public Prosecutor in the area of international legal cooperation on criminal matters, even on matters related to extradition; transfer of convicts; transfer of enforcement of sentences; transfer of criminal proceedings; and asset recovery.

Priority Action 2.3: Enact national legislation and/or take administrative actions, as appropriate, to more fully implement the obligations set forth within these legal instruments.

Brazil has not enacted or adopted, during the evaluation period (2019-2023), legislative or administrative measures and actions to improve implementation of obligations set forth within international legal instruments related to the world drug problem, respecting human rights and gender equality.

Priority Action 2.4: Promote the accession, ratification, and implementation of the international legal instruments related to the world drug problem and related crimes.

Brazil has ratified or acceded to the following international legal instruments:

Conventions and Protocols		Yes	No
United Nations Conventions	Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children	X	
	Protocol against the Smuggling of Migrants by Land, Sea, and Air	X	
	Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition	X	
	Single Convention on Narcotic Drugs, 1961	X	
	Convention on Psychotropic Substances, 1971	X	
	Convention against Corruption, 2003	X	
	Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials (CIFTA), 1997	X	
Inter-American Conventions	Convention against Corruption, 1996	X	
	Convention on Mutual Assistance in Criminal Matters, 1992	X	

EVALUATIVE SUMMARY¹

INSTITUTIONAL STRENGTHENING

Objective 1

Establish and/or strengthen national drug authorities, placing them at a high political level and providing them with the necessary capabilities, resources, and competencies to coordinate formulation, implementation, monitoring, and evaluation of national drug policies.

CICAD notes that Brazil has a national drug authority, which has a legal basis. Moreover, CICAD observes that, in Brazil, there is an annual budget for the national drug authority, which is independent. Additionally, CICAD notes that Brazil has an ongoing coordination and collaboration mechanism among agencies and other levels of government (national and subnational) to formulate, implement, monitor, evaluate, and update national drug policies or strategies, and that the national drug authority coordinates the areas of demand reduction, supply reduction, preventive alternative development programs, drug observatory, international cooperation, and program evaluation, but does not coordinate the area of control measures.

¹ At the CICAD seventy-fourth regular session, December 11 to 14, 2023, Brazil indicated the following: Almost all of the information and data contained in this report refers to the previous administration, which ended in 2022. The foremost development revolves around the change in federal governance in 2023. The newly inaugurated administration significantly diverges from its predecessor, particularly in its approach to drug policy. Interlocked with this pivotal transition is the dissolution of the National Secretariat for Care and Prevention of Drugs (SENAPRED, by its Portuguese language acronym), paving the way for a unified restructuring of the National Secretariat on Drug Policy and Asset Management (SENAD), within the Brazilian Ministry of Justice and Public Security, as the main overseer of our national drug policy. This reconstruction places SENAD Brazil at the vanguard of multifaceted strategic endeavors that converge social equity, public safety and public health domains within our national drug policy framework.

This shift in the year of 2023 not only carry substantial implications for the national drug policy, but also prompt a reevaluation of some insights gleaned from the eighth round of the Multilateral Evaluation Mechanism. To illustrate this, it is worth noting that the report mentions the lack of gender perspective in the Brazilian public policy, which is correct between 2019-2022. However, in 2023, SENAD has substantially incorporated gender, ethnic-racial and environmental perspectives in its policies, advancing in reconciling the national drug policy with the UN Sustainable Development Goals Agenda. More specifically, SENAD has launched three national strategies targeting marginalized communities and highlighting the need of specific focus on women, Black and Indigenous populations.

Also, it is worth noting that the Brazilian Observatory of Information on Drugs (OBID), an important tool for evidence-based drug policies, was completely paralyzed under the previous administration and is now being rebuilt and strengthened.

Objective 2

Formulate, implement, evaluate, and update comprehensive national drug policies and/or strategies that promote balanced, multidisciplinary, and evidence-based approaches, while fully respecting human rights and fundamental freedoms, under the principle of common and shared responsibility, consistent with obligations of parties under international law, and take into account gender, age, community, cultural context, and socially inclusive development.

CICAD notes that Brazil collects and uses evidence as a basis for formulating and updating national drug policies and strategies. Additionally, CICAD observes the involvement of relevant actors, except the private sector, from the priority areas in the development, implementation, and evaluation of national drug policies and strategies. CICAD notes that Brazil has delegated partial responsibilities on drug issues to local/sub-national governments to implement concrete actions related to drug policies and strategies, in coordination with the national drug authority, which has, in its central structure, two functional units to promote, coordinate, train, and provide technical support to local/sub-national governments or agencies on drug-related issues. However, the national drug authority has no coordinators, offices, or representatives in the sub-national or local territories, as part of a decentralized operational and coordination structure at the local level to respond to the drug problem. Additionally, Brazil has a specific and ongoing mechanism to transfer funds or finance drug initiatives or projects carried out by municipalities or local governments. CICAD observes that Brazil does not engage private sector entities in the healthcare area to develop innovative approaches in the implementation of drug policies and exchange information and best practices. CICAD notes that Brazil takes into account the OAS 2020 Hemispheric Drug Strategy and its corresponding Plan of Action to formulate or update national drug policies and strategies. Moreover, these policies and strategies take into account the UN 2030 Agenda for Sustainable Development. CICAD observes that Brazil's national drug policies and strategies take into account the human rights approach and the social inclusion approach, but not the gender perspective. Additionally, CICAD notes that Brazil does not have the necessary resources to implement drug policies and programs.

