



**ORGANIZATION OF
AMERICAN STATES (OAS)**



MEM

**MULTILATERAL EVALUATION
MECHANISM (MEM)**

**INTER-AMERICAN DRUG ABUSE
CONTROL COMMISSION (CICAD)**

**SECRETARIAT FOR MULTIDIMENSIONAL
SECURITY (SMS)**

Mexico

Evaluation Report on Drug Control

2014



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**Organization of American States (OAS)
Secretariat for Multidimensional Security (SMS)
Inter-American Drug Abuse Control Commission (CICAD)**

Multilateral Evaluation Mechanism (MEM)

Mexico

**EVALUATION REPORT ON DRUG CONTROL
2014**



PREFACE

The Multilateral Evaluation Mechanism (MEM) is a diagnostic tool, designed by all member states of the Organization of American States (OAS), to periodically carry out comprehensive, multilateral evaluations on the implementation level of the Plan of Action of the Hemispheric Drug Strategy of member states of the Inter-American Drug Abuse Control Commission (CICAD). As part of the Secretariat of Multidimensional Security (SMS), CICAD is the OAS specialized agency responsible for the implementation of this Mechanism, pursuant to a mandate from the Second Summit of the Americas held in Santiago, Chile in 1998.

The MEM is not only an evaluation instrument, but has also become a valuable source of information on the progress achieved by the individual and collective efforts of the governments of OAS member states, thus strengthening hemispheric cooperation, promoting dialogue among governmental authorities of member states and precisely channeling assistance to areas requiring greater attention by optimizing resources. The MEM process in itself is assessed by the Intergovernmental Working Group (IWG) comprised of delegations from all member states, which meets before the onset of each evaluation round to review and strengthen all operational aspects of the mechanism.

The national evaluation reports for the Sixth Round collect the results of the level of implementation of the 27 recommendations, emanating from the Plan of Action 2011-2015 of the Hemispheric Drug Strategy 2010, and were drafted by experts in the different areas, assigned by each member state. Experts do not work on their own country's report, guaranteeing the transparent, objective and multilateral nature of the MEM. Each chapter is based on countries' responses to a survey covering the main thematic areas of the Hemispheric Drug Strategy: institutional strengthening, demand reduction, supply reduction¹, control measures and international cooperation, as well as additional and updated information, provided by the government-appointed coordinating entities.

This report covers the country evaluation for the MEM Sixth Evaluation Round, which covers the 2013 to mid-2014 period. All MEM reports are available through the following webpage: <http://www.cicad.oas.org>.

¹ In accordance with the CICAD Commissioner's agreement at their fiftieth regular session (November 2011), the supply reduction chapter refers exclusively to the topic of illicit crops. For this reason, the CICAD Commissioners decided, at their fifty-fourth regular session (December 2013), that the recommendations in this chapter (11 to 15) would only be applied to those countries that have significant illicit crops.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 1

ESTABLISH AND/OR STRENGTHEN NATIONAL DRUG AUTHORITIES, PLACING THEM AT A HIGH POLITICAL LEVEL, WITH THE MISSION TO COORDINATE THE EFFECTIVE PLANNING AND IMPLEMENTATION OF NATIONAL DRUG POLICIES.

Evaluation: Complete

Mexico has two institutions that carry out the functions of national drug authorities, the Attorney General's Office (PGR) and the National Commission against Addictions (CONADIC). Both institutions have a legal basis and a budget. The PGR coordinates the areas of supply reduction, control measures, international cooperation and related crimes. CONADIC coordinates the areas of demand reduction, alternative, integral and sustainable development programs, program evaluation, drugs observatory and international cooperation.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 2

DESIGN, IMPLEMENT, STRENGTHEN AND UPDATE NATIONAL EVIDENCE-BASED STRATEGIES AND POLICIES ON DRUGS.

Evaluation: Started

Mexico has drafted the National Program against Drugs (PNCD 2014-2018), which its objective is to decrease the violence and crimes related to the use, abuse and dependency of psychoactive substances. In its implementation it has participation of different entities of the Government of the Republic and sections of the Attorney General's Office of the Republic.



