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

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

FEDERATION OF
SAINT KITTS AND NEVIS

EVALUATION OF PROGRESS IN DRUG CONTROL
2003-2004



INTRODUCTION

The Federation of St. Kitts and Nevis is an island with a surface area of 261 Km². It has 135 km of coastline. The population is 42,000 (2003) and its main ethnic groups are blacks, British, Portuguese and Lebanese. The literacy rate is 97%. St. Kitts and Nevis is a constitutional monarchy with a Westminster-style parliament and it is divided into 14 parishes. The per capita Gross Domestic Product (GDP) is US\$5,997 (1995) and inflation runs at 1.70% (2001). Annual exports are in the region of US\$70 million and account for approximately 28% of the GDP (2002 est.). The island's main export products are: machinery, foodstuffs, electronics, beverages and tobacco.

I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

A. National Anti-Drug Plan and Commission

The country has a National Anti-Drug Strategy (2000-2005) approved by Parliament / National Assembly that is currently in force. The Strategy covers the areas of supply and demand reduction, control measures, institutional framework, program evaluation and money laundering. The strategy is implemented at the central, departmental and state level.

There is no general and unified budget to fund the Anti-Drug Strategy. Resources come from the annual budget of the National Council on Drug Abuse Prevention and other resources aimed at providing technical, technological and logistical assistance, allocated by competent government ministries, private institutions and regional and international organizations.

The National Council on Drug Abuse Prevention coordinates the area of demand reduction. The remaining areas comprising the Strategy (supply, control measures, institutional framework, program evaluation and money laundering) are implemented in collaboration with the ministries and other institutions of the country.

The above-mentioned National Council has an annual budget, which is autonomous and allocated by the Government. In 2004, it had a budget of US\$50,100, which, according to the country, is not enough because it does not enable full implementation of the demand reduction initiatives set forth in the National Strategy.

CICAD views with concern the lack of an adequate budget for the National Council on Drug Abuse Prevention and for the execution of its demand reduction activities.

B. International Conventions

St. Kitts and Nevis has ratified the following Inter-American and United Nations conventions:

- Inter-American Convention against Corruption (1996);
- Inter-American Convention against the Manufacturing and Trafficking of Illicit Firearms, Explosives and Other Related Materials - CIFTA (1997);
- United Nations Single Convention on Narcotic Drugs (1961), amended by the 1972 Protocol;
- United Nations Convention on Psychotropic Substances (1971);
- United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988);
- United Nations Convention against Transnational Organized Crime (2000) and its three Protocols.



The Inter-American Convention on Mutual Assistance in Criminal Matters (1992) is pending ratification. It has signed bilateral agreements and treaties with 48 states. Also, the country has entered into regional multilateral agreements and treaties with organizations, such as, the Caribbean Community (CARICOM), Organization of Eastern Caribbean States (OECS), and Caribbean Financial Action Task Force (CFATF).

The country reports that, in 2003, on the basis of the United Nations Convention on Psychotropic Substances (1971) and the Single Convention on Narcotic Drugs (1961), it enacted the Pharmacies Act, which regulates and monitors pharmacists, pharmacies, the sale and storage of pharmaceutical products.

CICAD expresses its satisfaction that the country has complied with the ratification of almost all international conventions, as recommended during the First and Second Evaluation Rounds. However, is concerned that the Inter-American Convention on Mutual Assistance in Criminal Matters is pending ratification.

RECOMMENDATION:

1. **RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS (1992), REITERATED RECOMMENDATION FROM THE FIRST EVALUATION ROUND, 1999 – 2000.**

C. National Information System

The National Council on Drug Abuse Prevention is the central office that organizes, compiles and coordinates drug-related statistics and information. The country participates in the Inter-American Uniform Drug Use Data System (SIDUC). During the 2003–2004 evaluation period, the country conducted the Survey of Secondary Schools Students and the National Drug Prevalence Survey of Civil Service Employees. It also participates in the Uniform Statistical System on Control of the Supply Area (CICDAT), and has gathered and reported various statistics included in this system. The country regularly submits information to the International Narcotics Control Board (INCB) and the United Nations Office on Drugs and Crime (UNODC).

The country does not have a formal mechanism to evaluate its data compilation capability and is encountering problems related to lack of technically trained persons in the appropriate fields and disciplines and financial constraints.

In order to disseminate drug-related information, the country uses a web page, publications, schools, universities and research institutes; press, targeted e-mail, reports by the National Drug Council, and a telephone help line.