Objective 3

Design and coordinate national drug policies, that can be harmonized across related government policies and/or strategies, that address the fundamental causes and consequences of the drug problem.

CICAD notes with satisfaction, that Brazil has interagency and multisectoral policy and technical coordination mechanisms to address the drug problem in a comprehensive, balanced, and multidisciplinary approach, including its causes and consequences. Moreover, CICAD observes that Brazil has concrete multisectoral plans and programs to address the causes and socioeconomic consequences of the drug problem based on the principles of human rights, public health, and development. Additionally, CICAD notes that Brazil participates in international cooperation programs at the bilateral and multilateral levels to strengthen policies, programs, and institutions and their internal processes. Moreover, CICAD observes that Brazil promotes comprehensive and cross-cutting public policies to reduce and prevent crime, violence, social

exclusion, and corruption. Also, CICAD notes that Brazil implements measures that promote equal access to justice and due process, taking into account gender, age, community, and cultural context approaches. Moreover, CICAD observes that Brazil implements measures that foster citizen participation in crime prevention, build community cohesion, increase public safety, and emphasize social inclusion.

Objective 4

Design, adopt, and implement alternatives to incarceration for minor or non-violent drug or drug-related offenses, while taking into account national, constitutional, legal, and administrative systems, and in accordance with relevant international instruments.

CICAD notes that Brazil's law provides for alternative measures to incarceration for minor or non-violent drug-related offenses, which respect human rights and take into account the gender perspective in accordance with relevant international instruments. However, CICAD observes that Brazil does not develop mechanisms to monitor and evaluate these measures, but promotes a common understanding of national legal norms, regulations, or internal procedures for their implementation.

Objective 5

Promote and implement, as appropriate, in accordance with the policies, laws and needs of each country, comprehensive programs that promote social inclusion, especially to those at-risk populations.

CICAD notes with satisfaction, that Brazil has inter-agency and multisectoral programs that promote the social inclusion of individuals, families, and communities affected by the drug problem, taking into account the specific needs of at-risk populations. Moreover, CICAD observes that Brazil disseminates best practices and lessons learned to improve institutional responses to the needs of people in at-risk situations.

Objective 6

Promote proportionate sentencing for drug-related crimes that provides for penalties commensurate with the relative seriousness of offenses, in line with the international drug conventions and respecting the principles of due process, with gender perspective, age, community, and a human rights approach.

CICAD observes with satisfaction, that Brazil promotes legislation that provides for proportional legal sentencing for minor drug-related offenses, in accordance with domestic law and has special courts for these offenses. Moreover, CICAD notes that Brazil promotes legal reforms, where appropriate, regarding proportional sentencing for minor drug-related offenses.

RESEARCH, INFORMATION, MONITORING, AND EVALUATION

Objective 1

Establish or strengthen national observatories on drugs, or similar technical offices, strengthening national drug information systems, and foster scientific research to generate, collect, organize, analyze, and disseminate information to inform the development and implementation of evidence-based drug policies and strategies.

CICAD notes that Brazil has the National Observatory on Drugs (NDO), which was created through a legal basis and has been assigned financial and human resources to carry out its functions. Moreover, CICAD observes that Brazil has established and maintained working relationships with universities or specialized research centers, non-governmental organizations (NGOs) and other academic or research institutions and has carried out one study on the drug problem through them. Additionally, CICAD notes that Brazil has developed and adopted quantitative and qualitative methodologies and information-gathering mechanisms that allow for the comparison of data among countries, but has not carried out studies on drug use applying the SIDUC methodology, or used the CICAD standard indicators for drug information networks for the collection, analysis, and reporting of national drug related data and information. Additionally, the country has not conducted studies that use methods that are non-representative of the population to obtain information on drugs that can be shared with other countries that have carried out studies with similar methodologies. CICAD notes that Brazil's observatory does not have a national drug information network (DIN). However, the country has an early warning system (EWS) to identify NPS or other emerging drug-related threats, which shares information, alerts, and reports with the Early Warning System of the Americas (SATA) but does not have a mechanism to share information in real-time. CICAD observes that Brazil's observatory does not carry out training sessions with local stakeholders to enhance data collection and management and does not convene meetings and other workshops where the results of studies and other information gathering activities are shared with local stakeholders. Additionally, CICAD notes that Brazil has not established forums that allow drug researchers to present their findings to policymakers. Moreover, CICAD observes that Brazil's observatory does not promote or disseminate good practices or the exchange of successful research experiences among member states.

Objective 2

Expand access to information on drug use and related issues through the use of sound, systematic data collection practices, scientific research, and standardized methodologies, ensuring that countries have the information necessary to develop sound demand reduction programs and policies.

