

Multilateral
Evaluation
Mechanism
MEM

Chile

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

Chile has a National Policy and Plan for Drug Prevention and Control, approved by Presidential Decree in 1993, which covers the areas of Supply reduction, Demand reduction, Control measures, Institutional framework, Budget and an Evaluation system. The National Plan has specific objectives in each of these areas and identifies the responsible entities for their application through specific projects and programs. It should be noted that the civil society and private sector play a role in its implementation.

Chile has a central coordinating authority, established in 1990 by Presidential Decree No. 683-90, entitled the National Council for Narcotics Control (CONACE) which coordinates the activities of demand reduction, supply reduction, control measures and the information center.

CONACE has its own budget that is part of the national budget. Furthermore, it has other financing mechanisms, such as those provided for in Law No.19366, for use in drug abuse prevention and rehabilitation programs.

Chile has ratified the United Nations Conventions of 1988, 1971 and 1961. It has ratified the Inter-American Convention against Corruption. It has signed the Inter-American Convention on Mutual Assistance in Criminal Matters and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials. Both are pending ratification before the National Congress.

Furthermore there are national laws and regulations with respect to the issue of drugs in conformity with international conventions. The country has specific legislation with respect to money laundering, firearms and chemical substances in accordance with CICAD Model Regulations.

Since 1993, Chile has had an integrated system for the collection and maintenance of statistics and documents, known as the National Drug Information System (SISNID). Among its activities, SISNID produces an annual report on the situation in Chile and permanently conducts studies and research on drug consumption and its consequences.

Recommendation

- 1. Ratify the Inter-American Convention on Mutual Assistance in Criminal Matters and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.**

DEMAND REDUCTION

Chile has acknowledged that a significant reduction of demand for drugs is required to improve the quality of life in its society. Many programs have been introduced as a result of the National Grant Competition Fund, which provides support for a variety of prevention programs.

Chile has a National Strategy, which was initiated in 1993. The plan is coordinated nationally and includes activities implemented by social organizations. There is a national system of drug abuse prevention programs that target certain key populations. Currently, school children, community leaders, street children/runaway children, prisoners and prison officers and out of school youth are covered. Approximately 20% of school children are covered through four prevention programs that target students between the ages of 10 and 18 in the 45 urban communities most at risk, according to poverty indicators, and which involve approximately 20.3% of the school-age population. Community leaders are targeted through various projects that are organized and funded by the "Fondo Nacional Concursable". There are also programs for street children, offered through the National Office for Minors, an agency that provides assistance to children in socially vulnerable situations or in trouble with the law.

"Drugs in the Workplace" Programs are currently only available in the private sector. The country says that in 2000 it intends to begin developing a "drugs in the workplace" prevention policy in the public sector.

Chile has adopted and fully implemented the United Nations Declaration on the Guiding Principles of Drug Demand Reduction and its Plan of Action, within the National Policy and Plan for the Prevention and Control of Drugs.

There are minimum standards of care for drug treatment, incorporating technical guidelines. Drug treatment and rehabilitation programs are in place covering the full spectrum from early detection to after care. Professional specialized training in drug abuse prevention and treatment is available at all levels, including credit courses at several universities. Training is also available for professionals who are directly involved in program delivery.

There is a regular system of determining the extent of drug use in this country through bi-annual general population surveys. The sample frameworks of these studies have expanded each time they have been administered, making them increasingly accurate and representative. These studies and their instruments have been scientifically validated and have contributed valuable information for the design and implementation of national policies. There is a considerable base of research on prevention and drug use. Research publications have been cited as examples.

A number of prevention programs have been evaluated or are undergoing evaluation. According to the most recent national study on drug use done in 1998 the average age of first use of any illegal drug is 18.7 years for males and 18.2 years for females. It should be noted that this survey was restricted to urban dwellers between the age of 12 and 64, living in cities with more than 30.000 inhabitants. The annual incidence of new drug users is given at 1.95 per 1.000. This includes a range of 0.35 for Coca Paste and 1.85 for Marihuana. Preliminary projects consisting mainly of data collection and strategy documentation have been completed in the various treatment and rehabilitation programs.