The National Council on Drug Abuse Prevention serves as the warehouse and databank for all general public drug-related information and executes the following responsibilities:

- Educates the public, particularly the youth, on the dangers of drug use and abuse of narcotics, alcohol, tobacco products, cannabis, and tranquilizers and other mind-altering substances, and publicizes those dangers;
- Establishes, maintains and operates information systems and facilities, and encourages and supports the exchanges of information of all kinds in respect of policies, programs and research related to drug abuse;



- Initiates, supports and publishes studies, reports and other documentation on drug abuse;
- Promotes and encourages the award of scholarships, and to award scholarships or other financial assistance to any person who wishes to pursue any basic or advanced course related to drug abuse;
- Promotes and conducts research on drug abuse in St. Kitts and Nevis and develops and maintains a database of information on drug abuse.

Approximately 10% of the college students and 15% of the general population access these services. The country indicates that the information obtained from investigations is used to implement programs on the prevention, treatment and rehabilitation of drug abuse.

CICAD acknowledges the efforts made by the country through its National Council on Drug Abuse Prevention in compiling and disseminating drug-related information to the general public.

II. DEMAND REDUCTION

A. Prevention

The Federation of St. Kitts and Nevis indicates that it is currently implementing a national system of drug abuse prevention programs. The programs target primary and secondary school students, working children, drugs in the workplace, and prison inmates. However, the country has provided no data on the number of participants in those programs. In addition, the country indicates that between 2002 – 2004, it offered diplomas; undergraduate university-level courses; graduate; and postgraduate M.A. & PhD and short refresher courses or in service training targeting teachers, social workers, health care workers, police officers, drug treatment counselors, prison guards, and community leaders.

The country has been cooperating with tertiary level teaching institutions, including the University of the West Indies Centre (UWI), Clarence Fitzroy Bryant College (CFBC) and International University for Graduate Studies (IUGS) to provide prevention education and treatment/rehabilitation courses/training relating to drug abuse. IUGS had been providing such courses and training during the Summer time (2002-2004) for approximately 25-30 local participants. The objective is to allow participants to acquire the attendance and participation hours over a period of time towards a Master's or PhD degree.

The country indicates that from 2002 – 2004, it has not conducted evaluations of drug abuse prevention programs, neither has it conducted any research on the impact of prevention programs or best practices.

CICAD recognizes that the country is implementing a national system of drug abuse prevention programmes but notes that none of them have been evaluated and considers it relevant in order to determine the utility and impact of the programs.

CICAD also recognizes that with the cooperation of tertiary level institutions, training is being provided to interested parties.

RECOMMENDATION:

2. **EVALUATE THE PREVENTION PROGRAMS CURRENTLY BEING IMPLEMENTED.**



B. Treatment

The country informs that it has established mandatory national guidelines and that they are supported by the Medical Act 4 of 1999, on standards of care for drug abuse treatment. It further states that the government keeps a national registry of treatment services and programs and also that it has instruments for accrediting them. The entity in charge of registration and accreditation is the Ministry of Health. This ministry is also responsible for overseeing adherence to the standards of care. The Federation of St. Kitts and Nevis informs that evaluations of the quality of treatment services are carried out annually, however, there is no information currently available on the results of these evaluations.

Regarding drug treatment modalities, the country has four public programs for outpatients and ten clinics targeting the general population, both adults and children. Additionally, the country has ten network services for early detection, a public detoxification service, a public treatment and rehabilitation service, and a social reintegration and aftercare service. There is also a privately run self-help group. These services all provide national coverage. The country reports that there are still no treatment centers geared specifically towards women and adolescents, and neither does it envisage establishing a specialized treatment center solely for this population. With respect to the number of patients who sought and received treatment, the country has reported that no data is available. No studies have been conducted in the country to evaluate the various early intervention, drug abuse treatment, rehabilitation and after-care/ social reintegration programs and modalities in order to assess their effectiveness.

CICAD notes with concern that although the country has public treatment and rehabilitation services, it does not keep records of the number of patients treated by those facilities.

RECOMMENDATIONS:

3. CREATE A SYSTEM TO RECORD THE NUMBER OF PATIENTS WHO SEEK AND RECEIVE TREATMENT.
4. EVALUATE THE QUALITY OF CARE GIVEN AT THE TREATMENT SERVICE FACILITIES.



