I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

Panama reports a number of developments in its anti-drug policy efforts. After developing and implementing its National Strategy and Plan of Action 1996-2001, Panama approved the National Strategy on Drugs 2002-2007. The table below presents the budget allocations for the different agencies involved in drug issues; it is very similar to the 2001 budget.

<table>
<thead>
<tr>
<th>GOVERNMENT BUDGET ITEMS</th>
<th>YEAR 2002 ALLOCATED TO THE DIFFERENT AGENCIES INVOLVED IN DRUG ISSUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Agency</td>
<td></td>
</tr>
<tr>
<td>Public Ministry</td>
<td>CONAPRED. National Drug Commission $138,392.00</td>
</tr>
<tr>
<td>Technical Judicial Police</td>
<td>Public Prosecutor Offices related to Drugs $1,125,960.00</td>
</tr>
<tr>
<td>Ministry of Interior and Justice</td>
<td>National Air Service $4,086,000.00</td>
</tr>
<tr>
<td>Legislative Assembly</td>
<td>Drug Commission of the Legislative Assembly $177,000.00</td>
</tr>
<tr>
<td>University of Panama</td>
<td>Department of Criminology $108,915.00</td>
</tr>
<tr>
<td>Ministry of Education</td>
<td>Integral Prevention Office $55,000.00</td>
</tr>
<tr>
<td>Ministry of Economy and Finances</td>
<td>General Customs Office $59,915.00</td>
</tr>
<tr>
<td>Other Funding Sources</td>
<td></td>
</tr>
<tr>
<td>CONAPRED has a fund from</td>
<td></td>
</tr>
<tr>
<td>Income-sale of seized assets</td>
<td></td>
</tr>
<tr>
<td>To date funds have been devoted to:</td>
<td></td>
</tr>
<tr>
<td>Projects funded by CONAPRED</td>
<td></td>
</tr>
</tbody>
</table>

The National Council for the Study and Prevention of Drug-Related Offenses (CONAPRED) continues to serve as the central authority for coordination of demand reduction and supply reduction activities, in close collaboration with different provincial entities.


Domestic laws supplementing these international conventions have also been enacted, including one making domestic law compatible with the Inter-American Convention against Corruption (Law No. 39 of July 20, 2001). At the same time, Panama reports that it has a follow-up mechanism in place to assess effective application of the mandates established in the international conventions. As regards the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic
Substances, Vienna, 1988, the Panamanian Ministry of Foreign Affairs reports that it has worked collaboratively with a number of countries, including Argentina, Chile, Cuba, Mexico, Peru, Spain, United States and Uruguay.

Panama’s centralized office responsible for organizing, compiling and coordinating drug-related statistics is CONAPRED, through the Panamanian Observatory on Drugs. The country reports that it uses the Inter-American Uniform Drug Use Data System (SIDUC) and the Uniform Statistical System on Control of the Supply Area (CICDAT), both systems from the Inter-American Drug Abuse Control Commission (CICAD). Moreover, data on anti-drug activities are supplied regularly to the International Narcotics Control Board (INCB) and the United Nations Drug Control Programme (UNDCP) annual reports questionnaire. The data in these reports are published in Panama in CONAPRED’s annual report.

At the same time, the country reports that, although it lacks a formal mechanism to analyze drug-related statistics, in addition to the establishment of a technical group to develop an effective and streamlined information gathering system for drug-related statistics, an advisory group was formed, comprising data processing and analysis experts. CONAPRED is also designing a work plan with objectives, strategies and goals for the development of the data analysis mechanism.

The country uses a variety of means for public distribution of materials on the illicit drug problem. These include Web pages and distribution of materials to schools, libraries and the media. Panama’s CONAPRED reports that it receives approximately 300 requests annually from different sectors (nongovernmental organizations, government agencies, international entities and private individuals) for information on drug-related matters.

RECOMMENDATION:

1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR AND AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

II. DEMAND REDUCTION

Panama reports that in March 2002, it adopted a new National Demand Reduction Strategy in conjunction with its National Strategy on Drugs 2002-2007. The plan, which includes prevention and treatment, incorporates United Nations demand reduction guidelines. According to CONAPRED, funds for demand reduction programs currently come from the seizure of assets, property or cash proceeds from illicit drug trafficking and related offenses and from budget allocations to government agencies. Apart from this, nongovernmental organizations develop demand reduction programs out of their own budgets or with funds from international entities. The National Strategy on Drugs 2002-2007 provides for funds earmarked for demand reduction.

Demand reduction projects in Panama target specific populations ranging from pre-school to university students, women, indigenous populations, the workplace and prisoners. Apart from government agencies, nongovernmental organizations are involved in demand reduction activities targeting these sectors. Many of these organizations are working on integral prevention of drug abuse and addictions treatment. In addition, the Catholic Church initiated drug abuse prevention programs in 1997.

According to CONAPRED, updated and training courses in the workplace in drug abuse prevention and treatment are offered to professionals through annual seminars and two universities offer courses
SUMMARY OF RECOMMENDATIONS

1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR AND AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

2. IMPLEMENT PROGRAMS OR ACTIVITIES UNDER THE 2002-2007 PLAN TO OBTAIN SPECIFIC DATA ON THE GENERAL POPULATION TO DETERMINE DRUG USE TRENDS IN PANAMA.

