

TWENTY-SIXTH REGULAR SESSION
October 5-7, 1999
Montevideo, Uruguay

OEA/Ser.L/XIV.2.26
CICAD/doc.1039/99 rev.1
6 December 1999
Original: English

FINAL REPORT

**TWENTY-SIXTH REGULAR SESSION OF THE
INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION (CICAD)
FINAL REPORT**

I. BACKGROUND

The Statute of the Inter-American Drug Abuse Control Commission (CICAD) provides in Article 21 that the Commission shall hold two regular sessions per year, one an ordinary session, the other to address specific technical topics determined by the Commission or such other matters that require its special attention. The Statute also provides that special sessions shall be held whenever the Commission so decides, or at the request of a majority of its member states. At its twenty-fourth regular session, the Commission decided, in accordance with Article 20 of the Statute, to hold the twenty-sixth regular session in Montevideo, Uruguay.

II. PROCEEDINGS OF THE TWENTY-SIXTH REGULAR SESSION

A. DECISIONS ADOPTED

1. APPROVAL OF THE AGENDA AND SCHEDULE OF ACTIVITIES

The agenda (document CICAD/doc.1019/99 rev.3) and the schedule of activities (CICAD/doc.1020/99 rev. 5) were adopted without amendment.

2. ELECTION OF THE CHAIRMAN AND VICE CHAIRMAN OF CICAD

In accordance with Articles 22 and 23 of the Statute of the Commission, elections were held for the offices of Chairman and Vice Chairman for the period October 1999 - October 2000. The Principal Representative of Uruguay, in the person of Dr. Alberto Scavarelli, was elected Chairman, and the Principal Delegate of Trinidad and Tobago, in the person of Mr. Lancelot Selman, was elected Vice Chairman, both by acclamation.

3. CONSIDERATION AND APPROVAL OF THE MULTILATERAL EVALUATION MECHANISM (MEM) PROPOSED BY THE INTERGOVERNMENTAL WORKING GROUP OF CICAD

The Chairman of CICAD's Intergovernmental Working Group on the Multilateral Evaluation Mechanism (IWG-MEM), Mr. Jean Fournier of Canada, together with the Vice Chairman, Mr. Pablo Lagos Puccio of Chile, presented the final report of the sixth meeting of the Group (CICAD/doc.1026/99), and the final report on the Group's work as a whole (CICAD/doc.1029/99).

The Commission received the report, and expressed its great appreciation to the members of the IWG for their work. The Commission approved the following resolution formally adopting the Multilateral Evaluation Mechanism:

CICAD RESOLUTION 1/99 (XXVI-O/99)
ESTABLISHMENT OF THE MULTILATERAL EVALUATION MECHANISM

THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION,

RECALLING that, with the intention of strengthening mutual confidence, dialogue, and hemispheric cooperation, and on the basis of the principles of respect for the sovereignty, territorial jurisdiction, and domestic law of the states; and of reciprocity, shared responsibility, and an integrated, balanced approach in addressing the topic, in the Plan of Action of the Second Summit of the Americas, the governments agreed to develop, within the CICAD framework, a singular, objective process of multilateral governmental evaluation in order to monitor the progress of individual and collective efforts in the hemisphere and those of all countries participating in the Summit, in dealing with the diverse manifestations of the problem;

RECALLING ALSO that, at its twenty-second regular session, the Commission established an Intergovernmental Working Group responsible for designing the Multilateral Evaluation Mechanism to follow up on the initiatives considered in the framework of its consultative meetings and to fulfill the mandates contained in the Plan of Action of the Second Summit of the Americas;

BEARING IN MIND that the Intergovernmental Working Group held six meetings, at which it defined principles, objectives, and characteristics of the evaluation mechanism, identified a set of indicators, and designed a process and schedule for the first evaluation exercise, to be conducted in 2000; and

HAVING SEEN the report of the Intergovernmental Working Group on the Multilateral Evaluation Mechanism,

RESOLVES:

1. To approve the establishment of the Multilateral Evaluation Mechanism, to be operated on the basis of the principles of respect for the sovereignty, territorial jurisdiction, and domestic law of the states; reciprocity, shared responsibility, and an integrated, balanced approach in addressing the topic; the ***Anti-Drug Strategy in the Hemisphere***, and the international agreements and instruments in effect.