C. Statistics on Consumption

The country states that a Survey on the Prevalence of Drug Use among Civil Service Employees was implemented in the last quarter of 2003 and the data is currently being analyzed.

Year of Survey: 2003	National Drug Prevalence Survey of Civil Service Employees								
	Lifetime (percentage)			Last 12 months (percentage)			Last 30 days (percentage)		
	M	F	Total	M	F	Total	M	F	Total
Alcohol	86.6	66.8	74.9	67.5	39.2	51.0	52.8	23.5	35.5
Tobacco	37.1	12.3	22.8	6.1	1.5	3.4	3.9	0.8	2.1
Solvents & Inhalants	0.6	1.1	0.9	0.2	0.3	0.3	0	0.2	0.2
Cannabis Type									
Hashish	0.5	0.3	0.3	0	0	0	0	0	0
Marijuana	22.6	6.9	13.5	4.6	1.4	2.8	2.3	0.7	1.4
Hallucinogens									
Other Hallucinogens	0.3	0.2	0.2	0	0	0	0	0	0
Opioids									
Heroin	0.3	0.2	0.2	0	0	0	0	0	0
Morphine	0.2	0.4	0.3	0	0	0	0	0	0
Opium	0.2	0.2	0.2	0	0	0	0	0	0
Cocaine Type									
Cocaine HCL	0.3	0.4	0.3	0	0.2	0.1	0	0.2	0.1
Crack	0.2	0.3	0.2	0	0.1	0.1	0	0.1	0.1
Coca Paste	0.2	0.2	0.2	0	0	0	0	0	0
Tranquilizers/Sedatives/Depressants									
Tranquilizers	1.4	2.8	2.3	0.5	1.6	1.3	0.3	0.7	0.7
Stimulants									
MDMA(Ecstasy)/Other Methamphetamines	0.3	0.3	0.3	0	0.1	0.1	0	0.1	0.1
Other Stimulants	1.2	1.3	1.4	0.5	0.5	0.6	0	0.3	0.3
Other Drugs	0.8	0.5	0.6	0.2	0.2	0.2	0.2	0.1	0.2
Any Illicit Drug	20.6	7.2	12.8	4.2	1.8	2.9	2.1	1.0	1.6

The country reports that the average age of first use of drug abuse for males is 9 years (morphine) and for females also 9 years (ecstasy).

The country does have an estimate of the number or percentage of youth aged 10 – 19 that perceive drug use as being harmful to their health and wellbeing. The country further indicates that the research has not shown a change over time in the perceived risk associated with drug use. Data on how participants perceive drug use as being harmful to their wellbeing is shown below:

National Drug Prevalence Survey of Civil Service Employees - 2003 (Civil Service Employees (Ages: ≤ 20 years / N = 56))		
Q: ... how harmful if the following to your health?	Quite harmful	Very harmful
1. Frequently smoking cigarettes	9.1 %	81.8 %
2. Frequently drinking alcohol	16.1 %	73.2 %
3. Sometimes taking tranquilizers/stimulants	25.0 %	57.1 %
4. Sometimes inhaling solvents	23.6 %	52.7 %
5. Sometimes taking Cocaine or Crack	11.1 %	81.5 %
6. Sometimes taking Ecstasy	20.4 %	68.5 %

The country does not have an estimate of drug related morbidity among injecting drug users. Likewise, estimates of the strength of association between drug use, Hepatitis B, Hepatitis C or HIV have never been produced.



In 2002, two new consumption modalities, as stated by the country were detected: Spranger (cocaine/crack and marijuana) and Fonto (marijuana and locally grown tobacco). In 2003, it was reported that marijuana started being soaked in locally made cane wine. During the years 2002 – 2004, there were no new routes of administration and no new drugs reported.

The Federation of St. Kitts and Nevis informs that it does have an estimate of eleven alcohol-related deaths for 2002, but that estimate is unavailable for any other drug. The country reports that the Health Information Unit of the Ministry of Health keeps a database of indirect or attributable deaths to alcohol, but the country does not have the infrastructure or the capacity to test other substances, and development of these depends on the availability of funding.

The country indicates that it does not have any data on drug use and related accidents and crime, neither does it have an estimate of drug or alcohol use by recent arrestees immediately prior to their arrest. The country further informs that it does not keep records on alcohol or drug-related traffic accidents, neither does it keep records on alcohol or drug-related accidents in the workplace. The country indicates that plans are underway to establish a comprehensive system to keep records of drug-related traffic and workplace accidents, but gives no schedule for actions foreseen in this area. Financial and other technical resource limitations are an issue in this area for St. Kitts and Nevis.

