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PROPOSAL BY MEXICO TO UPDATE THE
ANTI-DRUG STRATEGY IN THE HEMISPHERE

**PROPOSAL BY MEXICO TO UPDATE THE ANTI-DRUG STRATEGY IN THE
HEMISPHERE (OCTOBER 19, 1996)**

1. General considerations

- The Government of Mexico feels that, although the current Anti-Drug Strategy is sound, it needs to incorporate and make reference to current trends in illicit drug trafficking and related offenses, so as to strengthen the original commitment undertaken by member states in 1996. Modifying the lines of action to combat an ever-changing phenomenon like drug trafficking is essential for the success of national and regional actions in this area.
- Mexico believes that the Anti-Drug Strategy in the Hemisphere is a dynamic document that must reflect changes in the drug problem. A truly useful strategy is one that meets States' needs in real time, preserving valuable timeless premises and incorporating new trends.
- In this regard, the update of the Anti-Drug Strategy in the Hemisphere must include, *inter alia*, issues related to the boom in the use of and trafficking in synthetic drugs, the link to criminal organizations, the commitments adopted by the States at the twentieth special session of the UN General Assembly, the Multilateral Evaluation Mechanism and its potential contribution to updating the Strategy, corruption, trafficking in firearms, the surge in organized crime, and displacement.

2. Thematic considerations

- The boom in the use, trafficking, and diversion of synthetic drugs. The current text of the Strategy covers this topic, however it could stress the need to take specific, more vigorous steps to tackle the problem of synthetic drugs, particularly amphetamines.
- Criminal organizations with activities related to trafficking in synthetic drugs, the diversion of precursors, etc.
- Displacement of illicit crops. Because this topic has generated controversy among the countries in the region, it is important to prepare a more consistent definition of the phenomenon, since the one prepared by the Group of Coordinators on Displacement remains inconsistent and ambiguous and should address the displacement of trafficking routes and of persons to escape the violence generated by drug trafficking and to farm illicit crops.

The Government of Mexico feels it would be advisable to include this topic in the Strategy, even though the most common implications of the phenomenon are not observed in Mexico. In this regard, we would suggest including a paragraph that refers to examining and analyzing the dynamics of the drug phenomenon and hence to periodically revising the Strategy.

- Use of new technologies for the trafficking, diversion, and promotion of illicit drugs and for money laundering (cybercrime).
- Trafficking in firearms. Since the CIFTA Convention was adopted one year after the Anti-Drug Strategy in the Hemisphere, it would be advisable to stress the importance of the Convention in combating trafficking in firearms in the fight against organized crime. We propose mentioning it between paragraphs 39 and 40 in the "Control Measures" section.
- Organized crime and corruption. We propose including a paragraph in the "Control Measures" section that refers to the UN Convention Against Transnational Organized Crime and its three Protocols, as well as the Inter-American Convention Against Corruption, the Inter-American Convention on Mutual Assistance in Criminal Matters, and the negotiation of a UN convention against corruption, as the legal instruments being ratified or prepared on which future State efforts in these areas should be based.

3. International cooperation

- Multilateral Evaluation Mechanism (MEM). We are attaching some elements for the wording of the paragraphs on the MEM, which could be included in a new section entitled "Regional Commitment" (Annex 2).
- The MEM should be consolidated as an expert body for evaluating and determining new trends in and even new approaches to the drug problem. Based on the 1999-2000 and 2001-2002 evaluations, the MEM should speak out on different aspects it feels could be addressed, so that CICAD can take up its comments and take action as a result.
- The Anti-Drug Strategy in the Hemisphere must be revised and updated in this regard, particularly in the paragraph entitled "Global Commitment," to which the commitments undertaken by member states at the twentieth special session of the UN General Assembly, held at the initiative of Mexico in 1998 should be added, to address the world drug problem. A Political Declaration was adopted at that special session establishing concrete commitments for 2003-2008, and different plans of action were adopted on demand reduction, combating illicit manufacturing, trafficking, and abuse of amphetamines, measures to promote judicial cooperation,

measures to fight money laundering and to eradicate illicit crops, and the promotion of alternative development programs.

Current text of the Strategy with observations by the Government of Mexico. The proposals are in bold italics.

As the twenty first century draws near, the countries of the hemisphere, convinced of the importance of the efforts our countries are making to deal with the problems created by the abuse and the illicit production, traffic and distribution of drugs, and their modalities, and at the same time realizing that it is imperative to modernize and improve the strategies and measures in this area, have decided to formulate the present Hemispheric Anti-drug Strategy, which shall be applied in accordance with the following terms:

1. The problem of drugs, which has become increasingly important in the world, manifests itself as a complex, shifting and global phenomenon.
2. The problems of drug abuse and the demand for drugs, and the illicit production, distribution and trafficking of drugs, ~~including~~ ***especially*** synthetic or "designer" drugs, continue to be grave and interrelated. Sources of special concern are the negative consequences of illicit drugs and other controlled substances, and related offenses, which pose a serious threat to the health and integrity of the individual and the normal development of society, and at the same time impose enormous social, economic and political costs on countries. Also meriting attention are the abuse of licit psychoactive substances such as alcohol and tobacco, psychotropic drugs and inhalants, ***as well as excessive and irresponsible use of alcohol and use of tobacco***, which have proven to be dangerous to health.
3. The countries of the hemisphere express their concern over trends that promote the acceptance of drug abuse and its associated problems. Controlling illicit drugs must be part of a comprehensive anti-drug policy, which along with preventing drug abuse and helping to rehabilitate those affected, must ensure through appropriate laws and policies that illicit drugs and drugs diverted to the illegal market are not available and that drug traffickers receive proper sanctions.

[New paragraph]

The countries of the hemisphere recognize that the drug problem is dynamic and that the illicit industry linked to it adapts its strategies in response to obstacles and/or vulnerabilities at the international level. In this regard, member states agree on the need to further study the causes and consequences of recent trends in the mobility of the different manifestations of the drug problem in the hemisphere, while strictly adhering to the characteristics of the phenomenon in each country.

4. In view of the complexity and the global nature of the problem, the countries of the

hemisphere recognize the need to strengthen international cooperation and for constant review and improvement of national policies, taking into account the particular circumstances of the phenomenon as it appears in each country.

5. In order to facilitate and lend consistency to anti-drug efforts, the countries of the hemisphere agree on the importance of the actions of the respective National Drug Control Commissions, situated at a high political level ***with their own budget***, which results in ***interagency coordination of*** the planning and implementation of respective national anti-drug plans, which ~~include, among others,~~ ***make it possible to combat the problem comprehensively in the areas of*** prevention, treatment, assistance, alternative development and law enforcement.

6. The Hemispheric Anti-drug Strategy addresses the drug problem from a global and multidisciplinary perspective. All countries of the hemisphere recognize that they share a responsibility for ensuring that a comprehensive and balanced approach is taken on all aspects of the phenomenon, taking into account their available capabilities and resources. The measures suggested will take cognizance of the socioeconomic and cultural contexts and be carried out in strict observance of the internal legal order of the countries of the hemisphere.

7. The countries of the hemisphere agree that the application and compatibility of the relevant national laws, the signing of and adherence to conventions and other international instruments, and the conclusion of bilateral agreements on the subject are irrefutable signs of their resolve to join forces to overcome this problem. They also agree on the importance of implementing the international cooperation mechanisms provided for in the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988 Vienna Convention).

8. In the development of this hemispheric Anti-drug Strategy, the countries reaffirm the important role that corresponds to the Inter-American Drug Abuse Control Commission (CICAD) as the competent regional forum. They also recognize the need to implement this Strategy in harmony with the plans and programs of other concerned multilateral institutions.

9. The Strategy constitutes a hemispheric effort to frame guidelines, of a recommendatory nature, for cooperation that will enable our countries to adopt a set of measures and actions whose implementation will strengthen the national efforts.

10. In the implementation of this Strategy, the states reaffirm their commitment to respect the principles of international law, in particular those of national sovereignty, territorial integrity and nonintervention in the internal affairs of countries.

DEMAND REDUCTION

11. The countries of the hemisphere recognize drug abuse as a grave threat not only to the life and health of the user, but also to the community in general. The way in which the problem has evolved demonstrates that demand reduction must be a key component of policies intended to address the problem.

12. Demand remains a powerful driving force for the production of and traffic in drugs. Every member of the global community has the responsibility to address the issue of demand and to reduce its incentive. The countries of the hemisphere recognize the need to continue to consider demand reduction as a priority in anti-drug policies, which covers integral comprehensive demand reduction and law enforcement programs.

13. Essential elements of comprehensive demand reduction programs will be considered to include **biomedical, clinical, and psycho-social** research **and particularly research related to the development of neuroscience**, prevention, treatment, rehabilitation, social reintegration, program development, education, training, community action, policy-making and measures to build greater social awareness against the use of drugs and encourage nonusers to remain that way.

14. National demand reduction programs will take account of the cultural, social and economic conditions of the population groups for whom they are intended. Equally, they will also foster dialogue with educational and research institutions and nongovernmental organizations to bring about improved understanding of the trends and ways in which the problem of the demand for drugs manifests itself and its evolution over time, as well as the possibility of using scientific criteria to measure the results of strategies developed.

15. They should also consider promoting citizen participation, public information on the harmful effects of drug use through the media, treatment and rehabilitation of addicts, as well as other alternative measures. The countries will be able to request assistance from OAS/CICAD and the United Nations International Drug Control Programme (UNDCP) in the development of demand reduction programs and strategies, as well as the development of scientifically-based systems that will enable them to recognize the dimensions and trends of demand and to evaluate the results of the strategies adopted.

16. Accordingly, the countries will strengthen their preventive education programs to reduce drug consumption, the levels of drug dependency and the consequences of drug use. Designing effective prevention programs requires close cooperation, consultation and association with the community. Those programs will be targeted particularly at high-risk groups.

17. The gathering, analysis and dissemination of information are important components of demand reduction, and they serve to identify groups at high risk, their characteristics and

needs, the obstacles to prevention and treatment, and emerging trends. ***The establishment and consolidation of national drug observatories is essential for supporting adequate collection and use of information to devise and evaluate policies.***

18. Treatment and rehabilitation provide drug users with the means to break with drug abuse and live freer, healthier and more productive lives, and constitute an ethical duty for society in general. ***To that end, the different treatment modalities (professional, mutual assistance, mixed, or alternative) should be taken into account and the following promoted:***

- i. Research on more effective treatment modalities, taking into consideration costs;***
- ii. The development of treatment models for prisoners who use licit and illicit drugs and alternatives for justice authorities for addicts accused of minor offenses (for example, mandatory treatment, courts specializing in drug problems or the equivalent);***
- iii. The link between substance abuse and HIV/AIDS and between substance abuse and sexually transmitted diseases;***
- iv. Standards of care for treatment of drug addiction, as well as government regulatory agencies or mechanisms to ensure that patients receive ethical care; and***
- v. Specialized treatment services according to age and gender, especially for women and children.***

19. Every country must make a special effort to share with others its experience and knowledge in this field to optimize demand reduction programs in the hemisphere.

SUPPLY REDUCTION

20. In this comprehensive and balanced strategy for supply reduction, the countries of the hemisphere recognize that their actions will be aimed at all categories of psychoactive drugs, that is, drugs of natural origin, synthetics drugs, as well as psychoactive pharmaceuticals, the latter of which become illicit when diverted from their proper purposes.

21. The countries recognize that the illicit supply of natural and synthetic drugs constitutes another basic problem in the hemisphere that requires the adoption and improvement of measures to eliminate their availability. In the case of drugs of natural origin, comprehensive measures such as alternative development, law enforcement, and eradication, among others, could be applied. In the case of synthetic drugs ***and essential chemical substances***, control and law enforcement mechanisms could be provided to suppress their production and traffic. These measures will be applied with respect for the particular conditions and circumstances in each country. It will be the exclusive responsibility of each government to determine, frame and

enforce them in accordance with their national programs and internal legal order.

22. The countries of the hemisphere recognize that alternative development is an important component for generating and promoting lawful, viable and sustainable economic options that will make it possible to overcome the factors that give rise to the phenomenon, and lead to a reduction in the supply of illicit drugs. In this connection, ***alternative development programs will consider the principles of shared responsibility, will be prepared based on the particular expressions of the phenomenon in each country, will be designed to be sustainable in the long term, and will be consistent with the actions stemming from the special session of the UN General Assembly held in 1998.***

In reinforcing their national plans on this subject, ***member states*** call upon the community of nations and the specialized international organizations to cooperate vigorously in attaining ***these*** goals and to work in close cooperation with the OAS/CICAD to ensure that the best experience in the region is employed in planning and developing these programs, ***while striving to guarantee that alternative development products have access to international markets.***

23. In the execution of supply reduction programs, the countries will give special attention to the ecological aspects of the problem, so as to provide adequate protection for the environment. ***Alternative development programs should also be tailored to concrete national, regional, and local conditions, in keeping with available resources, for the geographic setting and existing socio-economic structures.***

24. The countries of the hemisphere stress the importance of adopting measures to control pharmaceuticals, and agree on the need to strengthen the agencies responsible for regulating them and to eliminate the production of substances that have no therapeutic purpose.

25. The countries of the hemisphere recognize the need to eliminate the surplus production of psychoactive pharmaceuticals that bear not relation to therapeutic needs. This measure will help improve controls over psychoactive pharmaceuticals.

26. The countries of the hemisphere are prepared to cooperate economically and technically, to the extent of their capabilities, so that these programs will be effective and enable the region to attain its objectives for solving the problem of illicit drug supply. Equally, they will continue to seek the support of other countries and of international organizations to broaden and strengthen the development of those programs.

CONTROL MEASURES

27. Dismantling criminal organizations and their support networks should be another of the key objectives of initiatives taken by the countries of the hemisphere against illegal drug

trafficking and related crimes. Enforcing the law with respect to perpetrators, instrumentalities, and proceeds from criminal activities is an effective deterrent to participation in these unlawful activities. ***To this end, the adoption of the UN Convention Against Transnational Organized Crime and its Protocols, as well as existing and future anti-corruption instruments, is particularly important.***

28. The countries of the hemisphere will intensify their efforts to exchange information and gather evidence to enable them to bring to trial and sentencing the leaders and other members of criminal organizations and their support networks, within the framework of full respect for due process of the law.

29. The countries of the hemisphere recognize that priority should be given to developing their legal systems, taking particular account of the complex nature of the problem of illegal drug trafficking and related crimes. They also recognize the need to adopt legal mechanisms that will help harmonize their laws and their investigative and evidence-gathering procedures.

30. The countries of the hemisphere recognize the importance of having modern legal systems for an effective strategy against the problem of illegal drug trafficking and related crimes and the need to have adequate extradition procedures.

31. The countries of the hemisphere express that control of the diversion of precursors and essential chemicals is one of the most effective and efficient strategies available for confronting the drug problem. Accordingly, it is necessary to establish and strengthen internal mechanisms for control of precursors and essential chemicals according to the provisions of the 1988 Vienna Convention and consistent with the CICAD Model Regulations to Control Chemical Precursors and Chemical Substances, Machines and Materials. They view with concern the emergence of new chemical substances employed in drug processing and production, and all of them should update their lists of controlled chemical substances, when necessary.

The countries of the hemisphere also recognize the importance of having cooperation agreements for preventing and controlling the diversion of precursors and essential chemicals frequently employed in drug manufacture, taking into consideration any new diversion trends that are detected.

32. The countries note that application of compatible laws and procedures promotes better cooperation among chemical substance ***and essential chemical precursor*** exporting and importing countries. It is necessary to strengthen cooperation on cross-border controls of precursors and essential chemicals. For this, it is necessary to have information and statistics on the production, marketing, licit use and diversion and seizure of those substances.

