I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

Canada reports that it has an ongoing national drug control strategy, which was approved in 1987. Health Canada is the focal point for the National Drug Control Policy and has the coordinating responsibility among various national entities that have a role in establishing and enforcing the country’s drug control policy. It can be seen that the primary national effort is focused on wider-ranging preventive measures to help young drug users resist the use of narcotics drugs; on effective treatment for drug users; on assisting communities to deal with the effects of drugs and on restricting the availability of drugs. To emphasize the importance that the Government of Canada places on its efforts to fight alcohol and illicit substance abuse, the country has approved in full the budgets proposed by the Central Coordinating Authority, Health Canada, for each Department within the respective areas. The budget allocation for the demand reduction component is US$17,810,000.00. For supply reduction it is US$272,274,000.00 and for control measures it is US$290,380,000.00.

Canada is a party to all relevant international conventions on drugs and has also signed 30 bilateral mutual legal assistance treaties within the framework of those conventions. In addition, Canada has signed 87 extradition treaties and continues to be an active participant and a leading contributor to numerous regional and international fora to promote the improvement of multilateral anti-drug activities. Canada plays an active role in the United Nations with several bodies addressing drug and related crime issues. The country serves as an elected member on the Commission on Narcotic Drugs (CND) of the United Nations International Drug Control Program (UNDCP). Within the CND, Canada is also an active participant in the Heads of National Law Enforcement Agencies (HONLEE), which operates in Asia, Africa, Latin America and the Caribbean, and in Europe. It also collaborates with the United Nations Commission on Crime Prevention and Criminal Justice. Canada also participates in the World Customs Organizations providing coordination with carriers and trade organization, as well as technical assistance and training for member Customs organizations.

Canada is active in the Dublin Group, the Financial Action Task Force (FATF) and its sister organization, the Caribbean FATF, which conducts peer reviews and provides fora for consultation and coordination on Money Laundering issues; the G8 Lyon/Roma Group, which is currently developing measures on combating terrorism, including the links between terrorism and drug trafficking and a number of international fora related to anti-doping in sports; in ASEAN in Asia and CARICOM in the Caribbean. It can be seen that Canada has made a commitment to work multilaterally, regionally and bilaterally on various drug issues. The country makes use of the Uniform Statistical System on Control of the Supply Area (CICDAT), to process information on drug control.

Canada has not yet ratified the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA). As stated in the Progress Report in Drug control of the First Evaluation Round 1999-2000, it is necessary for the country to amend its national legislation in order to meet the obligations of the Convention. Currently, Canada is working actively towards making the legislative and regulatory amendments required for ratification. This process is expected to conclude in 2003. In the interim, Canada fully supports the Convention and the Model Regulations, as these measures support the aims of Canadian domestic firearms legislation. In addition, on May 14, 2002, Canada ratified the United Nations Convention Against Transnational Organized Crime and its Protocol Against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

On March 20, 2002, the country signed the Protocol to the United Nations Convention Against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition.
Canada has the support of public and private sector institutions for the distribution of drug-related information, which is carried out via national publications, web pages, schools, universities and other affiliated entities. National workshops and consultation round tables are used to bring together federal, provincial/territorial and municipal level governments as well as service providers and related Non Governmental Organizations (NGOs).

**RECOMMENDATIONS:**


2. **RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS THEIR PARTS AND COMPONENTS AND AMMUNITION COMPLIMENTARY TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.**

**II. DEMAND REDUCTION**

Canada’s comprehensive national drug control strategy provides the basis from which demand reduction programs are implemented and is focused on the areas of prevention, treatment, social reinsertion and aftercare. Health Canada has responsibility for overall coordination of the drug strategy and the Federal Government provides a specific budget.

During this period of evaluation 2001-2002, Canada has progressed in developing its prevention programs aimed at schools, especially in primary and secondary grades, and with prevention practitioners, especially youth leaders, parents, health and social workers, police officers, prison officers and journalists. It also has programs to assist other populations including women, indigenous and prisoners. Workplace programs cover both the public and the private sectors. The country has also invested in wide-ranging professional specialized training programs and courses in drug abuse prevention, treatment and research and have established “EDUCATE,” a dedicated national database of programs and courses on addiction. The national database can be queried online at www.ccsa.ca.

Canada also advanced by the establishment of Addiction Services Guidelines on the Standard of Care delivered at 1,102 treatment centers located throughout the country. These guidelines ensure that treatment and rehabilitation programs include the critical elements of proper care. The country has such modalities as detection, detoxification services, outreach, social reintegration and aftercare. Counseling for substance abuse issues is often integrated within comprehensive employees assistance programs nationally. It is noteworthy that the Canadian Centre on Substance Abuse (CCSA), which is the leading non-governmental organization on drug issues, operates a database on addiction treatment services in Canada and can be consulted online at www.ccsa.ca. The drug demand reduction activities executed by Canada are clear expressions of a national commitment to confront the drug abuse challenges being presented on all fronts.