CICAD views with concern that St. Kitts and Nevis has not conducted a study of the general population, which would enable it to develop programs commensurate with the size of the drug consumption problem in the country. CICAD also notes that it would be beneficial for the country to implement a system for collecting and sharing information on drug related traffic accidents and drug-related accidents in the workplace.

RECOMMENDATIONS:

5. CARRY OUT A STUDY ON DRUG USE AMONG THE GENERAL POPULATION, RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001 – 2002.
6. DEVELOP AND IMPLEMENT A SYSTEM FOR COLLECTING AND SHARING INFORMATION ON DRUG-RELATED TRAFFIC ACCIDENTS AND DRUG-RELATED ACCIDENTS IN THE WORKPLACE.

III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

The Federation of St. Kitts and Nevis indicates that, in 2002, it detected a cultivated area of cannabis plants of 0.3 hectares, with a potential production of raw material of 2,000 kg. For 2003, it reported a cultivated area of 0.5 hectares, with a potential production of raw material of 1,500 kg. For 2004, there are no up-to-date figures on crops and potential production of raw material and drugs. The country reported that no indoor cannabis plants have been found.

On the reduction of cannabis crops for the years 2002 - 2003, the Federation of St. Kitts and Nevis indicates that the total amount of crops detected are no longer being grown because of abandonment or forced eradication.

Regarding variation of crops by type of plant and by year, the country reports that for the year 2002, it detected 0.2 new hectares and for 2003, it reports the existence of 0.1 hectare. The only illicit crop discovered was cannabis. No 2004 data was provided.



The country does not report on the existence of alternative development programs and states that it has no up-to-date information on the subject.

CICAD notes that the country's control over drug production is in proportion to the cultivated areas reported.

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

Illicit organic or synthetic drug laboratories were not found by the country between 2002 and 2004.

Pharmaceutical Products

The Ministry of Health is responsible for controlling the export, import, production and distribution and preventing the diversion of the pharmaceutical products listed in the United Nations conventions.

The areas of responsibility of the Ministry of Health in this matter are in the commercial sector: import/ export control; license control (manufacture and distribution); monitoring distribution; inspection; investigation; regulatory control, administrative sanctions; registry of licensees; and transport control. In the health sector, the areas of responsibility of the Health Ministry are: license control (distribution); monitoring distribution (purchase and prescribing by health care professionals, purchases by pharmacies and hospitals); monitoring prescribing; inspection; investigation; regulatory control; administrative sanctions; registry of licensees including pharmacies. Nevertheless, it does not have a formal qualitative mechanism to evaluate the effectiveness of these areas of the Ministry of Health, nor are any criteria being proposed to conduct this evaluation.

The main obstacles faced by the Ministry of Health in properly fulfilling its responsibility have been the lack of technical and financial resources and currently there are no measures to tackle these problems.

There is a mechanism to monitor and regulate the use and distribution of pharmaceutical products by health professionals. This mechanism includes prescription requirement; special licenses or permits to prescribe certain drugs; distribution through pharmacies or other authorized outlets; monitoring distribution or purchases; monitoring of prescribing; inspection and investigation; administrative sanctions and registry of licensees. However, the country does not have a formal mechanism nor criteria to conduct an evaluation or assessment of the effectiveness of this monitoring and regulating mechanism.

The country indicates that it has legal and/or regulatory statutes for penal and administrative sanctions to prevent the diversion of pharmaceutical products, including criminal sanctions ranging from approximately US\$1,900 or two years imprisonment to approximately US\$9,000 or life imprisonment; and administrative sanctions, ranging from seizure to confiscation. In 2002 - 2004, none of these sanctions were applied.

Likewise, the Federation of St. Kitts and Nevis indicates that it has not made any seizures of pharmaceutical products in 2002 - 2004.



CICAD notes that the country has a legal and institutional framework in place to control and prevent the diversion of pharmaceutical products. However, is concerned that no formal mechanism is in place to evaluate the effectiveness of the existing institutional framework's responsibilities.

RECOMMENDATION:

7. IMPLEMENT MEASURES TO ENSURE AN EFFECTIVE CONTROL OF PHARMACEUTICAL PRODUCTS.

Controlled Chemical Substances

The Ministry of Health is the national institution responsible for controlling the export, import, production and distribution and preventing the diversion of controlled chemical substances listed in the United Nations conventions. The controlled chemical substances monitored in the country are all those specified in the United Nations conventions.

