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

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

ARGENTINA

EVALUATION OF PROGRESS IN DRUG CONTROL
2003-2004



INTRODUCTION

Argentina has a total area of 2,766,890 km², with total international borders of 9,021 km, broken down as follows: to the north with Bolivia (765 km) and Paraguay (1,570 km), to the north and east with Brazil (1,079 km), to the east with Uruguay (491 km) and the Atlantic Ocean; to the south with the Atlantic Ocean, and to the south and west with Chile (5,116 km). Argentina has a population of 39,144,753 (2004 figure). The country's main ethnic group is white race, mostly of Italian and Spanish descent. The literacy rate is 97.1%. Argentina is a republic divided into 23 provinces and the Autonomous City of Buenos Aires. The country has a per capita GDP of US\$3,325 and an inflation rate of 13.4% (2003). Argentinean exports totaled US\$29.566 billion in 2003, accounting for around 23.5% of GDP. Its main exports are: edible oils, fuel and energy, cereals, food products, and motorized vehicles.

I. INSTITUTIONAL BUILDING/NATIONAL ANTI-DRUG STRATEGY

A. National Anti-Drug Plan and National Commission

The Federal Plan for Integral Prevention of Drug Abuse and Drug Trafficking for the period 2005-2007, prepared in 2004, was approved by Resolution 210/05 of January 20, 2005. The Plan covers the areas of demand reduction, supply reduction, control measures and program evaluation.

The entire budget assigned to the national drug authority is to be used to fund the activities set out in the Plan. There are also sources of funding from other state agencies (national and provincial alike) that share responsibility for the actions set out in the Plan. However, the country notes that given the complexity of its administrative organization and budgetary structures, it is unable to provide specific data on all the contributions intended for the Plan.

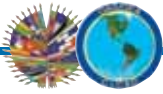
The Secretariat for Programming Drug Abuse Prevention and the Fight against Drug Trafficking (SEDRONAR) is the national anti-drug authority and it is under the direct supervision of the Office of the President. This Secretariat had an assigned budget of US\$5,064,775 for the year 2004, and it is financed by government contributions, self-financing sources as provided by law, and international contributions.

CICAD notes with satisfaction that Argentina has approved its Federal Plan for Integral Prevention of Drug Abuse and Drug Trafficking for the period 2005-2007, with an allocated budget for the implementation thereof.

B. International Conventions

The following international conventions have been ratified by Argentina:

- Inter-American Convention Against the Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials, (1997).
- Inter-American Convention against Corruption (1996).
- United Nations Convention Against Transnational Organized Crime, (2000); and its following protocols:
 - a) Protocol against the Smuggling of Migrants by Land and Sea.



- b) Protocol to Prevent, Repress and Punish Trafficking in Persons, Especially Women and Children.
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988).
- United Nations Convention on Psychotropic Substances (1971).
- United Nations Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol.

Argentina signed the Inter-American Convention on Mutual Assistance in Criminal Matters, as well as the Protocol to the United Nations Convention Against Transnational Organized Crime against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition. However, these international instruments are pending approval by the legislature.

To assure that the legal framework responds to all conventions signed by the country, Argentina passed Law 25.871 (Law on Migrations –February 21, 2004). Furthermore, the country set up an inter-institutional communication mechanism to monitor the implementation of all mandates established in the international conventions that it has ratified.

Within the framework of applicable international conventions, the country has signed bilateral cooperation agreements with 39 countries.

CICAD recognizes the country's effort in signing the Inter-American Convention on Mutual Assistance in Criminal Matters. However, its ratification remains pending, as does ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition of the United Nations Convention against Transnational Organized Crime.

RECOMMENDATIONS:

1. RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
2. RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.

C. National Information System

The Argentine Drug Observatory, in Resolution 209/05 on January 20, 2005, was established by the Secretariat for Programming Drug Abuse Prevention and the Fight against Drug Trafficking, its full institutional functioning and its officers were appointed, and set out its organization, structure, and functions.

The country reports that it offers a toll-free (0800) telephone advice service. For each call received by this service, specialized staff completes a form that records data on the demographic and economic background, as well as the use patterns, of the caller. This information is fed into a database and later processed to identify variables and analyze trends. The Consultation and Orientation Center (CEDECOR) also aids in collecting information on treatment requests received at the secretariat and on patients receiving economic aid. A centralized registry on prosecutions for illicit trafficking and related offenses brings together information on drug and precursor chemical seizures and arrests for drug possession and trafficking.



Argentina reports that since 2003 it has been collecting information on persons arrested, charged and convicted, and items seized and confiscated under Laws 23.737 (Law on Narcotics) and 25.246 (Law on Prevention and Prosecution of Money Laundering).

Within the framework of the Inter-American Uniform Drug Use Data System (SIDUC) and with the assistance of CICAD, the country carried out research on emergency room patients in 2003. In the first half of 2004, it concluded the Second National Psychoactive Substance Consumption Study.

Argentina provides data to the Uniform Statistical System on Control of the Supply Area (CICDAT), as well as drug-related statistics to the International Narcotics Control Board (INCB) and the United Nations Office on Drugs and Crime (UNODC).

Currently, the country does not have a formal mechanism to evaluate the efficacy of data collection efforts, but that such a mechanism is being included in the guidelines for the work of the Argentine Drug Observatory. Nonetheless, the government does have coordination meetings with provincial bodies to promote data collection on information.

The main obstacle confronting governmental efforts to collect, organize, analyze and use statistics and documentation on drugs is insufficient financial resources to assure that periodic studies on the general population can be carried out with regularity and to harmonize the way specific statistical information is processed and systematized. It also mentions, however, that SEDRONAR makes ongoing efforts to bring together provincial bodies to promote primary and secondary data collection and adjust it appropriately.

