

Multilateral Evaluation Mechanism MEM



Argentina

2005 PROGRESS REPORT IN DRUG CONTROL
IMPLEMENTATION OF RECOMMENDATIONS
FROM THE THIRD EVALUATION ROUND



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

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

JUNE 2005

Argentina reports that it has not yet ratified the Inter-American Convention on Mutual Assistance in Criminal Matters. However, progress is noted as on May 18, 2005, the ratification of this Convention was passed by the Chamber of Senators. Passage by the Chamber of Deputies is pending.

CICAD acknowledges the efforts made by Argentina to implement this recommendation and urges the country to comply with the process of ratification of the Inter-American Convention on Mutual Assistance in Criminal Matters, bearing in mind that this is a recommendation from the First Evaluation Round, 1999–2000.

RECOMMENDATION 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, A REITERATED RECOMMENDATION OF THE SECOND EVALUATION ROUND 2001–2002**

PUBLICATION DATE: JUNE 2005

Argentina reports that it has not yet ratified the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition to the United Nations Convention Against Transnational Organized Crime. However, progress is registered as, on April 6, 2005, the ratification of this Protocol was passed by the Chamber of Senators. Passage by the Chamber of Deputies is pending.

CICAD acknowledges the efforts made by Argentina to implement this recommendation and urges the country to comply with the process of ratification of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition to the United Nations Convention Against Transnational Organized Crime, bearing in mind that this is a recommendation from the Second Evaluation Round, 2001–2002.

RECOMMENDATION 3:**IMPLEMENT PREVENTION PROGRAMS THAT TARGET WOMEN, UNIVERSITY STUDENTS, AND STREET CHILDREN**

PUBLICATION DATE: JUNE 2005

Argentina reports that it has implemented this recommendation as regards prevention programs targeting street children by implementing the following programs:

- Program for Care of Minors (PROAME);
- Community Centers for the Promotion and Protection of the Rights of Children, Adolescents, and the Family;



- Program on Adolescents and Social Integration;
- Street Children Program;
- Comprehensive Program for Educational Equality;
- "School is for Everyone" National Social Inclusion Program;
- Youth Activities Center (CAJ) Program;
- Training Program on Addiction Prevention for Youth Community Leaders.

As regards prevention programs targeting university students, Argentina reports that the Secretariat to Plan Programs for Drug Addiction Prevention and to Combat Drug Trafficking has maintained contacts with public and private universities under the "Youth Universe" program. This program seeks to train university prevention leaders who transmit positive alternatives among their peer groups and, specifically, to create spaces for positive participation, and to raise awareness, report on problems of alcohol and drug abuse, and create university prevention centers.

As regards prevention programs targeting women, Argentina considers that it has implemented this recommendation by incorporating the gender perspective in all existing programs, in accordance with the guidelines established in that connection by the National Women's Council. Nonetheless, special programs for this target population are being carried out whenever they are deemed appropriate.

CICAD views with satisfaction the fulfillment of this recommendation.

RECOMMENDATION 4:

EXPAND THE COVERAGE OF EXISTING PREVENTION PROGRAMS

PUBLICATION DATE: JUNE 2005

Argentina reports that the Secretariat to Plan Programs for Drug Addiction Prevention and to Combat Drug Trafficking carried out the strategic planning activities required to expand the coverage of existing prevention programs. To this end, prevention programs were expanded in the workplace, educational institutions, communities, and among youth and the prison population, which shall be implemented in 2006.

CICAD appreciates the efforts made by Argentina to comply with this recommendation and encourages the country to implement it within the indicated timeframe.

RECOMMENDATION 5:

APPLY THE MECHANISM TO RECORD INFORMATION ON DRUG-RELATED CRIMES AND ACCIDENTS

PUBLICATION DATE: JUNE 2005

Argentina has carried out a number of activities in this area, such as the National Study of Emergency Room Patients, conducted in 2003, which was repeated in 2005 although publication of its results is still pending. In addition, the country has conducted the pilot study in police stations aimed at determining the relationship between substance use and crime, which shall be extended to all the provinces in 2006. However, Argentina does not have a specific mechanism to record information on drug use-related crimes and accidents, because of the difficulties it encounters stemming from its state institutional structure.



The country points out that the Secretariat to Plan Programs for Drug Addiction Prevention and to Combat Drug Trafficking (SEDRONAR) signed an agreement with the Ministry of Health. This agreement will enable it to analyze the information processed by the "Vigia" Program of that Ministry, through its "LESIONES" module, which keeps information related to any type of injury in the health system and its relationship to the use of psychotropic substances. This system will cover the entire public health system throughout the country, and will provide complete information regarding the relationship between any type of injury (including accidents) and drug use, so that it can be analyzed and processed by the Argentine Drugs Observatory.