33. The countries of the hemisphere encourage OAS/CICAD to promote cooperation in controlling these substances and increase training for this purpose, including cooperation with

the International Narcotics Control Board and other appropriate international agencies.

34. The countries of the hemisphere recognize the progress made in establishing stricter controls to prevent the movement of money and property derived from illicit activities and to facilitate the forfeiture of assets relating to such activities. In this connection, the countries must take steps to keep criminal organizations from finding mechanisms to legalize the proceeds of crime.

35. To accomplish this objective, the countries commit to carry out effective hemispheric cooperation, ***in the framework of*** both the OAS/CICAD and the Summit of the Americas, taking action compatible with the CICAD Model Regulations, the Buenos Aires Declaration of Principles and Plan of Action, ***the Plan of Action on counter money laundering measures from the twentieth special session of the UN General Assembly***, and any future measures that may be agreed upon on the subject, particularly within the framework of the OAS or the United Nations. ***In this regard, the installation and consolidation of Financial Intelligence Units is essential.***

36. The smuggling of drugs and precursors and essential processing chemicals, particularly through ports and containerized cargo, is one of the fastest-growing problems at the international level. That is why every effort must be made to improve national control agencies and conclude international agreements to prevent these illicit activities. Such efforts include working through the OAS, the United Nations, the World Customs Organization and other international organizations.

37. The countries of the hemisphere recognize that the smuggling of drugs, chemicals, weapons and explosives, and the cross-border movement of illicitly acquired assets by any means or method to avoid detection is a grave problem for our societies.

38. The countries of the hemisphere also recognize that implementation of national programs and effective international cooperation in the area of information exchange, training and the conduct of operations to detect, track and confiscate these illicit shipments are, inter alia, important aspects of a comprehensive strategy to be developed with due respect for the sovereignty and territorial integrity of each country.

39. Strengthening of measures for the control of weapons and explosives is among the priorities of the hemispheric anti-drug strategy. The countries of the hemisphere will undertake efforts to strengthen measures to control and monitor the trade in firearms, ammunition and explosives in order to avoid their diversion. To that end, they will promote communication between countries of origin and countries of destination regarding international transactions.

[New paragraph]

The States in the hemisphere recognize the central importance of the Inter-American Convention Against Illicit Manufacturing of and Trafficking in Firearms, Ammunition,

Explosives, and Other Related Materials (CIFTA) in tackling organized crime related to drug trafficking and agree that the full force and effect of the Convention guarantees the establishment of an effective license and authorization system for the export, import, and international transit of firearms.

40. The countries support the continued need for statistics on smuggled weapons and explosives and for exchange of information regarding seized weapons and explosives in order to facilitate identification and determination of their origin, as well as prosecution of those responsible for their illegal trafficking.

REGIONAL COMMITMENT [New section]

The countries in the region recognize the importance of the Multilateral Evaluation Mechanism (MEM) agreed to by the heads of state and government at the Second Summit of the Americas in 1998 as the sole channel for evaluating the anti-drug efforts of each government, because it is a joint, objective endeavor that respects the sovereignty of each country.

The member states undertake to perform the biennial evaluation of their efforts to fight illicit drug trafficking and related offenses in the framework of the MEM. They also acknowledge the importance of compliance with the recommendations made by the Governmental Experts Group (GEG).

GLOBAL COMMITMENT

41. This anti-drug strategy adopted by the countries of the hemisphere represents a major commitment to address the multi-faceted nature of the drug problem and must be complemented with the efforts of other regions of the world.

42. Finally, the countries of the hemisphere ***recognize the importance of compliance with the commitments undertaken by the States at the twentieth special session of the UN General Assembly devoted to common action to counter the world drug problem, held in 1998, and particularly the provisions of the Plans of Action on demand reduction, the fight against illicit manufacturing, trafficking, and abuse of amphetamines, measures to promote judicial cooperation, measures to fight money laundering and eradicate illicit crops, and promotion of alternative development programs.***