

# Multilateral Evaluation Mechanism MEM



# Ecuador

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





**RECOMMENDATION 1:****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 (2000)**

PUBLICATION DATE: JUNE 2005

Ecuador reports that 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 (2000) was submitted for its approval to the country's National Congress during 2003. However, it has not yet been approved by the legislature.

CICAD encourages Ecuador to fulfill the recommendation.

**RECOMMENDATION 2:****DEVELOP PROGRAMS TO OFFER TECHNICAL LEVEL COURSES, UNIVERSITY DEGREES, AND/OR PROFESSIONAL EDUCATION COURSES IN THE AREA OF DEMAND REDUCTION**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it has signed an agreement with the Central University of Ecuador to implement the Graduate Program on Drug Dependencies. The country notes that the approval of the National Council of Higher Education (CONESUP); the development and presentation of the curriculum for the Graduate Program on Drug Dependencies and the assignment of the role and duties of each institution are still pending approval.

CICAD encourages Ecuador to persevere with its efforts toward full compliance with the recommendation.

**RECOMMENDATION 3:****EXPAND NATIONWIDE COVERAGE OF PREVENTION PROGRAMS TO KEY POPULATIONS, SUCH AS, STUDENTS, WORKING AND STREET/ABANDONED CHILDREN, WOMEN AND THE WORKPLACE**

PUBLICATION DATE: JUNE 2005

Ecuador states that the main obstacle to implementing this recommendation is the lack of budgetary allocations by the government. Nevertheless, the country indicates that the Preventive Education Program of the Ministry of Education and Culture, which carries out prevention activities in the educational community, is promoting these programs with the competent authorities aimed at obtaining financial support in order to achieve major coverage.

The country also reports that the National Council for the Control of Narcotics and Psychotropic Substances (CONSEP) is carrying out the project for decentralization of drug policies with seven of the country's municipalities. These municipalities will assume responsibility for executing prevention programs in cooperation with public and private agencies. These agencies carry out prevention projects in key populations.

CICAD encourages Ecuador to continue its efforts to fully comply with this recommendation.

**RECOMMENDATION 4:****CONDUCT STUDIES TO MEASURE IMPACT AND EFFECTIVENESS OF THE PREVENTION PROGRAMS CARRIED OUT, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Ecuador reports that it has reached an agreement with the Information and Prevention Department of the Police National Anti-Drug Office to evaluate the impact of that agency's prevention programs in the educational sector. The National Council for the Control of Narcotics and Psychotropic Substances' (CONSEP) Ecuadorian Observatory on Drugs will carry out this investigation.

It has also held coordination meetings to define the scope of the evaluation and has begun analyzing the plans and documents that serve as the basis for the prevention projects in the education sector.

CICAD urges Ecuador to fully comply with the recommendation, which was assigned during the Second Evaluation Round, 2001–2002.

**RECOMMENDATION 5:****ENSURE THAT DEMAND REDUCTION PROGRAMS BOTH PREVENTION AS WELL AS TREATMENT ARE ALLOCATED ADEQUATE FUNDING**

PUBLICATION DATE: JUNE 2005

Ecuador reports that the 2006 annual budget of the National Council for the Control of Narcotics and Psychotropic Substances (CONSEP) includes funds for investment projects in the prevention and treatment fields. The Ecuadorian Ministry of Economy and Finance has informed CONSEP of the approval of a budget appropriation for 2006. However, the budget has been reduced as a result of the state of emergency declared by the government. A review is pending by the CONSEP authorities to determine what resources the institution would have available to implement demand reduction programs.

CICAD encourages full compliance with this recommendation.

**RECOMMENDATION 6:****IMPLEMENT SOCIAL REINTEGRATION PROGRAMS AS WELL AS NETWORKS FOR THE EARLY DETECTION, OUTREACH AND REFERRAL OF CASES**

PUBLICATION DATE: JUNE 2005

Ecuador reports that with respect to treatment and rehabilitation, case referral occurs at the request of family members, authorities, agencies, and voluntary requests. However, the country reports that it has not made progress with developing social reintegration programs and early detection networks.

CICAD encourages Ecuador to make efforts toward progressing with the implementation of this recommendation.

**RECOMMENDATION 7:****CARRY OUT EVALUATIONS ON TREATMENT AND REHABILITATION PROGRAMS**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it has not commenced implementation of this recommendation.

CICAD encourages Ecuador to make efforts toward progressing with the implementation of this recommendation.

**RECOMMENDATION 8:****CONDUCT A NATIONAL STUDY TO MEASURE THE MAGNITUDE OF DRUG CONSUMPTION WITHIN THE GENERAL POPULATION, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Ecuador reports that in 2005, at the invitation of the United Nations Office on Drugs and Crime (UNODC), it joined the Subregional Project that is helping five countries conduct research on drug use. Within this context, the country has presented the UNODC with a related project that will allow implementation of this recommendation.

CICAD acknowledges the progress made by Ecuador and urges the country to fully comply with this recommendation, which was assigned during the Second Evaluation Round, 2001–2002.