Public information is disseminated through websites, libraries, schools, research centers, the media in general, list serves and publications put out by national authorities and other governmental bodies. The country also reports that the SEDRONAR coordinates a free 24/7 help line that received 18,062 calls in 2002 and 17,391 in 2003 and 15,564 in 2004.

Among the innovative strategies to deliver information to specific target groups, is a campaign to prevent drug abuse and the spread of HIV that has been carried out among women in prison.

The country maintains that it uses available information to fight against drug-related problems and to work on preventive measures with female inmates, prison guards and visitors.

The country also reports that it has a budget earmarked for dissemination of information, which decreased from US\$38,754 in 2002 to only \$13,824 in 2003. In 2004, however, it increased to US\$44,983.

CICAD notes with satisfaction the establishment of the Argentine Drugs Observatory. Similarly, CICAD notes that the country is taking regular measurements of certain drug-related issues. CICAD notes the increase in the budgets allocated for information dissemination.



II. DEMAND REDUCTION

A. Prevention

Argentina has a national system of prevention programs that encompasses various community-based programs. Programs are carried out for adults to train and strengthen civil society participation in the design of activities aimed at lessening drug use in communities. The country's "Aboriginal Culture and Wisdom" program aims to prevent alcoholism and other addictive behavior among indigenous people. Workplace programs are carried out in both the public and private sector. In prisons, efforts are made to reduce the vulnerability of women inmates to drug abuse and associated risks. In all, these programs cover 1,367 people.

SEDRONAR and the Ministry of Education are jointly developing a prevention program related to the application of the educational security measure as provided for in the Narcotics Law. Furthermore, with regard to preventive efforts in the workplace, there is a drug abuse prevention program for officers of the national public administration, which has a Consultation, Guidance, and Training Center. To date, this program has been implemented at the Ministry of Health, the Ministry of the Economy, and the National Council for Scientific and Technological Research.

Currently there are several prevention programs under way in schools, such as: (a) The Teacher Training Program - Education for Prevention in secondary schools that covers 3,307 students; (b) The Peer Education Project in Young People's Health Promotion for secondary schools that covers 150 students; (c) The Addictions Training Program carried out at the national Ministry of Education's Youth Activity Centers, in which 500 school students participated, has reached a further 4,500 pupils through word of mouth. However, there are no prevention programs implemented for university students.

Argentina has prevention programs for prisoners, for which gender was used as a focal point of intervention. As part of these programs, six adult module courses were held and six young-adult module courses were held at the men's prison No. 1 Ezeiza complex, during 2003 targeted at 360 prisoners. Additionally, the First Course for Training Multiplication Agents for Preventing Addictions in Prison was offered during 2004; the total of 810 participants will carry out preventive actions among prisoners throughout the Federal Prisons Service.

Argentina provides specialized vocational training through short courses in fields such as prevention and project design, certification programs for social workers, courses for university students and workshops on education for prevention. A total of 1,575 individuals have received training through such programs. The following refresher or upgrade courses have been offered: (a) Volunteer Course in Abuse Prevention (Levels I and II); (b) Social Project Design Course; (c) Drug Abuse Prevention; (d) Basic Concepts for Drug Abuse Prevention in Sport; (e) Healthy Youth Tourism; (f) Drug Abuse Prevention for Civil Servants; (g) Education for Prevention Workshop; (h) Educational Prevention Day; (i) Workshop on Security and Curative Measures in Education; (j) Community-Based Prevention; (k) Refresher and Update Course in Workplace Drug Abuse Prevention; (l) Social Worker Course; and (m) the Role of the School in Youth Socialization. There are also training courses in prevention and/or treatment in the framework of university course syllabuses in medicine, psychology and social work, as well as master's programs on drug abuse prevention.

The evaluation of five prevention programs have been conducted in the following areas: education for prevention; integrated community-based prevention; prevention and support services for HIV/AIDS infected prisoners; prevention programs for the educational community; and aboriginal communities in National Territory. For the first four areas listed, the approach was quantitative and qualitative with post-intervention surveys; for the last a process, impact and results approach was



used. The country also reports that it has conducted studies to examine the impact of prevention programs on public and private institutions, NGOs and universities in 2003 and 2004, although it does not have the results from those endeavors.

CICAD recognizes that the country implements prevention programs that target diverse sectors, particularly school students. CICAD acknowledges that it has conducted research on the impact of prevention programs, although it notes with concern that it does not have the results. CICAD also notes, however, that the country has not carried out prevention programs for women, university students, or street children.

RECOMMENDATIONS:

3. IMPLEMENT PREVENTION PROGRAMS THAT TARGET WOMEN, UNIVERSITY STUDENTS, AND STREET CHILDREN.
4. EXPAND THE COVERAGE OF EXISTING PREVENTION PROGRAMS.

B. Treatment

The drug abuse treatment standards applied nationally are those established in the joint resolutions of the Ministry of Health (361/97 and 362/97) and the SEDRONAR (153/97 and 154/97). These standards are mandatory.

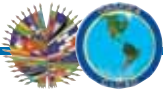
SEDRONAR and the Ministry of Health are the institutions responsible for registration, accreditation, and validation of services and programs, and that there is a national mechanism to verify standards of care in the treatment of drug abuse as well as to evaluate the quality of the services provided. This mechanism consists of programmatic inspections carried out by the national drug authority every 45 days.

According to information available in the 2003 census of National Treatment Centers, 243 public sector and 180 private sector programs were registered to treat male and female adults. In-patient, outpatient, and semi-open care programs were distributed as shown in the following table:

Treatment Centers

Programs	Public	Private	Population Groups Treated	
			M	F
Out-patient	170	75	x	
In-patient	45	78	x	x
Clinics (AM / PM)	28	27	x	x

Argentina has services in place for detoxification (9 public and 4 private), treatment and rehabilitation (238 public and 188 private), social reinsertion and follow-up (1 public), as well as self-help groups (97 public and 257 private).