2. That the Multilateral Evaluation Mechanism will be applicable to all member states, individually and collectively; that it will be governmental, singular and objective, with the participation of specialized representatives of the governments; that it will be transparent, impartial, and equitable so as to ensure objective evaluation; that it will ensure full, timely participation by the states, based on generally applied norms and procedures, established by mutual agreement in advance, in order to ensure an equitable evaluation process; that it will not contain sanctions of any nature; and that it will respect the confidentiality of deliberations and information administered by the states, in accordance with the norms and procedures established in advance.

3. That the multilateral evaluation process shall have the following objectives:
 - a. To achieve full application of the ***Anti-Drug Strategy in the Hemisphere***;
 - b. To build mutual confidence, dialogue, and hemispheric cooperation to deal more effectively and efficiently with the various aspects of the worldwide drug problem;
 - c. To monitor the progress of individual and collective efforts in the hemisphere of all countries participating in the Mechanism, indicating both results obtained and obstacles encountered by all countries;
 - d. To promote the following actions, based on the results of the evaluation, and in the framework of CICAD: to support the member states in the implementation of their national plans; to contribute to strengthening their capacities to deal with the problem; and to promote the development of technical assistance and training programs and the exchange of experiences, in accordance with the needs of each state;
 - e. To produce regular reports on the status of the problem in the countries of the hemisphere;
 - f. To strengthen multilateral cooperation as the means to ensure objective evaluation of member states' efforts to deal with the drug problem; and
 - g. To promote, through CICAD, the strengthening of cooperation and coordination with other regions, the United Nations, and other international organizations.
4. To establish the Governmental Experts' Group, comprising all member states of the Organization of American States, in accordance with the procedures and terms of reference identified by the Intergovernmental Working Group, to conduct the first evaluation round in 2000.
5. To approve the seventy-nine indicators identified by the Intergovernmental Working Group, including the sixty-one selected indicators in the questionnaire that will serve as the basis for the first evaluation exercise to be conducted in 2000.
6. To approve also the formats for the hemispheric and multilateral evaluation reports prepared by the Intergovernmental Working Group, which will be the basis for the first evaluation round.

7. To request the Executive Secretariat to take the steps necessary to implement the Multilateral Evaluation Mechanism in a timely fashion, in accordance with the schedule agreed by the Intergovernmental Working Group, so that the first evaluation exercise may be conducted in 2000, and completed in December of that year.

8. To urge the member states to lend their full support to the Multilateral Evaluation Mechanism, and, in particular, to designate their principal and alternate representatives to the Group of Government Experts, to submit the information requested within the time periods established and to provide material resources so as to ensure the success of the first evaluation exercise.

9. To make any recommendations it deems pertinent for monitoring the evaluation process in 2001, when the first evaluation exercise has been completed, on the basis of the experience acquired.

The Commission then approved the following Declaration, signed by all the member states present (published as document CICAD/doc.1033/99):

**DECLARATION OF THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION
ON THE MULTILATERAL EVALUATION MECHANISM**

The member states of the Inter-American Drug Abuse Control Commission of the Organization of American States, meeting in Montevideo, Uruguay on the occasion of the twenty-sixth regular session of the Inter-American Drug Abuse Control Commission (CICAD), and having approved the establishment of the Multilateral Evaluation Mechanism,

BEARING IN MIND that the Heads of State and Government, meeting at the Second Summit of the Americas, held in Santiago, Chile in April 1998, agreed a Plan of Action which establishes that their governments will “*continue to develop their national and multilateral efforts in order to achieve full application of the Hemispheric Anti-Drug Strategy, and will strengthen this alliance based on the principles of respect for the sovereignty and territorial jurisdiction of the States, reciprocity, shared responsibility and an integrated, balanced approach in conformity with their domestic laws*”;