3. STRENGTHEN THE EXISTING TREATMENT SERVICES SO AS TO EXPAND THEIR CAPACITY TO RESPOND TO THE TOTALITY OF THE DEMAND SERVICES.

4. IMPLEMENT THE COLON PROVINCE FREE ZONE PROJECT TO ESTABLISH SPECIFIC PRE-EXPORT CONTROL MECHANISMS FOR CONTROLLED CHEMICAL SUBSTANCES.

5. DEVELOP A MARKET STUDY TO IDENTIFY EXACTLY WHICH BUSINESSES REQUIRE CHEMICAL SUBSTANCES, THEIR PURPOSE AND AVERAGE AMOUNT OF SUCH INPUTS NEEDED.

6. STRENGTHEN CONTROL MECHANISMS TO OBTAIN BETTER DATA ON ARRESTS AND CONVICTIONS OF PERSONS IN CONNECTION WITH ILLICIT DRUG TRAFFICKING, MONEY LAUNDERING, FIREARMS AND THE DIVERSION OF PHARMACEUTICALS AND CONTROLLED CHEMICAL SUBSTANCES.

7. REPORT ON PROGRESS ACHIEVED WITH THE "FIREARMS DATA COLLECTION GROUP" PROJECT.

8. ESTABLISH A FORMAL MECHANISM TO PROMOTE OR FACILITATE THE OPERATIVE EXCHANGE OF INFORMATION AND THE COLLABORATION AMONG AUTHORITIES IN CHARGE OF THE CONTROL OF ILLICIT TRAFFICKING OF DRUGS.

III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Panama reports that the topic on crops is not a big problem, since it has not been reflected in a big percentage. In the data provided by the country during 2001, the total area of illicit crops was of 23 has. They were all eradicated manually. The potential capacity of raw materials is 79,752...
Panama has taken measures in the last two years to control the displacement of firearms. These have led to the seizure of firearms and related illegal substances.

C. Money Laundering

Comprehensive legislation and regulations are in effect in Panama to suppress and prevent money laundering related to a variety of crimes (illicit trafficking of firearms, trafficking of human beings, kidnapping, extortion, corruption, terrorism, fraud, embezzlement, theft or international trafficking of firearms). Comprehensive money laundering associated with illicit drug trafficking. Still fines of up to US$ 1,000,000 can be levied against banks, insurance companies, currency exchange agencies, stocks exchange, insurances, casinos, real estate, lawyers, fiduciary and financial institutions, savings and loans, credit unions, businesses established in the Colon free zone, other free zones and the National Lottery agency, among others, all institutions found to be engaged in such activity. At the same time, Panamanian records show only 5 arrests for money laundering in 2001 and one conviction for this offense.

It should be noted that under Panamanian law money laundering is an autonomous offense. This rule involves key verbs as well as precedent offenses.

Moreover, Panamanian law provides for the reversal of the burden of proof in such cases of drug trafficking, which has made it possible to confiscate assets, property and cash. These are placed at the disposal of the National Drug Commission CONAPRED which has funded demand and supply reduction projects in the amount of US$1,146,870. CONAPRED currently manages a fund of US$ 584,922.

In addition, the country reports an increase in reports of suspicious transactions, from 192 in 2000 to 711 in 2001. Moreover, in 2001, fines of nearly US $300,000 were imposed in 8 separate cases of sanctions of financial institutions. Similarly, there was a leap in the number of financial documents supplied by banks to law enforcement investigators, from 250 documents in 2000 to 800 documents in 2001.

Regulations enacted in 2000 provide for forfeiture of property in money laundering cases. In 2002, there was one conviction for money laundering in connection with illicit drug trafficking and international assistance was obtained for the seizure of proceeds of a value of approximately US$ 18,000,000. In 2001, two cases are under way involving seized proceeds (particularly money) and, in 2002, one case of the laundering of proceeds of corruption is being prosecuted, with seized proceeds of a value of US $6,000,000. In total, in the 2000-2002 period, some US $ 28,000,000 in proceeds, such as real estate, jewelry, vehicles and cash, have been seized. Panama’s Financial Analysis Unit (FIU) conducted 219 financial investigations in 2001, as compared with only 32 in 2000. Of the 219 cases investigated by the FIU, 104 were subject to preliminary investigation by the Specialized Prosecutor for Drug-Related Offenses, although in only one case was there sufficient evidence to bring criminal charges.

As regards requests for bank documents from other countries, records from 2000 and 2001 show that the number of requests and positive replies appears to be climbing steadily. Panama also reports that in 2001, 22 judges and prosecutors received specialized training on the handling of money laundering cases.

RECOMMENDATIONS:

1. IMPLEMENT THE COLON PROVINCE FREE ZONE PROJECT TO ESTABLISH SPECIFIC PRE-EXPORT CONTROL MECHANISMS FOR CONTROLLED CHEMICAL SUBSTANCES.

