**RECOMMENDATION 1:****REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO INITIATE PROCEDURES TO ENABLE THE INTER-AMERICAN CONVENTION ON MUTUAL ASSISTANCE IN CRIMINAL MATTERS TO BE PUT INTO EFFECT**

PUBLICATION DATE: JANUARY 2001

REITERATION DATE: JANUARY 2003

Bolivia indicates that reports are being drafted for transmittal to the National Congress, which implies that it will be possible for the country to implement the recommendation to bring into force the Inter-American Convention on Mutual Assistance in Criminal Matters by mid-2004.

CICAD expresses its concern as the country should have made greater efforts to implement the recommendation and urges Bolivia to take the steps necessary for the effective implementation of the recommendation if possible, by the end of 2004, as it was initially assigned during the First Evaluation Round 1999 - 2000.

**RECOMMENDATION 2:****RATIFY THE UN CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND THE PROTOCOLS THERETO**

PUBLICATION DATE: JANUARY 2003

Bolivia has signed, but has not ratified the Convention against Transnational Organized Crime.

The country reports that the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, has been passed by the National Congress.

Bolivia also reports that the Protocol against the Smuggling of Migrants by Land, Sea and Air is under review in the National Congress.

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition has not been signed by the country. However, steps have begun with a view to accession by Bolivia thereto.

CICAD encourages Bolivia to persevere in its efforts to implement this recommendation effectively as soon as possible.

**RECOMMENDATION 3:****GRANT THE JUDICIAL BRANCH THE RESOURCES TO PROVIDE ANNUALLY THE STATISTICAL INFORMATION NEEDED TO EVALUATE THE PROGRESS IN THE FIGHT AGAINST DRUGS IN BOLIVIA**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that the judiciary has identified areas where it can provide statistics on the drug problem. Furthermore, it will schedule activities to implement this recommendation in the Operations Program for 2004.

The country also indicates that the Judicial Services Office is continuing to collect background information to identify other types of judicial statistics that may contribute to the implementation of this recommendation.



However, the country reports that it needs technical and financial assistance, equipment, and training to be able to implement this recommendation effectively.

CICAD recognizes the efforts made by Bolivia and encourages it to take the steps necessary to implement this recommendation effectively.

#### RECOMMENDATION 4:

##### **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO DEVELOP AND IMPLEMENT “DRUGS IN THE WORKPLACE” PROGRAMS IN THE PUBLIC SECTOR**

**PUBLICATION DATE: JANUARY 2001  
REITERATION DATE: JANUARY 2003**

Bolivia reports that implementation of this recommendation is contingent upon on completion of a study on the prevalence of drug use in the workplace, expected for June 2004, and on the design of a project on prevention of illicit drug use in the workplace. This study will cover a sample of 5,600 public and private enterprise employees of both sexes in the nine departmental capitals and the city of El Alto.

Bolivia also reports that it needs technical and financial assistance and interagency collaboration to implement this recommendation.

CICAD urges the country to adopt the necessary measures to implement this recommendation, if possible, by the end of 2004, as it was assigned during the First Evaluation Round 1999 - 2000.

#### RECOMMENDATION 5:

##### **REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO DEVELOP STUDIES FOR THE EVALUATION OF DRUG PREVENTION, TREATMENT AND REHABILITATION PROGRAMS**

**PUBLICATION DATE: JANUARY 2001  
REITERATION DATE: JANUARY 2003**

Bolivia reports that a company was hired to design a follow-up and evaluation system to be used in prevention education programs in the traditional and alternative sectors. It has indicated that this system should be in operation in the latter half of 2004.

However, it does not provide any information on activities to evaluate drug use treatment and rehabilitation programs. Nonetheless, it is working on an accreditation system for treatment centers operating in the country in order to evaluate the effectiveness of the therapeutic method and operating conditions.

The country indicates that it needs technical assistance to implement this recommendation.

CICAD recognizes the progress made by the country. However, it urges Bolivia to persevere in its efforts to implement this recommendation effectively, including the evaluation of treatment and rehabilitation programs, if possible, by the end of 2004, as the recommendation was assigned during the First Evaluation Round 1999 - 2000.