Although the country states that there are treatment centers dedicated specifically to treating women and adolescents, the exact number of such centers is not known because the census form used to record information at treatment centers did not collect information on the characteristics of the public served. However, the country informs that additional information will be collected at the next census.

SEDRONAR's National Census of Treatment Centers (2003) indicates that 195,867 patients were treated, and that there are 531 drug abuse treatment programs in an equal number of treatment centers.

The country reports that studies have been carried out on the effectiveness of various forms of treatment, rehabilitation and follow-up/social reintegration using criteria such as remaining drug-free for at least 12 months and an acceptable level of reintegration in the family, the workplace and society in general, although it does not have the results of these studies.

CICAD recognizes that the country has in place treatment and rehabilitation programs that provide widespread coverage at the national level and that an evaluation was carried out to determine their effectiveness. However, CICAD notes with concern that the results of those evaluations are not available.

C. Statistics on Consumption

Argentina reports that it has concluded the Second National General Population Survey (2004), which provides the following data on drug abuse prevalence among the general population:

**Lifetime prevalence of psychoactive substance consumption among the population
(12 to 15 years old)
2004**

Psychoactive Substance	Men	Women	TOTAL
Tobacco	11.0	11.1	11.0
Alcohol	37.9	39.6	38.7
Marijuana	0.7	0.6	0.6
Stimulants	0.2	0	0.1
Sedatives	0.5	0.4	0.5
Cocaine Hydrochloride	0.2	0.0	0.1
Inhalants	0.2	0.3	0.3



**Lifetime prevalence of psychoactive substance consumption among the population
(16 to 65 years old)
2004**

Psychoactive Substance	Men	Women	TOTAL
Tobacco	64.3	52.7	58.2
Alcohol	90.4	77.3	83.5
Marijuana	4.8	9.5	7.3
Stimulants	1.0	1.2	1.1
Sedatives	3.6	5.4	4.5
Opiates and Anesthetics	0.2	0.1	0.1
Cocaine Hydrochloride	4.1	0.9	2.4
Base Paste	0.3	0.0	0.2
Ecstasy	0.5	0.1	0.3
Alucinógenos	1.4	0.5	0.9
Inhalants	0.8	0.4	0.6

The country states that it has no updated information regarding drug use among high-school children.

Argentina provided information on the average age of first use.

**Second National General Population Study
First-use age for illegal drug consumption
among the population aged from 12 to 15
2003**

Statistic ¹	Marijuana	Stimulants	Sedatives	Opioids	Cocaine Hydrochloride
Mean	11.9	13.0	12.7	13.0	13.0
Median	12.0	13.0	13.0	13.0	13.0
Mode	9.0	13.0	13.0	13.0	13.0
Standard Deviation	2.4	0.0	0.5	0.0	0.0

¹ **Media** equals the result of dividing the sum of first-use age among the same number of people that consumed. Therefore it is the average age in which consumption was initiated

Median indicates the central point in the rank of different ages in which consumption initiated. Therefore, half of the total persons initiated consumption over this age and half under this age.

Mode is the age in which more people reported having initiated consumption. Therefore it is equivalent to the first-use age that appears more frequently among all ages reported.



The perception of young people students regarding the harmfulness of frequent consumption was measured in the student survey in 2001, were considered in the following chart:

Perceptions of Harmfulness of Use, 2001 (in %)

	Occasional Use		Frequent Use	
	Harmful	Very Harmful	Harmful	Very Harmful
Cigarettes	16.3	8.4	42.4	31.4
Alcohol	10.8	5.7	37.8	35.0
Stimulants/Tranquilizers	25.9	17.7	25.0	50.0
Solvents	31.0	36.0	14.4	64.7
Marijuana	31.4	42.4	12.2	73.6
Cocaine	31.3	49.0	7.4	79.8

The country maintains registries on morbidity and mortality related to drug use: in 2003 8,689 persons were infected with HIV, 1,234 of them from intravenous drug use. This information comes from treatment centers, while information on mortality rates related to drug use is handled by the Ministry of Health. As regards drug abuse-related mortality in 2002, there were 627 recorded deaths, of which 543 (approximately 87%) were male and 71 (approximately 11%) were female (in the 13 other cases, it was not possible to identify the sex of the deceased).

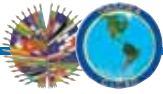
The country does not have a mechanism for the collection of information on drug abuse-related crime and accidents. However, it notes that two programs and their corresponding sources of funding have been approved. The first of these is a pilot test at police stations to gather information about the relationship that exists between criminal acts and the use of psychoactive substances. The second expands and enhances the collection mechanism that already exists in primary attention facilities in 520 locations around the country.

The country reports that during the evaluation period 2003-2004, new consumption of ecstasy, modified ecstasy, and GHB was detected.

CICAD recognizes that Argentina has carried out surveys among students, as well as national household surveys, on prevalence of drug abuse. CICAD also recognizes the efforts made by the country in approving two programs, and their corresponding funding, for gathering information on drug-abuse related crimes and accidents.

RECOMMENDATION:

5. IMPLEMENT THE MECHANISM TO RECORD INFORMATION ON DRUG ABUSE-RELATED CRIME AND ACCIDENTS.



III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Argentina reports that the area dedicated to cannabis cultivation is thought to be very limited and crops are destroyed upon detection. Thirteen areas were detected and eradicated in 2002 (90.55 m²), 26 in 2003 (230.5 m²), and 28 in 2004 (294.35 m²). On the basis of crops detected, it is estimated that the potential production for 2003 was approximately 63,377 Kg. The country reports no seizures of cannabis being cultivated indoors.

CICAD values the efforts carried out by the country in the eradication of cannabis cultivated areas.