Although Canada does not have an evaluation system for treatment and rehabilitation programs and modalities to assess their effectiveness, per se, the current focus of the research agenda centers around the identification of best practices and Health Canada has conducted studies in 2001, such as "Cocaine Use – Recommendations in Treatment and Rehabilitation" and "Treatment and Rehabilitation of Women with Substance Use Problems".
SUMMARY OF RECOMMENDATIONS


2. RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS THEIR PARTS AND COMPONENTS AND AMMUNITION COMPLIMENTARY TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.

3. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO DEVELOP A SYSTEM TO ESTIMATE, MONITOR AND ERADICATE ILLICIT CANNABIS CULTIVATIONS.

4. FINALIZE THE APPROVAL OF A COMPREHENSIVE REGULATORY AND ADMINISTRATIVE FRAMEWORK FOR THE MONITORING AND CONTROL OF CONTROLLED CHEMICAL SUBSTANCES WITHIN THE ESTABLISHED TIMEFRAME.


6. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CONTINUE TO ESTABLISH MECHANISMS THAT ENSURE THAT IMPORTING OR IN-TRANSIT COUNTRIES ISSUE THE NECESSARY LICENSES OR AUTHORIZATIONS FOR RELEASE FOR EXPORT OF FIREARMS, AMMUNITIONS AND OTHER RELATED MATERIALS.

7. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CREATE A MECHANISM TO REGISTER AND/OR DATA BANK TO IDENTIFY THE NUMBER OF INDIVIDUAL’S CHARGES AND CONVICTED FOR CRIMES RELATED TO ILLICIT DRUG TRAFFICKING.

Canada has made progress in conducting the Canadian Community Health Survey (CCHS) which included questions related to alcohol and drug use. The first results of this survey are expected during 2003. Furthermore, the country is carrying out a longitudinal study that will conclude in 2008 from which it expects to have data on trends of drug consumption, prevalence, incidence and age of first use.

There is limited information available on the average age at which individuals start to inject drugs and Canada reports that there has been an increase in the consumption of Methamphetamine and Rave type psychedelic drugs and combinations of MDMA+sildenafil, MDMAA ketamine, Methamphetamine+caffeine. As Canada intensifies its efforts to develop the full picture of the drug situation, it appears that there has been a weakening perception of risk of harm in drug use among the nation’s youth. This perception correlates with increasing rates of use among the youth population. This perception exists despite the country’s initiatives, which are aimed at emphasizing the dangers of drug use especially among younger generations.

The latest Government survey on "Drug Use Among Ontario Students" also indicates that the increasing perceived availability of drugs correlates with increasing rates of use. Between 1997 and 1999, the percentage of students reporting that cannabis was easy to obtain increased from 41% to 52.8%. Increases in perceived availability are especially striking. 29.0% reported easy access to cannabis in 1991, compared to 58.8 in 1999, while 13.6% reported easy access to cocaine in 1991, compared to 20.1% in 1999. [Excerpts from Drug use among Ontario students can be viewed online at www.camb.net/addiction/ont].

No estimates are provided on numbers of death or morbidity associated with drug use. Health Canada indicates that work is in progress to provide estimates, but that there are many technical difficulties to attribute causation to one particular substance or another.

From the reading of documentation sent by Canada, CICAD understands that the country has ample experience in the area of demand reduction. The country has prevention programs targeted to several population groups in keeping with the importance that Canada has always attributed to the drug abuse problem. Additionally there is sufficient capacity in order to offer treatment and rehabilitation to the drug dependent population. Even though Canada does not have studies that make it possible to determine the magnitude of the drug abuse in the general population, the authorities are conducting long-term studies that will provide a clear picture of the problem. Canada did not provide current data with regard to mortality relating to the use of drugs.

III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Canada places a high priority on fighting drug trafficking, but it should also be noted that the country produces a significant amount of cannabis (800 tons). In the First Evaluation Round 1999-2000, it was recommended that Canada develop the capacity to determine the extent of illicit cannabis crops. During 2000, the country embarked on a new program including the Royal Canadian Mounted Police (RCMP), Canadian Military Forces and the Canadian Space Agency to enhance detections and to facilitate a more precise assessment of its production. In spite of the efforts being made by Canada, it is still not possible at this time to develop a complete portrait of cannabis cultivated or to estimate potential production because plants are grown among wheat, corn, and other crops. It is anticipated that with the introduction of the new program the country will be better able to provide estimates on production, extent of crops and new areas of cultivation.
There is also some concern among Canadian authorities that more and more cannabis growers appear to be opting for indoor operations, thereby avoiding detection. In 2000-2001 an amount of 35,389 kg. of cannabis grown indoors was seized. Notwithstanding the difficulties in arriving at accurate figures, the RCMP estimates that the annual production of cannabis amounts to approximately 800 tons. This represents about 50% of the cannabis consumed domestically, as indicated in the First Evaluation Report 1999-2000. The country reports that alternative development programs are not in place, nor are these programs required in Canada, but that the country provides international assistance to some countries for them to develop or implement alternative development programs.

