

# Dominica (Commonwealth of)

## Evaluation of Progress in Drug Control 2005-2006

# MEM

**Multilateral Evaluation Mechanism**



**Organization of American States - OAS**  
**Inter-American Drug Abuse Control Commission - CICAD**





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

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

**DOMINICA  
(Commonwealth of)**

**EVALUATION OF PROGRESS IN DRUG CONTROL  
2005–2006**

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**CICAD wishes to thank the following national institutions of Dominica which provided information for this MEM national Fourth Round report:**

- Ministry of Health and Social Security:
  - National Drug Abuse Prevention Unit
- Commonwealth of Dominica Police Force
- Ministry of Legal Affairs and Immigration
- Ministry of Foreign Affairs and Immigration:
  - Financial Intelligence Unit



## PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool designed by all 34 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), 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 the 34 member states, which meets before the onset of each MEM evaluation round to review and improve 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 Fourth Round evaluation period 2005–2006. The follow-up report on the implementation progress of recommendations assigned to Dominica will be published in June 2009. All MEM reports can be accessed through the following webpage: [www.cicad.oas.org](http://www.cicad.oas.org).



## INTRODUCTION

Dominica is an island with an area of 754 km<sup>2</sup> and 148 km of coastline. It has a population of 68,910 (2006). The main ethnic groups are black and indigenous. The literacy rate is 94% (2003). Dominica is a commonwealth with a parliamentary democracy. It is divided into 10 parishes. Its gross domestic product (GDP) per capita (PPP<sup>1</sup>) is US\$3,800 (2005) and the inflation rate is -0.1% (2005). The country has annual exports of US\$74 million, with such main exports as bananas, soap, bay oil, vegetables, grapefruit, and oranges.

### I. INSTITUTIONAL STRENGTHENING

#### A. National Anti-drug Strategy

Dominica's National Drug Strategy expired in 2004. The country reports that a new Strategy, which covers only demand reduction and awareness issues, is being drafted, but the country does not provide estimated dates for its completion, approval, or expiration. To approve the strategy, the Ministry of Health and Social Security submits the document by Cabinet Paper for review and final approval by the Cabinet of Ministers.

The country reports that it is in the process of re-establishing its national anti-drug commission, the National Council on the Misuse of Drugs<sup>2</sup>. Representation on the Council includes the Police; the Ministries of Education, Agriculture, and Health and Society Security; and the National Drug Abuse Prevention Unit (NDPU), as well as the private sector.

The NDPU, which was established in 1997, is responsible for demand reduction programmes. The NDPU receives an annual budget. In 2004, the budget totalled US\$220,485; in 2005, US\$200,562; and in 2006, US\$171,838. The Drug Demand Reduction Programme is funded in part through international cooperation.

All other agencies responsible for anti-drug activities receive funding for their individual programmes from the government's recurrent budget.

**CICAD views with concern that the country's national drug strategy expired in 2004 and urges Dominica to complete and adopt a comprehensive new strategy that covers supply reduction and control measures as well as demand reduction as soon as possible. CICAD also notes that once the new strategy is adopted, a budget should be established for the reconstituted National Council on the Misuse of Drugs. CICAD commends Dominica for re-establishing its national commission.**

**CICAD recognizes the work undertaken by the NDPU, and it urges that institution to work in concert with the National Council on the Misuse of Drugs in the development of demand reduction programmes.**

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<sup>1</sup> Purchasing Power Par

<sup>2</sup> The National Council on the Misuse of Drugs was established in January 2007



## **RECOMMENDATION:**

1. **APPROVE AND ADOPT A COMPREHENSIVE NATIONAL DRUG STRATEGY THAT COVERS ALL PHASES OF NARCOTICS CONTROL INCLUDING SUPPLY REDUCTION, CONTROL MEASURES AND DEMAND REDUCTION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

## **B. International Conventions**

Dominica has ratified the following international conventions:

- The Inter-American Convention on Mutual Assistance in Criminal Matters, 1992 (September 14, 2004).
- The Inter-American Convention against Corruption, 1996 (September 14, 2004).
- The Inter-American Convention against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA), 1997 (September 14, 2004).
- The United Nations Single Convention on Narcotic Drugs, 1961, as amended by the 1972 Protocol (September 24, 1993).
- The United Nations Convention on Psychotropic Substances, 1971 (September 24, 1993).
- The United Nations Convention on the Law of the Sea, 1982 (November 16, 1994).
- The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988 (June 30, 1993).