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

The country reports destroying small drug laboratories, as follows: 3 cocaine/base paste laboratories destroyed in 2002, 3 in 2003, and 4 in 2004; 8 cocaine hydrochloride laboratories in 2002, 5 in 2003, and 16 in 2004; one ecstasy lab in 2003, and one ecstasy/cocaine lab in 2003.

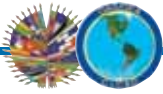
Pharmaceutical Products

The Ministry of Health's National Institute for Medicines (INAME) is the institution in charge of controlling all pharmaceutical products covered by international agreements and any other products specified for control within MERCOSUR. Such control is applied to all trade.

The country also indicates that there are controls applied to health professionals, facilities, prescriptions, etc. which fall under the responsibility of the Professional Activity Registry within the Ministry of Health.

Argentina reports that it has criteria in place to evaluate the effectiveness of the control mechanism to prevent diversion of pharmaceutical products, such as: (a) number of complaints received related to unauthorized use, prescription, or distribution of pharmaceutical products; (b) number of investigations opened; (c) number of inspections initiated; (d) percentage of inspections that give rise to an investigation; and (e) percentage of health professionals who comply with regulatory provisions. It also reports that the regulatory provisions governing the use and distribution of pharmaceutical products by health professionals are imperative for all of them. Failure to abide by the regulations constitutes an administrative misdemeanor or a crime, with sanctions applicable according to the case. However the country reports that it does not have statistical data that would allow it to evaluate the effectiveness of controls on health professionals with respect to use and distribution of pharmaceuticals.

Although there are both administrative and criminal sanctions in place to punish diversion of pharmaceutical products, no quantitative information has been provided in that regard. The country says that the maximum and minimum criminal penalties are six months to three years' imprisonment for whomsoever supplies a pharmaceutical product of a type, quality, or quantity not consistent with the prescription or other than that stated or agreed; or without a prescription and a filed record thereof, when the regulations in force provide that such products may not be sold without said requirement being met; and four to 15 years' imprisonment for whomsoever trades without authority, or for illicit purposes; possesses with intent to sell; or distributes, gives in payment, receives, or transports narcotics or raw materials for the production or manufacture thereof. The country reports that it applies different administrative penalties to the pharmaceutical professionals, from reprimand to practice disqualification for the practice.



CICAD recognizes that the country has an adequate legal framework necessary to apply controls and to impose the appropriate penalties in the area of pharmaceutical products. However, CICAD notes with concern an absence of statistical data that would allow the country to evaluate the effectiveness of the controls on health professionals with respect to use and distribution of pharmaceuticals, particularly in consideration of the sedative consumption figures reported in the Second National Consumption Survey (2003).

RECOMMENDATION:

6. EVALUATE THE EFFECTIVENESS OF CONTROLS ON HEALTH PROFESSIONALS WITH RESPECT TO USE AND DISTRIBUTION OF PHARMACEUTICALS.

Controlled Chemical Substances

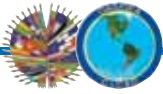
Argentina emphasizes that it has a large chemical industry and reports that the National Registry of Chemical Precursors of SEDRONAR is responsible for all chemicals listed in international conventions and in CICAD's Model Regulations.

Control measures exist for import, export, distribution, manufacture and transportation, among other activities. It should be noted that the country has in place a formal qualitative mechanism to evaluate the effectiveness of the entity responsible for instituting control measures, such as internal or external auditing. This mechanism enabled the country to obtain Certification of Quality under regulation ISO-9001 in May 2004.

Argentina reports that by charging fees for registration, it has been able to raise funds that can be used for improvements, training and equipment for the regulatory body.

However, Argentina reports that inadequate regulations and an insufficient level of authority constitute obstacles to prevent the national body from fulfilling its duties efficiently. In response, bills have been introduced before parliament with a view to correcting the situation. One of these enhances the formal operations of the National Registry of Chemical Precursors and establishes new sanctions for breaches of the regulations in force; the other amends various articles of the Narcotics Law and incorporates new provisions.

The national legal framework allows for criminal and administrative sanctions to be applied. However, the country does not report any criminal sanctions being applied in the last three years. There has been applied an increase is shown in the number of administrative sanctions applied against the diversion of controlled chemicals: two administrative sanctions imposed in 2002, ten in 2003 and 24 in 2004. The country reports that criminal sanctions range from a minimum fine of US\$112.50 to a maximum of US\$22,500. The minimum administrative sanction is suspension of license, while the maximum is loss of license. The relevant legislation, however, does not specify minimum or maximum time periods for suspension.



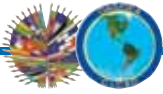
The country has experienced an increase in the number of pre-export notifications issued, up from 399 in 2002 to 441 in 2003. None of them were rejected by an importing or transit country, as the following table illustrates:

Controlled Chemical Substances Pre-export Notifications

Number of pre-export notifications issued			
Importing/Transit Country	2002	2003	2004
BOLIVIA	9	20	27
BRAZIL	98	73	87
CHILE	69	101	106
COLOMBIA	4	0	3
CUBA	0	1	1
ECUADOR	7	9	3
EL SALVADOR	4	4	0
SLOVENIA	0	1	0
SPAIN			2
GUATEMALA	2	0	0
JAPAN	1	0	0
MEXICO	0	2	0
THE NETHERLANDS	4	0	0
PARAGUAY	41	70	63
PERU	41	53	50
DOMINICAN REPUBLIC	2	0	0
SINGAPORE	2	0	0
SWITZERLAND			1
URUGUAY	108	106	80
USA	5	0	2
VENEZUELA	2	1	0
TOTAL	399	441	425

The country did not receive any pre-export notifications from other countries in the previous three years. However, it states that it has received extemporaneous notifications, in other words, the notifications were not "prior", as recognized in the 1988 Vienna Convention.