Recommendations

1. Expand among key populations coverage of prevention programs.
2. Implement "Drugs in the Workplace" programs in the public sector.
3. Continue research to evaluate different treatment approaches and modalities.

SUPPLY REDUCTION

Chile has marginal outdoor cannabis crops. In 1999, one hydroponic crop was detected (38 marihuana plants) whose plants were seized and destroyed.

The National Customs Service is one of the agencies responsible, in accordance with its own mandate, for monitoring controlled chemical substances. Accordingly, it records and controls the importation and exportation thereof and, with the "Carabineros" of Chile and the Investigations Police, carries out preventive and diversion control activities, which includes controlled deliveries.

The National Customs Service is also responsible for international and national interagency exchanges of operational information regarding controlled chemical substances. It makes ample use of the Inter-American Drug Control Telecommunications Network of CICAD (RETCOD/Precursors), through which it sent, in 1999, 344 messages to countries forming part of the network to report diversions of substances.

Chile does not have a system to identify controlled chemical substances legitimate industry needs.

The Public Health Institute is responsible for controlling the importation, manufacture, exportation, and distribution of pharmaceuticals. The 28 health

services under the Ministry of Health are responsible for control of their use and distribution. The Ministry estimates legitimate needs on the basis of quantities manufactured, historical importation, and consumption statistics provided by the health services computer system. It also has oversight of professions involved in the use of pharmaceuticals and serves as the central agency for exchange of operational information with national authorities and agencies abroad involved in similar activities.

In addition, CONACE is responsible for coordination of both controlled chemical substances and pharmaceutical products in its capacity as national central agency, in its capacity as domestic regulatory agency, and under the UN Convention and bilateral agreements.

Chile has in place criminal and administrative sanctions for the diversion of both types of substances. However, it is notable that it does not report the application thereof in 1999.

Data on seizures of controlled chemical substances and pharmaceutical products during 1999 is given below:

Pharmaceutical Products	Amount seized	Amount destroyed	Unit of measure
Anfepramona	3.280	1.254	Capsules
Amphetamines	566	164	Pills
Anfepramona + Amphetamines	90	75	Magistral capsule
Fenproporex	98.820	98.459	Pills
Flunitrazepam	2.349	1.712	Pills
Methamphetamines	774	447	Pills
Total	105.879	102.111	Pharmaceutical forms

Controlled chemical substances	Quantity seized	Quantity destroyed	Unit of measure
Acetone	4	-	Liters
Sulfuric Acid	1.2	-	Liters
Total	5.2	-	Liters

In the area of international transactions, Chile does not use the notification system for exportation of substances to other countries. In 1999, it received two pre-import notifications of substances, and it replied to both.

Recommendations

1. Design a system that allows to identifying the controlled chemical substances legitimate industry needs;
2. Strengthen application of the prior notification mechanism for controlled chemical substance transactions.

CONTROL MEASURES

The Republic of Chile has enforcement, judicial, and administrative institutions responsible for controlling and eliminating illicit drug trafficking. The following entities are responsible for enforcement: the “Carabineros” of Chile, the Chilean Investigations Police, the National Customs Service, and the Chilean Navy. The administrative institution mentioned is the State Defense Council. Judicial agencies with jurisdiction in this area are all criminal courts.

Chile reports that it has ongoing exchanges of operational information and collaboration among the various national authorities working in this area. Furthermore, the National Narcotics Control Council is responsible for international information exchanges and coordination, in keeping with Chile’s international obligations in this area.