The areas of responsibility of the Ministry of Health in this matter are: controlling imports, controlling licenses, monitoring on distribution, inspection, investigation, regulatory control, administrative sanctions, registry of licensees, transport control and pre-export notifications. Nevertheless, it does not have any qualitative mechanism nor criteria to assess the effectiveness of this entity.

The main obstacles that the Ministry of Health has encountered to adequately fulfill its responsibility have been the lack of technical and financial resources. No measures are in place to tackle these problems.

The Federation of St. Kitts and Nevis points out that it has legal and/or regulatory provisions to prevent the diversion of controlled chemical substances, including criminal sanctions, ranging from approximately US\$186,000 or one year imprisonment to US\$1,113,000 or three years imprisonment or both; and administrative sanctions, ranging from restriction to refusal, suspension and cancellation, but no civil sanctions. In 2002 - 2004, none of these sanctions were applied.

The country states that it has not sent to nor has it received from other countries pre-export notifications for controlled chemical substances as the Federation does not export controlled chemical substances, nor has it any knowledge as to whether these substances pass through its ports in transit.

No seizures of controlled chemical substances have been made in 2002 - 2004.

CICAD expresses its concern that the country does not keep effective control of chemical substances including chemical substances passing through its ports in transit.

RECOMMENDATION:

8. IMPLEMENT MEASURES TO ENSURE EFFECTIVE CONTROL OVER CHEMICAL SUBSTANCES.



IV. CONTROL MEASURES

A. Illicit Drug Trafficking

The country reports that 36 gr. of combined cocaine hydrochloride and crack cocaine combined were seized in 2003. In the same year, 33,367 cannabis plants, 6,051 kg of leaf cannabis and 21 kg of cannabis seed were seized. The country states that all drugs seized are incinerated. As of the third quarter of 2004, a total of 6.246 kg of cocaine, 0.44 kg of cannabis seeds, and 1.37 kg of heroin have been seized; in addition, nine plantations were destroyed, in which a total of 3,435 cannabis plants were seized.

The numbers of people charged and convicted for the crimes of illicit possession for consumption and illicit drug trafficking in 2002 to 2004 are shown in the following tables:

Number of individuals charged					
2002		2003		2004	
Possession	Trafficking	Possession	Trafficking	Possession	Trafficking
n/d	12	48	7	12	9

Number of individuals convicted					
2002		2003		2004	
Possession	Trafficking	Possession	Trafficking	Possession	Trafficking
n/d	6	19	8	n/d	0

The Federation of St. Kitts and Nevis has, since January 2004, rehabilitation programs as alternative measures in place of criminal penalties. It indicates that this measure was applied to 30 persons, however, the results have not been evaluated. This program orders first time minor offenders to participate in counseling sessions, meetings of Alcoholics Anonymous, and other social service programs in lieu of incarceration.

The Interagency committee, joint forces/operations, joint training, interagency information systems/networks and interagency communications systems/networks are used to promote or facilitate operational information exchange and collaboration among national authorities responsible for controlling illicit drug trafficking.

The country states that the lack of trained officers and financial and technical resources has impeded effective information exchange and collaboration. However, the possible collaboration among national authorities has resulted in a reduction in the duplication of data/information and enhances information exchange. At an international level, information is exchanged by each of the entities participating in the above-mentioned mechanisms.

In the years 2003 - 2004, no requests were made nor received and no replies were granted for judicial cooperation.

The Ministry of National Security and the Ministry of Justice and Legal Affairs are responsible for making and receiving requests for extradition. During 2002, no requests for extradition were made by the country, in relation to illicit drug trafficking and during 2003, there was only one request for extradition which is still in process.

The country has extradition treaties with the USA, the United Kingdom and the Organization of Eastern Caribbean States (OECS) countries. Extradition of the country's nationals is permitted under its national law.



CICAD notes that the figures provided by the country on the number of seizures, amounts of drugs seized, and the numbers of people charged and convicted for drug-related crimes, indicate decisive action by authorities in addressing this aspect of the drug problem. The number of cannabis plants seized during the 2003 - 2004 evaluation period, is noteworthy, given the country's territory and geographical dimensions.