Dominica has not signed or ratified either the United Nations Convention against Transnational Organized Crime, 2000, and its three Protocols or the United Nations Convention against Corruption, 2003.

**CICAD views with satisfaction Dominica's recent ratification of the Inter-American Conventions against Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), against Corruption, and on Mutual Assistance in Criminal Matters. CICAD is concerned, however, that the country's ratification of several other important international instruments remains pending.**

## **RECOMMENDATIONS:**

2. **ACCEDE TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002:**
  - A. **PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;**
  - B. **PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION;**
  - C. **PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY IN WOMEN AND CHILDREN.**
3. **ACCEDE TO THE UNITED NATIONS CONVENTION AGAINST CORRUPTION, 2003.**



## C. National Information System

Dominica does not have a centralized office that organizes and compiles drug-related statistics and information. Drug-related information is obtained as needed from various government agencies. The country states that it does not have the resources to maintain an organized collection or carry out analysis of drug-related statistics or information.

Dominica distributes publications and materials related to the drug problem through libraries, schools, universities and research institutes; press and media; publications and reports by government agencies; health fairs; career days; drug education sessions; and promotional events. A walk-in service is available to the general public, where client counselling is provided and information on drugs is distributed. At the same time, the country reports that it does not have a specific budget allocated for disseminating information related to the drug problem.

The National Drug Prevention Unit (NDPU) is the primary agency for promoting the prevention of drug abuse among the country's population.

**CICAD notes the country's efforts in the distribution of drug-related material to the general public, but is concerned that the country has not yet established a national drug observatory.**

### **RECOMMENDATION:**

4. **IMPLEMENT A NATIONAL DRUG OBSERVATORY OR SIMILAR CENTRALIZED OFFICE, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.**

## II. DEMAND REDUCTION

### A. Prevention

Dominica did not carry out drug abuse prevention programs during the evaluation period. However, the country carried out a number of drug abuse prevention activities with key sectors of the population, reported in the following chart:



**Prevention Activities Carried Out, 2004–2006**

Key Population	Coverage	Type of Activity
Pre-school (2–5 years)	75%	Video presentations
Primary School (5–13 years)	35%	Educational Sessions, Poster Poetry and Drama Competitions, Quiz
Secondary School (13–18 years)	35%	Essay writing, Drama, Peer Counselling, Debates
Tertiary School (18 years old and over)	10%	Health Fairs
Working Children	30%	Public rallies, Song Competition
Adults	40%	Parental Encounters, Public Forums
Women	60%	Parental Encounters, Public Forums Women Specific Sessions
Indigenous Groups	20%	Educational Sessions

During 2006, the Caribbean Institute on Alcoholism and other Drug Problems (CARIAD) offered a two-week course related to drug abuse prevention, treatment and research to two persons. Five other persons from Dominica were trained at the Institute during the prior two years.

Dominica states that training opportunities for demand reduction are sufficient, but that additional training outlets are needed in the area of substance abuse counselling.

**CICAD recognizes the efforts made by Dominica in conducting drug prevention activities in schools and other key sectors of the population and encourages the country to develop drug abuse prevention programs, targeting the school population, compatible with the principles of CICAD's Hemispheric Guidelines on School-based Prevention. CICAD also recognizes Dominica's efforts to expand training programs in the area of substance abuse counselling.**

**RECOMMENDATIONS:**

5. DEVELOP AND EXECUTE DRUG-USE PREVENTION PROGRAMS TARGETING SCHOOL POPULATIONS.
6. BROADEN THE TRAINING OF PROFESSIONALS IN THE AREA OF SUBSTANCE ABUSE COUNSELLING.

**B. Treatment**

The Acute Psychiatric Unit of the Ministry of Health and Social Security is the entity responsible for the treatment and rehabilitation of drug dependent persons. However, the country did not report on the establishment of minimum standards of care for drug abuse treatment and does not supply sufficient data to properly evaluate its performance in the area of drug treatment.

