

Multilateral
Evaluation
Mechanism
MEM

The Bahamas

(Commonwealth of)

Evaluation of Progress in Drug Control

Organization of American States – **OAS**

Inter-American Drug Abuse Control Commission – **CICAD**

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1999
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2000

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Organización de los Estados Americanos – OEA

Comisión Interamericana para el Control del Abuso de Drogas – CICAD

Organization of American States – OAS

Inter-American Drug Abuse Control Commission – CICAD

Organização dos Estados Americanos – OEA

Comissão Interamericana para o Controle do Abuso de Drogas – CICAD

Organisation des Etats Américains – OEA

Commission Interaméricaine de Lutte Contre l'abus des Drogues – CICAD

NATIONAL ANTI-DRUG STRATEGY

The Bahamas does not have a National Anti-Drug Plan in place. There is no central authority for the coordination of demand reduction, supply reduction, control measures and information center. The Bahamas reports that a plan is currently being drafted for its approval to cover these activities.

The Bahamas has ratified the United Nations Conventions of 1988 and 1961 and acceded to the 1971 Convention. The Inter-American Convention Against Corruption and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials have been ratified. The Inter-American Convention on Mutual Assistance in Criminal Matters has not been signed.

National laws and regulations with respect to the issue of drugs are in place. Specifically The Bahamas has legislation related to money laundering, chemical substances, firearms, ammunition and explosives without indicating whether this legislation is in accordance with international conventions or the CICAD Model Regulations.

The Bahamas does not have an integrated system for the collection and maintenance of statistics and documents. However, there is a separate collection of documents and statistics in the following areas: Demand Reduction, Supply Reduction, and Control Measures. There are also statistics on the societal impact of illicit drugs.

Recommendations

1. Continue working on drafting and approval of the National Anti-Drug Plan.
2. Sign and ratify the Inter-American Convention on Mutual Assistance in Criminal Matters.
3. Create a statistics and documents system to maintain consolidated information on demand reduction, supply reduction, and control measures.

DEMAND REDUCTION

The Bahamas has a National Demand Reduction Strategy, which is encapsulated in the mandate of The Bahamas National Drug Council. The Bahamas has adopted the UN Declaration on the Guiding Principles of Drug Demand Reduction, and its Plan of Action.

There is a system of national drug abuse prevention programs. These cover the following populations: school children, community leaders, street children, prisoners, inmates, former inmates, and prison officers. Children in and out of school have specific programs developed for them, and specific programs for Mothers Against Drugs are also offered.

The Bahamas reports that “drugs in the workplace” programs are in place in both the public and private sectors.

The Bahamas has established guidelines on minimum standards of care for drug treatment. Drug treatment and rehabilitation programs including early detection and outreach, treatment, rehabilitation and social reintegration and after-care are currently available. Treatment and rehabilitation centers providing in-and outpatient services exist in both public and private sectors. Most of these services are coordinated by the Sandilands Rehabilitation Center.

Her Majesty's Fox Hill Prison reintegration program for inmates includes assistance in finding employment, accommodation, training opportunities and ongoing counseling.

Specialized Professional Training is available in The Bahamas. There is a course on addictions, through an affiliation with the University of the West Indies. Treatment and rehabilitation seminars for persons working in the field are also offered annually as and when required.

Although there is no indication regarding regular diagnosis of drug use in the general population, a Youth Health Survey was conducted in 1997-1998. The results provided on the average age of the first use of cocaine, marijuana and alcohol are 20.2, 15.3 and 15 respectively. The Bahamas did not respond to the indicator regarding the annual incidence of new drug users.

The Bahamas indicated that research on prevention and drug use, and evaluations of drug abuse prevention programs have been conducted. Studies have been conducted in The Bahamas to evaluate the various treatment and rehabilitation programs and modalities in order to assess their effectiveness. Mechanisms exist for the evaluation of all public and private treatment programs. Experts in the area of Relapse Prevention and Female Addicts and Their Children have conducted research studies.

Recommendation

1. Conduct studies among the general population to determine the prevalence, incidence and age of first use.

SUPPLY REDUCTION

Cannabis cultivation in The Bahamas is carried out in small isolated plots and is destined for domestic consumption. The Bahamas does not have estimates on the area planted with illicit crops, nor areas eradicated or abandoned. The Bahamas reports that 28,171 cannabis plants were seized in 1999.

Given the nature of cannabis crops in The Bahamas, the country does not see the need for an alternative development strategy. However, in 1999, the Government provided training in micro-enterprise development to various inhabitants of five of the islands. A significant, if unspecified, number of additional projects are being developed.

Chapter 213 of the Dangerous Drugs Act for the control of pharmaceuticals provides that the Ministry of Health is the government agency responsible for the control and prevention of the diversion of pharmaceuticals and controlled chemical substances. The Bahamas estimates its legitimate annual needs for pharmaceuticals on the basis of consumption estimates from prior years and actual consumption statistics for the last three years.

Chapters 212 and 213 of the Pharmaceuticals Act regulate Ministry of Health professionals responsible for the distribution of pharmaceuticals.

The Ministry of Health and The Bahamas Customs Department cooperate in operational information exchanges regarding pharmaceuticals and controlled chemical substances, respectively, at both national and international levels.

The Bahamas does not report provisions in place for the application of criminal, civil, or administrative sanctions for the diversion of pharmaceuticals or controlled chemical substances.

The Bahamas reports that it was not involved in exportations of controlled chemical substances in 1999.

In addition, The Bahamas did not provide information on the number of pre-export notifications received and replied to in connection with controlled chemical substances imported into its territory.

Recommendations

1. Implement a mechanism to determine the existence of illicit crops, area planted, and potential production capacity.
2. Establish legislation containing provisions for the application of criminal, civil, and/or administrative sanctions for the diversion of pharmaceuticals and controlled chemical substances.
3. Develop institutional infrastructure to implement controls to prevent the diversion of controlled chemical substances and strengthen international cooperation in this area.
4. Reply to pre-export notifications of controlled chemical substances and require countries exporting controlled chemical substances to The Bahamas to issue pre-export notices prescribed. Inform the International Narcotics Control Board (INCB) of any anomalies in accordance with Article 12 of the Vienna Convention.

CONTROL MEASURES

The Drug Enforcement Unit (DEU) of the Royal Bahamas Police Force (RBPF), the Royal Bahamas Defense Force (RBDF) and The Bahamas Customs Department are the agencies responsible for investigating, controlling, and eradicating illicit drug trafficking in The Bahamas.

In The Bahamas the administrative bodies include the National Drug Council. With respect to legal bodies, this responsibility rests with the police department in accordance with the island's tradition of common law.

There are mechanisms for effecting national and international coordination, cooperation and timely exchanges of information, in keeping with international agreements. The Drug Enforcement Unit of the Royal Bahamas Police Force is responsible for national information exchanges, while the Office of the Attorney General is charged with international information exchanges.

The Bahamas carried out 1,445 DEU and RBPF drug seizure operations in 1999. The quantities of drugs seized are as follows:

| Drug Type | Quantity in Kg. | Purity |
|-------------------------------|-----------------|--------|
| Cocaine base | 3 | 79-90% |
| Cocaine salts | 1,869.90 | 79-90% |
| Liquid cocaine | 3.4 | NA |
| Cannabis plants | 28,171 | NA |
| Leaf cannabis (grass) | 3,609.11 | NA |
| Cannabis resin (hashish) | 2.95 | NA |
| Hashish oil (liquid cannabis) | 104.89 | NA |

The Bahamas reported the seizure of the following illicit drugs as of October 2000:

| Drug Type | Quantity | Purity |
|-------------------------------|--------------|--------|
| Cocaine salts | 5,812.62 lbs | 79-90% |
| Liquid cocaine | 16.69 lbs | NA |
| Cannabis plants | 1,455 plants | NA |
| Cannabis leaf (grass) | 7,626.83 lbs | NA |
| Hashish oil (liquid cannabis) | 62 lbs | NA |
| Amphetamine tablets | 140 lbs | |

The Bahamas supplied data on the number of persons arrested, accused of and charged with drug trafficking in 1999. However, no data was provided on the number of persons convicted:

| | Number of Arrests | Number of Persons Accused | Number of Persons Charged |
|-------|-------------------|---------------------------|---------------------------|
| Total | 1,969 | 1,598 | 1,283 |

Similarly, the following figures were recorded as of October 2000:

| | Cases | Number of Arrests | Number of Persons Accused | Number of Persons Charged |
|-------|-------|-------------------|---------------------------|---------------------------|
| Total | 1,234 | 1,637 | 1,278 | 1,010 |

Although The Bahamas indicated that it had received hundreds of requests for international cooperation to investigate and prosecute illicit drug trafficking in the context of the U.S. Coast Guard OPBAT (Operation The Bahamas and Turks and Caicos), it did not provide statistics to support this observation.

The Bahamas has enacted national laws and regulations that sanction the illicit manufacture and illicit trafficking of firearms, ammunition and other related materials and has administrative controls in place to prevent related offenses. Within the context of Bahamian revised legislation, the Firearms Law, Chapter 198, constitutes the legal framework regulating the seizure, confiscation and forfeiture of firearms and related materials.

There is a mechanism and an authority (Firearms Investigation Unit) that maintains a detailed record of the manufacture, importation, exportation, and transit of firearms. There is also a mechanism that establishes criteria to be applied before authorizing the release for export of shipments of firearms, ammunition, and other related materials. The Center for Joint Cooperation and Research is a mechanism to facilitate national and international interagency coordination and information exchanges.

The Bahamas did not provide data on the number of persons accused and convicted of the illicit manufacture and trafficking of firearms, ammunition, explosives and other related materials.

The Bahamas reported 17 seizure operations, and the types and quantities of firearms, ammunition and other related materials. The Bahamas states that 703 items of ammunition of various types were seized during the period under review. Data were also provided on the quantity of firearms confiscated or forfeited by the competent authorities:

| Type of Firearm | Quantity |
|-----------------|----------|
| Revolvers | 14 |
| Rifles | 4 High |
| Powered Rifles | 1 |
| Assault Rifles | 2 |

The Bahamas has identified the origin of these articles, as well as the routing employed in the diversion of the articles seized, all of which are connected with illicit drug trafficking.