## RECOMMENDATION 6:

### CONTINUE EFFORTS TO COMPLETELY ERADICATE ILLICIT COCA CULTIVATION

PUBLICATION DATE: JANUARY 2003

Bolivia indicates that:

It has formulated and implemented long- and medium-term eradication policies: the Coca and Controlled Substances Regime Act (Law 1008) and a comprehensive strategy, and has implemented institutional mechanisms that have enabled the objectives and goals of eradication policies to be attained.

With financial support from the international community, it has been possible to eradicate the following numbers of hectares of illicit coca crops in these years: 2001: 9,435; 2002: 11,853; and 2003: 10,086.

Eradication activities have been accompanied by the implementation of alternative development programs and projects to offset the negative impact of coca crop eradication on farmer income.

Eradication activities have been implemented more rapidly than alternative development activities. This has led to resistance to coca crop eradication and to social violence, particularly in the tropical area of Cochabamba Department. Therefore, the country considers that it is important to consolidate eradication activities and supplement them with productive development projects in that region.

In the Yungas area of La Paz Department, all illicit and surplus coca crops will be eradicated by 2008. This will be accompanied by financial compensation policies and the implementation of alternative development programs and projects.

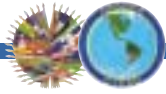
In addition, a monitoring system will be implemented in areas producing surplus and illicit coca crops. The country indicates that the implementation of this system will enable Bolivia to obtain more reliable and timely information to effect adequate coca crop control.

The country considers that intensive interdiction activities should be carried out in coca-producing areas with a view to ensuring a sharp decline in drug trafficker demand for coca.

The current high coca leaf prices resulting from supply reduction constitute a strong incentive to farmers to continue to risk replanting eradicated crops and/or planting new coca crops.

CICAD considers that Bolivia has made substantial efforts in the eradication of illicit coca crops and that it has earmarked substantial resources for alternative development programs, with the support of the international community.

CICAD recognizes the efforts made by Bolivia and encourages the country to persevere in efforts designed to eradicate illicit crops completely.

**RECOMMENDATION 7:****DEVELOP AN EFFECTIVE EVALUATION MECHANISM FOR ALTERNATIVE DEVELOPMENT PROGRAMS TO MEASURE THEIR CAPACITY TO RAISE STANDARDS OF LIVING AMONG THE TARGET POPULATION****PUBLICATION DATE: JANUARY 2003**

Bolivia reports that in earlier years, an attempt was made to implement an evaluation mechanism to measure the impact of alternative development programs on raising the standard of living of the target population. That attempt produced only partial and unreliable results, for which reason implementation of that mechanism was discontinued. It has been proposed that a new one be designed.

The country indicates that it needs technical and financial assistance, and training to implement this recommendation fully.

CICAD observes that specific activities need to be carried out to implement the recommendation fully, and CICAD urges the country to take the necessary steps for full implementation.

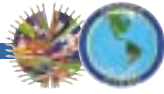
**RECOMMENDATION 8:****STEP UP EFFORTS TO CREATE A SYSTEM FOR THE COLLECTION OF MORE COMPLETE DATA ON TOTAL AREA PLANTED WITH ILLICIT CROPS AND POTENTIAL COCAINE PRODUCTION CAPACITY, TO ENABLE A BETTER UNDERSTANDING TO BE GAINED OF THE PROBLEMS AND PROGRESS MADE IN THE FIGHT AGAINST DRUGS****PUBLICATION DATE: JANUARY 2003**

Bolivia reports that two projects have been executed that have made it possible to establish a geographic information system to monitor coca crops in the Yungas area of La Paz Department. These are: the project to evaluate the natural resources of the traditional coca-producing area of the Yungas area of La Paz (GLEAM), with the financial support of the U.S. Government, channeled through CICAD/OAS; and the Land Use Management and Monitoring System project in surplus production areas of the Yungas area of La Paz, with funding from the United Nations Office on Drugs and Crime (UNODC). Execution of the second of these projects is now under way. It is expected that the Geographic Information System (GIS) will be completed in 2004 and that monitoring of coca crops will continue. The GIS needs to be expanded to include the rest of the country, specially the tropical area of Cochabamba.

