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FINAL REPORT OF THE INTERGOVERNMENTAL WORKING GROUP (IWG)

Panama, March 24-28, 2003

MULTILATERAL EVALUATION MECHANISM (MEM)
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INTRODUCTION

Based on the agreement adopted by CICAD member states during the XXXII regular sessions held in Mexico City in December, 2002, the meeting of the Intergovernmental Working Group (IWG) was held in Panama City, March 24-28 of this year. Twenty-four countries participated in the meeting, engaging in a lively dialogue that concluded with recommendations for a comprehensive reform of the MEM questionnaire, which includes changes in 68 indicators – the elimination of 6 and the incorporation of 7 new ones – all based on the experience gained, both by experts and by the National Coordinating Entities.

As agreed, the primary issue of the meeting was to analyze, simplify and enhance the Draft Questionnaire for the Multilateral Evaluation Mechanism (MEM), which upon being approved in the present session, will serve as a basis for the Third Evaluation Round of 2003-2004.

In addition, consideration was given to important issues aimed at improving, through its implementation, the MEM evaluation process, pursuant to the urgent requirements posed by the problem of drugs.

Issues that were the subject of analysis and reforms:

- a) Operational process of the MEM
- b) Characteristics of the visits to countries during the evaluation process
- c) Solidarity Fund
- d) Form for Follow-up of Recommendations
- e) Reiterated recommendations
- f) Proposed Sequence of Activities
- g) Dissemination and Promotion of MEM
- h) Budget
- i) Use of other sources of information

The report presented is the result of an exhaustive exchange of ideas, observations, and presentation of experiences on the part of technical personnel representing your respective governments. During the course of the IWG meeting, a methodology was established consisting of the careful and transparent analysis of each issue, making decisions by consensus, which naturally involved a challenging task covering five days, during which priority attention was given to the quality of the proposal or amendment, with the sole objective of presenting a high-quality product for your consideration or subsequent approval.

There was active participation on the part of the majority of delegations, providing an enlightening debate that helped clarify vitally important sections.

I. REVIEW OF INDICATORS

(Draft MEM Questionnaire, Third Round, 2003-2004)

Cognizant of the fact that the entire process needs to be a dynamic one, an effort was undertaken to analyze, one by one, the indicators for the MEM questionnaire. The goal was to facilitate responses, eliminating, through editing, ambiguous questions, in order to arrive at a more appropriate evaluation, thus providing a more scientifically rigorous and sound product. In this manner, changes are proposed to aid in improving the questionnaire.

Moreover, the work carried out assists in improving definitions and explanations, allowing for a better understanding on the part of the National Coordinating Entities responsible for responding to the questionnaires, as well as on the part of experts charged with evaluating the questionnaires and readers in general..

- **Section I: Optimizing the National Anti-drug Strategy: Institutional Strengthening, Treaties and Information.**

In terms of the indicators related to institutional strengthening, the proposed changes, related to budgetary issues – including determining a financial structure for the National Drug Authority – proved to be of great importance. These changes consisted of integrating a number of indicators, thus providing for a better understanding of the implementation of the strategy or plan being carried out by each country, as well as a better understanding of the budget allocated for the execution of these instruments. In regard to the issue of international treaties, it was decided that each National Coordinating Entity should report on any treaties it had signed and/or ratified, regardless of the period being evaluated.

In terms of the indicators related to the collection of data and statistics, the changes that were made regarding the compiling, analysis and dissemination of such information provide for clear, precise, objective and equivalent data, thus facilitating the process of comparison and evaluation, while at the same time allowing the Observatories on Drugs to *mature* and develop.

- **Section II: Demand Reduction**

In regard to the indicators on demand reduction, the changes were geared to obtaining data that would be more relevant and of greater interest for evaluation, both by the countries and for the Hemisphere in general. In addition, aspects related to crimes and accidents resulting from improper drug use were incorporated, reflecting the incidence of drugs in offenses, thus making it possible to identify the consequences of drug use and, thereby, more properly disseminate the harmful consequences or effects of improper and abusive drug use.

- **Section III: Supply Reduction: Drug Production and Alternative Development, Control of Pharmaceutical Products and Controlled Chemical Substances.**

The establishing of formulas for calculating potential annual production of marijuana, coca leaf and opium gum makes it possible to obtain precise data and generate objective criteria when making the respective evaluations. Likewise, within the alternative development programs, the concept of integral development was incorporated, thus emphasizing an advance over traditional concepts.

In regard to pharmaceutical products and controlled chemical substances, functional and practical changes are proposed, including the grouping of indicators by area and the incorporation of tables with lists of pharmaceutical products. A new indicator, called “Illicit laboratories destroyed, by synthetic drug and potential annual production” was also incorporated.

- **Section IV: Control Measures: Illicit Traffic in Drugs, Firearms and Ammunition, and Money laundering**

In regard to drug trafficking, a number of improvements were adopted, making it possible to measure with greater objectivity these illicit activities, and to enhance the exchange of operational information, judicial cooperation for investigation and trial of drug traffickers, and issues related to extradition requests.

In terms of corruption, a number of acts and behaviors constituting corruption, according to the specifications of the Inter-American Convention Against Corruption, were incorporated and specified.

In the area of firearms and ammunition, agreement was reached on making the relevant adjustments with regard to the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA). At the same time, the proposed reforms will provide for more fluid and rigorous responses, while making possible a deeper analysis, which is essential for carrying out effective evaluation.

With regard to money laundering, an indicator on Meeting the Standards for Special Investigations was incorporated, in order to control that offense and with the objective of establishing standards for special investigations to assist in combating this offense. On this issue, there was also agreement on remaining constantly updated on the 40 recommendations of the Financial Action Group (GAFI), incorporating the most recent recommendations.

Finally, there is the matter of displacement, or the global phenomenon of the mobility of different manifestations of the drug problem. These can be seen in: (1) unexpected change in the identified trends in supply and demand; (2) rapid, visible and unexpected changes that occur in short time periods; and (3) rapid, visible and unexpected changes that occur in defined geographic areas. Due to the importance and consequences of this issue, changes are suggested to allow for a more complete analysis, thus making it possible for the countries to take preventive actions, through an exchange of experiences in dealing with the issue. This indicator was formulated, requesting that individual countries provide an evaluation of the impact of the phenomenon, as well as measures taken to counteract it.

In general, the changes made to the MEM questionnaire provide a more relevant and simpler product for the coordinating entities and other institutions involved in responding to the questionnaire, making it possible for the experts to carry out their work in a more analytical, scientific, accurate and expeditious manner.

It should be pointed out that the questionnaire, whose approval is recommended by the IWG, has also incorporated elements suggested by 9 countries, which, for this purpose, prior to the meeting, submitted proposals.

2. OPERATIONAL PROCESS OF THE MEM

In regard to this section, there was a redefinition of the responsibilities of experts, National Coordinating Entities and the MEM Unit, once again emphasizing the importance of stability and continuity on the part of the experts during the entire evaluation process, as well as their effective participation in the GEG sessions and from their countries.

Likewise, emphasis was placed on the responsibility of the National Coordinating Entity for preparing an introductory document reflecting the country's situation with regard to strengths and weaknesses of the effort to combat drugs, so that the GEG experts may establish a comprehensive approach to the state of the country, as well as to its individual and specific characteristics. By the same token, attention was given to the responsibility of sending in the completed questionnaire, accompanied by the corresponding introductory document, to the MEM Unit, meeting the established deadlines and fulfilling the recommendations made, while complying with the specifications for the presentation of both documents.

In reference to the MEM Unit, it was agreed that it would have the authority to organize and compile the evaluation reports, making any necessary adjustments and formal corrections – reports presented for consideration by the GEG for its evaluation. Likewise, the MEM Unit, at the request of the GEG, may present input for the preparation of the Hemispheric Report – while avoiding value judgments – which will be sent to the experts for comment and review.

3. VISITS

As part of the process, the issue of visits to the countries was addressed. These were classified in three categories: (1) Promotional visits; (2) Training visits; and (3) On-site visits. It was emphasized that the on-

site visits were exceptional in nature and should be justified, with the primary objective of promoting cooperation between the member states and improving the quality of dialogue between these and CICAD. Such visits may be carried out at the request of the country or at the request of CICAD – in the latter case, with the full consent of the member state. It was agreed that the visiting team will be small, consisting of approximately three persons, and that the visit will be of short duration, but sufficient to achieve its objectives.

4. FORM FOR FOLLOW-UP TO THE RECOMMENDATIONS

Given that the Follow-up to the Recommendations is a vital component of the MEM process, the form that each National Coordinating Entity must complete was revised and approved, specifying the state of progress, the timetable for fulfilling the recommendations, and any technical or financial difficulties encountered, all with the objective of facilitating cooperation where necessary.

5. REITERATED RECOMMENDATIONS

Cognizant of the fact that the failure of a country to implement the recommendations places it at risk and poses a risk for the region, depriving it of useful and essential tools, weakening the achievement of the Anti-drug Strategy in the Hemisphere, while at the same time weakening the MEM. An analysis was made of actions to be taken to fulfill the reiterated recommendations, including the importance of establishing a dialogue with the country to gain information about its actual situation and prompt it – through the formal channel of the National Coordinating Entity – to request the support it deems appropriate, such as an on-site visit, advice, training, cooperation, investigation, institutional strengthening, and technical and financial assistance. The principle of shared responsibility was reiterated, along with the need for hemispheric cooperation and coordination – providing an incentive for countries to lend support to other countries that may require it.

6. DISSEMINATION AND PROMOTION OF MEM

It was concluded that the MEM is a relatively new mechanism and therefore its dissemination and promotion are essential. It is important that the Secretary-General of the OAS, as well as the President of CICAD, in conjunction with the Executive Secretary of CICAD, the national authorities and MEM experts, participate in this process. The goal was set of transmitting to the countries the benefits and advantages of this mechanism, which measures the progress, as well as the obstacles encountered, in each country's efforts to combat drugs. It was also noted that, with joint efforts and cooperation among the participating states, the obstacles are being resolved.

It was emphasized that the National Commissions in the member states will be responsible for promoting and disseminating the MEM in their respective countries and in their respective congresses or parliaments, following the official issuance of the national reports and of the Hemispheric Report.

New ideas were also presented for dissemination and promotion in regions or blocs of countries, i.e., dissemination in groups of countries selected for their proximity or for their shared characteristics. In addition, the need to periodically report to the Permanent Council of the OAS and to the United Nations regarding progress that the countries are making through implementation of the recommendations was reiterated.

7. USE OF OTHER SOURCES OF INFORMATION

The representatives of the member states agreed to accept information officially provided by the different governments evaluated, thus enhancing the analysis for the purpose of improving the product.

Agreement was reached on incorporating the following clause in the MEM process:

“As needed, the GEG in its work may consult outside sources of information such as official national reports, OAS, UNODC, GAFIC, GAFISUD, FATF, World Bank and IMF documents.”

8. PROPOSED SEQUENCE OF ACTIVITIES

Four proposals were analyzed, including one from Colombia. These were similar in terms of not coinciding with meetings of other international organizations, optimizing the use of time, complete participation of the experts of each member state in the different meetings planned during the evaluation rounds, and extending the time for providing responses until May 2005, given that some countries do not have statistics available for December.

9. SOLIDARITY FUND

In terms of the Solidarity Fund, whose objective is to facilitate the participation of countries which, due to exceptional circumstances, are unable to finance participation of their experts at the GEG meetings, it was decided that within the criteria to be considered for granting such assistance, the following should take precedence: (1) The commitment of the requesting country to the Multilateral Evaluation Mechanism; (2) The experience and capacity of the expert in aspects related to the issue of drugs; and (3) The actual commitment of the expert to participating in the GEG meetings and to collaborating from his/her country.

10. CONCLUSIONS

Having read the report, as you can see, the IWG in Panama City, once more demonstrated its capacity for work and production in strengthening the MEM, a “single and objective multilateral process of governmental evaluation, for monitoring individual and collective progress...”, agreed upon by the Heads of State at the Summit of the Americas, held in April 1998 in Santiago, Chile.

On behalf of the IWG, I would like to thank you for your attention, and express my appreciation to the distinguished representatives of Panama for their hospitality in their beautiful city, the headquarters and a testament to this fruitful work.

Finally, in the name of the IWG, I submit to you, distinguished delegates, the report that has been presented, for your approval. I would call upon the Secretariat and on Madame Vice - President to add their valuable input as to any concerns that may remain.

Thank you very much.