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IV. CONTROL MEASURES

A. Illicit Drug Trafficking

Panama states that in reference to the promotion and facilitation of operative information exchange and collaboration among the authorities responsible for the control of illicit drug trafficking, it does have an informal coordination, understood as a type of coordination that does not require bureaucratic mechanisms and is therefore more fluid and expeditious.

As an important country for the transshipment of illegal drugs destined for other user countries, Panama reports a range of data for 2000-2002, on enforcement of anti-drug law by authorities, including the National Police, the Technical Judicial Police and the Special Prosecutors for Drugs (Office of General Counsel, Office of the National Maritime Offenses, the National Maritime Service and the National Air Service. As regards cocaine seizures, the amount seized in 2001 as compared to 2000 was substantially less: 2,636 kg. as compared to 7,395 kg. However, seizures of ecstasy pills increased from 2,256 pills in the year 2000 to 22,166 in the year 2001. As of May 2002, there were 2,568 kg. of cocaine; 1,841 kg. of marijuana; 101 kg of heroin and 934 ecstasy pills had been seized.

Panama reported that 689 people were arrested for illicit drug trafficking in 2001, as compared to 859 people in 2000. In the 2000-2001 period, 975 persons and 892 persons were arrested respectively for illicit drug possession. In 2000, 32 % of the persons charged for illicit drug trafficking were convicted (59%), while only 27 % of those prosecuted in 2001 were convicted (42%). In 2000 and 2001, under 20 % of persons charged were convicted of illicit drug possession.

Panama indicates that application of anti-narcotics law among agencies depends on “personal contacts” and knowing one’s colleagues so as to promote trust and prevent duplication of effort. In 2000, Panama made 24 judicial cooperation requests, receiving 10 replies and in 2001, it made 56 requests and received three replies. However, in the years 2000 - 2001, the country reports that it received 28 requests for judicial cooperation and responded to 27, while in 2001, it received 41 such requests and responded to 32.

Panama has numerous laws defining acts of corruption in keeping with the Inter-American Convention against Corruption. In that connection, prosecutions are under way involving government officials involved in drug-related crimes: in 2000, 8 immigration officials were prosecuted for facilitating the transit of drugs via “mules” (persons transporting drugs in their stomachs), 3 of which were convicted. In 2001, one national police officer was convicted for allowing drugs into detention centers and 2 Ministry of Health officials, one of them on assignment to the Inter-American Development Bank (IDB) were convicted for trafficking in ecstasy. That same year, 9 officials of the Civil Aeronautics Office were prosecuted for the offense of international drug trafficking. In 2002, 4 different legal proceedings were opened against public officials serving as National Police officers.
Another activity to counteract the phenomenon of displacement of criminal trends toward our country is the implementation of the Plan called "Panamá Seguro 2001-2006," carried out by the Technical Judicial Police. This is a strategic plan for the exchange of intelligence with other government security agencies and foreign police agencies. A special office was activated to establish in our country a "Latina Network" linking countries such as Brazil, Ecuador, Colombia, Peru and Venezuela. Covert agents also have been deployed to border areas to conduct intelligence gathering activities.

Increased displacement of persons has been observed along the border with Colombia. In response, an office staffed by trained Technical Police personnel was opened in the city of La Palma, on the Colombian border, to conduct local monitoring and intelligence operations in conjunction with other Public Security agencies. Its aim is to prevent incursions of armed groups into our territory, which would lead to increased violence, abductions and other types of criminal activity.

B. Firearms and Ammunition

In Panama, prevention of the illegal movement, criminalization of possession and seizures of firearms, ammunition and explosives are codified in a number of laws enacted between 1995 and 1999 are under the jurisdiction of various public security agencies such as the Ministry of the Government and Justice, the Technical Judicial Police, the General Customs Office and the Governor Office, which conduct joint operations.

Regarding arrests for weapons-related offenses, 206 people were arrested in 2000; 154 people were arrested in 2001 and, as of May, 2002, 66 people had been arrested. As of August, 2002, 87 people had been convicted. The country reports that 1,001 firearms were confiscated in 2000, 1,704 in 2001 and 1,061 firearms had been confiscated as of August 3, 2002.

With regards to confiscation of explosives and ammunition, 191,277 rounds of ammunition and 4,142 pounds of explosives were seized in 2000. In 2001, the seizure of 7,388 rounds of ammunition and 85 pounds of TNT was reported. As of July 2002, 838 rounds of ammunition had been confiscated. Moreover, Panama reports that through joint actions it has been able to determine the routes used for moving firearms and drugs. This has led to seizures, arrests and the dismantling of criminal organizations involved in such illegal activities. In July 2002, the Republic of Panama sent a request to Nicaragua for Legal Assistance related to arms movements.

Regarding the diversion of firearms and ammunition, Panama reports that in 2001, the National Commission for the Study and Prevention of Drug-related Offenses (CONAPRED) authorized US$ 48,209 to sponsor a Project for Network Interconnection of the Police Investigations and Information Office (Anti-drug Section) of the National Police. Its purpose is to develop a computerized system for record-keeping and consultation in investigations linked to drug trafficking and related crimes, including a registry of activities related to firearms trafficking. In 2002, equipment has been purchased for implementation of this project. In addition, this database will be reinforced by the project entitled "Firearm Data Collection Group," which will link a broad range of national entities to work together to combat the diversion of firearms. This project is included in the National Drug Strategy 2002-2007.