The country reports that most of the chemical precursors seized were domestically produced, but it found no indication of their use inside Argentina. These were: sodium hydroxide, hydrochloric acid, acetone, and sulfuric acid. The country reports that in the evaluation period, it carried out the following seizures of chemicals:



Quantities of Chemical Substances Seized

Controlled Chemical Substances	Quantities Seized			
	Unit of Measure	2002	2003	2004
Sodium Hydroxide	Kg	79,575.00	79,058.00	297,143.50
Hydrochloric acid	Liters	53,338.33	30,001.00	60,706.65
Sulfuric acid	Liters	31,217.39	1,323.00	50,708.50
Acetone	Liters	3,892.00	1,939.67	2,071.05
Ethyl alcohol	Liters	360.00	1,679.50	7.50
Ammonium anhydride	Liters	15.25	583.00	557.00
Potassium carbonate	Liters	20.91	54.00	0
Ethyl ether	Kg	325.70	131.90	219.70
Acetic acid	Liters	32.00	98.00	1.00
Kerosene	Liters	50.00	10.00	10.00
Potassium hydroxide	Kg	0	80.50	200.00
Sodium sulfate	Kg	0	3.00	0
Potassium permanganate	Kg	0	4.15	0
Toluene	Liters	0	163.00	54,792.00
Methyl ethyl ketone	Liters	0	266.50	0
Lye	Liters	0	8.00	0
Hexane	Liters	0	0	20,820.00
Calcium hydroxide	Liters	0	0	142,075.24

The country also points out that the methods used to dispose of seized chemicals are dilution, dissolution, and neutralization, determined on a case-by-case basis by the judge in question, and that chemical and pharmaceutical experts are involved.

CICAD recognizes the efforts of the country in the control of chemical substances, but it is concerned that the national entity responsible for control does not have adequate regulations for discharging its duties.

RECOMMENDATION:

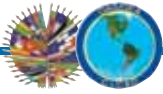
7. ADOPT THE NECESSARY REGULATIONS TO ENABLE THE RESPONSIBLE AUTHORITIES TO IMPROVE CONTROL OVER CHEMICALS.

IV. CONTROL MEASURES

A. Illicit Drug Trafficking

Argentina reports that it has detected new trends in illegal drug trafficking, such as an increase in the traffic of heroin in small amounts at the international airport. In response, it has intensified checks and intelligence efforts.

With the exception of cocaine base, where there was a slight decrease, more drugs were seized in 2003 than in 2002. The country also reports that the method used for inputting information into the database automatically classifies any seizure of MDMA (ecstasy and derivatives) under "amphetamines /methamphetamines".



Quantity of Drug seized 2002-2004

Type of Drug	Unit of Measure	Quantity		
		2002	2003	2004
Heroin	kg	32.29	175.78	16.09
Coca leaf	kg	45,570.39	46,243.11	38,617.41
Coca paste	kg	75.99	74.06	66.43
Cocaine hydrochloride	kg	1,562.31	1,918.64	3,061.14
Cannabis plants	units	939	14,244	4,073
Cannabis leaf	kg	44,823.95	58,340.49	54,785.92
Cannabis resin	kg	1.89	12.64	1.40
Cannabis seeds	kg	3.65	8.64	12.35
LSD	units	468	1.63	9,499
Amphetamine/ methamphetamine	units	430	14,545	9,499
Psychotropic	units	24,028	12,577	9,201

The country reports that it has not been able to supply the data on number of seizures over the last three years (2002-2004) because it does not have that information broken down by substance. Nevertheless, the country is currently working on software that would allow such data to be compiled. It also states that all seized drugs are destroyed by incineration.

Argentina reports that in relation to data of persons arrested for illicit drug trafficking, in the case of persons tried and convicted for illicit drug trafficking and for illicit possession, the data reported represents the 93% of the corresponding population for 2002, the 65% for 2003 and the 40% for 2004. It also reports that of the total arrests for drug trafficking, 1,604 cases in 2002 and 904 cases in 2003 corresponded to people who remained in custody and the difference was due to the fact that some of those arrested were released because the charges were dropped or because the offence was not punishable by imprisonment.

Persons arrested, tried and convicted for drug trafficking

Years	Arrested	Tried	Convicted
2002	7,162	1,606	1,071
2003	8,646	1,027	640
2004	8,908	721	586

The country reports that the number of people arrested, tried and convicted for unlawful possession of drugs over 2002-2004 were as follows:

Persons arrested, tried and convicted for unlawful possession of drugs

Years	Arrested	Tried	Convicted
2002	16,913	2,385	1,115
2003	18,645	1,498	734
2004	22,244	1,145	674

In Argentina, when an individual is charged, tried and convicted for illicit possession of drugs for personal use there are alternative sentences available in accordance with Article 18 of Law 23.737. This law stipulates that if there is a preponderance of proof that possession was for personal use only, and if the defendant is physically or psychologically dependant on drugs, and if in the opinion of the judge there is sufficient indication that the defendant is capable of making a decision, he can be sent for treatment, with his consent, for the time needed to assure detoxification and rehabilitation. A satisfactory outcome from treatment will result in full dismissal.



Furthermore, under Article 17 of the aforesaid law "if it is established during the proceedings that possession was for personal use, and the accused has confessed and is physically or psychologically drug dependent, the judge may suspend the sentence and order that the defendant be placed in therapeutic custody for the time needed for detoxification and rehabilitation. If the outcome of treatment is satisfactory, the court shall set aside the sentence."

However, Article 21 of Law 23.737 states that if the individual tried for possession of drugs for personal use is not physically addicted due to just having started drug use, the judge may exercise a one-time option to send the defendant to drug counseling as an alternative to serving the sentence of the court. If at the end of the treatment period the results are deemed unsatisfactory due to lack of cooperation on the part of the defendant, the court will enforce the sentence as originally handed down. The country also reports that it has not yet evaluated the results of alternative sentencing measures.