B. Drug Supply and Control of Pharmaceuticals/Chemical Substances

The national entities with the principal responsibility for regulating and preventing the diversion of controlled chemical substances are Health Canada, Canada Customs and Revenue Agency (CCRA), Department of Foreign Affairs and International Trade (DFAIT), Solicitor General and the Royal Canadian Mounted Police (RCMP). Even though the exports of Table 1 and Table 2 chemicals were controlled under the Export and Import Permits Act through 2002, the Canadian government developed a comprehensive regulatory and administrative framework for the monitoring and control of precursor chemicals. The promulgation of these regulations was approved by the Special Committee of Council (SCC) on September 23 and registered on September 24, 2002 and will begin to come into force in January 2003. New regulations will provide controls on the import, export, production and distribution of these chemicals, in compliance with the schedule outlined by the country in the report of the “Implementation of the Recommendations of the First Evaluation Round 2001”.

In Canada there is a mechanism to monitor and regulate the use and distribution of pharmaceutical products. This is a shared Federal and Provincial/Territorial responsibility. Health Canada has been engaged in frequent operations and has applied penal and administrative sanctions against offending parties. In 2000, 1,171 seizures were made and returns to date indicate 615 seizures were made in 2001. In 2000, Canada applied 705 penal sanctions and 13 administrative sanctions. In 2001, the country applied 501 penal and 23 administrative sanctions. The country has methods for the disposal of pharmaceuticals and controlled chemical substances.

Regarding production of synthetic drugs, Canada reports that 15 laboratories were destroyed in 1999, 36 in 2000 and 45 in 2001. The increase in the number of laboratories destroyed over the period demonstrates the ongoing activity of the Government of Canada as well as the continuing challenges facing the country in this area of illicit production.

With respect to controlled chemical substances, Canada reports that it is currently engaged in developing a comprehensive regulatory and administrative framework for the monitoring and control of chemical substances. Canada is not applying the pre-notification mechanism in accordance with article 12 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of Vienna 1988 nor it is complying with the recommendation of the First Evaluation Round 1999-2000.

The information presented by the country shows weakness in its infrastructure, both operational and regulatory, to prevent the diversion of chemical control substances used in the manufacture of illegal drugs. This requires a greater commitment on the part of the government to comply with the recommendations made during in the First Evaluation Round 1999-2000.
Comparative figures for the years 2000 and 2001 indicate Canada’s focus, as well as the gravity of the situation faced by the authorities. In the calendar years 2000 and 2001, the Royal Canadian Mounted Police recovered assets valued at US$24,881,074 vs. US$30,757,102; The RCMP collected revenue valued at US$12,436,091 vs. US$10,666,437 and referred to agencies outside the RCMP assets valued at US$54,658,533 vs. US$493,941 (Note: Numbers for 2001 could increase, as statistics are updated).

The statistics show that in 2000 Canada charged 586 persons for money laundering and there were criminal fines amounting to US$493,931. In 2001, criminal fines of US$1,868,570 and jail sentences of 1,013 months were imposed.

Under the country’s system of voluntary reporting there were 4,614 suspicious transactions reports made to the RCMP. In 2001, the number of reports increased to 6,841. To underscore the seriousness that Canada has attached to this aspect of the anti-drug effort, it also disposed of forfeited property valued at US$12.7 million and US$8.1 million in 2000 and 2001 respectively.

Under money laundering provisions, Canada made two requests for extradition from other states in 2000 and eight requests in 2001. At the same time, nine requests were received by Canada in 2000 and nine in 2001 from other states.

Activities were engaged in during 2000 and 2001 with respect to requests made by the country and to Canada to lift Bank Secrecy in a number of money laundering cases. All requests made to and by Canada have been receiving attention and remain active cases.

RECOMMENDATIONS:

1. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CONTINUE TO ESTABLISH MECHANISMS THAT ENSURE THAT IMPORTING OR IN-TRANSIT COUNTRIES ISSUE THE NECESSARY LICENSES OR AUTHORIZATIONS FOR RELEASE FOR EXPORT OF FIREARMS, AMMUNITIONS AND OTHER RELATED MATERIALS.

2. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CREATE A MECHANISMO REGISTER AND/OR DATA BANK TO IDENTIFY THE NUMBER OF INDIVIDUAL’S CHARGES AND CONVICTED FOR CRIMES RELATED TO ILLICIT DRUG TRAFFICKING.