Panama reports that due to the high volume of people in transit and entry and exit of merchandise; the large volume of trade, labor and tourism; the loss of values among youth; the lack of resources in some population sectors; the geographic population distribution; the currency; the Colon Province free zone and its status as a banking center, it has identified new trends in trafficking/routes, drug abuse, illicit crops, controlled chemical substances, illicit drug seizures, seizures of firearms and ammunition and money laundering. It likewise has identified drugs for firearms swap operations and changes in routes or modus operandi (ingestion of drug capsules to convey them to other markets).
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With respect to illicit possession of firearms (no permit to bear arms) the country reports that approximately 443 firearms were confiscated during 2000, 400 in 2001 and 304 as of July 2002. The sanctions imposed by these entities are penal and administrative and range from arrest to fines.

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marijuana plants. In 2001, there were 36,950 inside grown marijuana plants seized. The country states that it has not detected any illegal drug laboratories since 2000.

B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances

Panama reports that Law N°1 of January 10, 2001, assigns administrative control and oversight of the import, export, distribution and sale of precursor chemicals for pharmaceutical use to the National Directorate of Pharmacies and Drugs, Ministry of Health. In addition, Law N°13 of July 27, 1994 criminalizes the diversion of chemical precursors or essential chemical substances and assigned responsibility for the control of the import, export, transport and disposal of such substances to the Office of the Attorney General, through the Technical Judicial Police, the General Customs Office and the Ministry of Health. Panama’s Penal Code also provides for penal, civil and administrative sanctions for the diversion of pharmaceutical and controlled chemical substances in keeping with international conventions. In addition, Law N°1 abovementioned, provides for administrative and civil sanctions in such cases.

Based on the foregoing, Panama has begun to implement an “Interagency Committee for Chemical Substance Control (CCQ)” project, which enables the respective controls of the import and export of chemical substances to be effected in a comprehensive manner. The country reports only 4 cases where administrative sanctions were imposed in 2001 and that in 2000, 2 convictions were obtained for the diversion of chemicals including, significantly, the judgments issued by the Third Criminal Court and the Second Superior Court of Justice convicting 5 people for the diversion of acetic anhydride and potassium permanganate respectively.

In addition, the 2002-2007 National Strategy includes projects and actions to strengthen controls of chemicals and provides for the application of sanctions against companies handling chemical substances that fail to comply with existing regulations. Panama also reports that, to this end, a market survey will have to be conducted of companies using such chemicals so as to ensure that the amounts they import do not exceed their needs. The country also reports that work has begun on a database enabling systems to control precursors, narcotics and psychotropic substances to be strengthened.

Panama reports that in the past three years, no pre-export notifications for controlled chemical substances were issued because the country does not export chemicals. However, on August 21, 2002 the company INCAP of Panama S.A. exported chemicals for the first time, to the Republic of Colombia and the Colombian authorities were informed of this export through the CCQ. However, under the aegis of the CCQ, the Colon Province Free Zone was designated a focal point to implement controls of the import and export of precursor chemicals and controlled chemical substances to prevent their diversion, that is, to serve as the country’s pre-export control mechanism. Panama plans to implement its pre-export control program as part of the 2002-2007 National Drugs Strategy, but reiterates that the main obstacles to its implementation are the lack and limited human resources, the lack of tools and equipment and above all the lack of proper regulations governing administrative sanctions.

With respect to receipt of pre-import notifications, Panama reports that, in 2002, it has responded in a timely fashion to every notification in every instance; 60 preexport notifications were answered by their entirety in 2001 and 6 preexport notifications were answered in their entirety in 2002. About half of these notifications were investigated to determine their legitimacy, in 2002.

Regarding the percentage of cases of companies inspected, all were in compliance with the existing regulations. However, it was found that some companies had failed to request authorization to import the product; a number of companies were found to be in this situation (about 30). This situation did not reach the point of illegality as the product had not yet entered the national territory. Following the inspection, these companies complied with the requirements to obtain the

RECOMMENDATIONS:

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V. CONCLUSIONS

CICAD views with satisfaction the fact that Panama, after developing and implementing its Strategy and Plan of Action 1996-2001, on March 5, 2002, approved the National Drugs Strategy for the period 2002-2007. However, although the Strategy includes the demand reduction and supply reduction areas, among others, it does not provide for program evaluation. Accordingly, we encourage Panama to conduct, insofar as its resources permit, evaluations of prevention, treatment and rehabilitation programs so as to determine their effectiveness. CICAD also hopes that, as part of the implementation of the National Strategy, plans may be implemented to obtain specific data on the general population to determine drug use trends in Panama and the consequences thereof (morbidity and mortality).

To be noted is the establishment of the Panamanian Observatory on Drugs, with responsibility for organizing, compiling and coordinating drug data and other related information. CICAD hopes that with the establishment of the technical group and the advisory group under the aegis of the Observatory, Panama will be able to implement satisfactorily an effective mechanism for analysis of information and data.