In addition, the country reports that the study on coca crop yields remains to be completed. This study will make it possible to establish the volumes of coca produced and Bolivia's potential cocaine production capacity.

CICAD considers that Bolivia has made efforts to implement this recommendation fully, but that the information system should be expanded to include other areas of cultivation (the tropical area of Cochabamba/Chapare).

CICAD recognizes the progress made by Bolivia and encourages the country to take the necessary steps to establish the GIS within the period indicated and to make efforts to expand the geographic coverage of that system.

**RECOMMENDATION 9:****IMPROVE INTERSECTORAL COORDINATION SYSTEMS INTENDED TO GAIN MORE EFFECTIVE CONTROL OF PHARMACEUTICAL PRODUCTS AND CONTROLLED CHEMICAL SUBSTANCES BY ASSIGNING FINANCIAL AND HUMAN RESOURCES**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that, on December 31, 2002, as duly scheduled, it completed the systematization at central level of controlled psychotropic substances and narcotics.

It is estimated that the systematization at central level and, subsequently, at departmental level, will make it possible to obtain true and timely information on the control and oversight of pharmaceutical products, thereby facilitating the management of uniform information by the different sectors, and the coordination thereof.

The country also reports that it has carried out activities with a view to harmonized intersectoral administration of the control of pharmaceutical products, and that a manual for the management of psychotropic substances and narcotics has been prepared to govern the activity of health professionals, public and private institutions, industrial pharmaceutical laboratories, importers, distributors, branch offices, and pharmaceutical establishments in general.

In respect of control of chemical substances, the country reports that an oversight program at the administrative level is being developed and that attempts are being made to improve coordination systems by designating liaison officials with responsibility for direct contact with the Controlled Substances Office and other similar entities.

CICAD expresses its satisfaction with the implementation of this recommendation.

**RECOMMENDATION 10:****STRENGTHEN BORDER CONTROL MECHANISMS SO AS TO PREVENT NEW ILLICIT DRUG TRAFFICKING ROUTES BROUGHT ABOUT BY THE DISPLACEMENT PHENOMENON**

PUBLICATION DATE: JANUARY 2003

Bolivia indicates that, through the Specialized Forces to Combat Drug Trafficking (FELCN), it has developed the Strategic Plan 2003-2007, which includes the establishment of border control posts at strategic points throughout Bolivian territory (Copacabana, on the border with Peru; Villa Busch, on the border with Brazil; Tambo Quemado, on the border with Chile; and Bermejo, on the border with Argentina).

In addition, in May 2003, the new border control post premises in Guayaramerin were opened. This post will be the responsibility of the Mobile Unit for Rural Patrols (UMOPAR), which will carry out mobile control operations all along the border area with Brazil from the port of Nueva Mamora, Villa Bella, and Guayaramerin. It will also enable patrols and raids to be conducted on an ongoing basis to detect drug trafficking organizations working the road network that links Peru and Brazil through Pando, and the pathways and rivers connecting these two countries.

The country has also taken other steps of a domestic nature with a view to implementation of this recommendation. Bolivia indicates that it has requested technical and financial assistance, equipment, and training.



CICAD considers that Bolivia has made considerable progress in strengthening border control mechanisms and prevented new illicit trafficking routes from emerging as a result of the displacement phenomenon. However, the country should pursue its efforts to ensure that the recommendation is implemented fully, and encourages the country to persevere with its plans to strengthen border control mechanisms.

#### RECOMMENDATION 11:

##### **ADOPT AND PROMULGATE THE LAW ON THE FIGHT AGAINST CORRUPTION GIVEN THE IMPORTANCE OF THIS LEGAL PROVISION ON THE TOPIC**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that the Draft Law on the Fight against Corruption has not been passed or enacted, as it was felt that this provision was unnecessary because it has the same scope as other control and sanction provisions. It also indicates that the Bolivian government is promoting passage of a series of anti-corruption laws ("Access to Information" law; the law to "Prevent the Prescription of Cases of Corruption"; and the "Transparency" law). However, the regulatory scope of current penal and administrative legislation is not explained, nor is the scope, or status of passage, of the aforementioned bills.

The country also reports that it has enacted and implemented the new Code of Penal Procedure, which will contribute to attaining the objectives of this recommendation.

CICAD encourages Bolivia to enact legislation containing an adequate series of provisions for the prevention and control of administrative corruption activities, in keeping with the provisions of the Inter-American Convention against Corruption.

#### RECOMMENDATION 12:

##### **ADOPT AND PROMULGATE THE LAW ON FIREARMS, AMMUNITION, EXPLOSIVES AND CHEMICAL AGENTS, WHICH IS CURRENTLY HAS BEEN BEFORE CONGRESS FOR SOME TIME NOW**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that this bill is under consideration by the National Congress.

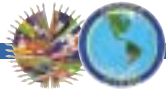
CICAD encourages the country to persevere with its efforts to implement this recommendation.

#### RECOMMENDATION 13:

##### **DESIGN AND IMPLEMENT PERIODIC TRAINING COURSES ON MONEY LAUNDERING THAT ENABLE MORE JUDGES AND PROSECUTORS TO PARTICIPATE THROUGH THE INCLUSION OF MORE AREAS OF THE JUDICIARY AND OF THE OFFICE OF THE ATTORNEY GENERAL**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that although this is the obligation of the Vice Ministry of Justice and Human Rights, implementation of this recommendation is also of interest to the Investigations Unit. Therefore, as a first step, and with a view to implementing the recommendation, the Financial Investigations Unit, in coordination with CICAD/OAS and the IDB, organized the "Combating Money Laundering through the Judicial System" training program, which brought together 33 judges and public prosecutors from throughout Bolivia (nine departments). The program was developed to train trainers, and was held all day from September 2 to 6, 2003.



CICAD considers that while Bolivia has made efforts to train judiciary officials, this training activity must be expanded to include all judges with competence in the areas that are the subject of this evaluation.

CICAD recognizes the importance of the activities carried out in this area and encourages the country to expand their scope.

RECOMMENDATION 14:

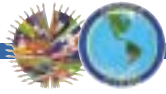
**BROADEN THE SCOPE OF NATIONAL LAWS THAT CRIMINALIZE MONEY LAUNDERING TO INCLUDE OTHER SERIOUS OFFENCES, SUCH AS THE FINANCING OF TERRORISM**

PUBLICATION DATE: JANUARY 2003

Bolivia reports that it has drafted a bill on money laundering, which includes provisions on the financing of terrorism. However, this bill has not yet been introduced to the Congress.

The country indicates that it needs technical and financial assistance to continue implementing that bill.

CICAD urges the country to legislate promptly in these areas in keeping with the CICAD Model Regulations, with a view to implementation of this recommendation.



## CONCLUSIONS

Fourteen recommendations were assigned to Bolivia in the Second Evaluation Round (2001 – 2002), of which one has been implemented. With the remaining recommendations, three of which originated in the First Evaluation Round (1999 - 2000) and were reiterated in the Second, the country has, in general, made limited progress.

In respect of the bringing into force of international instruments as requested, the country has not ratified the United Nations Convention on Transnational Organized Crime, nor the three protocols thereto. Neither has it ratified the Inter-American Convention on Mutual Assistance in Criminal Matters (a reiterated recommendation of the First Evaluation Round 1999 - 2000).

The country has made efforts to develop programs in the area of prevention, treatment, and rehabilitation of drug dependents, but it shows difficulties of a technical, financial, and institutional nature in moving ahead with such programs.

Bolivia has policies and plans for illicit coca crop eradication and alternative development. However, no mechanism has been implemented that would enable it to evaluate the impact of alternative development programs on their target populations.

Progress is acknowledged in connection with the establishment of a Geographic Information System to monitor coca crops.

CICAD views positively the measures adopted by the country to improve intersectoral coordination systems for the control of pharmaceutical products and controlled chemical substances.

Pending approval are bills for the fight against corruption; illicit trafficking in firearms, ammunition, explosives, and chemical agents; and money laundering.

CICAD recognizes the efforts made by Bolivia in the framework of the MEM process. However, it expresses its concern regarding the difficulties faced by the country in implementing the recommendations.