V. CONCLUSIONS

Canada’s drug control strategy emphasizes drug use prevention and treatment. The country’s comprehensive strategies for attacking the problems of alcohol and drug use within its borders enlist the effective support of the private sector. Canada has demonstrated its commitment to work nationally, bilaterally and multilaterally and is a party to numerous international conventions, which are related to the drug problem. The Government of Canada is constructively engaged with international activities involved in the fight against the demand for drugs.

In the demand reduction area, the country has strengthened its institutional capacity and regulatory framework to address the upward trend in drug consumption by its citizens. There has been an ongoing activity to develop a system to measure the extent of existing domestic illicit cannabis crops and their production potential. However, efforts in this area should be continued.

In 2000, 18,541 persons were charged for illicit drug trafficking and 30,585 for illegal drug possession. Canada convicted 3,636 persons for illicit drug trafficking and 3,532 for drug possession. Available returns for 2001 show, to date, 880 arrests for illicit drug trafficking and 908 for drug possession. Unless expressly authorized by regulation, it is a criminal offense in Canada to possess even small amounts of cannabis.

Canada reports that in accordance with international agreements, there were a number of instances where the country participated in Judicial Cooperation to investigate illicit drug trafficking.
Canada has established provisions defining corruption related offences in its criminal code. The provision precludes any person so convicted from holding public office or other public employment. No information was submitted on the number of public officials convicted for crimes related to drug trafficking. In this regard, the lack of information does not enable CICAD to evaluate Canada’s progress against corruption.

The country reported that drug traffickers appear to have a preference for smuggling their money by themselves, thereby avoiding the use of financial institutions where there are reporting procedures in place. The law enforcement initiatives have shown signs of success in intercepting various contraband, including stolen vehicles, escaped prisoners, illegal aliens and also locating missing children. Thousands of charges have been laid as a result of the new Law Enforcement initiative.

B. Firearms and Ammunition

Canada has established an interagency body to promote operational information exchange and to collaborate among its national authorities, which are responsible for controlling firearms and ammunition. It also reports that joint operations and training have been effected, as have communication networks and systems.

The country does not have a specific law to control the import and export and diversion of firearms, however, they have the "Custom" laws and the Export and Import Permits Act which permits the Governor in Council to establish an Export Control List to prevent the illicit trafficking of firearms and ammunitions. However, the implementation of this specific law to control firearms is still pending.

The Royal Canadian Mounted Police and the Department of Justice, Canadian Firearms Centre and the National Weapons Enforcement Support Team (NWEST) are the entities responsible for the movement of firearms and ammunition and for preventing their diversion. The entities are responsible for granting import, export and in-transit licenses and permits, information exchange among pertinent national entities, revocation of licenses, record keeping and seizure and forfeiture of illicitly trafficked firearms and ammunition.

In 2000, Canada confiscated 918 illegal firearms and in 2001, 878 were confiscated. The quantity confiscated for 2002 is 221 firearms. There are measures in place to ensure the destruction of confiscated firearms to prevent their return to the illicit trade.

The Department of Foreign Affairs and International Trade, Non-Proliferation Arms Control Division (IDA) is the Canadian national point of contact, which is responsible for the exchange of information and for collaboration with similar agencies in other countries regarding the control of firearms and ammunition. Canada has computerized national record-keeping systems that maintains for a period of 7 years a record by date, description and unique identifying marks of firearms and ammunition imported or exported. A study of volume reveals that there were approximately 125,000 firearms exported in 2001.

Canada has not provided data on the number of requests it has made to other states or the number of request made to the country by other states to obtain information in relation to shipments of firearms and ammunition. The lack of information provided by Canada, with regard to the control of firearms and ammunition made the evaluation process difficult.

C. Money Laundering

Canada has made far-reaching legislative and regulatory advances during 2001 to enhance its domestic capability to repress money laundering. The Proceeds of Crime Money Laundering Act and Terrorism Financing Act (PCMLT Act) and companion regulations are designed in such a manner as to oblige reporting entities to facilitate enhancement. It sets out regulatory controls to deter, detect and prevent money laundering in the country. The PCMLT Act creates umbrella offences, as well as internal compliance regimes relating to financial institutions and other professions. Under Canada’s Criminal Code and other Federal Statutes predicate offences are now most indictable offences (some offences are excluded by regulations) and there are comprehensive penalty schemes in place.

It is an offence to possess any property or thing or proceeds of any property or thing knowing that all or part of the property or thing was obtained or derived directly or indirectly from the commission of a designated offence. It is also an offence to use, transfer the possession of, send or deliver to any person or place, transport, transmit, alter, dispose of or otherwise deal with in any manner and by any means any property or proceeds of property with intent to conceal or convert that property, knowing or believing same to be derived from designated offences. The Financial Transactions Reports Analysis Centre of Canada (FINTRAC) is responsible for advising the Act and issues guidelines to reporting entities to assist them in identifying suspicious transactions and in filing reports.

Canada’s mandatory suspicious transactions reporting systems came into effect on November 8, 2001, and Electronic Funds Transfer reporting came into effect in June 12, 2002, which signifies an important progress in legislation. However, large cash transaction and cross-border movement of currency and monetary instruments are still to come into effect.
B. Firearms and Ammunition

Canada has established an interagency body to promote operational information exchange and to collaborate among its national authorities, which are responsible for controlling firearms and ammunition. It also reports that joint operations and training have been effected, as have communication networks and systems. The country does not have a specific law to control the import and export and diversion of firearms, however, they have the "Custom" laws and the Export and Import Permits Act which permits the Governor in Council to establish an Export Control List to prevent the illicit trafficking of firearms and ammunitions. However, the implementation of this specific law to control firearms is still pending.

The Royal Canadian Mounted Police and the Department of Justice, Canadian Firearms Centre and the National Weapons Enforcement Support Team (NWEST) are the entities responsible for the movement of firearms and ammunition and for preventing their diversion. The entities are responsible for granting import, export and in-transit licenses and permits, information exchange among pertinent national entities, revocation of licenses, record keeping and seizure and forfeiture of illicitly trafficked firearms and ammunition.

In 2000, Canada confiscated 918 illegal firearms and in 2001, 878 were confiscated. The quantity confiscated for 2002 is 221 firearms. There are measures in place to ensure the destruction of confiscated firearms to prevent their return to the illicit trade.

The Department of Foreign Affairs and International Trade, Non-Proliferation Arms Control Division (IDA) is the Canadian national point of contact, which is responsible for the exchange of information and collaboration with similar agencies in other countries regarding the control of firearms and ammunition. Canada has computerized national record-keeping systems that maintains for a period of 7 years a record by date, description and unique identifying marks of firearms and ammunition imported or exported. A study of volume reveals that there were approximately 125,000 firearms exported in 2001.

Canada has not provided data on the number of requests it has made to other states or the number of request made to the country by other states to obtain information in relation to shipments of firearms and ammunition. The lack of information provided by Canada, with regard to the control of firearms and ammunition made the evaluation process difficult.

C. Money Laundering

Canada has made far-reaching legislative and regulatory advances during 2001 to enhance its domestic capability to repress money laundering. The Proceeds of Crime Money Laundering Act and Terrorist Financing Act (PCMLT Act) and companion regulations are designed in such a manner as to provide a framework to facilitate enforcement. It sets out regulatory controls to deter, detect and prevent money laundering in the country. The PCMLT Act creates umbrella offences, as well as internal compliance regimes relating to financial institutions and other professions. Under Canada’s Criminal Code and other Federal Statutes predicate offences are now most indictable offences (some offences are excluded by regulations) and there are comprehensive penalty schemes in place.

It is an offence to possess any property or thing or proceeds of any property or thing knowing that all or part of the property or thing was obtained or derived directly or indirectly from the commission of a designated offence. It is also an offence to use, transfer the possession of, send or deliver to any person or place, transport, transmit, alter, dispose of or otherwise deal with in any manner and by any means any property or proceeds of property with intent to conceal or convert that property, knowing or believing same to be derived from designated offences. The Financial Transactions Reports Analysis Centre of Canada (FINTRAC) is responsible for administering the Act and issues guidelines to reporting entities to assist them in identifying suspicious transactions and in filing reports.

Canada’s mandatory suspicious transactions reporting systems came into effect on November 8, 2001, and Electronic Funds Transfer reporting came into effect in June 12, 2002, which signifies an important progress in legislation. However, large cash transaction and cross-border movement of currency and monetary instruments are still to come into effect.
Comparative figures for the years 2000 and 2001 indicate Canada’s focus, as well as the gravity of the situation faced by the authorities. In the calendar years 2000 and 2001, the Royal Canadian Mounted Police recovered assets valued at US$24,881,074 vs. US$30,757,102; The RCMP collected revenue valued at US$12,436,091 vs. US$10,666,437 and referred to agencies outside the RCMP assets valued at US$54,658,533 vs. US$493,941 (Note: Numbers for 2001 could increase, as statistics are updated).

The statistics show that in 2000 Canada charged 586 persons for money laundering and there were criminal fines amounting to US$493,931. In 2001, criminal fines of US$1,868,570 and jail sentences of 1,013 months were imposed.

Under the country’s system of voluntary reporting there were 4,614 suspicious transactions reports made to the RCMP. In 2001, the number of reports increased to 6,841. To underscore the seriousness that Canada has attached to this aspect of the anti-drug effort, it also disposed of forfeited property valued at US$12.7 million and US$8.1 million in 2000 and 2001 respectively.

RECOMMENDATIONS:

1. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CONTINUE TO ESTABLISH MECHANISMS THAT ENSURE THAT IMPORTING OR IN-TRANSIT COUNTRIES ISSUE THE NECESSARY LICENSES OR AUTHORIZATIONS FOR RELEASE FOR EXPORT OF FIREARMS, AMMUNITIONS AND OTHER RELATED MATERIALS.

2. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CREATE A MECHANISMO REGISTER AND/OR DATA BANK TO IDENTIFY THE NUMBER OF INDIVIDUAL’S CHARGES AND CONVICTED FOR CRIMES RELATED TO ILLICIT DRUG TRAFFICKING.

V. CONCLUSIONS

In the demand reduction area, the country has strengthened its institutional capacity and regulatory framework to address the upward trend in drug consumption by its citizens. There has been an ongoing activity to develop a system to measure the extent of existing domestic illicit cannabis crops and their production potential. However, efforts in this area should be continued.

In 2000, 18,541 persons were charged for illicit drug trafficking and 30,585 for illegal drug possession. Canada convicted 3,636 persons for illicit drug trafficking and 3,532 for drug possession. Available returns for 2001 show, to date, 880 arrests for illicit drug trafficking and 908 for drug possession. Unless expressly authorized by regulation, it is a criminal offense in Canada to possess even small amounts of cannabis.

Canada reports that in accordance with international agreements, there were a number of instances where the country participated in Judicial Cooperation to investigate illicit drug trafficking.
There is also some concern among Canadian authorities that more and more cannabis growers appear to be opting for indoor operations, thereby avoiding detection. In 2000-2001 an amount of 35,389 kg. of cannabis grown indoors was seized. Notwithstanding the difficulties in arriving at accurate figures, the RCMP estimates that the annual production of cannabis amounts to approximately 800 tons. This represents about 50% of the cannabis consumed domestically, as indicated in the First Evaluation Report 1999-2000. The country reports that alternative development programs are not in place, nor are these programs required in Canada, but that the country provides international assistance to some countries for them to develop or implement alternative development programs.

B. Drug Supply and Control of Pharmaceuticals/Chemical Substances

The national entities with the principal responsibility for regulating and preventing the diversion of controlled chemical substances are Health Canada, Canada Customs and Revenue Agency (CCRA), Department of Foreign Affairs and International Trade (DFAIT), Solicitor General and the Royal Canadian Mounted Police (RCMP). Even though the exports of Table 1 and Table 2 chemicals were controlled under the Export and Import Permits Act through 2002, the Canadian government developed a comprehensive regulatory and administrative framework for the monitoring and control of precursor chemicals. The promulgation of these regulations was approved by the Special Committee of Council (SCC) on September 23 and registered on September 24, 2002 and will begin to come into force in January 2003. New regulations will provide controls on the import, export, production and distribution of these chemicals, in compliance with the schedule outlined by the country in the report of the “Implementation of the Recommendations of the First Evaluation Round 2001”.

In Canada there is a mechanism to monitor and regulate the use and distribution of pharmaceutical products. This is a shared Federal and Provincial/Territorial responsibility. Health Canada has been engaged in frequent operations and has applied penal and administrative sanctions against offending parties. In 2000, 1,171 seizures were made and returns to date indicate 615 seizures were made in 2001. In 2000, Canada applied 705 penal sanctions and 13 administrative sanctions. In 2001, the country applied 501 penal and 23 administrative sanctions. The country has methods for the disposal of pharmaceuticals and controlled chemical substances.

Regarding production of synthetic drugs, Canada reports that 15 laboratories were destroyed in 1999, 36 in 2000 and 45 in 2001. The increase in the number of laboratories destroyed over the period demonstrates the ongoing activity of the Government of Canada as well as the continuing challenges facing the country in this area of illicit production.

With respect to controlled chemical substances, Canada reports that it is currently engaged in developing a comprehensive regulatory and administrative framework for the monitoring and control of chemical substances. Canada is not applying the pre-notification mechanism in accordance with article 12 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of Vienna 1988 nor it is complying with the recommendation of the First Evaluation Round 1999-2000.

The information presented by the country shows weakness in its infrastructure, both operational and regulatory, to prevent the diversion of chemical control substances used in the manufacture of illegal drugs. This requires a greater commitment on the part of the government to comply with the recommendations made during in the First Evaluation Round 1999-2000.

While it has shown a clear desire to make necessary changes, Canada has not yet ratified the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and other Related Materials (CIFTA) or the protocol relating to firearms in the UN Convention Against Transnational Organized Crimes. As a nation that produces firearms, it is imperative that Canada ratify the Conventions.

Canada must pay particular attention to its need to comply with article 12 of the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of Vienna 1988 relating to pre-export notification of controlled chemical substances to prevent the possibility of diversion.

CICAD values the efforts of Canada in supporting the MEM, but is greatly concerned that the country has not, within the established deadline, provided answers to the entire questionnaire in this evaluation round 2001-2002. This lack of information has made it difficult to effectively assess the country’s situation with regard to progress made in drug control. Also, CICAD is concerned that Canada does not yet have the provisions in place to:

1. Monitor and control diversion of control chemical substances.
2. Provide for the pre-export notifications to prevent diversion of control chemical substances.
3. Prevent the diversion of firearms and ammunition.
SUMMARY OF RECOMMENDATIONS


2. RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS THEIR PARTS AND COMPONENTS AND AMMUNITION COMPLIMENTARY TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.

3. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO DEVELOP A SYSTEM TO ESTIMATE, MONITOR AND ERADICATE ILICIT CANNABIS CULTIVATIONS.

4. FINALIZE THE APPROVAL OF A COMPREHENSIVE REGULATORY AND ADMINISTRATIVE FRAMEWORK FOR THE MONITORING AND CONTROL OF CONTROLLED CHEMICAL SUBSTANCES WITHIN THE ESTABLISHED TIMEFRAME.


6. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CONTINUE TO ESTABLISH MECHANISMS THAT ENSURE THAT IMPORTING OR IN-TRANSIT COUNTRIES ISSUE THE NECESSARY LICENSES OR AUTHORIZATIONS FOR RELEASE FOR EXPORT OF FIREARMS, AMMUNITIONS AND OTHER RELATED MATERIALS.

7. REITERATE THE RECOMMENDATION FROM THE FIRST EVALUATION ROUND 1999-2000 TO CREATE A MECHANISM TO REGISTER AND/OR DATA BANK TO IDENTIFY THE NUMBER OF INDIVIDUAL'S CHARGES AND CONVICTED FOR CRIMES RELATED TO ILLICIT DRUG TRAFFICKING.

Canada has made progress in conducting the Canadian Community Health Survey (CCHS) which included questions related to alcohol and drug use. The first results of this survey are expected during 2003. Furthermore, the country is carrying out a longitudinal study that will conclude in 2008 from which it expects to have data on trends of drug consumption, prevalence, incidence and age of first use.

There is limited information available on the average age at which individuals start to inject drugs and Canada reports that there has been an increase in the consumption of Methamphetamine and Rave type psychedelic drugs and combinations of MDMA+sildenafil, MDMAA ketamine, Methamphetamine+caffeine.

As Canada intensifies its efforts to develop the full picture of the drug situation, it appears that there has been a weakening perception of risk of harm in drug use among the nation’s youth. This perception correlates with increasing rates of use among the youth population. This perception exists despite the country’s initiatives, which are aimed at emphasizing the dangers of drug use especially among younger generations.

The latest Government survey on "Drug Use Among Ontario Students" also indicates that the increasing perceived availability of drugs correlates with increasing rates of use. Between 1997 and 1999, the percentage of students reporting that cannabis was easy to obtain increased from 41% to 52.8%. Increases in perceived availability are especially striking: 29.0% reported easy access to cannabis in 1991, compared to 58.8 in 1999, while 13.6% reported easy access to cocaine in 1991, compared to 20.1% in 1999. [Excerpts from Drug use among Ontario students can be viewed online at www.camb.net/addiction/ont].

No estimates are provided on numbers of death or morbidity associated with drug use. Health Canada indicates that work is in progress to provide estimates, but that there are many technical difficulties to attribute causation to one particular substance or another.

From the reading of documentation sent by Canada, CICAD understands that the country has ample experience in the area of demand reduction. The country has prevention programs targeted to several population groups in keeping with the importance that Canada has always attributed to the drug abuse problem. Additionally there is sufficient capacity in order to offer treatment and rehabilitation to the drug dependent population. Even though Canada does not have studies that make it possible to determine the magnitude of the drug abuse in the general population, the authorities are conducting long-term studies that will provide a clear picture of the problem. Canada did not provide current data with regard to mortality relating to the use of drugs.

III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Canada places a high priority on fighting drug trafficking, but it should also be noted that the country produces a significant amount of cannabis (800 tons). In the First Evaluation Round 1999-2000, it was recommended that Canada develop the capacity to determine the extent of illicit cannabis crops. During 2000, the country embarked on a new program including the Royal Canadian Mounted Police (RCMP), Canadian Military Forces and the Canadian Space Agency to enhance detections and to facilitate a more precise assessment of its production. In spite of the efforts being made by Canada, it is still not possible at this time to develop a complete portrait of cannabis cultivated or to estimate potential production because plants are grown among wheat, corn, and other crops. It is anticipated that with the introduction of the new program the country will be better able to provide estimates on production, extent of crops and new areas of cultivation.
Canada has the support of public and private sector institutions for the distribution of drug-related information, which is carried out via national publications, web pages, schools, universities and other affiliated entities. National workshops and consultation round tables are used to bring together federal, provincial/territorial and municipal level governments as well as service providers and related Non Governmental Organizations (NGOs).

RECOMMENDATIONS:


2. RATIFY THE PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS THEIR PARTS AND COMPONENTS AND AMMUNITION COMPLIMENTARY TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME.

II. DEMAND REDUCTION

Canada’s comprehensive national drug control strategy provides the basis from which demand reduction programs are implemented and is focused on the areas of prevention, treatment, social reinsertion and aftercare. Health Canada has responsibility for overall coordination of the drug strategy and the Federal Government provides a specific budget.

During this period of evaluation 2001-2002, Canada has progressed in developing its prevention programs aimed at schools, especially in primary and secondary grades, and with prevention practitioners, especially youth leaders, parents, health and social workers, police officers, prison officers and journalists. It also has programs to assist other populations including women, indigenous and prisoners. Workplace programs cover both the public and the private sectors. The country has also invested in wide-ranging professional specialized training programs and courses in drug abuse prevention, treatment and research and have established “EDUCATE,” a dedicated national database of programs and courses on addiction. The national database can be queried online at www.ccsa.ca.

Canada also advanced by the establishment of Addiction Services Guidelines on the Standard of Care delivered at 1,102 treatment centers located throughout the country. These guidelines ensure that treatment and rehabilitation programs include the critical elements of proper care. The country has such modalities as detection, detoxification services, outreach, social reintegration and aftercare. Counseling for substance abuse issues is often integrated within comprehensive employees assistance programs nationally. It is noteworthy that the Canadian Centre on Substance Abuse (CCSA), which is the leading non-governmental organization on drug issues, operates a database on addiction treatment services in Canada and can be consulted online at www.ccsa.ca. The drug demand reduction activities executed by Canada are clear expressions of a national commitment to confront the drug abuse challenges being presented on all fronts.

Although Canada does not have an evaluation system for treatment and rehabilitation programs and modalities to assess their effectiveness, per se, the current focus of the research agenda centers around the identification of best practices and Health Canada has conducted studies in 2001, such as "Cocaine Use – Recommendations in Treatment and Rehabilitation" and "Treatment and Rehabilitation of Women with Substance Use Problems".
I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

Canada reports that it has an ongoing national drug control strategy, which was approved in 1987. Health Canada is the focal point for the National Drug Control Policy and has the coordinating responsibility among various national entities that have a role in establishing and enforcing the country’s drug control policy. It can be seen that the primary national effort is focused on wide-ranging preventive measures to help young drug users resist the use of narcotics drugs; on effective treatment for drug users; on assisting communities to deal with the effects of drugs and on restricting the availability of drugs. To emphasize the importance that the Government of Canada places on its efforts to fight alcohol and illicit substance abuse, the country has approved in full the budgets proposed by the Central Coordinating Authority, Health Canada, for each Department within the respective areas. The budget allocation for the demand reduction component is US$17,810,000.00. For supply reduction it is US$272,274,000.00 and for control measures it is US$290,380,000.00.

Canada is a party to all relevant international conventions on drugs and has also signed 30 bilateral mutual legal assistance treaties within the framework of those conventions. In addition, Canada has signed 87 extradition treaties and continues to be an active participant and a leading contributor to numerous regional and international fora to promote the improvement of multilateral anti-drug activities. Canada plays an active role in the United Nations with several bodies addressing drug and related crime issues. The country serves as an elected member on the Commission on Narcotic Drugs (CND) of the United Nations International Drug Control Program (UNDCP). Within the CND, Canada is also an active participant in the Heads of National Law Enforcement Agencies (HONLEA), which operates in Asia, Africa, Latin America and the Caribbean, and in Europe. It also collaborates with the United Nations Commission on Crime Prevention and Criminal Justice. Canada also participates in the World Customs Organizations providing coordination with carriers and trade organization, as well as technical assistance and training for member Customs organizations.

Canada is active in the Dublin Group, the Financial Action Task Force (FATF) and its sister organization, the Caribbean FATF, which conducts peer reviews and provides fora for consultation and coordination on Money Laundering issues; the G8 Lyon/Roma Group, which is currently developing measures on combating terrorism, including the links between terrorism and drug trafficking and a number of international fora related to anti-doping in sports; in ASEAN in Asia and CARICOM in the Caribbean. It can be seen that Canada has made a commitment to work multilaterally, regionally and bilaterally on various drug issues. The country makes use of the Uniform Statistical System on Control of the Supply Area (CICDAT), to process information on drug control.

Canada has not yet ratified the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA). As stated in the Progress Report in Drug control of the First Evaluation Round 1999-2000, it is necessary for the country to amend its national legislation in order to meet the obligations of the Convention. Currently, Canada is working actively towards making the legislative and regulatory amendments required for ratification. This process is expected to conclude in 2003. In the interim, Canada fully supports the Convention and the Model Regulations, as these measures support the aims of Canadian domestic firearms legislation. In addition, on May 14, 2002, Canada ratified the United Nations Convention Against Transnational Organized Crime and its Protocol Against the Smuggling of Migrants by Land, Sea and Air and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

On March 20, 2002, the country signed the Protocol to the United Nations Convention Against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and ammunition.