In addition, CICAD acknowledges the great efforts made by Panama to contribute to supply reduction and the control of pharmaceuticals and controlled chemical substances. Among such efforts is the establishment of the Interagency Committee for Chemical Substance Control (CCQ) and the designation of Colon Province as a focal point for implementation of controls to prevent the diversion of precursor chemicals and controlled chemical substances.

Regarding prevention of the diversion of firearms and ammunition, CICAD views with satisfaction the fact that the National Drugs Strategy 2002-2007 includes a Firearms Data Collection Group project, which brings together a wide range of national entities to work jointly in combating this problem. However, there is no formal mechanism to evaluate the effectiveness of national entities in controlling the movement of firearms and ammunition and to prevent their diversion. Accordingly, CICAD encourages Panama to take steps to address these aspects effectively.

It is noted that Panama has taken preventive measures in bordering areas, with the aim of avoid phenomenom of displacement consequences.

Regarding prevention of money laundering, CICAD invites Panama to continue the process of strengthening the pertinent administrative controls and appreciates the efforts it has made to facilitate the control and sanctioning of this offense. However, the country is requested to take measures enabling all drug-related activities to be controlled more effectively.
Panama has taken measures in the last two years to control the displacement of firearms. These have led to the seizure of firearms and related illegal substances.

C. Money Laundering

Comprehensive legislation and regulations are in effect in Panama to suppress and prevent money laundering related to a variety of crimes (illicit trafficking of firearms, trafficking of human beings, kidnapping, extortion, corruption, terrorism, fraud, embezzlement, theft or international trafficking of firearms and money laundering associated with illicit drug trafficking). Stiff fines of up to US$ 1,000,000 can be levied against banks, insurance companies, currency exchange agencies, stocks exchange, insurances, casinos, real estate, lawyers, fiduciary and financial institutions, savings and loans credit unions, businesses established in the Colon free zone, other free zones and the National Lottery agency, among others, all institution found to be engaged in such activity. At the same time, Panamanian records show only 5 arrests for money laundering in 2001 and one conviction for this offense.

It should be noted that under Panamanian low money laundering is an autonomous offense. This rule involves key verbs as well as precedent offenses.

Moreover, Panamanian law provides for the reversal of the burden of proof in such cases of drug trafficking, which has made it possible to confiscate assets, property and cash. These are placed at the disposal of the National Drug Commission CONAPRED which has funded demand and supply reduction projects in the amount of US$1,464,870. CONAPRED currently manages a fund of US$ 584,922.

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Regulations enacted in 2000 provide for forfeiture of property in money laundering cases. In 2002, there was one conviction for money laundering in connection with illicit drug trafficking and international assistance was obtained for the seizure of proceeds of a value of approximately US$ 18,000,000. In 2001, two cases are under way involving seized proceeds (particularly money) and, in 2002, one case of the laundering of proceeds of corruption is being prosecuted, with seized proceeds of a value of US $6,000,000. In total, in the 2000-2002 period, some US $ 28,000,000 in proceeds, such as real estate, jewelry, vehicles and cash, have been seized. Panama’s Financial Analysis Unit (FIU) conducted 219 financial investigations in 2001, as compared with only 32 in 2000. Of the 219 cases investigated by the FIU, 104 were subject to preliminary investigation by the Specialized Prosecutor for Drug-Related Offenses, although in only one case was there sufficient evidence to bring criminal charges.

The FIU has been a member of the Egmont Group since 1997 and has concluded agreements for information exchange with the United States, Belgium, El Salvador, Colombia, United Kingdom, France, Spain, Paraguay, Venezuela, Brazil, Germany and Costa Rica. In the evaluation period 2001-2002, Panama presented two extradition requests in connection with money laundering and one of them was granted. Panama has not made any extradition requests related to money laundering. In the same period, the country received two attorney’s lien of goods requests related to money laundering, which were granted.

As regards requests for bank documents from other countries, records from 2000 and 2001 show that the number of requests and positive replies appears to be climbing steadily. Panama also reports that in 2001, 22 judges and prosecutors received specialized training on the handling of money laundering cases.

Panama has numerous laws defining acts of corruption in keeping with the Inter-American Convention against Corruption. In that connection, prosecutions are under way of government officials involved in drug-related crimes: in 2000, 8 immigration officials were prosecuted for facilitating the transit of drugs via “mules” (persons transporting drugs in their stomachs), 3 of which were convicted. In 2001, one national police officer was convicted for allowing drugs into detention centers and 2 Ministry of Health officials, one of them on assignment to the Inter-American Development Bank (IDB) were convicted for trafficking in ecstasy. That same year, 9 officials of the Civil Aeronautics Office were prosecuted for the offense of international drug trafficking. In 2002, 4 different legal proceedings were opened against public officials serving as National Police officers.

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A. Illicit Drug Trafficking

Panama states that in reference to the promotion and facilitation of operative information exchange and collaboration among the authorities responsible for the control of illicit drug trafficking, it does have an informal coordination, understood as a type of coordination that does not require bureaucratic mechanisms and is therefore more fluid and expeditious.