Regarding the data provided by the country on the number of persons arrested, for unlawful possession of drugs for personal use, it should be highlighted that the numbers for 2002 represents 93% of the corresponding population, 65% of those in 2003 and 40% of those in 2004:

**People arrested, tried and convicted for
unlawful possession of drugs for personal use**

Years	Arrested	Tried	Convicted
2002	1,540	1,414	608
2003	1,231	810	370
2004	1,248	723	413

The country reports that the timely exchange of pertinent information and general cooperation among all authorities charged with controlling illicit drug trafficking are promoted and facilitated through the use of: inter-institutional committees, joint forces/operations, joint training programs, and inter-institutional communications and information systems/networks.

Through SEDRONAR, meetings are organized with all national and provincial agencies with competence in the relevant areas to evaluate the effectiveness of information sharing and cooperation measures. This has improved coordination and facilitated identification of problems and needs, thus contributing to the search for joint solutions.

During the years 2002, 2003 and 2004, Argentina made 24 requests for legal cooperation to seven countries regarding the investigation and indictment of drug traffickers and received a response to 12 of them.

Requests for Legal Cooperation sent to other Countries

Country to which request was submitted	Number of Requests Submitted		
	2002	2003	2004
Bolivia	1	0	0
Brazil	1	7	0
Spain	2	7	0
United States	4	0	0
Italy	1	0	0
Paraguay	0	1	0
Uruguay	0	0	0



From 2002 to 2004, Argentina received 47 requests for judicial cooperation from 23 different countries, and responded to 19 of them.

The requests for extradition are processed by the Judiciary and remitted by diplomatic channels through the Ministry of Foreign Affairs, International Trade and Worship – Office of Legal Affairs. It reported that in this evaluation period, it made 11 extradition requests and received 8 replies. The country informs that the time it takes from the moment the extradition is requested until it takes place depends on the jurisdiction governing the request.

Extradition treaties have facilitated requests for extradition related to illicit drug trafficking. Argentina has such treaties with Brazil, Canada, the United States, Paraguay, Uruguay, Bolivia, Peru, Colombia, Chile, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama and the Dominican Republic.

Argentina reports that the main obstacle to extradition to other countries for drug related crimes is, mainly, the incorrect formulation of requests due to non-fulfillment of formal regulatory mandates.

The country states that extradition of its own citizens is allowed under law and that exceptions exist for cases involving illicit drug trafficking and other transnational offenses. It points out that extradition treaties have facilitated requests for extradition, but that obstacles still exist due to defects in form.

Argentina received seven requests for extradition for illicit drug trafficking in the evaluation period 2003-2004 and has replied to four requests that predated the evaluation period.

The country states that when an extradition request is accepted, the average time from the date of the request to the actual extradition of the person requested is between six months and a year.

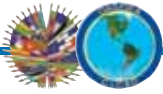
The country reports the existence of a national training plan to combat illicit drug trafficking, which targets national and provincial law enforcement forces and control bodies. Two annual courses have been organized: one for "Advanced National Specialists in Combating Drug Trafficking," which was attended by 150 officials in 2002, 200 in 2003 and 85 in 2004; the other, for "High-Level Operational Agents for Combating Illicit Drug Trafficking", which was attended by 79 public officials in 2002, 224 in 2003, and 70 in 2004.

CICAD recognizes the efforts of the country to control drug trafficking. However, CICAD notes with concern, that poor judicial management creates obstacles that block the extradition requests of other countries for drug trafficking.

B. Firearms and Ammunition

The Ministry of Defense's National Arms Registry, the Judiciary, and the Foreign Services Office share responsibility for the control of firearms, ammunition, explosives and related materials. Exchange of information and cooperation are provided for through an inter-institutional committee, joint training programs and an inter-institutional communications and information system. The effectiveness of the system is measured by monitoring the final destination of any materiel and by verification by an ad hoc joint committee.

The Criminal Code criminalizes the smuggling of firearms, ammunition, and explosives; the illegal possession of firearms; the possession of explosives; and the stockpiling of firearms and ammunition.



The statistical data provided for 2002 shows that twenty-two individuals were arrested and tried for illicit trafficking in firearms. There were 1,728 convictions in 2002 and 2,585 in 2003 for crimes related to the illegal possession of arms. The country has not provided figures for 2004.

The country has legal norms establishing administrative controls on the import, export and transit of firearms, ammunitions and explosives. It also has provisions for seizure, fines, closure and suspension of authorizations.

The established controls include a requirement to obtain an import or transit permit for authorization to import weapons into the country, and a requirement to submit a certificate of final destination in the importing country in order to obtain a transit and export permit.

The law on firearms also requires that firearms carry an identification number marked during manufacture in order to be imported or to be eligible for official use after being seized or confiscated.

The following table summarizes information on the number of firearms and ammunition seized in comparison to the number of arrests made for illicit drug trafficking.

Firearms and ammunitions seized in relation to illicit drug trafficking

Year	Number of arrests	Number of firearms seized	Number of ammunition seized	Number of Operations
2002	7,162	752	7,326	19,424
2003	8,646	544	5,450	21,447
2004	8,908	596	5,676	24,313

To prevent seized firearms and related materials from finding their way back to the illicit market, they are either destroyed or handed over to a governmental institution, such as the security forces or a museum.

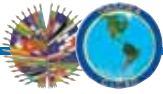
Argentina has a database for registering the date, description and series or lot number for firearms, ammunition and explosives being imported or exported or in transit. This information is kept indefinitely. The country also informs that the entities with responsibility for information exchange and collaboration among countries with regard to the control of firearms, ammunition, explosives, and other related materials are the Argentine Ministry of Foreign Affairs and the National Firearms Registry.