**RECOMMENDATION:**

7. ESTABLISH MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.



### C. Statistics on Consumption

Dominica does not have estimates of drug use among the general population. A secondary school survey, which includes information on prevalence of drug use and the relationship between perceived risk and trends in drug use, was conducted in 2006, with the support of CICAD's Inter-American Observatory on Drugs. The results of this survey are presented in the following tables:

**Secondary School Drug Use Prevalence Survey Results, 2006 (Ages 13, 15, and 17)**

Type of Drug	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Alcohol	81.8	79.4	80.5	70.6	64.8	67.4	55.3	49.5	52.1
Tobacco	38.4	24.2	30.5	18.0	9.2	13.1	10.9	4.9	7.6
Solvents & Inhalants	8.2	7.5	7.8	4.0	3.7	3.9	2.6	2.2	2.4
Hashish	4.5	0.9	2.5	-	-	-	-	-	-
Marijuana	40.0	20.8	29.4	26.6	11.1	17.9	18.8	6.3	11.8
Hallucinogens	0.6	0.5	0.6	-	-	-	-	-	-
Heroin	0.5	0.1	0.3	-	-	-	-	-	-
Morphine*	0.1	0.2	0.1	-	-	-	-	-	-
Opium	0.2	0.1	0.1	-	-	-	-	-	-
Basuco, or Coca Paste	1.5	0.5	0.9	0.8	0.2	0.5	0.5	0.2	0.3
Cocaine HCl	1.0	0.3	0.6	0.7	0.2	0.4	0.5	0.2	0.3
Crack	1.0	0.6	0.8	0.7	0.5	0.6	0.6	0.2	0.4
Tranquilizers / Sedatives/ Depressants	3.6	6.6	5.3	1.2	3.6	2.5	0.8	2.1	1.5
Stimulants	3.2	5.2	4.3	1.6	2.6	2.2	1.3	1.8	1.6
MDMA (Ecstasy)	0.9	0.3	0.6						
Other Drugs	16.0	16.5	16.3	13.0	10.3	11.5	8.9	6.9	7.8
All Illicit Drugs	50.6	35.0	41.9	33.5	20.3	26.2	23.6	13.2	17.9

\* Non-prescription/non-therapeutic use only

**Secondary School Drug Use Incidence Survey Results, 2006 (Ages 13, 15, and 17)**

Type of Drug	Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total Population	M	F	Total Population
Alcohol	60.5	59.4	59.9	45.3	40.2	42.5
Tobacco	14.0	6.7	9.8	4.2	2.2	3.0
Solvents or Inhalants	3.3	3.4	3.4	1.7	1.8	1.7
Marijuana	17.8	8.1	12.2	9.4	3.4	5.8
Basuco, Coca Paste	0.7	0.2	0.4	0.4	0.1	0.2
Cocaine HCl	1.0	0.2	0.6	0.5	0.1	0.3
Crack	0.7	0.4	0.5	0.1	0.2	0.2
Tranquilizers / Sedatives/ Depressants	1.3	3.2	2.3	0.8	1.9	1.4
Stimulants	1.5	3.0	2.3	0.9	1.5	1.2
Other Drugs	12.9	10.5	11.5	8.4	6.5	7.3
All Illicit Drugs	25.4	16.7	20.2	14.1	8.1	10.4

**Estimate of the Perceived Risk of Drug Use, 2006 (Ages 13, 15, and 17)**

Category	% of those surveyed who believe that persons who carry out the following activities are at a moderate or great risk (or who think that it is quite harmful or very harmful)
Occasionally smoke cigarettes	62.8
Often smoke cigarettes	87.6
Often drink alcoholic drinks	70.9
Get drunk	77.5
Occasionally take non-prescribed tranquilizers/stimulants	74.4
Often take non-prescribed tranquilizers/stimulants	79.5
Occasionally inhale solvents	65.9
Often inhale solvents	76.1
Occasionally smoke marijuana	59.2
Often smoke marijuana	77.8
Occasionally take cocaine or crack	85.6
Often take cocaine or crack	87.2
Occasionally use coca paste	52.6
Often use coca paste	56.5
Occasionally take ecstasy	60.4
Often take ecstasy	61.8

**CICAD recognizes the efforts made by the country in conducting a secondary school survey, and considers the gathering of drug-related statistics important in the development of adequate anti-drug policies.**

### III. SUPPLY REDUCTION

#### A. Drug Production

Dominica reports that, although cannabis is cultivated illegally, there is no method in place to calculate cultivated areas, nor a formal crop eradication program. The country reports that eradication of cannabis crops is carried out by law enforcement officers whenever such cultivation is found.

The country did not detect illicit drug laboratories during the evaluation period.



**CICAD considers that, while the country has not reported cannabis production in significant quantities, it is important for Dominica to continue to monitor areas susceptible to use for illicit crop cultivation.**

## **B. Control of Pharmaceutical Products**

Dominica does not have any national laws to control pharmaceutical products. However, a number of administrative regulations exist in the commercial and health care sectors. These include, for example, regulations on import/export control, license control, monitoring of distribution, and monitoring of prescriptions. The Ministry of Health and Social Security is the authority responsible for coordinating activities related to the control of pharmaceutical products.

Dominica does not have a system to compile information on administrative and regulatory activities and sanctions imposed in connection with them, and indicates that it does not anticipate implementation of such a system.

The country does not offer training courses for personnel in the public and private sector involved in the handling of pharmaceutical products, and does not have an automated information management system in place to facilitate the control of pharmaceutical products.

No seizures of pharmaceutical products were carried out during years 2004–2006. According to Dominica, a factor in this situation is lack of training for the country's police officers.

Dominica has not detected any activities related to the sale and distribution of controlled pharmaceutical products or other drugs over the Internet.

**CICAD notes that the country has no national laws and a limited regulatory framework to control the diversion of pharmaceutical products. The country also has no mechanisms in place to investigate or prosecute the diversion of pharmaceutical products.**

**CICAD also notes that the country does not have regulations or specific mechanisms in place to prevent and control illicit trafficking of pharmaceuticals and other drugs via the Internet. Nor does the country have a system to compile information on administrative and regulatory activities and sanctions imposed in connection with pharmaceutical controls.**

**Moreover, CICAD is concerned that the country does not offer training courses for personnel in the public and private sector involved in the handling of pharmaceutical products.**

### **RECOMMENDATIONS:**

8. ENACT LEGISLATION TO PROVIDE FOR ALL ASPECTS OF CONTROL, REGULATION AND PREVENTION OF THE DIVERSION OF PHARMACEUTICAL PRODUCTS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.
9. CONDUCT TRAINING COURSES FOR OFFICERS RESPONSIBLE FOR THE CONTROL OF PHARMACEUTICAL PRODUCTS.



10. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET, WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIONAL NEEDS.

### C. Control of Chemical Substances

The country reports that The Noxious and Dangerous Substances (Control) Act No. 4/82, controls the following chemical substances: gasoline, diesel, kerosene, aviation fuel, liquefied petroleum gas (LPG), oxygen, and sulphuric acid. This Act provides for the imposition of fines and imprisonment in connection with licensing and storage violations. Dominica does not report the seizure or disposal of any controlled chemical substances during 2004–2006.

Dominica monitors the diversion of the aforementioned chemical substances through a national registry of licensees, license control, inspections, distribution control, and transport control.

The country does not offer training for administrative, police and customs officers in the control and diversion of chemical substances, and does not have an automated information management system in place for the control of the diversion of chemical substances.

Dominica does not provide information on penal, civil or administrative sanctions for the diversion of controlled chemical substances.

The country does not export or handle the transit of controlled chemicals, and does not provide information on the use of pre-export notifications for the import of these substances.

Dominica states that the Noxious and Dangerous Substances Act provides for destruction of controlled substances upon summary of conviction of the person in violation of the Act.

**CICAD recognizes that Dominica has a limited system in place for monitoring the diversion of some chemical substances with a national registry. However, CICAD is concerned about the country's apparent inability to implement practical measures to actively control the diversion of chemicals.**

#### **RECOMMENDATION:**

11. ENACT COMPREHENSIVE LEGISLATION TO FULLY REGULATE THE CONTROL OF THE DIVERSION OF CONTROLLED CHEMICALS IN ACCORD WITH ARTICLE 12 OF THE UNITED NATIONS CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, 1988, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.

## IV. CONTROL MEASURES

### A. Illicit Drug Trafficking

Dominica provides information on the quantities of drugs seized during 2004–2006 in the following table:

**Number and Quantities of Illicit Drugs Seized, 2004–2006**

Type of Drugs	Number of Seizures			Quantities of Drugs Seized		
	2004	2005	2006	2004	2005	2006
Crack Cocaine	35	39	15	0.03 kg.	0.27 kg.	16.71 kg.
Cannabis Plants	218	161	135	11.13 kg.	239.80 kg.	510.7 kg.
Cannabis Seed	7	5	3	3.50 kg.	7.30 kg.	0.13 kg.

During 2004, 192 persons were formally charged with and 121 convicted of illicit drug trafficking; in 2005, 190 persons were formally charged and 122 convicted, and in 2006, 158 persons were formally charged and 106 convicted.

No public officials were formally charged with or convicted of acts of corruption related to illicit drug trafficking or for offences related to illicit drug trafficking during the evaluation period.

Dominica facilitates timely operational information exchange and collaboration among national authorities responsible for controlling illicit drug trafficking by operating the National Joint Coordinating Centre, a joint intelligence centre with Customs. The main achievement has been the successful execution of joint operations, but further coordination among the collaborating institutions is needed.

The Ministry of Legal Affairs and Immigration and the Director of Public Prosecution are the entities responsible for making extradition requests in illicit drug trafficking cases. Dominica has extradition treaties with the United States of America, Commonwealth countries, and CARICOM states. The Ministry of Legal Affairs and Immigration and the Attorney General are the authorities responsible for receiving extradition requests for illicit drug trafficking cases. Extradition of nationals is permitted under the country's national laws. No extradition requests related to illicit drug trafficking were made or received by Dominica during the evaluation period.

Dominica reports that it has not developed any national specialized training courses or briefings for law enforcement, security, customs officers, prosecutors or the judiciary to address illicit drug trafficking, but that enforcement judicial officers were offered training by international organizations.

**CICAD takes note of the information provided by Dominica in this area and urges the country to continue efforts to upgrade its anti-drug law enforcement capabilities, especially in terms of cooperation among law enforcement agencies.**

## **B. Firearms, Ammunition, Explosives and other Related Materials**

The Dominica Police Force is responsible for the issuance of import and in-transit licenses and authorizations related to firearms, ammunition, explosives and other related materials, as well as for the exchange of information among national entities and with similar entities in other countries. In this regard, the Commissioner of Police is responsible for the issuance of export licenses and the cancellation of licenses and authorizations; and the Dominica Police Force, together with the Customs service, are responsible for the confiscation and forfeiture of illicitly trafficked firearms and ammunition.



The country's Firearms Act criminalizes the illicit trafficking in and manufacture of firearms, ammunition, explosives, and other related materials.

**CICAD notes that Dominica has a law in place to control firearms, ammunition, explosives, and other related materials, including the importation, exportation, and in-transit movement of these items, as well as appropriate authorities responsible for its enforcement. However, due to the limited information provided by the country, CICAD is unable to provide an appropriate evaluation of the country's performance in this area.**

### C. Money laundering

Dominica reports that Money Laundering Prevention Act 20/2000, which came into force on January 25, 2001, criminalizes money laundering and establishes administrative sanctions for non-compliance. The country also states that under its national law, money laundering is a separate criminal offence that is prosecutable and punishable independently from the predicate offence that generates the laundered proceeds.

The national law provides for the freezing of assets owned by the individual charged or in the process of being charged with money laundering, up until formal charges are made. The law also sets forth that any person who has been convicted of this offence shall not be eligible to hold a position in a financial institution.

The following are considered money laundering predicate offences: illicit drug trafficking, firearms trafficking, pornography, extortion, administrative offences (corruption), terrorism and its financing, and fraud. The country indicates that its laws criminalize kidnapping, trafficking in humans, and prostitution but does not state whether these offences are predicates for money laundering. Dominica also states that trafficking in human organs is not a crime in the country.

The county reports that it presently has no laws that authorize the use of special investigative techniques, such as undercover tactics, electronic surveillance, use of informants, controlled delivery, or sentence reduction for cooperating witnesses, to investigate money laundering.

Dominica reports that its banking and insurance legislation and various regulations provide for administrative controls to prevent assets from being laundered in the banking sector, off-shore banks, currency exchanges, insurance companies and cross border movements of currency and negotiable bearer instruments. Other sectors have also been added such as real estate agencies, casinos, stock exchanges, and registered agents which include lawyers and accountants.

During years 2004–2006, one person was formally charged with money laundering in 2005, and none were convicted.

The country has instituted adequate regulations designed to determine the true identity of financial account holders. Such action was necessary due to the growth of Dominica's off-shore financial industry.

The Financial Intelligence Unit (FIU) of the Ministry of Legal Affairs is the entity responsible for analyzing and investigating reports and cases of money laundering and communicating the results of such investigations to the Director of Public Prosecutions for necessary action or advice. The FIU, which is staffed by two persons, has no independent budget, but its administrative costs are covered by the Ministry of Legal Affairs.





The Financial Intelligence Unit is a member of the Egmont group and shares information with other state institutions and similar foreign entities. Special agreements are not required to facilitate the exchange of information with the FIU.

Dominica reports that the Money Laundering Supervisory Authority (MLSA) has a mandate to regulate entities covered by Act 20/2000. Such entities are also required to submit reports on suspicious transactions to the MLSA.

At the administrative level, financial institutions and others responsible by law are required to report on suspicious or unusual transactions, and are subject to sanctions for non-compliance. They are required to keep records for a period of seven years and to implement the corresponding control measures of reporting large transactions, client records, verification of client identity, transaction records, preservation of records, existence of an enforcement official, existence of independent audits, "know-your-client" policies, "know-your-employee" policies and prohibition of anonymous accounts.

In 2004, 2005 and 2006, the country reports that 20, 19 and eight reports of suspicious transactions were received and investigated, respectively.

In Dominica, it is possible to lift bank secrecy for financial intelligence or indictment purposes. Therefore, the FIU may consult bank accounts directly, but must request authorization from a judge if the information is requested for a trial. During the evaluation period, no such requests were made.

The Ministry of Legal Affairs is responsible for the administration and disposal of seized and confiscated assets resulting from illicit drug trafficking and money laundering. The Law provides for the establishment of a Forfeiture Fund and requires that the proceeds of all forfeited assets be deposited into that fund and be used for anti-money laundering law enforcement efforts.

During years 2004–2006, one person was formally charged with money laundering in 2005, and none were convicted.

The Ministry of Legal Affairs is the central authority responsible for making international cooperation requests. No requests for extradition in money laundering cases were made or received.

Dominica states that it has a bi-lateral Mutual Legal Assistance Treaty in Criminal Matters with the United States of America that entered into force on May 25, 2000.

**CICAD notes the progress made by the county in the area of money laundering control and expresses its confidence in the improvement of the system. CICAD notes that Dominica has yet to implement and enforce the provisions of its anti-money laundering legislation and provide sufficient resources to its control entities.**

## **RECOMMENDATION:**

- 12. INSTITUTE SPECIAL INVESTIGATIVE TECHNIQUES TO INVESTIGATE SUSPECTED MONEY LAUNDERING CASES.**



## CONCLUSIONS

CICAD commends Dominica's efforts to re-establish its National Drug Commission to guide national anti-drug policy, and for the broad representation of governmental and private sector entities that participate on that Commission.

CICAD urges Dominica to establish and fund a budget for the Commission as soon as possible. CICAD also encourages Dominica to complete the adoption of a comprehensive national drug strategy, as its prior national strategy expired in 2004 and did not cover supply reduction or control measures. CICAD recognizes the work of Dominica's National Drug Abuse Prevention Unit in the area of demand reduction activities and urges it to work in concert with the new National Drug Commission in the development of demand reduction programs.

Dominica is party to various drug-related international conventions. However, it has not yet ratified the United Nations Convention Against Transnational Organized Crime and its three protocols, and the United Nations Convention Against Corruption. CICAD considers these instruments to be key to international cooperation in connection with anti-drug efforts and, therefore, encourages Dominica to accede promptly to these conventions.

CICAD notes the existence of prevention activities at all levels of Dominica's education system and encourages the country to develop drug abuse prevention programs, targeting the school population, that are compatible with the principles of CICAD's Hemispheric Guidelines on School-based Prevention.

CICAD recognizes Dominica's efforts to conduct a drug use survey of secondary school children and the valuable assistance that this information will provide to Dominica's National Drug Council for formulating a national drug strategy.

Dominica continues to lack a legal framework or mechanisms for maintaining effective controls over the diversion of pharmaceutical and chemical products. CICAD encourages Dominica to enact comprehensive legislation to control, regulate, and prevent the diversion of such products.

CICAD takes note of the information Dominica has provided concerning its seizures of illegal drugs and prosecution of drug traffickers and urges Dominica to continue its efforts to upgrade its anti-drug law enforcement capabilities.

CICAD also notes that Dominica has a law in place to control firearms, ammunition, explosives, and other related materials, including the importation, exportation, and in-transit movement of these items, as well as appropriate authorities responsible for its enforcement.

CICAD notes the progress that Dominica has made in the area of money laundering control and strongly encourages the country to move forward with implementation and enforcement of the provisions of its anti-money laundering legislation.

CICAD recognizes Dominica's participation in the MEM process and urges the country to provide sufficient information to allow a more complete evaluation of the country's progress on drug control.



## SUMMARY OF RECOMMENDATIONS

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

### INSTITUTIONAL STRENGTHENING

1. APPROVE AND ADOPT A COMPREHENSIVE NATIONAL DRUG STRATEGY THAT COVERS ALL PHASES OF NARCOTICS CONTROL INCLUDING SUPPLY REDUCTION, CONTROL MEASURES AND DEMAND REDUCTION, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.
2. ACCEDE TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002:
  - A. PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR;
  - B. PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION;
  - C. PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY IN WOMEN AND CHILDREN.
3. ACCEDE TO THE UNITED NATIONS CONVENTION AGAINST CORRUPTION, 2003.
4. IMPLEMENT A NATIONAL DRUG OBSERVATORY OR SIMILAR CENTRALIZED OFFICE, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

### DEMAND REDUCTION

5. DEVELOP AND EXECUTE DRUG-USE PREVENTION PROGRAMS TARGETING SCHOOL POPULATIONS.
6. BROADEN THE TRAINING OF PROFESSIONALS IN THE AREA OF SUBSTANCE ABUSE COUNSELLING.
7. ESTABLISH MINIMUM STANDARDS OF CARE FOR DRUG ABUSE TREATMENT, A RECOMMENDATION REITERATED FROM THE THIRD EVALUATION ROUND, 2003–2004.

### SUPPLY REDUCTION

8. ENACT LEGISLATION TO PROVIDE FOR ALL ASPECTS OF CONTROL, REGULATION AND PREVENTION OF THE DIVERSION OF PHARMACEUTICAL PRODUCTS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002.
9. CONDUCT TRAINING COURSES FOR OFFICERS RESPONSIBLE FOR THE CONTROL OF PHARMACEUTICAL PRODUCTS.
10. CARRY OUT RESEARCH AND TRAINING ACTIVITIES RELATED TO THE PREVENTION AND CONTROL OF ILLICIT TRAFFIC OF PHARMACEUTICAL PRODUCTS AND OTHER DRUGS VIA THE INTERNET WHICH WILL ENABLE THE COUNTRY TO IDENTIFY ITS REGULATORY AND OPERATIONAL NEEDS.



11. ENACT COMPREHENSIVE LEGISLATION TO FULLY REGULATE THE CONTROL OF THE DIVERSION OF CONTROLLED CHEMICALS IN ACCORD WITH ARTICLE 12 OF THE UNITED NATIONS CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES, 1988, A RECOMMENDATION REITERATED FROM THE **SECOND EVALUATION ROUND**, 2001–2002.

### **CONTROL MEASURES**

12. INSTITUTE SPECIAL INVESTIGATIVE TECHNIQUES TO INVESTIGATE SUSPECTED MONEY LAUNDERING CASES.





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**Organization of American States - OAS**

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