**RECOMMENDATION 9:****DEVELOP A SYSTEM TO ESTIMATE THE AREA OF ILLICIT CROP CULTIVATION AND MONITOR THE APPEARANCE OF NEW CROPS, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Ecuador states that the National Police and the Armed Forces have both prepared projects to detect illicit crops, because procedures currently employed lack the technology needed to identify drug producing zones. The National Police project is supported by the United Nations Office on Drugs and Crime (UNODC) and is focused on the country's northern border. This project involves taking satellite photographs to identify possible illicit crop areas, for subsequent ground reconnaissance and eradication.

The Armed Forces project is dependent on the approval and receipt of funding from the international agencies to which it has been presented.

CICAD encourages Ecuador to continue making efforts toward complying with the recommendation, which was assigned during the Second Evaluation Round, 2001–2002.

**RECOMMENDATION 10:****ESTABLISH A FORMAL MECHANISM TO EVALUATE PROCEDURES FOR MONITORING THE USE AND DISTRIBUTION OF PHARMACEUTICAL PRODUCTS**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it carried out a nationwide survey, and that the sample selected showed inadequate administrative controls in the pharmaceutical sector. For that reason, the National Council for the Control of Narcotics and Psychotropic Substances (CONSEP) has drawn up the Project to Prevent the Diversion of Pharmaceutical Products, the first phase of which has the technical and financial support of CICAD and is scheduled for completion in 2006.

CICAD notes the progress made and encourages Ecuador to take the steps necessary to implement this recommendation.

**RECOMMENDATION 11:****ESTABLISH A QUALITATIVE FORMAL MECHANISM TO EVALUATE THE EFFECTIVENESS OF THE ACTIVITIES REGARDING CONTROL OF PHARMACEUTICAL PRODUCTS CONDUCTED BY CONSEP AND THE HIGUIENE LEOPOLDO IZQUIETA PEREZ NATIONAL INSTITUTE FROM THE HEALTH MINISTRY**

PUBLICATION DATE: JUNE 2005

Ecuador states that the Project to Prevent the Diversion of Pharmaceutical Products, which has the technical and financial support of CICAD, includes, within its guidelines, the coordination with all the agencies involved in the oversight of controlled medicines as well as the evaluation of the aforesaid activities.

CICAD acknowledges the progress made by Ecuador and encourages the country to continue with its efforts to fully comply with this recommendation.

**RECOMMENDATION 12:****ESTABLISH A FORMAL QUALITATIVE MECHANISM TO EVALUATE EFFECTIVENESS OF ACTIVITIES CONDUCTED BY CONSEP REGARDING THE MONITORING OF CONTROLLED CHEMICAL SUBSTANCES**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it is updating the National Council for the Control of Narcotics and Psychotropic Substances' (CONSEP) computer system to improve the control and oversight of chemical substances.

CICAD encourages Ecuador to make efforts toward implementing this recommendation.

**RECOMMENDATION 13:**

**UNDERTAKE A STUDY TO EXAMINE THE COUNTRY'S ILLICIT DRUG TRAFFICKING CONTROLS IN ORDER TO IDENTIFY DEFICIENCIES RELATED TO INTERAGENCY COORDINATION, COLLABORATION AND OPERATIONAL INFORMATION EXCHANGE AT THE NATIONAL LEVEL AND DEVELOP A PLAN OF ACTION TO FACE THE PROBLEMS ENCOUNTERED**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it has not commenced implementation of this recommendation. The country states, however, that through the agencies responsible for enforcing the Codified Law on Narcotics and Psychotropic Substances, it has established a series of different interinstitutional coordination mechanisms through various agreements.

The country also reports that the delay in beginning implementation of this recommendation was due to a change of officials within the competent institutions.

CICAD encourages Ecuador to begin activities toward full compliance with this recommendation.

**RECOMMENDATION 14:**

**ENACT LEGISLATION CRIMINALIZING MONEY LAUNDERING AS AN AUTONOMOUS OFFENSE AND INCLUDE PREDICATE OFFENSES SUCH AS TRAFFICKING OF FIREARMS, HUMAN BEINGS, AND ORGANS, PROSTITUTION, PORNOGRAPHY, KIDNAPPING, EXTORTION, CORRUPTION, TERRORISM AND ITS FINANCING, AND FRAUD, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001–2002**

PUBLICATION DATE: JANUARY 2003

REITERATION DATE: JUNE 2005

Ecuador reports that on September 27, 2005, the National Congress passed the Law to Repress Money Laundering, which was signed by the President and was published in Official Register No. 127 of October 18, 2005. This Law criminalizes money laundering as an autonomous offense, and predicate offenses are criminalized individually in the penal legislation.

CICAD notes with satisfaction the country's compliance with this recommendation.

**RECOMMENDATION 15:**

**CONSIDER THE USE OF SPECIAL INVESTIGATIVE TECHNIQUES, SUCH AS UNDERCOVER INVESTIGATIONS, ELECTRONIC SURVEILLANCE, USE OF INFORMANTS, CONTROLLED DELIVERIES AND SENTENCE REDUCTION FOR COOPERATING WITNESSES FOR THE INVESTIGATION OF MONEY LAUNDERING CASES**

PUBLICATION DATE: JUNE 2005

Ecuador states that the Law to Repress Money Laundering includes the special investigation techniques and procedures that should be adopted by the Police, the Public Prosecution Service, and the Financial Intelligence Unit (FIU), as indicated in this recommendation.

CICAD views with satisfaction the country's compliance with this recommendation.

**RECOMMENDATION 16:****ESTABLISH ADMINISTRATIVE CONTROLS TO PREVENT MONEY LAUNDERING IN REGULATED SECTORS, SUCH AS LAWYERS, NOTARIES AND ACCOUNTANTS**

PUBLICATION DATE: JUNE 2005

Ecuador reports that the Law to Repress Money Laundering does not include administrative controls for preventing money laundering in regulated sectors, such as lawyers, notaries, and accountants.

CICAD encourages Ecuador to take the steps necessary to comply with this recommendation.

**RECOMMENDATION 17:****ESTABLISH A FINANCIAL INTELLIGENCE UNIT (FIU) WITH THE CHARACTERISTICS RECOMMENDED BY THE EGMONT GROUP**

PUBLICATION DATE: JUNE 2005

Ecuador reports that the Law to Repress Money Laundering includes the creation of a Financial Intelligence Unit (FIU) in accordance with globally accepted parameters.

CICAD recognizes the efforts initiated by Ecuador and encourages it to undertake the necessary actions to fully comply with this recommendation.

**RECOMMENDATION 18:****EXPAND THE ATTORNEY GENERAL'S STATISTICAL DATABASE TO INCLUDE DATA ON PUBLIC OFFICIALS ARRESTED, TRIED AND CONVICTED FOR ACTS OF CORRUPTION IN CONNECTION WITH ILLICIT DRUG TRAFFICKING**

PUBLICATION DATE: JUNE 2005

Ecuador reports that the Attorney General's Office has included these items in its case monitoring software, which is a measure that has the potential to comply effectively with the above-mentioned recommendation. Nevertheless, the country points out that the Attorney General's Office does not have a nationwide computer network; in fact it has only been able to start up the module for receiving reports in the city of Quito. Therefore, the results can only be seen as the institution extends this network to the Operating Units and other cities.

CICAD recognizes the progress made by Ecuador and encourages the country to continue toward full compliance with this recommendation.



**RECOMMENDATION 19:****UPDATE THE COUNTRY'S LEGISLATION ON TRANSNATIONAL ORGANIZED CRIME, IN ACCORDANCE WITH THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME (2000)**

PUBLICATION DATE: JUNE 2005

Ecuador reports that it has adopted a Law to Repress Money Laundering and has passed a Penal Code Reform on June 23, 2005 dealing with trafficking in persons, the sexual exploitation of children, and the extraction of and illegal trafficking in organs.

The country also reports that it has drafted an anti-terrorism bill, which will be submitted to its National Congress for approval.

CICAD acknowledges the progress made by Ecuador and encourages the country to fully comply with this recommendation.

**RECOMMENDATION 20:****PROVIDE ONGOING FORMAL TRAINING FOR OFFICIALS RESPONSIBLE FOR ENFORCING LAWS AGAINST TRANSNATIONAL ORGANIZED CRIME**

PUBLICATION DATE: JUNE 2005

Ecuador reports that a course was held in 2005, organized with support from the Narcotics Affairs Section (NAS) of the US Embassy in Ecuador and attended by six persons from the Attorney General's office and three police officers. An identical course aimed at various institutions of the judiciary system and the Attorney General's Office was sponsored by the Organization of American States (OAS) and held the same year with an attendance of six persons.

CICAD views with satisfaction the fulfillment of this recommendation.

**CONCLUSIONS**

During the Third Evaluation Round 2003–2004, Ecuador was assigned 20 recommendations of which it has completed 3, is executing 14 and has not started 3. The country has made efforts and showed progress with implementing most of the recommendations.

CICAD views with satisfaction enactment of the Law to Repress Money Laundering and the Penal Code Reform dealing with trafficking in persons, the sexual exploitation of children, and the extraction of and illicit trafficking in organs.

Ecuador has initiated the process of adoption by its National Congress, of the Protocol against the Illicit Manufacture of and Trafficking in Firearms, their Parts and Components and Ammunition of the United Nations Convention against Transnational Organized Crime.

In the area of demand reduction, Ecuador has started implementing steps to establish programs that will offer technical training, university degrees, and professional education courses related to the topic. Also, resources have been approved to finance prevention and treatment programs. The country has initiated a nationwide study to measure the magnitude of drug consumption within the



general population. Nevertheless, no progress has been done in conducting studies to measure the impact and effectiveness of the country's prevention programs; neither has it launched social reintegration programs or early detection networks. Similarly, no assessments of the treatment and rehabilitation programs have been conducted.

With respect to the areas of supply reduction and control measures, the country has commenced the development of a system to identify areas of illicit crops, as well as to establish formal mechanisms for assessing the controls placed on the use and distribution of pharmaceutical products and controlled chemical substances.

CICAD recognizes the commitment of Ecuador with the Multilateral Evaluation Mechanism (MEM) process and encourages the country to fully comply with the pending recommendations.