Two requests for information on shipments of firearms were made and only one response was obtained. Three such requests were received and duly answered.

CICAD recognizes that the country has an adequate legal framework to control registration, movement, and exchange of information on illicit trafficking in firearms, ammunition and explosives.

C. Money Laundering

Money laundering is defined as an offense by Law 25.246 of May 2000 (Law on Concealment and Laundering of Illicitly Obtained Assets), which modified Articles 277 and 278 of the Criminal Code. The law provides for punishment of six months to ten years in prison, and fines of between two and 10 times the value of the related assets or operation.



The definition of the offense of money laundering in Argentina encompasses the proceeds from the crimes of drug trafficking, trafficking in firearms, trafficking in human beings, trafficking in organs, prostitution, pornography, kidnapping, extortion, crimes against the public administration, terrorism and its financing, and fraud, together with all crimes set out in the Criminal Code.

Under current legislation, the crime of money laundering is autonomous, although for a person to be convicted of money laundering, there must be an ongoing investigation for the predicate offense.

Regulations currently in force allow for two special techniques for the investigation of money laundering when the determinative offense is illicit drug trafficking or an act of terrorism: "electronic surveillance" and "efficacious repentance or cooperative testimony".

The standards in force provide administrative controls for the prevention of money laundering in banks, currency exchanges, stock exchanges, insurance companies, casinos, notaries, accountants, and cross-border movement of cash and securities, public records offices; jewelers; traders in works of art, antiques, and other luxury goods; investors in philately or numismatics; carriers of valuables; postal services; people making donations; and public institutions responsible for the oversight of the subjects to which it applies. These regulations, however, do not extend to offshore banking, real estate agencies, and lawyers.

Furthermore, legal standards make it a requirement for financial and other obligated institutions to report suspicious transactions, and exempts them from any liability for reports they must submit by force of law.

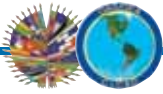
Argentina reports that in 2002, two individuals were prosecuted for money laundering but there were no convictions. In 2003, the country indicates that there were no arrests, trials, or convictions for this offense. In 2004, there were no arrests, trials or convictions either, however the country indicates that this information represents, for 2002, 93% of the corresponding population, 65% for 2003 and 40% for 2004.

The country states that it received 846 reports of suspicious transactions in the period of years 2002-2004, all of which were investigated. The result, however, was the initiation of judicial proceedings in only 50 cases, 31 in 2003, and 19 in 2004. Furthermore, the country informs that in this evaluation period, there were no convictions for money laundering and, therefore, no assets were forfeited.

In the 2002-2004 period, the country did not impose any sanctions for failure to report suspicious transactions as required by law or for failure to comply with other anti-money laundering regulations.

Argentina reports that it is possible to lift bank secrecy and obtain financial documents and files when dealing with a money laundering offense in order to glean financial information and to prepare for trial. However, it does not mention any document received from the 3,341 requests for documents from banks and other financial institutions, and from the Federal Public Revenue Administration served over 2002-2004. The country also highlights that the failure to obtain financial documents and files were due to bank or tax secrecy or confidentiality pacts.

Although the country does not report any seizures being made for money laundering during the years 2002-2004, it does indicate that there is a joint commission in charge of administering any assets seized or confiscated in drug cases. It also indicates that Law 25.246 provides for assets seized in money laundering cases to be deposited in a special account with the National Treasury.



There is a Financial Intelligence Unit (FIU) that receives and studies information, and issues conclusions. Additionally it imposes administrative sanctions and issues directives and instructions to be followed and implemented by the obliged subjects after consultation with the pertinent control entities.

The FIU is a member of the Egmont Group and has signed memoranda of understanding for the exchange of information with its counterparts in Australia, Belgium, Bolivia, Brazil, Colombia, Chile, El Salvador, Guatemala, Honduras, Panama, Paraguay, Peru, Spain and Venezuela.

During the years 2002 and 2003, the country did not make or receive any request for extradition related to money laundering. The extradition of citizens is allowed by law. As regards international cooperation, during the years 2002-2004, Argentina did not make to or receive from other countries any request to freeze bank accounts for cases of money laundering.

In 2003 Argentina sent out 43 requests to other countries to lift of bank secrecy and received a positive response to 27 of these.

Argentina received 16 such requests from other countries and agreed to lift bank secrecy in all of them.

In 2002, 16 judges and 29 public prosecutors received special training on administration of money laundering cases. In 2003, specialized training was given to 13 prosecutors and more than one hundred clerks of the Judiciary and the Public Prosecutors Office.

Argentina has not provided information on the number of administrative staff with specific training in enforcement of money laundering legislation and regulations.

CICAD recognizes that Argentina has in place a legal framework to confront money laundering, which includes mechanisms for prevention, suppression, and international cooperation. However, CICAD considers that the country should classify the crime of money laundering as a totally autonomous offense, as well as it should extend preventive administrative controls to encompass offshore banks, real estate agencies, and professionals (tax advisers, accountants and lawyers).

RECOMMENDATIONS:

8. EXTEND THE SCOPE OF MONEY LAUNDERING PREVENTIVE REGULATIONS TO INCLUDE OFFSHORE BANKS, REAL ESTATE AGENCIES, AND LAWYERS.
9. INCLUDE SPECIAL INVESTIGATION TECHNIQUES IN MONEY LAUNDERING REGULATIONS.

D. Corruption

Argentina reports that acts of corruption as established in the Inter-American Convention Against Corruption are criminalized by national law. In this line, Law 25.825 was passed on December 10, 2003, making transnational bribery of a public official a criminal offense.

The country also reports that it does not have data on public officials arrested, tried and convicted of corruption connected to illicit drug trafficking.

CICAD recognizes that Argentina's criminal laws are consistent with the Inter-American Convention against Corruption. However, the country does not have a system for collection of data on persons arrested, tried and convicted of illicit drug trafficking-related corruption.