B. Firearms and Ammunition

The Federation of St. Kitts and Nevis states that its Police Force and Army are responsible for controlling firearms, ammunition, explosives and other related materials. It reports that promotion or facilitation of information exchange and collaboration among responsible entities is achieved via an interagency committee, joint forces/operations, joint training, an interagency information system/network and by interagency communication systems/networks. It states that a formal mechanism does not exist to evaluate the effectiveness of these agencies but notes that financial and technical resources have been major impediments to ensuring effective information exchange and collaboration.

The country reports that it does not manufacture, export or allow in transit of firearms, ammunition, explosives and other related materials. It states that the Firearms Act 1967 (amended 1994, 1996, 1998, 2003) criminalizes and makes provision for criminal and administrative sanctions for the illicit possession, trafficking and manufacture of these items. In 2003, 15 persons were charged, for illicit possession and trafficking of firearms and ammunition, but figures for 2003 and 2004 were not available, nor were figures available on convictions. No persons were charged or convicted with regard to explosives during the years 2003 - 2004.

The same Act requires the country to issue import, export and in transit licenses for firearms, ammunition and explosives and fines/imprisonment are the sanctions for non-compliance.

Before permitting the entry of any shipment, the amended Firearms Act 1967, requires the country to issue the corresponding import or in-transit licenses or authorizations. No refusal of entry was made during the years 2002 - 2004 due to non-issuance of appropriate licenses/authorizations. The country advises that such imports are for law enforcement, quarry mining and other approved special circumstances. It advises that as it is not an exporting country and as it does not permit in transit shipments of firearms, ammunition, explosives and other related materials, there is no need for the checks associated with such activities.

National laws (in keeping with the Inter-American Convention against the Manufacturing and Trafficking of Illicit Firearms, Explosives and Other Related Materials - CIFTA - 1997), require that firearms be marked at time of importation; but not when officially used after confiscation or forfeiture. Confiscation of firearms and ammunition in relation to arrests for illicit drug trafficking offenses during the years 2002 - 2003, totaled 18 firearms, 114 rounds, 44 cartridges. Also during the same years there were 18 arrests but no explosives were seized. During 2004, 19 firearms and 266 rounds of ammunition were seized. The measure in place to prevent the return of confiscated firearms, ammunition, explosives and other related materials to the illicit trade is destruction.

The country reports that it has a record keeping system for the import of firearms, ammunition, explosives and other related materials.

St Kitts and Nevis reports that its National Joint Headquarters (NJHQ) which comprises Police, Immigration, Army, Coast Guard and Customs is responsible for the exchange of information and that they share intelligence on illicit trafficking of firearms, ammunition, and narcotics among



others. It controls the exchange of information through joint forces/operations, joint training, interagency information systems/networks and interagency communications systems / networks.

The country advises that no requests were made to, or received from other states for information concerning shipments of firearms, ammunition, explosives and other related materials.

CICAD recognizes the country's efforts in controlling the movement of firearms, ammunition, explosives, and other related materials.

C. Money Laundering

The Federation of Saint Kitts and Nevis has various legal instruments in force criminalizing money laundering and specifying the sanctions to be applied in case they are infringed. These instruments are: the Financial Matters Information Unit Act of 2000, Money Laundering Act (Prevention) of 2000, Proceeds of Crime Act of 2000, with its amendments of 2001 and 2002, Regulations of 2002 on Financial Services and the Anti-Terrorist Act of 2002. The sanctions that are applicable in case of failure to comply, as stipulated in these laws are fines, imprisonment and incarceration for up to 20 years.

The country reports that the following are considered to be predicate offenses of money laundering: illicit drug trafficking, trafficking in firearms, trafficking in human beings, organ trafficking, prostitution, pornography, kidnapping, extortion, corruption, terrorism and its funding, fraud and forgery. If a person has been convicted for a predicate offense, it is possible to initiate a trial for money laundering. The country's law requires that a person be convicted for a predicate offence in order to obtain evidence that certain goods are proceeds of such a crime and subsequently convict the person for money laundering those proceeds. In 2003 - 2004, no person has been charged or convicted for money laundering.

According to the Financial Matters Information Act of 2000, undercover investigations, electronic surveillance, use of informants, controlled deliveries and sentence reduction for cooperating witnesses to suppress the crime of money laundering are permitted and the Police is in charge of conducting these activities.