As an important country for the transshipment of illegal drugs destined for other user countries, Panama reports a range of data for 2000-2002, on enforcement of anti-drug law by authorities, including the National Police, the Technical Judicial Police and the Special Prosecutors for Drug-Related Offenses, the National Generalist Office, the National Maritime Offenses, the National Air Service. As regards cocaine seizures, the amount seized in 2001 as compared to 2000 was substantially less: 2,636 kg. as compared to 7,395 kg. However, seizures of ecstasy pills increased from 2,256 pills in the year 2000 to 22,166 in the year 2001. As of May 2002, there were 2,568 kg. of cocaine; 1,841 kg. of marijuana; 101 kg. of heroin and 934 ecstasy pills had been seized.

proper authorization. Panama did not report any seizures of pharmaceuticals or controlled chemical substances between 2000 and 2002.

RECOMMENDATIONS:

1. IMPLEMENT THE COLON PROVINCE FREE ZONE PROJECT TO ESTABLISH SPECIFIC PRE-CONTROL MECHANISMS FOR CONTROLLED CHEMICAL SUBSTANCES.

2. DEVELOP A MARKET STUDY TO IDENTIFY EXACTLY WHICH BUSINESSES REQUIRE CHEMICAL SUBSTANCES, THEIR PURPOSE AND AVERAGE AMOUNT OF SUCH INPUTS NEEDED.
marihuana plants. In 2001, there were 36,950 inside grown marihuana plants seized. The country states that it has not detected any illegal drug laboratories since 2000.

**B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances**

Panama reports that Law N° 1 of January 10, 2001, assigns administrative control and oversight of the import, export, distribution and sale of precursor chemicals for pharmaceutical use to the National Directorate of Pharmacies and Drugs, Ministry of Health. In addition, Law N° 13 of July 27, 1994 criminalizes the diversion of chemical precursors or essential chemical substances and assigns responsibilities for the control of the import, export, transit and disposal of such substances to the Office of the Attorney General, through the Technical Judicial Police, the General Customs Office and the Ministry of Health. Panama’s Penal Code also provides for penal, civil and administrative sanctions for the diversion of pharmaceutical and controlled chemical substances in keeping with international conventions. In addition, Law N° 1 abovementioned, provides for administrative and civil sanctions in such cases.

Based on the foregoing, Panama has begun to implement an “Interagency Committee for Chemical Substance Control (CCQ)” project, which enables the respective controls of the import and export of chemical substances to be effected in a comprehensive manner. The country reports only 4 cases where administrative sanctions were imposed in 2001 and that in 2000, 2 convictions were obtained for the diversion of chemicals including, significantly, the judgments issued by the Third Criminal Court and the Second Superior Court of Justice convicting 5 people for the diversion of acetic anhydride and potassium permanganate respectively.

In addition, the 2002-2007 National Strategy includes projects and actions to strengthen controls of chemicals and provides for the application of sanctions against companies handling chemical substances that fail to comply with existing regulations. Panama also reports that, to this end, a market survey will have to be conducted of companies using such chemicals so as to ensure that the amounts they import do not exceed their needs. The country also reports that work has begun on a database enabling systems to control precursors, narcotics and psychotropic substances to be strengthened.

Panama reports that in the past three years, no pre-export notifications for controlled chemical substances were issued because the country does not export chemicals. However, on August 21, 2002 the company INCAP of Panama S.A. exported chemicals for the first time, to the Republic of Colombia, and the Colombian authorities were informed of this export through the CCQ. However, under the aegis of the CCQ, the Colon Province Free Zone was designated a focal point to implement controls of the import and export of precursor chemicals and controlled chemical substances to prevent their diversion, that is, to serve as the country’s pre-export control mechanism. Panama plans to implement its pre-export control program as part of the 2002-2007 National Drugs Strategy, but reiterates that the main obstacles to its implementation are the lack and limited human resources, the lack of tools and equipment and above all the lack of proper regulations governing administrative sanctions.

With respect to receipt of pre-import notifications, Panama reports that, in 2002, it has responded in a timely fashion to these notifications in every instance; 60 pre-export notifications were answered in their entirety in 2001 and 6 pre-export notifications were answered in their entirety in 2002. About half of these notifications were investigated to determine their legitimacy, in 2002. Regarding the percentage of cases of companies inspected, all were in compliance with the existing regulations. However, it was found that some companies had failed to request authorization to import the product; a number of companies were found to be in this situation (about 30). This situation did not reach the point of illegality as the product had not yet entered the national territory. Following the inspection, these companies complied with the requirements to obtain the

**RECOMMENDATIONS:**

1. STRENGTHEN CONTROL MECHANISMS TO OBTAIN BETTER DATA ON ARRESTS AND CONVICTION OF PERSONS IN CONNECTION WITH ILLICIT DRUG TRAFFICKING, MONEY LAUNDERING, CORRUPTION, FIREARMS AND THE DIVERSION OF PHARMACEUTICALS AND CONTROLLED CHEMICAL SUBSTANCES.