The Bahamas did not provide data on the number of requests made for international cooperation to investigate and prosecute the illicit manufacturing and trafficking of firearms and related materials. Although The Bahamas indicated that it had received requests for cooperation through OPBAT, no specific data are available.

There are national laws and regulations sanctioning money laundering and providing for administrative controls to prevent money laundering. There are also national laws and regulations authorizing the freezing, seizure and forfeiture of assets related to money laundering.

The Police Department received ten (10) reports of suspicious transactions from The Central Bank of The Bahamas in 1999.

In accordance with information recently provided by The Bahamas, in October 2000, the Parliament approved a draft law, pending approval by the Governor General) that includes aspects relating to the establishment of a central body (the Financial Intelligence Unit). This Unit is the competent body for financial transactions and operational information relating to asset laundering.

The Bahamas has stipulated provisions requiring financial institutions and other relevant institutions to report suspicious and unusual transactions to the competent authorities, and to comply with other control measures. The Bahamas has a mechanism for the management and administration of seized or forfeited assets related to drug trafficking.

The Government of The Bahamas reported 1 person arrested and accused of money laundering. There were no convictions for money laundering in The Bahamas during 1999. With the recent enactment of the Evidence (Proceedings in Other Jurisdictions) Act No. 14 of 2000 by the Bahamian Parliament in June 2000, the procedures relative to requests for judicial assistance were simplified.

The new Act which came into force on the 18th of August 2000 and repealed the Foreign Tribunals Evidence Act 1856, enables the Supreme Court of the Commonwealth of The Bahamas to assist a requesting court or tribunal exercising jurisdiction in a country or territory outside of The Bahamas in obtaining evidence required for civil, commercial or criminal proceedings instituted before that requesting court or tribunal.

The passage of the Evidence (Proceedings in Other Jurisdictions) Act 2000 now permits evidence to be obtained by any foreign court requesting assistance in any proceedings in a civil, commercial or commercial or criminal matter, whether those matters are pending before the court or tribunal of competent jurisdiction, or whether the institution of those matters before the court or tribunal is contemplated and investigations have commenced.

The Bahamas has not applied any judicial or administrative sanctions for failure by institutions to report suspicious transactions. In addition, no judicial or

administrative sanctions have been applied for failure to comply with money laundering control measures.

The Bahamas did not indicate whether it had received requests for international cooperation to investigate and prosecute money laundering in 1999.

Recommendations

1. Create a system to provide data on the number of persons accused and convicted of the illicit manufacture and trafficking of firearms, ammunition, explosives and other related materials.
2. Continue initiatives to establish a central body or central agency responsible for receiving, requesting, analyzing and disseminating information to the competent authorities, for divulging information relating to financial transactions, and for permitting the exchange of operational information among national authorities and related central agencies in other countries.

HUMAN, SOCIAL AND ECONOMIC COST OF DRUGS

Estimating Human, Social and Economic cost of the drug problem in all of its manifestations constitutes a complex process. This information is relevant to each country's understanding of the magnitude of the drug problem. This would enable each country to appreciate the direct and indirect cost in proportion to their Gross National Product or national annual budget. Because many countries have difficulty in providing these estimates, CICAD is proposing a hemispheric-wide program involving training and technical assistance, which should assist the country in its effort in confronting the drug problem and fulfilling this indicator's requirements.

Recommendation

1. Develop the capacity to estimate the human, social, and economic cost of the drug problem.

SUMMARY OF RECOMMENDATIONS

CICAD recommends that The Bahamas' national anti-drug efforts be strengthened by addressing the following:

1. Continue working on drafting and approval of the National Anti-Drug Plan.
2. Sign and ratify the Inter-American Convention on Mutual Legal Assistance in Criminal Matters.
3. Create a statistics and documents system to maintain consolidated information on demand reduction, supply reduction, and control measures.
4. Conduct studies among the general population to determine the prevalences, incidence and age of first use.
5. Implement a mechanism to determine the existence of illicit crops, area planted, and potential production capacity.
6. Establish legislation containing provisions for the application of criminal, civil, or administrative sanctions for the diversion of pharmaceuticals and controlled chemical substances.
7. Develop institutional infrastructure to implement controls to prevent the diversion of controlled chemical substances and strengthen international cooperation in this area.
8. Reply to pre-export notifications of controlled chemical substances and require countries exporting controlled chemical substances to The Bahamas to issue pre-export notices prescribed. Inform the International Narcotics Control Board (INCB) of any anomalies in accordance with Article 12 of the Vienna Convention.
9. Create a system to provide data on the number of persons accused and convicted of the illicit manufacture and trafficking of firearms, ammunition, explosives and other related materials.
10. Continue initiatives to establish a central body or central agency responsible for receiving, requesting, analyzing and disseminating information to the competent authorities, for divulging information relating to financial transactions, and for permitting the exchange of operational information among national authorities and related central agencies in other countries.
11. Develop the capacity to estimate the human, social, and economic cost of the drug problem.