INSTITUTIONAL STRENGTHENING

RECOMMENDATION 3

ESTABLISH AND/OR STRENGTHEN NATIONAL OBSERVATORIES ON DRUGS OR SIMILAR TECHNICAL OFFICES TO DEVELOP NATIONAL DRUG INFORMATION SYSTEMS AND FOSTER SCIENTIFIC RESEARCH ON THIS SUBJECT.

Evaluation: Mostly complete

Mexico has two institutions that collect information, the Mexican Observatory on Tobacco, Alcohol and other Drugs (OMEXTAD) of CONADIC and the Uniform Statistical System for the Analysis of Crime (SEUNAD), under the PGR responsibility. The country has carried out all of the priority studies in demand reduction and has priority information on supply reduction. The information on drug demand and supply reduction is disseminated to all relevant parties.

Mexico has not carried out a study on the economic and social costs of drugs during the last ten years.



DEMAND REDUCTION

RECOMMENDATION 4

DEVELOP AND IMPLEMENT COMPREHENSIVE DEMAND REDUCTION POLICIES, PLANS AND/OR PROGRAMS.

Evaluation: Partially complete

Mexico has programs that include the areas of prevention, early intervention, treatment and rehabilitation, and recovery support services. These programs are designed using available evidence. The country monitors and evaluates demand reduction programs and uses the outcomes of these evaluations to update its plans. Mexico has adopted a multisectoral approach in its demand reduction programs with the participation of various sectors.

Mexico does not have comprehensive demand reduction programs or social reinsertion programs.



DEMAND REDUCTION

RECOMMENDATION 5

DESIGN AND IMPLEMENT A COMPREHENSIVE SYSTEM OF EVIDENCE-BASED UNIVERSAL, SELECTIVE, AND INDICATED PREVENTION PROGRAMS, WITH MEASURABLE OBJECTIVES, AIMED AT DISTINCT TARGET POPULATIONS, INCLUDING AT-RISK GROUPS.

Evaluation: Complete

Mexico has universal, selective and indicated prevention programs addressing drug use. Selective and indicated prevention programs vary based on the presence of risk factors, and target different population profiles. The country has a comprehensive prevention system.



DEMAND REDUCTION

RECOMMENDATION 6

PROMOTE THE INTEGRATION OF TREATMENT AND RECOVERY PLANS AND PROGRAMS INTO THE PUBLIC HEALTH SYSTEM AND ADDRESS DRUG DEPENDENCE AS A CHRONIC, RELAPSING DISEASE.

Evaluation: Complete

Mexico has a network of public health system facilities responsible for health needs within its territory. These facilities carry out drug use detection activities and have screening instruments for early detection of drug use; they offer guidance and brief intervention, and systematically refer persons affected by drug use to treatment. Through its public health system, the country provides both outpatient and residential treatment to persons affected by drug use. Most residential treatment services are provided by private establishments and civil society organizations, which also provide aftercare services for persons affected by drug use. Mexico has an accreditation process for the facilities that provide treatment and rehabilitation services. The public health system's facilities coordinate with other sectors that provide treatment and rehabilitation services. The country has program monitoring systems, and has professionals trained in implementing and using them. In addition, the country has on-line electronic platforms that collect information on drug use, abuse and dependence, as well as on the care provided.



DEMAND REDUCTION

RECOMMENDATION 7

FACILITATE ACCESS FOR DRUG-DEPENDENT PERSONS TO A SYSTEM OF DRUG TREATMENT, REHABILITATION, SOCIAL REINSERTION, AND RECOVERY SERVICES THAT ARE EVIDENCE-BASED AND FOLLOW INTERNATIONALLY-ACCEPTED QUALITY STANDARDS.

Evaluation: Mostly complete

Mexico undertakes actions to facilitate access to treatment and rehabilitation for the different population groups affected by drug use, through the creation of a national primary care network for the addictions. Treatment and rehabilitation interventions are tailored to the population profiles being served.

Mexico does not carry out social reinsertion interventions tailored to the population profiles it serves.