As for administrative controls to prevent the crime of money laundering, the country reports that banks, offshore banks, currency exchanges, stock exchanges, insurance companies, casinos, real estate companies, lawyers, notaries, accountants and cross-border movements of currency and negotiable bearer instruments are considered regulated sectors. These responsible sectors must inform the Financial Intelligence Unit about suspicious or unusual transactions and observe the established control measures, which are client registry, verification of client identity, transaction registry, preservation of records, existence of an enforcement officer, existence of independent audits, know-your-client policies, know-your-employee policies and the prohibition to hold anonymous accounts.

The Federation of St. Kitts and Nevis provides for administrative sanctions applicable to the sectors accountable for failure to provide information on suspicious operations or failure to comply with the control regulations in force on money laundering, pursuant to Anti-Money Laundering Regulations No. 14 of 2002, which range from summary conviction to a fine not exceeding approximately US\$18,700. The country indicates that no sanctions were applied in the years 2002 - 2004.



The country has a follow-up system for suspicious transaction reports and determines the efficacy of the operations report, which was recently implemented. The system consists of monthly meetings with financial investigators. They are responsible for exercising control over the areas assigned to them.

Regarding the number of suspicious transactions communicated by responsible sectors to the pertinent authority, a total of 126 reports were made between December 2002 and January 2004, which led to an identical number of investigations. Nevertheless, these investigations have still not led to the filing of any legal proceedings nor to the confiscation of assets.

According to its legislation, St. Kitts and Nevis permits the sharing out of confiscated assets in proceedings that involve more than one country. These confiscated assets shall be administered by the Financial Intelligence Unit, belonging to the Ministry of Security, which has its own budget and handbooks for this purpose and furthermore is in charge of administering seized assets stemming from the crime of illicit drug trafficking.

The Financial Intelligence Unit (FIU) is also the authority that receives, requests, reviews, communicates, investigates, regulates and sanctions information regarding suspicious operations that might involve money laundering; it has the power to consult bank accounts directly and to request from institutions any information or document related to financial matters, whether for the purpose of financial intelligence or for the purpose of bringing charges. The FIU obtained documents required to lift bank secrecy when verifying and investigating the 126 suspicious operations reported between December 2002 and January 2004.

The FIU is not a member of the Egmont Group. It shares information with other national institutions and similar foreign institutions, although the signing of memorandums of understanding is not required for the latter. Nevertheless, the country indicates that it has signed said documents with 24 countries/ territories.

In the framework of international cooperation to prevent money laundering, the Federation of St. Kitts and Nevis indicates that it has not sent or received requests for extradition in the years 2002-2004. It reports that, in 2002, the country did not make any asset-freezing requests to other countries, but it did receive 3 requests from another state, which were granted. Information on the requests for asset-freezing sent or received in the years 2003 - 2004 is not available. During these years, the country has not received or made any requests for the lifting of bank secrecy.

The country reports that its central authority to receive and send requests for international cooperation is the Ministry of National Security and the Ministry of Justice and Legal Affairs. The extradition of its citizens is permitted by the country's legal framework.

The Federation of St. Kitts and Nevis reports that it has provided training on enforcement of criminal laws to suppress money laundering to 1 judge and 9 administrative officers in 2003; and 1 judge, 2 prosecutors and 10 administrative officers in 2004.

CICAD recognizes the efforts of the country to have a legal and operational framework directed towards the prevention of money laundering. However, the crime of money laundering should be made autonomous in order to strengthen controls over offenses of that kind.

RECOMMENDATION:

9. ENACT LEGISLATION CRIMINALIZING MONEY LAUNDERING AS AN AUTONOMOUS OFFENSE.



D. Corruption

The Federation of St. Kitts and Nevis reports that in 2003 - 2004, it has not enacted laws criminalizing acts of corruption as an offense, according to the Inter-American Convention against Corruption or specifying them as administrative offenses. Nevertheless, the Proceeds of Crime Act of 2000, with its amendments of 2001 and 2002 and the Law on Organized Crime of 2000 (Prevention and Control) are currently in force. The country states that in the aforesaid legal provisions all the acts of corruption identified in the Inter-American Convention against Corruption are criminalized or defined as administrative misdemeanors, or on the sanctions provided for in each case.

The Federation reports that, in 2003 and 2004, no public official has been charged or convicted for crimes of corruption related to illicit drug trafficking or crimes related to illicit drug trafficking.

CICAD recognizes that the country has enacted legislation to prevent and control various crimes and acts of corruption.