2. REPORT ON PROGRESS ACHIEVED WITH THE “FIREARMS DATA COLLECTION GROUP” PROJECT.

3. ESTABLISH A FORMAL MECHANISM TO PROMOTE OR FACILITATE THE OPERATIVE EXCHANGE OF INFORMATION AND THE COLLABORATION AMONG AUTHORITIES IN CHARGE OF THE CONTROL OF ILLICIT TRAFFICKING OF DRUGS.

**V. CONCLUSIONS**

CICAD views with satisfaction the fact that Panama, after developing and implementing its Strategy and Plan of Action 1996-2001, on March 5, 2002, approved the National Drugs Strategy for the period 2002-2007. However, although the Strategy includes the demand reduction and supply reduction areas, among others, it does not provide for program evaluation. Accordingly, we encourage Panama to conduct, insofar as its resources permit, evaluations of prevention, treatment and rehabilitation programs so as to determine their effectiveness. CICAD also hopes that, as part of the implementation of the National Strategy, plans may be implemented to obtain specific data on the general population to determine drug use trends in Panama and the consequences thereof (morbidity and mortality).

To be noted is the establishment of the Panamanian Observatory on Drugs, with responsibility for organizing, compiling and coordinating drug data and other related information. CICAD hopes that with the establishment of the technical group and the advisory group under the aegis of the Observatory, Panama will be able to implement satisfactorily an effective mechanism for analysis of information and data.

In addition, CICAD acknowledges the great efforts made by Panama to contribute to supply reduction and the control of pharmaceuticals and controlled chemical substances. Among such efforts is the establishment of the Interagency Committee for Chemical Substance Control (CCQ) and the designation of Colon Province as a focal point for implementation of controls to prevent the diversion of precursor chemicals and controlled chemical substances.

Regarding prevention of the diversion of firearms and ammunition, CICAD views with satisfaction the fact that the National Drugs Strategy 2002-2007 includes a Firearms Data Collection Group project, which brings together a wide range of national entities to work jointly in combating this problem. However, there is no formal mechanism to evaluate the effectiveness of national entities in controlling the movement of firearms and ammunition and to prevent their diversion. Accordingly, CICAD encourages Panama to take steps to address these aspects effectively.

It is noted that Panama has taken preventive measures in bordering areas, with the aim of avoiding phenomenon of displacement consequences.

Regarding prevention of money laundering, CICAD invites Panama to continue the process of strengthening the pertinent administrative controls and appreciates the efforts it has made to facilitate the control and sanctioning of this offense. However, the country is requested to take measures enabling all drug-related activities to be controlled more effectively.
SUMMARY OF RECOMMENDATIONS

1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME AND ITS PROTOCOLS TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN, AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR AND AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

2. IMPLEMENT PROGRAMS OR ACTIVITIES UNDER THE 2002-2007 PLAN TO OBTAIN SPECIFIC DATA ON THE GENERAL POPULATION TO DETERMINE DRUG USE TRENDS IN PANAMA.

3. STRENGTHEN THE EXISTING TREATMENT SERVICES SO AS TO EXPAND THEIR CAPACITY TO RESPOND TO THE TOTALITY OF THE DEMAND SERVICES.

4. IMPLEMENT THE COLON PROVINCE FREE ZONE PROJECT TO ESTABLISH SPECIFIC PRE-EXPORT CONTROL MECHANISMS FOR CONTROLLED CHEMICAL SUBSTANCES.

5. DEVELOP A MARKET STUDY TO IDENTIFY EXACTLY WHICH BUSINESSES REQUIRE CHEMICAL SUBSTANCES, THEIR PURPOSE AND AVERAGE AMOUNT OF SUCH INPUTS NEEDED.

6. STRENGTHEN CONTROL MECHANISMS TO OBTAIN BETTER DATA ON ARRESTS AND CONVICTIONS OF PERSONS IN CONNECTION WITH ILLICIT DRUG TRAFFICKING, MONEY LAUNDERING, CORRUPTION, FIREARMS AND THE DIVERSION OF PHARMACEUTICALS AND CONTROLLED CHEMICAL SUBSTANCES.

7. REPORT ON PROGRESS ACHIEVED WITH THE "FIREARMS DATA COLLECTION GROUP" PROJECT.

8. ESTABLISH A FORMAL MECHANISM TO PROMOTE OR FACILITATE THE OPERATIVE EXCHANGE OF INFORMATION AND THE COLLABORATION AMONG AUTHORITIES IN CHARGE OF THE CONTROL OF ILLICIT TRAFFICKING OF DRUGS.

RECOMMENDATIONS:

1. IMPLEMENT PROGRAMS OR ACTIVITIES UNDER THE 2002-2007 PLAN TO OBTAIN SPECIFIC DATA ON THE GENERAL POPULATION TO DETERMINE DRUG USE TRENDS IN PANAMA.

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III. SUPPLY REDUCTION

A. Drug Production and Alternative Development

Panama reports that the topic on crops is not a big problem, since it has not been reflected in a big percentage. In the data provided by the country during 2001, the total area of illicit crops was of 23 has. They were all eradicated manually. The potential capacity of raw materials is 79,752
Substances, Vienna, 1988, the Panamanian Ministry of Foreign Affairs reports that it has worked collaboratively with a number of countries, including Argentina, Chile, Cuba, Mexico, Peru, Spain, United States and Uruguay.