CICAD encourages Argentina in its efforts to establish a mechanism to record information on drug use-related crimes and accidents.

RECOMMENDATION 6:

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

PUBLICATION DATE: JUNE 2005

Argentina reports on its difficulties to comply with this recommendation due to the legal structure of the Argentina State which provides that the authority to monitor and oversee this matter pertains to each province.

CICAD takes note of the information provided by Argentina and encourages the country to step up its efforts to find a mechanism enabling it to evaluate the effectiveness of controls on health professionals with respect to the use and distribution of pharmaceutical products.

RECOMMENDATION 7:

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

PUBLICATION DATE: JUNE 2005

Argentina reports the enactment, on June 2005, of Law 26045 on the operations of the National Register of Precursor Chemicals, which is in force and operational since September 5, 2005 and operates under the Secretariat to Plan Programs for Drug Addiction Prevention and to Combat Drug Trafficking of the Office of the President. This law expands the administrative infractions for which sanctions may be imposed.

The country indicates that the proposed regulations for Law 26045 are being considered by the Ministry of Economy and Production.

CICAD appreciates the efforts made by Argentina to implement this recommendation and encourages the country to complete it by enacting the Regulations implementing the law.

**RECOMMENDATION 8:****EXTEND THE SCOPE OF MONEY LAUNDERING PREVENTIVE REGULATIONS TO INCLUDE OFFSHORE BANKS, REAL ESTATE AGENCIES, AND LAWYERS**

PUBLICATION DATE: JUNE 2005

Argentina reports that its legal system does not permit the existence of offshore banks. As regards to the expansion of the money laundering prevention system to include real estate agencies and attorneys, it indicates that a bill has been before Congress since May 4, 2004.

CICAD appreciates the efforts made by Argentina to establish a system to prevent money laundering in the area of real estate agencies and attorneys, and encourages the country to pass the bill now before Congress.

RECOMMENDATION 9:**INCLUDE SPECIAL INVESTIGATION TECHNIQUES IN MONEY LAUNDERING REGULATIONS**

PUBLICATION DATE: JUNE 2005

Argentina reports that the Joint Commission for Control of Operations Related to Laundering of Money from Drug Trafficking will analyze the various bills on the subject with a view to drafting a single bill during 2006.

CICAD encourages the country to complete the bill that shall make it possible to incorporate into its legislation special techniques to investigate money laundering, within the established timeframe, and to continue its efforts to comply with this recommendation.

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

PUBLICATION DATE: JUNE 2005

Argentina reports that it does not have a record-keeping system compiling information on public officials arrested, tried and convicted of corruption related to illicit drug trafficking. The country reports that it only has a system for public officials arrested, tried and convicted of crimes related to illicit drug trafficking.

CICAD takes note of the information provided by Argentina regarding this recommendation and accepts the justification provided by the country.



CONCLUSIONS

Argentina has implemented or adequately addressed two of the ten recommendations assigned during the Third Evaluation Round, 2003–2004. The country has shown progress in seven of the recommendations and indicates difficulties in complying with one of them.

Argentina has implemented the recommendation to implement prevention programs targeting women, university students, and street children, and it has specific plans to expand the coverage of prevention programs in 2006. Likewise, through the enactment of Law 26.045, the country approved regulations to facilitate the control of chemical substances.

Argentina has also shown progress in implementing the reiterated recommendations of the First and Second Evaluation Rounds on the ratification of the Inter-American Convention on Mutual Assistance in Criminal Matters and of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition to the United Nations Convention Against Transnational Organized Crime, although in both cases, passage in one of the Legislative Chambers is pending.

Likewise, the country has started efforts to implement an information-recording mechanism on crimes and accidents related to drug use.

As regards the recommendations on money laundering, progress is noted as a bill is before the legislature that would extend the money laundering prevention system to include real estate agencies and attorneys. Likewise, in the Executive Branch, various bills have been drafted regarding special investigation techniques, to be combined by the Joint Commission for Control of Operations related to Laundering of Money.

Argentina indicates that, because of the State's structure, it has been encountering difficulties in implementing the recommendations to evaluate the effectiveness of controls for health professionals of the use and distribution of pharmaceutical products or on public officials arrested, tried, and convicted of illicit drug trafficking-related corruption offenses.

CICAD recognizes the progress reported by Argentina and encourages the country to continue stepping up its efforts to comply with the pending recommendations.