E. Organized Crime

The country indicates that it has a law, "Organized Crime (Prevention and Control) Act 2002", to combat transnational organized crime. This Act criminalizes as an offense various activities such as participation in an organized criminal group; money laundering; corruption; obstruction of justice; trafficking of persons; illicit trafficking of migrants and illicit manufacture and trafficking of firearms, their parts, components and ammunition on an international level. The Act also covers cooperation measures such as extradition, mutual joint legal assistance, seizure and confiscation, interdiction operations and victim protection and assistance. Also it includes special investigation techniques such as undercover operations, telephone line tapping, and control deliveries.

Within the Ministry of National Security, the Police Force, Immigration Services, Army, Coastguard and Customs are the entities responsible for enforcing laws against transnational organized crime. The Federation of St. Kitts and Nevis reports that during 2003 and 2004, 109 police officers, ranking from Constable to Superintendent, participated in various training courses on the enforcement of laws pertaining to transnational organized crime. This training covered: anti-money laundering, aviation security, conclave on terrorism, criminal intelligence analysis, financial investigation, global terrorism and crisis management, international drug enforcement, narcotics investigation, regional INTERPOL criminal intelligence, responding to complex emergency situations, and terrorist financing and money laundering.

The country indicates that no mechanisms exist to evaluate the efficiency of the Ministry of National Security and its entities as responsible for the prevention, control and repression of transnational organized crime, nor do systems exist within the same institution/ entities to properly screen employees before and after hiring in order to ensure that they are trustworthy and not subject to bribery or extortion. No information is available as to whether or not mechanisms are being considered to achieve these goals.

The Federation of St. Kitts and Nevis states that it has not prosecuted or convicted anyone in relation to offenses in connection with transnational organized crime. During 2003 to 2004, the country did not send or receive any requests for assistance in this area.

CICAD notes that the country has legislation to control transnational organized crime offenses.



V. CONCLUSIONS

CICAD views with concern that the both the National Council on Drug Abuse Prevention as well as the demand reduction activities lack an adequate budget. However, it notes with satisfaction that the country has ratified the CIFTA, the Inter-American Convention against Corruption, and the United Nations Convention against Transnational Organized Crime and its three Protocols, as was recommended by this evaluation mechanism in the earlier rounds.

CICAD notes the progress made by Saint Kitts and Nevis in implementing prevention programs within its schools. It also recognizes the country's efforts in ensuring treatment through public in-patient and out-patient services. However, the absence of a systematized register of the patients treated is seen as a weakness.

CICAD notes that the country has not carried out a study of consumption among the general population, which would allow it to direct its preventive efforts more effectively.

Regarding control of pharmaceutical products and controlled chemical substances, CICAD observes that the Ministry of Health, the responsible national authority, does not have the technical or financial resources necessary for duly performing its duties in these areas, particularly as regards the lack of awareness about transshipments of chemicals through its ports.

With respect to controlling and preventing money laundering, CICAD recognizes the efforts made by the country to secure a legal and operational framework.

CICAD notes the participation of St. Kitts and Nevis in the MEM process and encourages it to continue strengthening its antidrug strategy.



VI. SUMMARY OF RECOMMENDATIONS

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

INSTITUTIONAL BUILDING

1. RATIFY THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS (1992), REITERATED RECOMMENDATION FROM THE FIRST EVALUATION ROUND, 1999 – 2000.

DEMAND REDUCTION

2. EVALUATE THE PREVENTION PROGRAMS CURRENTLY BEING IMPLEMENTED.
3. CREATE A SYSTEM TO RECORD THE NUMBER OF PATIENTS WHO SEEK AND RECEIVE TREATMENT.
4. EVALUATE THE QUALITY OF CARE GIVEN AT THE TREATMENT SERVICE FACILITIES.
5. CARRY OUT A STUDY ON DRUG USE AMONG THE GENERAL POPULATION, RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001 – 2002.
6. DEVELOP AND IMPLEMENT A SYSTEM FOR COLLECTING AND SHARING INFORMATION ON DRUG-RELATED TRAFFIC ACCIDENTS AND DRUG-RELATED ACCIDENTS IN THE WORKPLACE.

SUPPLY REDUCTION

7. IMPLEMENT MEASURES TO ENSURE AN EFFECTIVE CONTROL OF PHARMACEUTICAL PRODUCTS.
8. IMPLEMENT MEASURES TO ENSURE EFFECTIVE CONTROL OVER CHEMICAL SUBSTANCES.

CONTROL MEASURES

9. ENACT LEGISLATION CRIMINALIZING MONEY LAUNDERING AS AN AUTONOMOUS OFFENSE.