DEMAND REDUCTION

RECOMMENDATION 8

EXPLORE THE MEANS OF OFFERING TREATMENT, REHABILITATION, SOCIAL REINSERTION AND RECOVERY SUPPORT SERVICES TO DRUG-DEPENDENT CRIMINAL OFFENDERS AS AN ALTERNATIVE TO CRIMINAL PROSECUTION OR IMPRISONMENT.

Evaluation: Complete

Mexico has national legislation that establishes and provides for alternatives to incarceration for drug-dependent criminal offenders. These alternatives to incarceration are at different stages of implementation. The country evaluates the efficiency and effectiveness of these incarceration alternatives programs through a diagnostic assessment geared to assessing implementation of the alternatives; evaluation of the process, measuring the performance of the treatment model, standardization and quality of care, and the management of information for purposes of research and monitoring outcomes. The results and recommendations of these evaluations are used to adapt and improve alternatives to incarceration processes and programs.



DEMAND REDUCTION

RECOMMENDATION 9

STRENGTHEN GOVERNMENTAL RELATIONSHIPS WITH ACADEMIC AND RESEARCH INSTITUTIONS AND SPECIALIZED NON-GOVERNMENTAL ORGANIZATIONS (NGOs), IN ORDER TO GENERATE EVIDENCE ON THE DEMAND FOR DRUGS.

Evaluation: Complete

Mexico has a national drug authority that maintains relations with academic and research institutions and relevant civil society organizations that address topics related to reducing the demand for drugs. The information produced by these institutions and organizations has been used in the development of government and annual activity reports, in assessments, and in the epidemiological overview of drug use. The results, processes and goals established in the plans and programs for the prevention and care for the addictions are evaluated on an ongoing basis, and the results are disseminated so that the necessary adjustments can be made and the objectives achieved. In addition, the country works to improve the capacity for the regular collection of data and production of reports on drug use trends by establishing and following up on institutional commitments in national programs against the addictions.



DEMAND REDUCTION

RECOMMENDATION 10

PROMOTE AND STRENGTHEN TRAINING AND CONTINUING EDUCATION OF PROFESSIONALS, TECHNICIANS AND OTHERS INVOLVED IN THE IMPLEMENTATION OF DEMAND REDUCTION ACTIVITIES.

Evaluation: Mostly complete

Mexico has introductory training and continuing education programs for personnel involved in implementing drug demand reduction activities. In addition, the country offers training programs at the certificate, diploma, undergraduate and graduate levels, science-based approaches and better practices, in order to increase participants' knowledge and strengthen skills in their areas of technical or professional specialization.

Mexico does not monitor or evaluate the training programs it offers in demand reduction.



SUPPLY REDUCTION

RECOMMENDATION 11

ADOPT AND/OR IMPROVE COMPREHENSIVE AND BALANCED MEASURES AIMED AT REDUCING THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Complete

Mexico has a regulatory framework that defines policies for the reduction of the illicit supply of drugs at the national level. The Attorney General's Office coordinates the supply reduction area. The implementation of drug control policy is carried out through the coordination of three groups: the Executive Coordination Group, which represents the highest level of authority and importance in the coordination system's decision-making process; the Sectorial Liaison Group, which is led by The Criminal Investigation Agency / The National Center for Crime Control Planning, Analysis and Information (AIC/CENAPI), under the Attorney General's Office; and the Specific Technical Groups. The country carries out studies which serve as the basis for the development of policies for the reduction of the illicit supply of drugs, and addresses risk factors, based on a comprehensive approach to crime prevention.



SUPPLY REDUCTION

RECOMMENDATION 12

ADOPT AND/OR IMPROVE DATA COLLECTION AND ANALYSIS MECHANISMS WITH A VIEW TO CARRYING OUT ASSESSMENTS THAT WILL FACILITATE THE DEVELOPMENT OF PUBLIC POLICIES AIMED AT THE REDUCTION OF THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Complete

Mexico, through the National Center for Crime Control Planning, Analysis and Information, under the Criminal Investigation Agency of the Attorney General's Office of the Republic, collects and analyzes internal information regarding illicit crops used in the illicit production of drugs, which is used as a basis for the implementation of illicit drug supply reduction policies. The country estimates illicit marijuana and poppy crops, based on interpretation of satellite imagery and field-based verification, which covers Mexico's entire territory. Through the "Mexican Illicit Crop Monitoring System" Project, carried out by the United Nations Office on Drugs and Crime (UNODC), training is offered for relevant personnel who implement illicit crop monitoring and eradication activities.



SUPPLY REDUCTION

RECOMMENDATION 13

PROMOTE STUDIES AND RESEARCH THAT CONTRIBUTE TO THE EARLY IDENTIFICATION AND MONITORING OF NEW AND EMERGING TRENDS THAT COULD PROVIDE UPDATED INFORMATION ON THE ILLICIT SUPPLY OF DRUGS.

Evaluation: Complete

Mexico, through the Attorney General's Office of the Republic, shares information on new trends in illicit crops with neighboring countries, through formal bilateral cooperation mechanisms for drug trafficking and related crimes. The country has information regarding the illicit supply of drugs and its connection with other forms of transnational organized crime.



SUPPLY REDUCTION

RECOMMENDATION 14

ACCORDING TO THE NEEDS OF EACH COUNTRY, ADOPT COMPREHENSIVE MEASURES, SUCH AS INTEGRAL AND SUSTAINABLE ALTERNATIVE DEVELOPMENT AND LAW ENFORCEMENT INITIATIVES.

Evaluation: Partially complete

Mexico carries out eradication programs for illicit marijuana and poppy crops. The country eradicated 13,430 hectares of marijuana in 2011, 9,057 hectares in 2012, and 5,364 hectares in 2013. With regard to poppy crops, the country eradicated 16,389 hectares in 2011, 15,726 hectares in 2012, and 14,662 hectares in 2013. The country also monitors and periodically follows-up on the illicit crop eradication program and on new illicit planting. However, the country reports that figures for the year 2013, in both cases, are preliminary.

Mexico does not implement integral and sustainable alternative development programs.



SUPPLY REDUCTION

RECOMMENDATION 15

PROMOTE ACTIONS TO REDUCE THE NEGATIVE IMPACT ON THE ENVIRONMENT CAUSED BY THE WORLD DRUG PROBLEM, IN ACCORDANCE WITH NATIONAL POLICIES.

Evaluation: Not started

Mexico does not have environmental management tools or studies that would enable it to determine the environmental impact of activities related to the illicit production of drugs. It also has not signed cooperation agreements for the evaluation, prevention and reduction of the negative environmental impacts related to this topic.



CONTROL MEASURES

RECOMMENDATION 16

IMPLEMENT PROGRAMS TO PREVENT AND REDUCE THE ILLICIT PRODUCTION OF PLANT-BASED AND SYNTHETIC DRUGS.

Evaluation: Complete

Mexico has mechanisms available to detect and identify laboratories for the illicit manufacturing of plant-based and synthetic drugs, consisting of regulations, procedures, protocols, and programs. The country has national information on the detection and dismantling of these types of laboratories. When clandestine laboratories are detected, the country has established procedures, which include contracting specialized services to dismantle and appropriately dispose of chemical substances, drugs, and mixtures under production, as well as to remove any equipment found on-site. The Public Ministry orders their destruction and the Forensic Chemistry Division of the Office of the Attorney General (PGR) determines the appropriate method for final disposal. Based on this information, the PGR selects the specialized service that will carry out the destruction, which must meet all legal health and environmental requirements. The country utilizes destruction methods that comply with directives published by the United Nations Office on Drugs and Crime (UNODC) to minimize environmental damage, which must be employed by the specialized service. The process is verified and supervised by personnel from the PGR's Internal Control Body and a public servant designated by the appropriate state agency. The country implements and takes part in ongoing training programs for law enforcement agents responsible for the dismantling of laboratories for illicit production of drugs, which are offered at least twice a year.



CONTROL MEASURES

RECOMMENDATION 17

ADOPT OR STRENGTHEN CONTROL MEASURES IN ORDER TO PREVENT THE DIVERSION OF CONTROLLED CHEMICAL SUBSTANCES TOWARDS ILLICIT ACTIVITIES.

Evaluation: Complete

Mexico has criminalized the acts set out in Article 3 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, and has regulations for the control of controlled chemical substances under the terms of Article 12 of the Convention. The country has an updated register of natural and legal persons handling controlled chemical substances, and exercises control through the issuance of licenses to manufacturers and distributors of these substances, and through random visits to their establishments. Also, the country has established administrative and civil penalties for infractions or violations by individuals or corporations that handle controlled chemical substances, and has appointed a competent authority responsible for coordinating controls over these substances. The country has a national authority responsible for the detention of irregular shipments and the exchange of this information with authorities in other countries and with international organizations. Mexico uses the International Narcotics Control Board's (INCB) electronic Pre-export Notification System (PEN Online), through which the Federal Commission for the Protection against Sanitary Risks (COFEPRIS) issues and responds to the majority of pre-export notifications; in the event that communication cannot be carried out through this system, the country uses email.



CONTROL MEASURES

RECOMMENDATION 18

ADOPT OR STRENGTHEN CONTROL MEASURES TO PREVENT THE DIVERSION OF NARCOTICS, PSYCHOTROPIC SUBSTANCES, PHARMACEUTICAL PRODUCTS WITH PSYCHOACTIVE PROPERTIES AND THOSE USED IN THE PRODUCTION OF SYNTHETIC DRUGS.

Evaluation: Complete

Mexico has legislation for the control of narcotic drugs, psychotropic substances and preparations containing them under the terms established in the United Nations Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol, and the United Nations Convention on Psychotropic Substances of 1971. The country has a national authority responsible for coordinating controls over these substances and preparations, with the legal powers necessary to fulfill its functions. To estimate its need for narcotic drugs, Mexico uses annual estimates submitted one year in advance by authorized operators, which it compares with the data on actual imports during the previous year. This system enables it to gather the information called for in Article 19 of the Single Convention on Narcotic Drugs of 1961. The country provides for application of administrative and civil penalties for infractions or violations of these regulations by medical professionals, administrators, and legal representatives of establishments that handle narcotics, psychotropic substances, and psychoactive pharmaceutical products.



CONTROL MEASURES

RECOMMENDATION 19

ENSURE THE ADEQUATE AVAILABILITY OF NARCOTICS NEEDED FOR MEDICAL AND SCIENTIFIC USE.

Evaluation: Complete

Mexico periodically calculates the need for narcotics for medical use, based on data from the previous year. In addition, the country has been implementing various actions to overcome obstacles and ensure adequate availability, among them, issuing and modifying pertinent regulations and drafting new legislative and operational proposals to ensure adequate availability of and access to narcotics for medical use. In addition, the country is conducting a study at health care institutions in order to determine the real treatment needs of patients, taking into account morbidity and the cost to institutions, patients and their families. At the national level, the National Cancer Institute is coordinating and implementing the Cancer Pain Relief and Palliative Care Program recommended by the World Health Organization (WHO), primarily at oncological centers across the country in order to develop the national policy in this area.



CONTROL MEASURES

RECOMMENDATION 20

STRENGTHEN NATIONAL ORGANIZATIONS FOR THE CONTROL OF ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Mostly complete

Mexico conducts periodic evaluations of the strengths and weaknesses of the entities responsible for the control of drug trafficking and related crimes. The country has ongoing training plans for personnel involved in the control of this area; formal mechanisms for the exchange of information among entities responsible for the control of drug trafficking and related crimes; and legal frameworks to address the prevention in this area.

Mexico does not have regular law enforcement plans for the prevention of drug trafficking.



CONTROL MEASURES

RECOMMENDATION 21

IDENTIFY NEW TRENDS AND PATTERNS REGARDING ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Complete

Mexico has studies on recent trends in drug trafficking and related crimes, and updates relevant legislation based on the results.



CONTROL MEASURES

RECOMMENDATION 22

PROMOTE IMPROVEMENTS IN INFORMATION SYSTEMS ON ILLICIT DRUG TRAFFICKING AND RELATED CRIMES.

Evaluation: Mostly complete

Mexico has a consolidated national statistical information system on law enforcement operations against drug trafficking. The country also has a national early warning system to detect new behaviors of criminal organizations involved in this area, and carries out technical studies and research on drug trafficking and related crimes.

Mexico does not have studies on drug characterization or impurity profiles, in accordance with the priorities determined by the specific elements of its drug trafficking problem.



CONTROL MEASURES

RECOMMENDATION 23

ADOPT MEASURES FOR EFFECTIVE COOPERATION IN CRIMINAL INVESTIGATIONS, INVESTIGATION PROCEDURES, COLLECTION OF EVIDENCE, AND THE EXCHANGE OF INTELLIGENCE INFORMATION AMONG COUNTRIES, ASSURING DUE RESPECT FOR THE VARIOUS NATIONAL LEGAL SYSTEMS.

Evaluation: Complete

Mexico has formal mechanisms for the secure and effective exchange of intelligence information in the investigation of cases of drug trafficking and related crimes at the national level, through Technical Executive Coordination Groups, Sectorial Liaisons and specific thematic groups, and at the international bilateral level, within the framework of inter-institutional agreements with similar agencies. The country has formal coordination mechanisms for the exchange of information and best practices for the prevention, investigation and control of activities in this area via the Internet. Mexico participates in training workshops on the exchange of intelligence information in the investigation of cases of drug trafficking and related crimes, and on investigative techniques and chains of custody. This training is provided by national organizations. The country has legal frameworks and operational guidelines for the investigation of all assets within the scope of drug trafficking cases.



CONTROL MEASURES

RECOMMENDATION 24

ADOPT OR STRENGTHEN, AS APPLICABLE, CONTROL MEASURES FOR THE ILLICIT TRAFFICKING OF FIREARMS, AMMUNITION, EXPLOSIVES AND OTHER RELATED MATERIALS ASSOCIATED WITH ILLICIT DRUG TRAFFICKING.

Evaluation: Complete

Mexico criminalizes the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials. In order to prevent losses or diversion, the country takes the necessary measures to ensure the security of firearms, ammunition, explosives and other related materials exported, imported or in transit. The appropriate marking is required of firearms, permitting identification of the name of the manufacturer, place of manufacture and serial number. Also, the country also requires the appropriate marking of any firearm confiscated or forfeited. The country maintains a system of licenses for the export, import and international transit of firearms, ammunition, explosives and other related materials. Mexico has a national authority responsible for coordinating controls on the illicit manufacturing of and trafficking in firearms, ammunition, explosives and other related materials, including the measures called for in Article 8 of the Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials of 1997. A register is maintained of firearms, ammunition, explosives and other related materials seized in operations relating to drug trafficking.



CONTROL MEASURES

RECOMMENDATION 25

ESTABLISH, UPDATE, OR STRENGTHEN LEGISLATIVE AND INSTITUTIONAL FRAMEWORKS IN MATTERS OF PREVENTION, DETECTION, INVESTIGATION, AND PROSECUTION OF MONEY LAUNDERING.

Evaluation: Complete

Mexico criminalizes money laundering according to the terms of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and the United Nations Convention against Transnational Organized Crime of 2000. The country has legislation for the prevention and control of money laundering, which adheres to the principles established in the Financial Action Task Force (FATF) recommendations. The country also has a Financial Intelligence Unit (FIU) that follows the operational standards of the EGMONT Group and FATF recommendations regarding FIUs. Also, the country has laws for the forfeiture of assets relating to money laundering, which also include temporary measures such as freezing and embargo of assets in order to prevent the use, transfer or disposal of those assets.



CONTROL MEASURES

RECOMMENDATION 26

CREATE OR STRENGTHEN, IN ACCORDANCE WITH NATIONAL LEGISLATION, THE COMPETENT NATIONAL ORGANIZATIONS FOR THE MANAGEMENT OF SEIZED AND/OR FORFEITED ASSETS, AND THE DISPOSITION OF FORFEITED ASSETS.

Evaluation: Complete

Mexico has a single agency responsible for the management and disposition of assets seized and forfeited in Federal criminal proceedings, as well as those received in repayment to the Federal Government for all types of loans, among others. The country has a legal framework that establishes the procedures to be used to determine the final disposition of seized and forfeited assets, and has manuals, regulations and directives on asset management. Mexico participates in training programs on the management of seized and forfeited assets.



INTERNATIONAL COOPERATION

RECOMMENDATION 27

REAFFIRM THE PRINCIPLE OF COOPERATION CONTAINED IN INTERNATIONAL INSTRUMENTS TO ADDRESS THE WORLD DRUG PROBLEM, THROUGH ACTIONS TO ENSURE COMPLIANCE AND EFFECTIVENESS.

Evaluation: Complete

Mexico has ratified the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000, the Inter-American Convention on Mutual Assistance in Criminal Matters of 1992 and has designated central authorities on the basis of those Conventions. The country has laws permitting the extradition of individuals for the crimes of drug trafficking and money laundering, and does not make extradition contingent upon the existence of a treaty. Mexican law allows the provision of reciprocal judicial assistance to States in investigations, trials, and legal proceedings for drug trafficking and money laundering. The country has adopted measures to authorize confiscation of the proceeds derived from drug trafficking and has a Federal Law on Forfeiture. The country has communication channels among its competent agencies and services to facilitate the rapid and secure exchange of information on all aspects of the acts criminalized in accordance with Paragraph 1, Article 3 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988. Mexico has mechanisms for administrative cooperation with agencies and services in other States in inquiries on the identity, whereabouts, and activities of persons allegedly linked to drug trafficking; the movement of proceeds or assets intended for use in the crime of drug trafficking; and movement of narcotic drugs, psychotropic substances, or other substances. In addition, the country has laws that permit the use of controlled delivery for narcotics and psychotropic substances, in order to identify persons implicated in the crime of drug trafficking.



CONCLUSIONS

The MEM Sixth Evaluation Round report reflects the country's internal reality regarding the implementation of the Hemispheric Drug Strategy (2010) and its Plan of Action (2011-2015) from 2013 to mid-2014. CICAD recognizes that among the 27 common recommendations, Mexico has completed 18, five mostly completed, two partially completed, one started and one not started.

In the area of Institutional Strengthening, Mexico has two institutions that carry out the functions of national drug authorities, the National Commission against Addictions (CONADIC) and the Attorney General's Office (PGR). The country does not have a national anti-drug strategy. Mexico has two institutions that collect information, the Mexican Observatory on Tobacco, Alcohol and other Drugs (OMEXTAD) of CONADIC and the Uniform Statistical System for the Analysis of Crime (SEUNAD), under the PGR responsibility. The country has all of the priority demand reduction studies (3 of 3) and has the majority of the priority supply reduction information (10 of 11).

In the area of Demand Reduction, Mexico has programs that include the areas of prevention, early intervention, treatment and rehabilitation, and recovery support services, which are monitored, evaluated, and updated. However, it does not have social reinsertion programs. The country has a comprehensive prevention system. The different population groups have access to treatment and rehabilitation, but not to social reinsertion. Public health system facilities offer early detection of drug use, provide guidance and brief intervention, systematic referrals to treatment, and treatment services. However, most of the residential treatment and aftercare services are provided by private facilities and civil society organizations. The facilities that provide treatment and rehabilitation services have an accreditation process. Mexico has alternatives to incarceration for drug-dependent criminal offenders. Government reports, annual activity reports, assessments, and the epidemiological overview of drug use were prepared with the support of academic and research institutions and civil society organizations. The country offers its personnel introductory training and continuing education in this area, which focuses on evidence-based scientific approaches and best practices, ranging from the certificate level to the graduate level.



In the area of Supply Reduction, Mexico has a regulatory framework that defines policies for the reduction of the illicit supply of drugs at the national level and carries out studies which serve as the basis for the development of policies in this area. The country collects and analyzes internal information regarding illicit crops used in the illicit production of drugs, which is used as a basis for the implementation of policies for the reduction of the illicit supply, and estimates illicit marijuana and poppy crops, based on interpretation of satellite imagery and field-based verification, which covers Mexico's entire territory. The country shares information on new trends in illicit crops with neighboring countries, and implements illicit crop eradication programs, but does not implement integral and sustainable alternative development programs. Also, the country does not have environmental management tools or studies to determine the environmental impact of activities related to the illicit production of drugs.