BEARING IN MIND ALSO that for purposes of strengthening mutual confidence, dialogue, and hemispheric cooperation, and on the basis of the aforementioned principles, the Plan of Action establishes the commitment to “*develop, within the framework of the Inter-American Drug Abuse Control Commission (CICAD-OAS), a singular and objective process of multilateral governmental evaluation in order to monitor the progress of their individual and collective efforts in the Hemisphere and of all the countries participating in the Summit, in dealing with the diverse manifestations of the problem*”;

RECOGNIZING the importance of the *Anti-Drug Strategy in the Hemisphere*, approved in Buenos Aires at the twentieth regular session of CICAD, and signed in Montevideo in December 1996, as the framework of reference to guide inter-American

cooperation in dealing with problems caused by the illicit use, production, trafficking, and distribution of drugs and related offences;

CONVINCED that multilateral cooperation is the means to ensure objective evaluation of states' efforts in dealing with the drug problem; and

AWARE OF the value of progress made in strengthening hemispheric cooperation in promoting similar efforts made in other regions and within the framework of the United Nations,

RESOLVE:

1. To welcome with satisfaction the results of the work carried out by the Intergovernmental Working Group of CICAD responsible for designing the Multilateral Evaluation Mechanism, as concluded in Ottawa, Canada in September 1999.

2. To express their decisive support for the implementation of the Multilateral Evaluation Mechanism, approved at the twenty-sixth regular session of CICAD.

3. To reaffirm the principles on which the Multilateral Evaluation Mechanism is based, that is, respect for the sovereignty, territorial jurisdiction, and domestic law of the states, as well as reciprocity, shared responsibility, and an integrated, balanced approach in dealing with the issue; the *Anti-Drug Strategy in the Hemisphere*; and the international agreements and instruments in effect.

4. To state that the Multilateral Evaluation Mechanism will be applicable to all member states, individually and collectively; that it will be governmental, singular and objective, with the participation of specialized representatives of the governments; that it will be transparent, impartial, and equitable so as to ensure objective evaluation; that it will ensure full, timely participation by the states, based on generally applied norms and procedures, established by mutual agreement in advance, in order to ensure an equitable evaluation process; that it will not contain sanctions of any nature; and that it will respect the confidentiality of deliberations and information administered by the states, in accordance with the norms and procedures established in advance.

5. To commit to supporting the successful conduct and completion of the first evaluation exercise in 2000, which is to be carried out by the Governmental Experts' Group, composed of representatives of the member states of the Organization of American States.

6. To request that the Executive Secretariat of CICAD provide the necessary support for the Governmental Experts' Group to ensure completion of the first evaluation exercise in December 2000, so that the results may be presented at the Summit of the Americas, to be held in Quebec City, Canada, in 2001.

The Declaration will be open for signature at the headquarters of the Organization for those member states not present at the twenty-sixth regular session of the Commission.

3(a) IMPLEMENTATION OF THE MULTILATERAL EVALUATION MECHANISM (MEM)

The Commission discussed a number of operational issues regarding implementation of the Multilateral Evaluation Mechanism (MEM), including a draft Operations Manual which was distributed to the Delegates, and approved a letter to be sent to member states by the Executive Secretary requesting the designation of experts for the Governmental Experts' Group (GEG). The Commission also heard a report from the Executive Secretary on the estimated annual operational and support costs of the GEG (US\$634,000) and the one-time installation costs (US\$498,000). A draft plan for the GEG's office space configuration was also presented.

A number of member states indicated their willingness to contribute funds to the operations of the GEG, above and beyond their financing of their own expert. The Commission was of the view that all countries should, to the extent possible given their individual circumstances, provide financial support for the MEM process, and instructed the Executive Secretariat to continue its discussions to secure the funds required.