Chile also reports a total of 6.247 drug seizure operations in relation to illicit trafficking. The quantities seized and the types of drug are detailed below:

Type of drug	Unit	Quantity
Coca Paste	Kgs	2.005.637
Cocaine Base	Kgs	923.827
Cannabis plants	Units	36.100
Processed marijuana	Kgs	2.104.872
Pharmaceuticals	Units	410.576

A total of 5.153 persons were arrested, 2.246 persons were prosecuted, and 2.080 persons were convicted of these offenses.

Chile sought international assistance to investigate and prosecute drug traffickers, and reports 178 requests made and 178 replies received.

Chile has criminalized the illegal manufacture, trafficking, importation, and exportation of arms, explosives, ammunition, and other related materials. It also has mechanisms or authorities for the control of this offense. Based on the information provided by Chile, legislation does exist covering the possession and carrying of weapons.

The country indicates that 469 persons were convicted for the offense of possession and carrying of weapons, but not the number of persons prosecuted.

The number of seizure operations of firearms, explosives, ammunition, and other related materials, in connection with illicit drug trafficking is not reported.

The types of firearms seized are detailed below:

Firearms	
Type	Quantity
Close-range firearms	242
Long-range firearms	72
Total	314

Chile does not identify the origin and routing employed in the diversion of the seized firearms, ammunition, explosives and other related materials, related to illicit traffic.

It does not provide information on international cooperation to investigate and prosecute offenses involving the illicit manufacture and trafficking of firearms, ammunition, explosives, and other related materials, as it does not have information on the number of requests and replies.

Chile has defined asset laundering as an offense in its legislation, covering the suppression and prevention of the laundering of the proceeds of drug trafficking, and it has in place administrative controls and laws authorizing the seizure or freezing and confiscation of these assets.

The country does not have a financial intelligence unit that processes data derived from disclosures of suspicious transactions; nor is there a legal framework in place that allows the authorities to require disclosure of suspicious transactions. In 1999, there were no arrests, prosecutions, convictions, or administrative sanctions in connection with money laundering offenses. For this reason, there is no note of such activity on the questionnaire.

The country made 4 requests for international cooperation to investigate and prosecute money-laundering offenses and received 4 replies thereto.

Recommendations

1. Create a register that will enable determining the origin and routing employed in the diversion of the seized firearms, ammunition, explosives and other related materials, related to illicit drug traffic. Also, to conduct a study on the seizures, origin and routing of firearms, ammunition and other materials.
2. Create a Financial Analysis Unit and a legal framework to allow the reporting of suspicious operations to be required.
3. Establish international cooperation mechanisms to investigate and prosecute offenses involving the manufacture and illicit trafficking of firearms.

HUMAN, SOCIAL AND ECONOMIC COSTS OF DRUGS

It is noted that numerous studies are underway to satisfy the requirement of this indicator and Chile's commitment to comply is acknowledged. It will greatly assist CICAD when Chile shares the results of its studies.

Recommendation

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

SUMMARY OF RECOMMENDATIONS

CICAD recommends that Chile's anti-drug efforts be strengthened by addressing the following:

1. Ratify the Inter-American Convention on Mutual Assistance in Criminal Matters and the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials.
2. Expand among key populations coverage of prevention programs;
3. Implement "Drugs in the Workplace" programs in the public sector;
4. Continue research to evaluate different treatment approaches and modalities.
5. Design a system that allows to identifying the controlled chemical substances legitimate industry needs;
6. Strengthen application of the prior notification mechanism for controlled chemical substance transactions.
7. Create a system that will enable availability of data on illicit activities relating to the movement of firearms, ammunition and other materials. Also, to conduct a study on the seizures, origin and routing of firearms, ammunition and other materials.
8. Create a Financial Analysis Unit and a legal framework to allow the reporting of suspicious operations to be required.
9. Establish international cooperation mechanisms to investigate and prosecute offenses involving the manufacture and illicit trafficking of firearms.
10. Continue to develop the capacity to estimate the human, social, and economic cost of the drug problem.