Panama’s centralized office responsible for organizing, compiling and coordinating drug-related statistics is CONAPRED, through the Panamanian Observatory on Drugs. The country reports that it uses the Inter-American Uniform Drug Use Data System (SIDUC) and the Uniform Statistical System on Control of the Supply Area (CICDAT), both systems from the Inter-American Drug Abuse Control Commission (CICAD). Moreover, data on anti-drug activities are supplied regularly to the International Narcotics Control Board (INCB) and the United Nations Drug Control Programme (UNDCP) annual reports questionnaire. The data in these reports are published in Panama in CONAPRED’s annual report.

At the same time, the country reports that, although it lacks a formal mechanism to analyze drug-related statistics, in addition to the establishment of a technical group to develop an effective and streamlined information gathering system for drug-related statistics, an advisory group was formed, comprising data processing and analysis experts. CONAPRED is also designing a work plan with objectives, strategies and goals for the development of the data analysis mechanism.

The country uses a variety of means for public distribution of materials on the illicit drug problem. These include Web pages and distribution of materials to schools, libraries and the media. Panama’s CONAPRED reports that it receives approximately 300 requests annually from different sectors (nongovernmental organizations, government agencies, international entities and private individuals) for information on drug-related matters.

RECOMMENDATION:

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II. DEMAND REDUCTION

Panama reports that in March 2002, it adopted a new National Demand Reduction Strategy in conjunction with its National Strategy on Drugs 2002-2007. The plan, which includes prevention and treatment, incorporates United Nations demand reduction guidelines. According to CONAPRED, funds for demand reduction programs currently come from the seizure of assets, property or cash proceeds from illicit drug trafficking and related offenses and from budget allocations to government agencies. Apart from this, nongovernmental organizations develop demand reduction programs out of their own budgets or with budgets from international entities. The National Strategy on Drugs 2002-2007 provides for funds earmarked for demand reduction.

Demand reduction projects in Panama target specific populations ranging from pre-school to university students, women, indigenous populations, the workplace and prisoners. Apart from government agencies, nongovernmental organizations are involved in demand reduction activities targeting these sectors. Many of these organizations are working on integral prevention of drug abuse and addictions treatment. In addition, the Catholic Church initiated drug abuse prevention programs in 1997.

According to CONAPRED, updated and training courses in the workplace in drug abuse prevention and treatment are offered to professionals through annual seminars and two universities offer courses
I. INSTITUTIONAL BUILDING / NATIONAL ANTI-DRUG STRATEGY

Panama reports a number of developments in its anti-drug policy efforts. After developing and implementing its National Strategy and Plan of Action 1996-2001, Panama approved the National Strategy on Drugs 2002-2007. The table below presents the budget allocations for the different agencies involved in drug issues; it is very similar to the 2001 budget.

<table>
<thead>
<tr>
<th>GOVERNMENT AGENCY</th>
<th>PROJECTS FUNDED</th>
<th>ALLOCATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONAPRED. National Drug Commission</td>
<td>$138,392.00</td>
<td></td>
</tr>
<tr>
<td>Public Prosecutor Offices related to Drugs</td>
<td>$1,125,960.00</td>
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<tr>
<td>Narcotics Divisions</td>
<td>$1,766,000.00</td>
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</tr>
<tr>
<td>Financial Analysis Unit (UAF)</td>
<td>$424,200.00</td>
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<tr>
<td>National Air Service</td>
<td>$4,086,000.00</td>
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<tr>
<td>National Police</td>
<td>$4,068,880.00</td>
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<tr>
<td>Ministry of Health</td>
<td>$2,050,456.00</td>
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<tr>
<td>Pharmacy and Drugs; Health Service Provision</td>
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<tr>
<td>Legislative Assembly</td>
<td>$177,000.00</td>
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<tr>
<td>Department of Criminology</td>
<td>$108,915.00</td>
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<tr>
<td>Integral Prevention Office</td>
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<tr>
<td>General Customs Office</td>
<td>$59,915.00</td>
<td></td>
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<tr>
<td>Dept. of Customs Control (DFA)</td>
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<tr>
<td>Grand Total</td>
<td>$14,064,718.00</td>
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<tr>
<td>CONAPRED has a fund from Income-sale of seized assets</td>
<td>$544,721.63</td>
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<td>Other Funding Sources</td>
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<tr>
<td>To date funds have been devoted to: Projects funded by CONAPRED</td>
<td>$1,464,869.94</td>
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<tr>
<td></td>
<td>$2,049,691.57</td>
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</tr>
</tbody>
</table>

The National Council for the Study and Prevention of Drug-Related Offenses (CONAPRED) continues to serve as the central authority for coordination of demand reduction and supply reduction activities, in close collaboration with different provincial entities.


Domestic laws supplementing these international conventions have also been enacted, including one making domestic law compatible with the Inter-American Convention against Corruption (Law No. 39 of July 20, 2001). At the same time, Panama reports that it has a follow-up mechanism in place to assess effective application of the mandates established in the international conventions. As regards the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic