

MEMEM

Multilateral Evaluation Mechanism

Inter-American Drug Abuse Control Commission (CICAD)

Secretariat for Multidimensional Security (SMS)

Brazil

EVALUATION OF PROGRESS IN DRUG CONTROL

2007-2009



Organization of American States

2010



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ORGANIZATION OF AMERICAN STATES
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Governmental Expert Group (GEG)

BRAZIL

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 - Office of Mental Health Coordination
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 - Chemical Products Control Division
 - Foreign Trade Control Sector
 - Federal Highway Police Department
 - Statistics Unit
- Ministry of the Treasury
 - Financial Activities Control Council (COAF)
- Ministry of Defense
 - General Staff of the Navy
 - Maritime and Environmental Affairs Division



PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all member states of the Organization of American States (OAS) to periodically carry out comprehensive, multilateral evaluations of the progress of actions taken by member states and by the hemisphere as a whole, in dealing with the drug problem. The Inter-American Drug Abuse Control Commission (CICAD), of the Secretariat of Multidimensional Security, an OAS specialized agency, implemented this Mechanism in 1998, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a vehicle for disseminating information on the progress achieved by individual and collective efforts of OAS member state governments, catalyzing hemispheric cooperation, promoting dialogue among member state government authorities and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process itself is assessed by the Intergovernmental Working Group (IWG), comprised of delegations from all member states, which meets before the onset of each MEM evaluation round to review and strengthen all operational aspects of the mechanism, including the indicators of the evaluation questionnaire.

National evaluation reports are drafted by experts from each member state, with experts not working on their own country's report, guaranteeing the transparent multilateral nature of the MEM. Each chapter is based on countries' responses to a questionnaire of indicators covering the main thematic areas of institution building, demand reduction, supply reduction and control measures as well as subsequent comments and updated information provided by the government-appointed coordinating entities.

This report covers the full country evaluation for the MEM Fifth Round evaluation period 2007-2009. The follow-up report on the implementation progress of recommendations assigned to the country will be published in June 2012. All MEM reports can be accessed through the following webpage: www.cicad.oas.org.



INTRODUCTION

Brazil has an area of 8,514,876.6 km² and 14,691 kilometers of borders (Argentina – 1,263 kilometers, Bolivia – 3,126 kilometers, Colombia – 1,644 kilometers, French Guiana – 665 kilometers, Guyana – 1,605 kilometers, Paraguay – 1,290 kilometers, Peru – 2,995 kilometers, Suriname – 593 kilometers, Uruguay – 1,003 kilometers, Venezuela – 1,495 kilometers), plus 7,367 kilometers of coastline. The country’s population is 190,732,694 (2010), composed of Caucasians, blacks, indigenous, and Asians. The largest immigrant groups came from Europe (Portuguese, Italians, Spaniards, and Germans, among others), the Middle East, and Asia. The overall literacy rate is 89.6%. The Federative Republic of Brazil consists of 26 states and a Federal District. The country’s Gross Domestic Product (GDP) per capita is US\$8,295.00 (2008) and its inflation rate is 5.9% (2008). Brazil’s annual exports total US\$198 billion (2008), and the main exports are soy, iron ore, automobiles (including engines and other parts), crude oil, aircraft, chicken, footwear, steel and iron sheets, sugar cane, and coffee beans.

I. INSTITUTIONAL STRENGTHENING

A. National Anti-drug Strategy

Brazil’s National Drug Plan (PNAD) was in effect during the evaluation period. The PNAD covers the areas of demand reduction, supply reduction, development programs related to prevention or reduction of illicit crops, drug production or trafficking, control measures, money laundering, and program evaluation. The goals and priorities of the PNAD include diagnostic study, training of social agents, and decentralization of public policies.

The National Drug Policy Secretariat (SENAD), which comes under the Institutional Security Cabinet of the Office of the Presidency of the Republic, functions as Executive Secretary of the National Anti-drug Council (CONAD), and is responsible for drafting and coordinating implementation of the PNAD. Execution of the actions called for in the PNAD is carried out by the pertinent organizations, such as the Ministry of Education, the Ministry of Health, the Ministry of Justice, the Ministry of Social Development and the Fight against Hunger, the Ministry of Defense, and others. State and municipal drug policy councils and civil society organizations also support implementation of the PNAD.

Regarding decentralization of the PNAD, Brazil reports that only five of its 26 states have adopted their own drug policies.

Brazil’s budget for PNAD has grown from \$5.8 million in 2006 to \$9.5 million in 2009:

2006 (US\$)*	2007 (US\$)*	2008 (US\$)*	2009 (US\$)*
5,812,206	6,943,937	6,665,345	9,484,711

*Partial data



The country reports that it has not established a monitoring and evaluation system for the PNAD.

Brazil's national anti-drug authority, the National Anti-drug Council (CONAD), was established by law as the federal narcotics council in November 1980. CONAD is chaired by the Chief Minister of the Institutional Security Cabinet of the Office of the Presidency of the Republic, formed by representatives from the government, civil society, and state drug policy councils.

CONAD addresses issues related to the areas of demand reduction, supply reduction, control measures, the drug observatory, and international cooperation. Its annual budget is funded by the federal government, international cooperation, and contributions from other subsidiary organizations, and grew from \$5.8 million in 2006 to \$20.9 million in 2009:

National Anti-drug Council Annual Budget, 2006–2009

Fiscal Year	Total budget received (US\$)
2006	5,812,206
2007	7,943,937
2008	10,564,253
2009	20,984,711

B. International Conventions

Brazil has ratified the following Inter-American and United Nations conventions with no reservations:

- Inter-American Convention on Mutual Assistance in Criminal Matters, 1992;
- Inter-American Convention against Corruption, 1996;
- Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA), 1997;
- United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol;
- United Nations Convention on Psychotropic Substances, 1971;
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988;
- United Nations Convention against Transnational Organized Crime, 2000 and its three Protocols:
 - Protocol against the Smuggling of Migrants by Land, Sea, and Air;
 - Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children;
 - Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition;
- United Nations Convention against Corruption, 2003.



C. National Information System

The Brazilian Drug Information Observatory (OBID) is a centralized office that organizes, carries out studies, compiles, and coordinates drug-related statistics and other drug-related information, though it does not have an independent budget.

Between 2006 and 2009, Brazil carried out 12 priority demand and supply reduction studies. These included surveys of secondary school students, patient access to treatment centers, patients in emergency rooms, higher education students, and the number of drug-related deaths. The country also has information related to drug seizures, persons charged with and convicted of drug use and trafficking, money laundering, firearms, illicit drug prices and chemical controls. However, the country has not collected any data on drug availability for dissemination.

II. DEMAND REDUCTION

A. Prevention

Brazil reports that its prevention programs target all segments of society, including school-age and university students, street populations and women. The country has conducted a number of these programs in a variety of economic and social settings.

Drug Prevention Programs Targeting Key Population Groups

Population group	Estimated Coverage		Name of program	Type of program
	Target population	% coverage		
School children and university students:				
Elementary/primary : Ages 6-10	15,366,466	10%	“Say Yes to Life Program” – Monica’s Gang and Ronaldinho Gaúcho -- drug abuse prevention	Universal
Elementary/primary: Ages 11-14	12,791,751	11%	Drug Use Prevention Program for Public School Educators	Universal
Junior high & high school (secondary school): Ages 15-17	7,297,807	21%	Drug Use Prevention Program for Public School Educators	Universal



In addition, Brazil offers the “Say Yes to Life” prevention program in preschools and for families, and the Faith in Prevention program for religious leaders. Brazil offers the New Moon program for pregnant women who are at risk of drug use, and street clinics are also offered for the at-risk street population. The country also carries out a prevention program for workers in the workplace, sponsors a National Monograph Contest on the drug theme for University students, and distributes informational materials in the community.

Brazil is not carrying out prevention programs specifically targeting men, migrants and refugees, or incarcerated individuals. The country reports that its school prevention programs are compatible with CICAD’s “Hemispheric Guidelines on School-based Prevention,” and its workplace programs compatible with CICAD’s “Hemispheric Guidelines on Workplace Prevention.”

Between 2006 and 2009, Brazil offered demand reduction training for teachers, municipal counselors, health professionals, religious leaders, legal personnel (judges and special criminal court technical teams), public security professionals, and others. Such training is sometimes part of coursework leading to undergraduate and graduate degrees, although Brazil does not presently offer university-level diplomas or certificates in the areas of drug prevention and treatment. Brazilian specialists have participated in regional and international training.

Brazil reports that between 2006 and 2009, more than 75,000 persons were offered refresher or in-service training in drug prevention aimed at different target populations.

Drug Prevention Training

Name of training course	Offered to	Number of participants			
		2006	2007	2008	2009
Drug Prevention Program for Public School Educators	Public school educators nationwide	20,000	n.app	n.app	25,000
Drug Prevention Course for Community-based Counselors	Children’s council members, advocates for children, adolescents, and the elderly, drug and safety counselors	15,000	n.app	15,000	n.app
Course on Demand and Supply Reduction for Public Safety Professionals	Public safety professionals	500	n.app	n.app	n.app
Community-based Therapy Training Course, focusing on issues related to alcohol and other drugs	Technical professionals, health, education, and social volunteers, community leaders	720	n.app	n.app	n.app
Federal Police Officer Training Course in Community-based Prevention	Federal police in each state	n.app	30	n.app	30
Course on Drug Use Prevention in Religious Institutions and Related Movements – Faith in Prevention	Religious and similar leaders	n.app	n.app	n.app	5,000

n.app: not applicable



Technical, non-university training was offered to a large number of beneficiaries during the evaluation period. Most notably, in 2009, 10,000 students were trained through the SUPERA program: “System to detect drug abuse or dependence: referral, brief intervention, social reintegration, follow-up.”

Curriculum on prevention, treatment or research is offered in the medicine program at the ABC Region Medical School Foundation, the Federal University of São Paulo, in the nursing programs at the ABC Region Medical School Foundation, Federal University of São Paulo, Pontifical Catholic University of Minas Gerais, Federal University of Santa Catarina, Federal University of Rio de Janeiro, the State University of Rio de Janeiro, and the sociology program at the Federal University of Bahia, among other educational institutions. Certain Brazilian universities offer post-graduate courses in topics related to chemical dependence and drug use prevention and treatment. Moreover, on an annual basis, Brazilian specialists participate in a variety of regional and international training programs in drug abuse prevention, treatment and research.

Brazil reports that during the period 2006–2009 it carried out eight evaluations of drug use prevention programs. These included evaluations of drug use prevention for educators, workplace officials and public safety professionals. In 2006, the country also carried out an impact evaluation on programs for youth living on the street as well as at-risk mothers and their children.

B. Treatment

Brazil’s Ministry of Health, State Health Secretariats, and Municipal Health Secretariats are responsible for design and execution of public policy, control and regulation of treatment services, financing, program supervision, and human resources training for the country’s public policies regarding treatment. Federal public financing allocated for treatment services for dependence on alcohol and other drugs grew from \$27 million in 2006 to \$33 million in 2009.

These funds support Psychosocial Treatment Centers for Alcohol and Other Drugs (CAPSad), the Children’s Psychosocial Treatment Centers (CAPSi), community centers that treat drug addiction under the Unified Health System (SUS), and hospital admissions. Taking into account support for public and private sector institutions, the Brazilian government spent approximately \$177 million on mental health services in 2009.

Brazil has official operating standards for specialized facilities that provide treatment services for persons with problems associated with drug use. Federal regulations establish official licensing procedures to authorize the operation of such facilities.

Brazil maintains an official register of specialized treatment facilities. The number of these specialized facilities grew from 137 in 2006 to 223 in 2009, an expansion rate of 20 percent per year. The country reports that these data are available at the Ministry of Health, Coordinating Office for Mental Health, Alcohol, and Other Drugs, and are published as “Mental Health Data.”¹ Brazil also has a monitoring system for these facilities.

¹ Available at www.saude.gov.br/bvs/saudemental



Brazil's Primary Health Care facilities perform specific activities to address problems associated with drug use, including the use of technical tools for diagnosis and intervention and case follow-up through family health teams with assistance from specialists.

In Brazil, 26 states and the federal district have officially-licensed specialized drug treatment facilities. The country reports that recent statistics from the Ministry of Health show that persons treated for drug use problems on an in-patient basis increased from 7,157 in 2008 to 9,302 in 2009. The number of persons treated in officially-licensed facilities for drug use grew from approximately 800,000 persons in 2008 to 960,000 in 2009.

The country reports that it does not have data on the number of persons treated for drug use in unlicensed treatment facilities, and provides no further information on the breakdown of the number of cases treated in officially-licensed specialized treatment facilities for drug problems.

The country reports that specialized drug addiction treatment services under the national health system support users in seeking continuity of treatment within the health network (family health teams, clinics, and other public health facilities). In addition, they serve as reference points for users should they seek assistance from official treatment centers (CAPSad and CAPSi) again.

Brazil does not carry out activities through treatment centers or specialized studies to follow-up on patients discharged after completion of their prescribed treatment plan.

C. Statistics on Consumption

During the evaluation period, Brazil reports that SENAD conducted the following drug use surveys: "The Impact of the Use of Alcoholic Beverages and other Substances on Brazilian Traffic" in 2008; "The First National Survey on the Use of Alcohol, Tobacco and Other Drugs by University Students in Brazil's Provincial Capitals" in 2009; and the "Sixth Survey on Drug Use by Elementary and Middle School Students in Brazilian Capitals and the Federal District" in 2009.² Results of the second two surveys were not available.

Brazilian records on alcohol-related traffic accidents on federal highways show that alcohol was a contributing factor in 2.4 percent of accidents in 2007, 2.5 percent of accidents in 2008 and 2.9 percent of accidents in 2009. Brazil reports that it also maintains records on alcohol- or drug-related accidents in the workplace but that these statistics are not available.

In 2007 and 2008, Brazil adopted measures on the National Policy on Alcohol, which establishes prevention activities to reduce alcohol and drug-related traffic accidents.³

² Within the framework of the 48th regular session of CICAD, December 6–8, 2010, the country informed that it also carried out a survey on "Patterns of alcohol consumption among the Brazilian population" in 2006. The results of all the cited studies can be found on the Brazilian Drug Information Observatory's website: www.obid.senad.gov.br.

³ Details of these policy directives can be accessed through the following websites:
<http://www.obid.senad.gov.br/portais/OBID/biblioteca/documentos/Legislacao/326982.pdf>
<http://www.obid.senad.gov.br/portais/OBID/biblioteca/documentos/Legislacao/327663.pdf>



III. SUPPLY REDUCTION

A. Drug Production

Brazil reports that it has significant⁴ cultivations of cannabis, but no other illicit crops. The country states that it does not have a system for estimating the percentage of cannabis crops that are replanted.

Brazil reports that it is developing a satellite-based system for detecting illicit crops. The Federal Police report that they conduct periodic forced manual eradication missions whenever illegal cannabis crops are detected. In 2007, 28.8 hectares of cannabis were eradicated, in 2008, 145 hectares were eradicated, and in 2009, 110 hectares were eradicated.

Illicit laboratories for drugs of natural origin have not been found in Brazil. However, the country reports that authorities have found locations where drugs (primarily cocaine) are prepared for sale.

Brazil reports that it detected and dismantled one synthetic laboratory for MDMA in both 2008 and 2009. In the same timeframe, the country reports that it destroyed three laboratories for amphetamines and methamphetamines.

B. Control of Pharmaceutical Products

Brazil reports that all pharmaceutical products listed in the international conventions are controlled under the following legislation:

Title	Date of entry into force
Directive SVS/MS nº 344/98 – Technical regulations on controlled substances and medications	May 12, 1998
Directive Nº 6 – Regulatory Guidelines for Directive SVS/MS nº 344 of May 12, 1998	January 29, 1999
Act nº 6360 – Health monitoring of medications, drugs, pharmaceutical and related precursors, cosmetics, household cleaning supplies, and other products	September 23, 1976
Act nº 6437 – Infractions of federal health law; provides relevant penalties	August 20, 1977
RDC nº. 99 – Control of imports and exports of medications and specially controlled substances	December 30, 2008

⁴ Within the framework of the 48th regular session of CICAD, December 6–8, 2010, the country reports that 20% of the marijuana consumed in Brazil is cultivated domestically.



Numerous pharmaceutical products not listed by the United Nations are also categorized as controlled substances in Brazil, many of them finished prescription medicines.

The National Health Inspection Agency (ANVISA) is the competent authority responsible for coordinating activities related to the control of pharmaceutical products. Within the health care sector, control activities include register control, monitoring distribution, control and monitoring of prescriptions, inspections, administrative sanctions, and transfer of unusual cases detected by administrative authorities to judicial authorities. Controls in the private sector include import/export control, register control, manufacturing control, monitoring distribution, inspections, administrative sanctions, and registration of licensees and quantities of pharmaceutical products sold or manufactured.

Brazil has an integrated procedure to monitor and prevent the diversion of pharmaceutical products through a National Controlled Products Management System created in 2007 under ANVISA, which has 81 inspectors at the central level. State and municipal inspectors also carry out this function, however, Brazil has over 5,500 municipalities and reports that it cannot provide the exact number of inspectors connected with these local areas.

Members of the health sector communicate and share information with law enforcement and judicial authorities to report or prevent the diversion of pharmaceutical products and to apply sanctions. ANVISA’s structure includes an Institutional Security Adviser’s Office that serves as the principal point of contact for the police and other agencies concerned with drug control in Brazil, coordinating activities related to illicit drugs, including their illicit production, contraband and other forms of diversion.

The country also has a system to compile information on administrative and regulatory activities related to controlled pharmaceutical products:

	2006	2007	2008	2009
Regulated Activities				
Number of permits issued for:				
Importation	866	787	868	703
Exportation	843	722	786	696

Brazil reports that it cannot provide statistics on licenses and inspections related to pharmaceuticals because such activity is carried out primarily at the state and local levels.

Brazil reports that it offers nationwide training courses on the National Controlled Products Management System for public and private professionals involved in regulating and controlling pharmaceutical products. In 2007, 41 courses were offered, with a total of 13,075 persons trained; in 2008, nine courses were held, with a total of 1,935 participants trained; and in 2009, 39 courses were held, with 2,700 participants.



Brazil also reports that ANVISA, based on requirements of the National Controlled Products Management System, maintains an automated information management system for pharmacies to facilitate the control of pharmaceutical products.⁵

Brazil did not provide data on the application of penal, civil or administrative sanctions for diversion of pharmaceuticals, or statistics on seizure and disposal of pharmaceutical products.

C. Control of Chemical Substances

All the chemicals and precursor chemicals listed in the U.N. Conventions are controlled by Brazil in accordance with the Ministry of Justice's Order No. 1274 of 2003. In addition, the country controls diidroergotamine, diidroergometrine, ephedrine, sassafras oil, and long pepper oil. The country's regulatory system for controlled chemical substances is similar to that used for pharmaceutical products.

Law No. 10,356 of 2001, Decree No. 4,262 of 2002 and Administrative Edict No. 1,274 of 2003 are Brazil's regulations controlling the diversion of chemical substances.

Institutions involved in law enforcement in Brazil that communicate and share information on the diversion of controlled chemical substances include the National Health Inspection Agency (ANVISA), the Federal Police, and other concerned entities, such as the Federal Tax Authority.

Brazil carries out information exchange through the International Narcotics Control Board of the United Nations (INCB) Pen Online system. The country also has an integrated procedure for controlling chemical products through the Chemical Products Control Division (DCPQ) of the Federal Police and the Chemical Products Control System, which cross checks data supplied by companies. The system allows the Federal Police to monitor and audit activities, in order to sanction businesses that do not comply with requirements. Chemical companies are required by law to be registered and licensed for controlled substances and to report all commercial transactions. Import, export and re-export transactions are subject to approval by the DCPQ.

The DCPQ of the Federal Police offers annual courses to agents of all police units in the control of chemical substances. The country reports that in 2009 approximately 500 police and other officials were trained in administrative, inspection and law enforcement skills associated with chemical controls.

Brazil's national laws and regulations adopted in 2006 provide for the imposition of penal, civil and administrative sanctions for the illicit production, diversion, and illicit trafficking of controlled chemical substances. However, the country reports that information on such sanctions applied between 2007 and 2009 is not available.

⁵ Within the framework of the 48th regular session of CICAD, December 6-8, 2010, the country reported that the National Controlled Products Management System enables the monitoring of levels of prescription drug use by consumers, rapidly providing data to ANVISA when diversions are detected.



Brazil exports controlled chemical substances. The country reports that there were 4,162 exports in 2007, 3,937 in 2008 and 4,530 in 2009. Brazil issued pre-export notifications as follows: 2007 – 431; 2008 – 367; and 2009 – 625. According to Brazil, the data on exports and pre-export notifications do not match for a variety of reasons, including the fact that pre-export notifications are only required when the chemical product shipped out of Brazil is also a controlled substance in the destination country.

Brazil imports controlled chemicals and handles them in-transit. Data for controlled chemical substance imports is as follows: 2007 – 5,922; 2008 – 6,538; and 2009 – 7,400. Between 2007 and 2009, Brazil reports that it sent timely responses to pre-export notifications for chemicals received from other countries. These various transactions are handled through the country's computerized Chemical Products Control System.

Brazil provides the following information on quantities of controlled chemical substances seized between 2006 and 2009:

Controlled chemical substances	Quantities seized (in kg)			
	2006	2007	2008	2009
Ethyl acetate	1,404.00	520.00	180.00	1.00
N-butyl acetate	719.00	0	135.00	170.00
Acetone	512.90	819.20	35.00	56,903.50
Acetonitrile	0	0	0	17.00
Acetic acid	1,916.30	2,959.00	1,450.00	55.50
Boric acid	0	1,638.00	0	0
Hydrobromic acid	76.00	1,434.65	0	0
Hydrochloric acid	8,994.40	0	1,628.60	660.00
Hydrofluoric acid	0	975.00	0	0
Formic acid	74.50	0	0	0
Muriatic acid	680.00	2,640.00	0	371.00
Sulfuric acid	14,530.55	9,767.40	406.00	3,457.00
Sulfonic acid	20.00	0	0	0
Butyl alcohol	57.00	0	0	0
N-propyl alcohol	3.00	0	0	0
N-butyl alcohol	2.00	0	0	0
Allylbenzene	400.00	2.00	0	0
Ammonia	15,828.00	9,465.00	330.00	21,088.00
Acetic anhydride	6.00	3.00	0	0
Benzyl aldehyde	0	0	0	3.00
Sodium bicarbonate	0	2,375.00	0	0
Caffeine	0	0	0	463.00
Calcium carbonate	306.00	0	0	0



Controlled chemical substances	Quantities seized (in kg)			
	2006	2007	2008	2009
Potassium carbonate	801.30	3,363.00	0	0
Sodium carbonate	3,813,004.50	185.30	6,820.00	3,938.00
Cyclohexane	13.50	268.00	190.00	0
Methylene chloride	6,230.00	0	200.00	0
Potassium chloride	6.00	68.00	0	0
Chloroform	82.50	0	0	0
Diacetic alcohol	0	0	0	130.00
Dichloromethane	25.00	0	0	0
Dipyron	0	0	0	50.00
Dyridin	3.00	0	0	0
Carbon disulfide	4.00	0	0	0
Ether	4.00	0	0	0
Ether/ethanol	2.00	22.90	0	0
Ethyl ether	304.10	0	12.00	849.00
Methyl ether	6.00	0	0	0
Sulfuric ether	6.00	0	0	0
Phenacetine	7.00	285,260.00	0	14.50
Formol	0	3,820.00	0	0
Ammonium hydroxide	6,975.90	569.00	352.00	17.00
Potassium hydroxide	2,594.00	25,978.00	600.00	1,829.00
Sodium hydroxide (solid)	23,504.80	4,744.00	19,488.00	2,962.50
Sodium hydroxide (liquid)	4,305.60	0	1,107.50	2,392.00
Sodium hypochlorite	106.00	0	0	0
Iodine	0	0	4.75	0
Manitol	0	0	0	21.00
Methyl isobutyl ketone	2,732.00	6.00	0	0
Methyl ethyl ketone	1,500.80	0	181.40	0
Calcium oxide (virgin chalk)	0	276.55	0	0
Potassium permanganate	43.50	5.00	206.00	0
Pseudoephedrine	0	0	0	47.00
Sodium sulfate	275.00	90.00	0	0
Ammonium sulfate	1,950.00	0	0	0
Tetra hydrofuran	2.00	13.00	0	0
Toluene	5,951.50	14.00	50.00	160.00
TOTAL:	3,915,969.65	357,281.00	33,376.25	95,599.00



IV. CONTROL MEASURES

A. Illicit Drug Trafficking

Brazil provides data on quantities of drugs forfeited to the Federal Police during the period 2006-2009 in the following table:

Type of illicit drugs and raw materials	Quantities of drugs forfeited				
	Unit of measure	2006	2007	2008	2009
Morphine	kg	0	72,360	770	17,000
Heroin	kg	88,430	10,100	11,540	0
Coca Leaf	kg	340	7,950	1,170	0
Cocaine HCl	kg	14,243,070	18,896,770	21,318,100	24,051,840
Other substances that contain cocaine**	kg	3,890	65,730	13,750	2,440
Cannabis plants	un	1,202,901	739,771	2,904,752	2,163,314
Cannabis Resin (hashish)	kg	95,710	164,020	305,130	203,730
Cannabis Seed	kg	19,670	66,720	56,030	23,930
LSD	doses	31,689	2,076	93,028	48,424
Amphetamine/methamphetamine	un	2,710	3,333	6,542	17,188
Other amphetamine-like stimulants	un	754	97,887	0	0
MDMA (Ecstasy) and derivatives	un	11,826	205,448	133,013	28,312

** Includes coca paste, cocaine paste, cocaine base, basuco, paco, merla, among other denominations, depending on the terms used by the country.

Note: Brazilian anti-drug legislation provides for the seizure and destruction of all types of drugs and inputs; there is no distinction between forfeiture and seizure.

Brazil reports that its project for Analysis of the Chemical Profile of Drugs is being developed. This project will determine the characteristics of each drug sample for possible comparison and determination of origin. The country has also undertaken a Project for Quantification of Toxic Analyses to identify, quantify and produce estimates of illicit drug use from sewage samples.

The Federal Police report the number of persons formally charged with illicit drug trafficking as follows: 2007 – 5,390; 2008 – 5,107; 2009 – 4,748. Brazil notes that these figures do not include data at the state or local levels. The country did not provide data on the number of persons convicted of illicit drug trafficking, or the number of public officials formally charged with or convicted of offenses related to illicit drug trafficking.

Brazilian law makes simple possession of a narcotic substance for personal use, without the intent to traffic, a criminal offense punishable by alternative sentencing, including warnings on the effects of drugs, community service, or educational training. Courts have the option of imposing a fine if a defendant will not comply. Imprisonment for personal possession without intent to traffic is no longer a legal option, including for repeat offenders. Brazil does not have



data on the number of persons formally charged with or convicted of illicit possession of drugs for personal use.

The Federal Police Department, present in all 26 states and the federal district, is responsible for controlling illicit drug trafficking in the country. Agreements between the Federal Police and the states include cooperation among regional and local prevention and enforcement agencies to ensure the timely exchange of information on crimes associated with drug trafficking and use. Joint activities include combined police training for officials from several states and plans for a National Drug Trafficking Enforcement Statistics System.

Brazil has bilateral cooperation agreements for drug control with several countries, including those with which it shares a border. These cooperation agreements provide for sharing operational information and intelligence, and as well as for logistical support.

Brazil reports that it has undertaken various drug control-related training courses and seminars for law enforcement officials. The country offered 25 courses for police officials between 2006 and 2009, but did not provide an estimate of the number of police officers trained.

Through a cooperative program in coordination with the National Council of Justice, the National Public Safety with Citizens Program, as well as a number of other organizations, Brazil has put in place a new project, "Integration of Competence in the Performance of Judicial Activities with Drug Users and Addicts." This project includes training for appropriate officials in the application of alternative sentencing and socio-educational measures for drug users, and a National Survey on the Possibilities and Problems Arising in the Application of the Law on Drugs (2006) among legal agents of the Special Criminal Courts (JEC). The project includes regional seminars to identify and disseminate best practices for alternative drug sentencing for drug users.

Brazil has implemented the International Ship and Port Facility Security (ISPS) Code, which involves electronic monitoring of persons and documents connected with the importation and exportation of chemical products. In addition, the Ministry of Justice sponsors the National Government Plan for Port Security, which includes a variety of maritime counterdrug programs and operations. According to the country, the majority of Brazil's ports and maritime terminals (216 out of 228) have a certified security plan.

The country reports that there is no mutual access to or sharing of databases. However, requests for specific information among various entities involved in port security are readily answered. Information is also shared through some common interagency databases, access to manifests and other targeted documents, national electronic monitoring, information on electronic monitoring provided by informants in other countries, the private sector, from shipping documents, and via law enforcement or other agencies in other countries.

A manual and computerized record system is used to monitor the movement in and out of Brazilian ports for merchant vessels. The country reports that it has an investigative system to determine which vessels, cargo or containers should undergo more complete inspection or examination in person.



The Brazilian Customs Authority is the lead agency for implementing law enforcement operations in Brazilian sea and air ports. Port interdiction can occur based on requests of the Environmental Authority, Health Authority, Port Authority, or Maritime Authority (Port Command).

Brazil’s Navy is responsible for monitoring and enforcing laws and regulations at sea and in domestic waters, in coordination with other organs of the federal or state executive branch. The country reports that it has relevant Memoranda of Understanding with the governments of other states to combat illicit activities along borders and shared waterways.

Brazil reports that the Federal Police support the Navy’s work associated with maritime interdiction operations. Further related cooperation is reported by Brazil in the following chart:

	Monitoring				Interdiction			
	Coordinator		Participant		Coordinator		Participant	
	Yes	No	Yes	No	Yes	No	Yes	No
Public Prosecutor’s Office		X		X				
Customs		X	X			X	X	
Navy		X	X		X*		X	
Federal Police Department	X		X		X		X	

(*) The Brazilian Navy supports the Federal Police Department (DPF) in the prevention and suppression of contraband, drug trafficking, illegal arms trade, and terrorism, in special situations dictated by the national interest.

Between 2006 and 2009 Brazil seized and decommissioned 42 vessels involved in drug smuggling.

Brazil, with the Federal Police in the lead, carries out aircraft interdiction operations for illicit drug trafficking activities. There are illicit drug control units at the country’s major airports, including Sao Paulo, Rio de Janeiro, Fortaleza, Recife, Rio Branco, Manaus, and Foz do Iguaçu. Brazilian authorities also carried out periodic operations to strengthen enforcement activities in the country’s major airports, including those where illegal drug shipments are known to be destined for Europe. Between 2007 and 2009, Brazil carried out six aerial drug interdiction operations and seized four aircraft.

Although Brazil does not have legislation which specifically controls the sale of drugs via the Internet, the country states that existing laws established in 2006 are broad enough to empower law enforcement authorities to investigate and prosecute individuals involved in such activity. The country informs that the responsible institutions have procedures, investigation techniques, training and equipment to detect suspicious transactions or diversion of drugs via the Internet.

Brazil also reports that the Special Projects Service (SEPROE) of the Directorate for the Fight Against Organized Crime (DCOR/DPF) is the agency responsible for coordinating investigations of the illicit sale of drugs over the Internet.



Brazil has carried out activities and programs to increase awareness among administrative, judicial, law enforcement, postal, customs and other authorities regarding illicit sale of drugs through the Internet, through an agreement with the Brazilian Postal and Telegraph Enterprise (ECT). The country has not established a mechanism for citizens to report the illicit sale of drugs through the Internet.

B. Firearms, Ammunition, Explosives and other Related Materials

The Brazilian Army is responsible for all firearms authorizations and regulations related to the manufacture, importation, exportation, transit, sale, shipment, movement, registration (military and sporting weapons), marking, transport, possession (sporting weapons), storage and marketing of firearms, ammunition, explosives and other related materials. The Federal Police regulate the transit, purchase, sale, shipment, movement, transfer, registration, transport, possession, carrying, storage and marketing of these items for citizen/civilian use. The Federal Police are also responsible for issues related to appropriate handling of illegal firearms and related materials seized and forfeited in connection with illicit drug activities.

Brazil's Act nº 10,826/03, and Decrees nº 5,123/04 and nº 3,665/00 establish administrative controls for the manufacture, importation, exportation, transit and legal transactions and transfers of firearms, ammunition, explosives and other related materials, and criminalize the trafficking in and illicit production of these materials. Sanctions include fines and imprisonment.

Brazilian law requires that firearms be marked at the time of manufacture and for importation, but not for official use after confiscation or forfeiture. The country reports that firearms put to official use after confiscation are controlled through their serial numbers, and arms without a serial number are destroyed.

Brazil reports that a variety of mechanisms are in place for information exchange and cooperation between national and hemispheric institutions regarding all forms of control of firearms, ammunition, explosives and other related materials.

Brazil did not provide information on the number of shipments of firearms, ammunition, explosives or other related materials that were not authorized due to the absence of the necessary licenses or permits; the number of times the country did not issue an export license or permit because the necessary licenses or permits were not first issued by the importing country; or the number of times the country did not authorize exportation of a shipment of these items because the transit country did not first issue the necessary licenses or permits during the period 2006-2009.

Brazil provides no information regarding a database or national registry of the importation, exportation, and transit of firearms, ammunition, explosives or other related materials.

Brazil reports that it has databases for the confiscation of firearms, ammunition, explosives and other related materials, but does not indicate whether these databases are computerized, or for how long records are maintained. The country reports that each of the 26 states and the Federal



District maintain a database on confiscations, but these separate databases have not been integrated. According to Brazil, such information is maintained only at the state level.

The country provides no further information regarding quantities of firearms, ammunition, explosives and other related materials seized and forfeited, quantities seized and forfeited in relation to the number of arrests for narcotrafficking, or the types of arms seized linked with narcotrafficking.

Brazil reports that it received the following number of international firearms trace requests during the years 2006–2009:

Year	International firearms trace requests received
2006	3
2007	2
2008	6
2009*	8

*Through September 2009

Brazil completed the following number of international firearms traces during the period 2006–2009:

Year	International firearms traces completed
2006	100
2007	3
2008	106
2009*	29

*Through September 2009

Brazil notes that some firearms traces were at the initiative of Brazilian authorities and not due to international requests, thus the actual number of traces is larger than the number of international requests.

C. Money Laundering

Law Nº 9.613 is the principal law criminalizing money laundering in Brazil, enacted in March 1998.

Illicit drug trafficking, trafficking of firearms, kidnapping, extortion, corruption and crimes against public administration, and fraud or financial crimes have been established as predicate offenses for money laundering. Trafficking of migrants and trafficking in persons are not considered predicate offenses for money laundering.



In Brazil, it is not necessary for a person to be convicted of a predicate offense in order to be convicted of laundering money from that offense. Brazilian law permits a person charged with a predicate offense to also be charged with and convicted of money laundering.

Undercover investigations, electronic surveillance, informants, sentence reduction for cooperating witnesses and controlled deliveries are permitted under national law in money laundering investigations.

Brazil is a member of the Financial Action Task Force (FATF) and the Financial Action Task Force of South America (GAFISUD). The last FATF evaluation of Brazil was conducted in 2004.

Brazil reports that the banking sector, the capital market, stock exchanges, the insurance sector, institutions generally involved in the transfer of funds, cash or valuables, and real estate entities are required to submit suspicious transaction reports. However, lawyers, notaries and accountants are not.

Brazil's Financial Intelligence Unit (FIU), the Financial Activities Control Council (COAF), was established by Law n° 9.613/1998. COAF, which is affiliated with the Ministry of the Treasury, has its own annual budget. It is a member of the Egmont Group and has access to the Group's secure network. The FIU received and responded to the following number of information requests through that network between 2006 and 2009:

Year	Information requests received	Responses to information requests sent
2006	102	102
2007	87	87
2008	101	101
2009	95	95

In addition, the FIU produced and transmitted to appropriate authorities the following number of financial intelligence reports between 2006 and 2009.

Year	Number of Financial Intelligence Reports
2006	1,169
2007	1,555
2008	1,431
2009	1,524
Total	5,679

Brazil does not have limitations on obtaining financial documents and registers in money laundering cases in judicial settings, but limitations do exist in administrative settings on obtaining documents in money laundering cases subject to secrecy, confidentiality or reserve agreements.



Brazilian judicial authorities have jurisdiction to obtain access to records, bank balances, bank statements and other documents. The Brazilian Judiciary may order the lifting of bank secrecy of any natural person or legal entity during any investigation, proceeding, or criminal action initiated for the investigation of crimes which have generated an increase in the estate of the defendant, including money laundering, its predicate offenses, and the financing of terrorism.

Brazil has the National Seized Assets System (SNBA), established by the National Justice Council (CNJ) in 2008, for the management or disposition of assets seized and forfeited in illicit drug trafficking and money laundering offenses.

The SNBA has manuals for the management of assets seized. In addition, Brazil's constitutional legislation includes mechanisms concerning the legal disposition of goods associated with illicit drug trafficking activities. Brazil's legislation permits the presale or disposition of seized goods in pending cases.

During the evaluation period, the FIU initiated 5,900 investigations. However, no data on such investigations was provided for 2007 and 2009. In 2006 and 2007, 649 penal proceedings for money laundering were initiated through these reports, but the country did not provide data on penal proceedings for 2008 and 2009.

Brazil did not provide information on the number of persons formally charged with money laundering during the evaluation period. However, it reports that 14 persons were convicted of money laundering in 2006, and 30 persons were convicted in 2007.

D. Judicial Cooperation

Under Brazil's law, extradition is possible in both illicit drug trafficking and money laundering cases; however, extradition of nationals is not permitted in either case. Brazil has complied with the obligation to designate a competent authority to receive, respond to and transmit extradition requests. Brazilian national law provides for a person whose extradition has been denied in a money laundering or illicit drug trafficking case to be tried for the offense in Brazil, if such prosecution is expressly requested by the State whose extradition request is denied.

Brazil's national law permits the provision of comprehensive reciprocal judicial assistance, which, among other activities, includes taking evidence or statements, executing searches and seizures, and providing information and evidentiary items.

Brazilian law permits the use of secure technological resources to facilitate communication among authorities involved in criminal investigations. Bank secrecy and other confidentiality laws are not an obstacle to providing reciprocal judicial assistance. Brazil's national law permits granting a controlled delivery request.

Brazil has established a mechanism to recover assets forfeited abroad. The country notes that asset forfeiture law is in accord with provisions of the United Nations Convention against Transnational Organized Crime and the 1988 U.N. Convention.



Brazil provides the following data relating to active and passive extradition requests:

**Number of Active Extradition Requests Made
Regarding Illicit Drug Trafficking and Money Laundering Cases**

Active extradition requests regarding illicit drug trafficking cases				Active extradition requests regarding money laundering cases			
2006	2007	2008	2009	2006	2007	2008	2009
13	18	9	4	0	7	4	1

**Number of Passive Extradition Requests Answered
Regarding Illicit Drug Trafficking and Money Laundering Cases**

Passive extradition requests answered regarding illicit drug trafficking cases				Passive extradition requests answered regarding money laundering cases			
2006	2007	2008	2009	2006	2007	2008	2009
5	2	7	0	1	2	1	0

Between 2006 and 2009, Brazil made and responded to the following number of requests for judicial assistance in illicit drug trafficking and money laundering cases:

Requests for reciprocal judicial assistance made regarding illicit drug trafficking cases				Requests for reciprocal judicial assistance made regarding money laundering cases			
2006	2007	2008	2009	2006	2007	2008	2009
290	178	72	246	76	64	104	142

Requests for reciprocal judicial assistance answered regarding illicit drug trafficking cases				Requests for reciprocal judicial assistance answered regarding money laundering cases			
2006	2007	2008	2009	2006	2007	2008	2009
69	47	34	68	32	28	43	32



EVALUATIVE SUMMARY

In the area of institutional strengthening, CICAD recognizes that Brazil has taken steps to ensure implementation of the National Drug Plan (PNAD) by the National Anti-Drug Council (CONAD), supported by the agencies that comprise the National System on Public Drug Policies.

CICAD recognizes that Brazil has ratified all of the international instruments recommended by the MEM regarding drug control and related criminal activity.

In terms of Brazil's information systems, CICAD acknowledges that they are designed to elicit data on narcotics demand and supply reduction. CICAD is concerned, however, that between 2006 and 2009, no surveys were conducted on drug use in the general population at the national level or on drug availability.

CICAD takes note of the work undertaken by authorities in the area of drug demand reduction and prevention programs. CICAD commends SENAD's efforts to expand the reach of such programs. CICAD takes note of Brazil's work in providing refresher, in-service and technical training for demand reduction and rehabilitation workers, including for health care professionals, both at home and abroad.

CICAD recognizes that Brazil has established official operating standards for specialized treatment facilities for persons with drug use problems and has licensed treatment centers in the 26 states and the Federal District. CICAD takes note of the country's primary care facilities that screen for drug use-related problems. However, CICAD observes the country's limited data on non-national level drug treatment facilities in the country, the number of cases treated, or any information regarding follow-up on re-insertion into the community of patients who have been treated.

CICAD observes that the country has new measures published in 2007 and 2008 designed to reduce the number of drug and alcohol-related traffic accidents. However, CICAD notes that Brazil did not provide statistics from several recent surveys carried out during this evaluation period, including on prevalence of drug use in the country.

With regard to supply reduction, CICAD takes note of the country's report of cannabis eradication and the development of a system to detect illicit crops with satellite support. CICAD observes that the country has detected and dismantled laboratories for synthetic drugs.

CICAD takes note of the role of the National Health Inspection Agency (ANVISA) and the National Controlled Products Management System, created in 2007, to monitor, control and prevent the diversion of pharmaceutical products. It also recognizes the country's improved techniques for sharing information with law enforcement authorities. CICAD notes that the country records the number of pharmaceutical import and export licenses issued, but does not have data available on licenses issued or inspections conducted related to the sale and distribution of pharmaceuticals, relevant sanctions imposed, or quantities of pharmaceutical products seized.