4. 1999 ANNUAL REPORT OF CICAD TO THE OAS GENERAL ASSEMBLY AT ITS THIRTIETH REGULAR SESSION

A working group, consisting of representatives of Argentina, Bolivia, Canada, Chile, Costa Rica, Mexico, the United States and Uruguay, was constituted to review the preliminary draft annual report of CICAD to the General Assembly (document CICAD/doc.1023/99). The Chair of the Working Group, Ms. Renata E. Wielgosz of Canada, reported that the Group had met three times during the course of the twenty-sixth regular session, and had updated the draft report to ensure that the latest developments were fully and accurately reflected. The Group noted that the report would still need to incorporate developments that would take place before the end of December 1999. The chapter on recommendations to the General Assembly was also left pending subject to the completion of CICAD's annual work program.

The Commission instructed the Secretariat to produce a revised copy of the draft report and send it to the member states for consideration forty-five days in advance of the next regular session of CICAD. This revised version would take into account the revisions agreed upon by the Working Group as well as include updates on pending issues.

5. REPORT BY THE EXECUTIVE SECRETARIAT: IMPLEMENTING THE ANTI-DRUG STRATEGY IN THE HEMISPHERE:

The Executive Secretariat of CICAD gave oral presentations on the status of implementation of the ***Anti-Drug Strategy in the Hemisphere***, focusing particularly on: national drug commissions and national plans; professional development in drug abuse prevention and treatment; alternative development; money laundering training projects; maritime cooperation and port security, and controlled chemical substances. The Commission took note of the report and thanked the Executive Secretariat for its work to help member states implement the ***Strategy***.

6. PROGRAMMING AND BUDGETARY REPORT BY THE EXECUTIVE SECRETARIAT

The Executive Secretariat presented an oral report on its financial, budgetary and programming situation, and particularly on the origin and use of funds. The Commission took note of the report, and instructed that the annual report to the OAS General Assembly be updated to reflect the financial situation as of December 31, 1999. The Commission also noted that in the future, the Secretariat's programming would need to be adjusted to the needs detected during the Multilateral Evaluation Mechanism process.

CONSIDERATION AND ADOPTION OF THE REPORT OF CICAD'S GROUP OF EXPERTS TO CONTROL MONEY LAUNDERING ON THE ADVISABILITY OF AN INTER-AMERICAN CONVENTION ON MONEY LAUNDERING, IN ACCORDANCE WITH GENERAL ASSEMBLY RESOLUTION AG/RES. 1656 (XXIX-O/99)

In accordance with a decision taken by CICAD at its twenty-fifth regular session, the Chairman of CICAD's Group of Experts on Money Laundering Control presented the Group's report on the advisability of an inter-American convention on money laundering control, in accordance with General Assembly resolution AG/RES. 1656 (XXIX-O/99) (document CICAD/doc.1024/99), as well as the comments of several countries on the report. Colombia stated for the record its aspirations for a hemispheric instrument that would give constancy and provide vigilance over money laundering.

Recalling its decision at the twenty-fifth regular session, the Commission decided to forward the Expert Group's report to the General Assembly, through the Permanent Council, for consideration at the thirtieth regular session of the General Assembly in the year 2000. The Commission also approved the following resolution (published as document CICAD/doc.1037/99):

CICAD RESOLUTION 2/99 (XXVI-O/99)

ADVISABILITY OF AN INTER-AMERICAN CONVENTION TO COMBAT MONEY LAUNDERING

THE INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION,

Considering the importance of continuing a vigilant and active attitude at the hemispheric level to combat money laundering,

RESOLVES:

1. To endorse the conclusions and recommendations contained in the report of its Group of Experts on Money Laundering Control (document CICAD/doc.1024/99), on the advisability of an inter-American convention.
2. To continue to give due consideration to the subject of money laundering control in light of the abovementioned report, with particular reference to conclusions (ii) and (iii).

7(a) REQUEST FROM THE FINANCIAL ACTION TASK FORCE (FATF)

The Commission took cognizance of a request from the Financial Action Task Force (FATF) (CICAD doc.1027/99) asking that member states endorse option 2 of Article 4bis of the draft United Nations Convention Against Transnational Organized Crime in the negotiations taking place in Vienna on October 4–15, 1999. The Commission took no decision on the matter.

7. CONSIDERATION OF THE CONVOCATION OF CICAD EXPERT GROUPS FOR 1999/2000 AND ELECTION OF THEIR CHAIRMEN

In accordance with a decision taken at the twenty-fifth regular session, the Commission considered the

priority that should be given to convening the various Expert Groups in the coming year, and decided that the Expert Groups on Demand Reduction and on Money Laundering Control should be convened in 2000. The work plan for the Expert Group on Money Laundering Control for the period 2000-2001, published in document CICAD/doc.1025/99, was also approved. The Commission recognized that the Expert Group on Chemical Control might need to be convened during the year, but deferred decision until a later date.

Chile was elected chair of the Demand Reduction Expert Group for a period of one year. The outgoing Chair of the Expert Group on Money Laundering Control, Argentina, represented by Mr. Zenón A. Biagosch, was reelected for one year, as proposed by the Expert Group itself (see document CICAD/LAVEX/doc.11/99).

9. IMPLEMENTATION OF THE INTER-AMERICAN CONVENTION ON THE TRAFFICKING OF ARMS – APPLYING CICAD’S MODEL REGULATIONS

The Commission was unable, because of a shortage of time, to address the agenda item on implementation of the Inter-American Convention on the Trafficking of Arms and the application of CICAD’s Model Regulations, through seminars for senior policy-makers. This item will appear on the agenda for the twenty-seventh regular session of CICAD.

10. INTER-AMERICAN OBSERVATORY ON DRUGS

The Commission considered a report by the Executive Secretariat on progress made in developing the Inter-American Observatory on Drugs, presented pursuant to a request from the twenty-fifth regular session (document CICAD/doc.1028/99). The Commission asked that additional information on the development and implementation of the Observatory be presented to its twenty-seventh regular session, and authorized the Executive Secretariat to establish formal working relations with the European Centre for Drugs and Drug Addiction (EMCDDA) and other entities with similar goals.

- 1999 STATISTICAL SUMMARY ON DRUGS (TRENDS)

The Executive Secretariat presented CICAD’s 1999 Statistical Summary on trends in seizures of drugs, chemicals and other items, crop eradication, and drug use patterns of patients in treatment centers. The Commission congratulated the Secretariat on its report, and stressed that these statistics should be presented at the beginning of the sessions, so that the Commission could examine and interpret them in greater depth, and have a frame of reference for its deliberations. The Statistical Summary will be circulated to appropriate authorities, and will also be available at CICAD’s Web page on the INTERNET.

11. REPORT ON COOPERATION WITH THE U.S. NATIONAL SCIENCE FOUNDATION

The Executive Secretariat and three guests from U.S. universities, Dr. Ronald A. Cole, Dr. Jaime G. Carbonell and Dr. José A.B. Fortes, presented a conceptual model and a pilot project for the use of Information Technology against Drugs in the region. The pilot project, for which the United States National Science Foundation (NSF) has pledged up to one million dollars, involves development of a multilingual translation software, as a first step in creating an information grid across the Americas for exchange among governments and citizens.

The Commission thanked the presenters for their work in developing the proposal, and invited those member states interested in participating in the project to so advise the Executive Secretariat.

12. ENHANCEMENT OF RELATIONS BETWEEN CICAD AND UNIVERSITIES

Following a presentation by the Executive Secretariat on current projects in which universities are cooperating, the Chairman of CICAD opened a discussion on enhancing CICAD's relations with the universities of the hemisphere and elsewhere. He also proposed working closely with athletic associations, national and international Olympic Committees, football associations, and the like, on the question of steroid use, and to promote sports trainers and coaches as prevention agents among sports teams. The Commission agreed, and invited the Secretariat to pursue the matter and seek appropriate financing.

13. REPORT BY THE ANDEAN REGIONAL GROUP ON DRUG CONTROL

General Dennis del Castillo Valdivia of Peru, outgoing Executive Secretary of the Andean Anti-Drug Intelligence Community, and Ms. Fernanda Scarton Kantorsky of Brazil, representing the incoming Executive Secretary, Mr. Mauro Sposito, made a presentation on the establishment in Lima, Peru of the Andean Regional Intelligence School, covering eight member states. The Commission thanked him for his report, and decided to lend its support to this initiative. It asked the Executive Secretariat to help the authorities of the Andean Regional Intelligence School to set up the School in accordance with the Implementation Plan that had been presented (CICAD/doc.1038/99). The Commission also invited the Secretariat to submit further details of the plan, and an update on progress to the twenty-seventh regular session.

14. DATE, PLACE AND THEMES FOR THE TWENTY-SEVENTH REGULAR SESSION OF CICAD

In accordance with Articles 20 and 21 of the Statute, the Commission decided to hold its twenty-seventh regular session at the headquarters of the Organization in Washington, DC in the second quarter of 2000. The exact date would be set as soon as possible by the Chair, in consultation with delegates and with the Executive Secretariat.

The Commission decided to include the following topics on its agenda for the twenty-seventh regular session:

- Update on the progress of the Multilateral Evaluation Mechanism (MEM)
- Implementation of the Inter-American Convention on the Trafficking of Arms: Applying CICAD's Model Regulations;
- Update on the Inter-American Observatory on Drugs
- Trends in drug-related statistics
- Alternatives to sentencing for minor drug offenses.

15. OTHER BUSINESS

1. Candidacy of Bolivia for the Vice Chairmanship of CICAD

By note EMBUR-247/99, the Government of Bolivia advised the Commission of its interest in being a candidate for the Vice Chairmanship of CICAD in the elections to be held during the twenty-eighth regular session of the Commission (document CICAD/doc.1036/99).

2. Alternatives to sentencing for minor drug offenses

The Government of Canada proposed, and the Commission accepted, that the topic of alternatives to sentencing for minor drug offenses should be placed on the agenda for the twenty-seventh regular session of CICAD. The Commission requested the Executive Secretariat to prepare a paper on experiences in different countries with alternatives to criminal sentences.

B. PARTICIPANTS

1. CICAD MEMBERS

Attending the twenty-sixth regular session of the Commission were the delegates of Antigua and Barbuda, Argentina, Barbados, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago, United States, Uruguay and Venezuela.

2. PERMANENT OBSERVERS

Also attending the twenty-sixth regular session in their capacity as Permanent Observers to the Organization of American States (OAS) were representatives of the European Union/European Commission, France, Germany, Japan, Portugal, the Russian Federation, and Spain.

3. INTER-AMERICAN SPECIALIZED ORGANIZATIONS AND INTERNATIONAL AGENCIES

Representatives attended from the Andean Anti-Drug Intelligence Community; the Andean Parliament; the European Monitoring Centre on Drugs and Drug Addiction (EMCDDA), the Inter-American Children's Institute; the Inter-American Defense Board (IADB); the United Nations International Drug Control Programme (UNDCP), and the United Nations Regional Center for Peace, Disarmament and Development in Latin America and the Caribbean (UN-LIREC).

The list of participants in this regular session is published separately as document CICAD/doc.1022/99 rev.2.).

C. SESSIONS

1. INAUGURAL SESSION

The inaugural session was held at 8:30 a.m. on October 5, 1999, in the headquarters of MERCOSUR in Montevideo. The Chair of CICAD, Mrs. Gladys Caballero de Arévalo of Honduras, welcomed the delegates (document CICAD/doc.1030/99), and the Executive Secretary of CICAD, Mr. David R. Beall, made an opening statement.

2. PROTOCOLARY SESSION

A protocolary session was held at 12 noon on October 5. The newly-elected chair of CICAD, Dr. Alberto Scavarelli of Uruguay, opened the session, which was then addressed by the Secretary General of the Organization of American States, Dr. César Gaviria (document CICAD/doc.1031/99). His Excellency the President of Uruguay, Dr. Julio Maria Sanguinetti, formally inaugurated the meeting, and welcomed the Commission's approval of the Multilateral Evaluation Mechanism.

3. PLENARY SESSIONS

The Commission held five plenary sessions. The closing session held on October 7, 1999 at 2:00 p.m. was addressed by the Executive Secretary of CICAD, Mr. David R. Beall, and by the Chair of CICAD, Dr. Alberto Scaverelli, who declared the proceedings closed.