RECOMMENDATION:

10. IMPLEMENT A DATA REGISTRY SYSTEM TO COLLECT INFORMATION ON OFFICIALS ARRESTED, TRIED AND CONVICTED OF CORRUPTION RELATED TO ILLICIT DRUG TRAFFICKING.

E. Organized Crime

Argentina does not have a law specifically addressing transnational organized crime. However there are legal provisions in force that classify acts of persons or groups in the service of organized crime as offenses.

Legislation currently in force contains measures for the prevention, control and repression of transnational organized crime. These include provisions regarding participation in organized criminal groups, money laundering, corruption, obstruction of justice, trafficking in persons, illicit trafficking in migrants, and illicit manufacture of and trafficking in firearms, ammunitions and related materials at the international level.

Legislation currently in force also provides for cooperation in the areas of extradition, mutual legal assistance, seizure and confiscation both precautionary and final in nature, interdiction, and victim protection and assistance. Special investigation techniques include use of "repentant", undercover agents, hot pursuit, extra-jurisdictional actions, telephone wiretapping and controlled delivery. Article 31 of Law 23,737 introduces the mechanism of hot pursuit (under this article, hot pursuit means that agents of any of the security forces and the National Customs Administration may act within the jurisdiction of the others when in pursuit of criminals, suspects, or violators of the Narcotics Law). Article 31 bis of the same law introduces the mechanism of the undercover agent: serving agents of the security forces, acting on an undercover basis, may join criminal organizations planning to commit the crimes set out in the law or in cases involving drugs smuggling.

CICAD recognizes the strides made by Argentina in the establishment of a comprehensive legal framework and special investigative techniques to combat organized crime.



V. CONCLUSIONS

CICAD recognizes that Argentina has a Federal Plan for Integral Prevention of Drug Abuse and Drug Trafficking for the 2005-2007 period, and it has launched the Argentine Drugs Observatory. CICAD also recognizes that Argentina has signed the Inter-American Convention on Mutual Assistance in Criminal Matters. Nevertheless, CICAD encourages the country in its efforts to ratify this Convention, together with the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition of the United Nations Convention Against Transnational Organized Crime.

CICAD views with satisfaction that Argentina has prevention programs targeting various segments of the population, including school children, with treatment and rehabilitation programs with national coverage. CICAD also notes that in late 2003 Argentina carried out household and student-population surveys at the national level on the prevalence of drug use and consumption. Nevertheless, CICAD notes that Argentina must implement prevention programs aimed at women, university students, and street children, and extend coverage of existing prevention programs. CICAD observes difficulties in obtaining the results of evaluations of treatment and rehabilitation programs that have been carried out, and in gathering information on crimes and accidents related to drug abuse.

CICAD recognizes that Argentina has an adequate legal framework for applying controls with respect to pharmaceutical products. However, it is a cause for concern that the country does not have statistical data for assessing the effectiveness of the controls for health care professionals, particularly given the sedative consumption figures reported in the Second National Consumption Survey (2003). With respect to the control of chemical substances, and in spite of the efforts the country has made, the regulations are still inadequate. Therefore, CICAD urges the prompt passage of the initiatives currently in the legislature.

Regarding illicit drug trafficking, CICAD recognizes the efforts made by Argentina in controlling drug trafficking and the fact that the country has an appropriate legal framework for registering, movement and exchanging information on illicit trafficking in firearms, ammunition and explosives. Argentina has in place a legal framework to confront money laundering that includes mechanisms for prevention, suppression, and international cooperation. However, CICAD urges the country to improve the classification of money laundering crimes, in order to make money laundering an autonomous offense and to extend preventive administrative controls to encompass offshore banks, real estate agencies, and lawyers.

Argentina has a legal framework for fighting corruption and organized crime that is in accordance with the guidelines set by the applicable international instruments within the MEM framework. However, weaknesses are noted in the establishment of a system to gather data on the individuals arrested, tried, and convicted for corruption offenses related to illegal drug trafficking.

Finally, CICAD notes Argentina's active participation in and its commitment to the Multilateral Evaluation Mechanism.



VI. SUMMARY OF RECOMMENDATIONS

The following recommendations are assigned to Argentina 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 BUILDING

1. RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999-2000.
2. RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION OF THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.

DEMAND REDUCTION

3. IMPLEMENT PREVENTION PROGRAMS THAT TARGET WOMEN, UNIVERSITY STUDENTS, AND STREET CHILDREN.
4. EXPAND THE COVERAGE OF EXISTING PREVENTION PROGRAMS.
5. IMPLEMENT THE MECHANISM TO RECORD INFORMATION ON DRUG ABUSE-RELATED CRIME AND ACCIDENTS.

SUPPLY REDUCTION

6. EVALUATE THE EFFECTIVENESS OF CONTROLS ON HEALTH PROFESSIONALS WITH RESPECT TO USE AND DISTRIBUTION OF PHARMACEUTICALS.
7. ADOPT THE NECESSARY REGULATIONS TO ENABLE THE RESPONSIBLE AUTHORITIES TO IMPROVE CONTROL OVER CHEMICALS.

CONTROL MEASURES

8. EXTEND THE SCOPE OF MONEY LAUNDERING PREVENTIVE REGULATIONS TO INCLUDE OFFSHORE BANKS, REAL ESTATE AGENCIES, AND LAWYERS.
9. INCLUDE SPECIAL INVESTIGATION TECHNIQUES IN MONEY LAUNDERING REGULATIONS.
10. IMPLEMENT A DATA REGISTRY SYSTEM TO COLLECT INFORMATION ON OFFICIALS ARRESTED, TRIED AND CONVICTED OF CORRUPTION RELATED TO ILLICIT DRUG TRAFFICKING-RELATED CORRUPTION.