With respect to chemical controls, CICAD recognizes that Brazil has a system in place to prevent the diversion of controlled chemical substances used in the manufacture of illicit drugs. However, CICAD is concerned that Brazil does not have a registry system for information on relevant sanctions imposed. CICAD commends Brazil for the training that it provides in this technical area so that police and other officials are competent to carry out their work.

Regarding control measures, CICAD recognizes Brazil's work in promoting international, national and regional cooperation to share information and to collaborate, including between enforcement and drug awareness and treatment officials, to thwart drug trafficking. Training requirements for law enforcement officials during this evaluation period were met. CICAD notes that existing laws meet the country's needs to prosecute illicit drug sales via the Internet.

While some progress has been made in data compilation, CICAD notes with concern that the country still lacks a law enforcement information system on the control of illicit drug trafficking to consolidate data on drug seizures and forfeitures, as well as persons formally charged with and convicted of illicit drug trafficking provided by the police, the public prosecutor's office and the judicial branch, beyond data already compiled by the Federal Police.

CICAD notes that the country has measures for control of the possession and manufacture of and trafficking in firearms. However, CICAD observes that Brazil has not provided information on a national system for collection and dissemination of data on the importation, exportation and transit of firearms, ammunition, explosives or other related materials. Likewise, Brazil provided no information regarding the quantities of these materials seized and forfeited in connection with illicit drug trafficking.

CICAD acknowledges that Brazil criminalizes money laundering as an autonomous offense. However, CICAD notes with concern that the country has not established the trafficking of migrants or trafficking in persons as predicate offenses for money laundering. CICAD is also concerned that Brazilian law does not require lawyers, public notaries and accountants to report suspicious transactions.

CICAD recognizes the work of the Financial Intelligence Unit (FIU) and the exchange of information with other countries on legal cases associated with money laundering.

Regarding judicial cooperation, CICAD notes that under Brazil's law, extradition is possible in both illicit drug trafficking and money laundering cases; however, extradition of Brazilian nationals is not permitted in either case. The country has complied with the obligation to designate a competent authority to receive, respond to and transmit extradition requests. CICAD notes that Brazilian law permits the country to prosecute persons whose extradition is denied based upon their Brazilian nationality, provided that the country is expressly requested to pursue such a prosecution by another State.

CICAD also observes that Brazil's national law permits the provision of reciprocal judicial assistance, and the country uses secure technological resources to facilitate communication among authorities directing criminal investigations. National law permits granting a controlled delivery request.

CICAD recognizes Brazil's efforts in the context of the Multilateral Evaluation Mechanism (MEM) and encourages the country to continue to participate actively in the process.



RECOMMENDATIONS

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

DEMAND REDUCTION

1. CREATE A MECHANISM TO RECORD THE NUMBER OF PATIENTS TREATED FOR DRUG USE RELATED PROBLEMS.

SUPPLY REDUCTION

2. STRENGTHEN THE INFORMATION SYSTEM FOR PHARMACEUTICAL PRODUCTS TO PROVIDE DATA ON THE NUMBER OF SEIZURES, THE QUANTITIES OF PHARMACEUTICAL PRODUCTS SEIZED AND THE APPLICATION OF SANCTIONS FOR THESE PRODUCTS, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.
3. ESTABLISH A SYSTEM TO INTEGRATE INFORMATION ON LICENSES ISSUED AND INSPECTIONS CARRIED OUT FOR REGULATED ACTIVITIES AND AGENCIES RELATED TO PHARMACEUTICAL PRODUCTS AT THE NATIONAL LEVEL.
4. ESTABLISH A REGISTRY SYSTEM ON THE NUMBER OF ADMINISTRATIVE, PENAL AND CIVIL SANCTIONS APPLIED FOR NON-COMPLIANCE WITH LAWS AND REGULATIONS RELATED TO CONTROLLED CHEMICAL SUBSTANCES.

CONTROL MEASURES

5. DEVELOP AN INFORMATION SYSTEM ON THE CONTROL OF ILLICIT DRUG TRAFFICKING THAT CONSOLIDATES DATA PROVIDED BY THE POLICE AGENCIES, PUBLIC PROSECUTOR'S OFFICE, AND JUDICIAL BRANCH, A RECOMMENDATION REITERATED FROM THE FOURTH EVALUATION ROUND, 2005-2006.
6. ESTABLISH A NATIONAL REGISTRY FOR DATA ON THE IMPORTATION, EXPORTATION AND TRANSIT OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS.
7. EXPAND THE LIST OF PREDICATE OFFENSES FOR MONEY LAUNDERING TO INCLUDE TRAFFICKING IN MIGRANTS AND TRAFFICKING IN PERSONS.
8. EXPAND THE OBLIGATION TO SUBMIT SUSPICIOUS TRANSACTION REPORTS TO INCLUDE LAWYERS, PUBLIC NOTARIES AND ACCOUNTANTS.

Antigua
and Barbuda Argentina
The Bahamas Barbados Belize Bolivia
Canada Chile Colombia Costa Rica Dominica
Republic Ecuador El Salvador Grenada Guatemala
Honduras Jamaica Mexico Nicaragua Panama Paraguay
and Nevis Saint Lucia Saint Vincent and the Grenadines
Tobago United States of America Uruguay Venezuela
Bahamas Barbados Belize Bolivia Brazil Canada
Republic Ecuador El Salvador Grenada Guatemala
Panama Paraguay Peru Saint Kitts and
Trinidad and Tobago United States of
Bahamas Barbados Belize Bolivia Brazil
El Salvador Grenada Guatemala Guyana
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Bolivia Brazil Canada Chile Colombia
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Brazil Canada Chile Colombia Costa
Jamaica Mexico Nicaragua Panama
and Tobago United States of America
Canada Chile Colombia Costa Rica
Mexico Nicaragua Panama Paraguay
Tobago United States of America Uruguay
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Peru Saint Kitts and Nevis Saint
Grenadines Suriname
States of America
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Suriname Trinidad and Tobago United States of America Uruguay
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