CICAD notes that Brazil has carried out and published one demand reduction study during the evaluation period (2019-2023). However, CICAD observes that Brazil does not have a national system for the collection of data on the number of patients treated, diagnoses, clinical history, and available information on treatment outcomes. Moreover, CICAD notes that Brazil has not

conducted studies to evaluate treatment and prevention programs or interventions and has not carried out process, intermediate outcome, or impact evaluations of its prevention or treatment programs. On the other hand, the country has mechanisms to continually monitor and evaluate the results of care and treatment programs and services in the public health and/or social protection network, but not of rehabilitation or recovery and social integration services.

Objective 3

Expand and enhance the collection and dissemination of information on illicit drug production, trafficking, and related issues, through the use of sound, systematic data collection practices, scientific research, and standardized methodologies.

CICAD notes that Brazil has mechanisms to collect and analyze information related to the illicit supply of drugs and has information related to supply reduction, trafficking, and related crimes. Additionally, the country carries out periodic studies on the illicit drug market and on the medical and scientific use and other legal uses of narcotics or psychotropic substances, subject to international control systems. CICAD observes that Brazil collects information on the drug price, purity or concentration, and chemical profile of drugs, and conducts chemical characterizations or purity tests of substances that may or may not be subject to international control. Moreover, the country has mechanisms through which substances that have been identified as not being under international control can be placed under control. CICAD observes that Brazil has an institution that is responsible for analyzing chemical substances, precursors, and pharmaceutical products, including new psychoactive substances, and is part of the national early warning system (EWS). Additionally, the country implements and participates in periodic training programs for personnel involved in the analysis of these substances.

Objective 4

Participate in and strengthen the Multilateral Evaluation Mechanism (MEM) process, considering its recommendations.

CICAD notes with satisfaction that, for the eighth round of evaluation of the MEM, Brazil collected information on the implementation of the Hemispheric Plan of Action on Drugs 2021-2025 and submitted it in a timely manner for evaluation by the Governmental Expert Group (GEG). CICAD observes that, for the eighth evaluation round of the MEM, Brazil designated delegates for all the MEM groups, actively participating and contributing to the evaluation process. Additionally, CICAD notes that Brazil carries out periodic activities to promote and raise awareness of the MEM Drug Policy Evaluation Reports aimed at national institutions. Moreover, CICAD observes that Brazil has promoted the analysis of the findings of MEM Evaluation Reports on Drug Policies for national institutions to identify areas where technical assistance is needed to improve national drug-related policies and programs. Additionally, CICAD notes that Brazil has reviewed the MEM Evaluation Reports on Drug Policies and identified opportunities to increase cooperation and partnerships with other member states or share best practices and lessons learned (horizontal cooperation).

INTERNATIONAL COOPERATION

Objective 1

Promote and strengthen cooperation and coordination mechanisms to foster technical assistance, improve exchange of information and experiences, and share best practices and lessons learned on drug policies.

CICAD notes with satisfaction, that Brazil develops and implements a plan for the promotion and strengthening of technical assistance and horizontal cooperation among member states and with states outside the Western Hemisphere, as well as with relevant international and regional organizations, and related initiatives and programs. Additionally, the country has established secure communication channels for the exchange of intelligence information on drug interdiction and control. Moreover, the country promotes the exchange, with member states and with states outside of the Western Hemisphere, and with relevant international and regional organizations, of best practices on training, specialization, and professional development of the staff responsible for implementing the national drug policies and strategies. Additionally, Brazil participates in regional coordination activities to prevent crimes related to drug trafficking, such as firearms trafficking, extortion, kidnapping, money laundering, and corruption, among others. Moreover, in Brazil, there are bilateral mechanisms for coordination and collaboration with other countries, focused on the dismantling of criminal groups linked to drug trafficking and related crimes. Moreover, CICAD observes that Brazil has promoted technology transfers among and between OAS member states and international (including regional) organizations, as well as information sharing among them. Additionally, CICAD notes that Brazil promotes the dissemination of good practices and the exchange of successful research experiences among and between member states and international organizations on drug policies.

Objective 2

Strengthen international cooperation as defined in the international legal instruments related to the world drug problem, maintaining respect for human rights.

CICAD notes that the competent authorities in Brazil carry out cooperative activities at the regional and international levels to investigate and prosecute criminals for drug-related offenses. Moreover, CICAD observes that Brazil carries out activities to strengthen regional and international cooperation to facilitate, where appropriate, mutual legal assistance, extradition, and transfer of proceedings, in accordance with international legal instruments, when investigating and prosecuting criminals on drug-related offenses. However, CICAD notes that Brazil has not enacted or adopted, during the evaluation period (2019-2023), legislative or administrative measures to more fully implement compliance with the obligations established in international legal instruments related to the world drug problem, respecting human rights and gender equality. On the other hand, CICAD observes that Brazil has ratified or acceded to all of the international legal instruments of the United Nations and all of the OAS Inter-American legal instruments regarding the world drug problem and related crimes.



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