In the area of Control Measures, Mexico has mechanisms to detect and identify laboratories for the illicit manufacture of plant-based and synthetic drugs, as well as protocols for their dismantling.

Regarding chemical substances and pharmaceutical products, Mexico has legislation for the control of controlled chemical substances, cooperates with other States, has legislation to regulate the manufacture of and channels of domestic distribution for controlled chemical substances, and has a relevant authority with the necessary powers to coordinate activities to control the diversion of precursor chemicals. Regarding the control of narcotics, psychotropic substances and preparations containing them, the country estimates its drug requirements, ensuring adequate availability for medical and scientific purposes, and carries out regular evaluations that include trends in the use of licit substances subject to international control and the analysis of impediments.

Mexico has formal mechanisms for the exchange of information among the institutions responsible for the control of drug trafficking and related crimes, as well as for the secure and effective exchange of intelligence information in the investigation of related cases. In addition, the country has ongoing training programs for personnel in this area, compiles statistical information on drug trafficking and related crimes at the national level, and updates its legislation based on the identification of new trends. In addition, the country has a national early warning system on new behaviors of criminal organizations, as well as legislation that provides for the safe and final disposal of seized drugs.



The laws that criminalize the illicit manufacture of and trafficking in firearms, ammunition, explosives and other related materials include measures to prevent loss or diversion in the course of licit trade, carried out by a national authority. In addition, the country has a register of these items seized in operations and activities related to drug trafficking.

Mexico has legislation that criminalizes money laundering and regulations to prevent and control it, as well as a Financial Intelligence Unit and regulations for the confiscation of assets related to money laundering. The country has legislation and an agency for the management and disposal of seized and forfeited assets related to money laundering, which includes guidelines for their appropriate management.

In the area of International Cooperation, Mexico has ratified the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, the United Nations Convention against Transnational Organized Crime of 2000, the Inter-American Convention on Mutual Assistance in Criminal Matters of 1992 and has designated central authorities in said conventions. The country has legal provisions to permit the extradition for the crime of drug trafficking and money laundering. Also, the country has legal provisions for providing reciprocal judicial assistance to third party States in investigations, trials, and legal proceedings for drug trafficking and money laundering. In addition, the country has legal provisions that permit the use of controlled delivery of narcotic drugs and psychotropic substances in order to identify persons involved in the crime of drug trafficking.

CICAD recognizes Mexico for its continued participation and commitment during the Sixth Evaluation Round of the MEM. In accordance with its national situation, the country is encouraged to fully implement the Plan of Action (2011-2015) of CICAD's Hemispheric Drug Strategy (2010).



SUMMARY OF THE STATUS OF COMPLIANCE WITH RECOMMENDATIONS

INSTITUTIONAL STRENGTHENING		
NO.	RECOMMENDATION	EVALUATION
1	Establish and/or strengthen national drug authorities, placing them at a high political level, with the mission to coordinate the effective planning and implementation of national drug policies.	COMPLETE
2	Design, implement, strengthen and update national evidence-based strategies and policies on drugs.	STARTED
3	Establish and/or strengthen National Observatories on Drugs or similar technical offices to develop national drug information systems and foster scientific research on this subject.	MOSTLY COMPLETE
DEMAND REDUCTION		
4	Develop and implement comprehensive demand reduction policies, plans and/or programs.	PARTIALLY COMPLETE
5	Design and implement a comprehensive system of evidence-based universal, selective, and indicated prevention programs, with measurable objectives, aimed at distinct target populations, including at-risk groups.	COMPLETE
6	Promote the integration of treatment and recovery plans and programs into the public health system and address drug dependence as a chronic, relapsing disease.	COMPLETE
7	Facilitate access for drug-dependent persons to a system of drug treatment, rehabilitation, social reintegration, and recovery services that are evidence-based and follow internationally-accepted quality standards.	MOSTLY COMPLETE
8	Explore the means of offering treatment, rehabilitation, social reinsertion and recovery support services to drug-dependent criminal offenders as an alternative to criminal prosecution or imprisonment.	COMPLETE
9	Strengthen governmental relationships with academic and research institutions and specialized non-governmental organizations (NGOs), in order to generate evidence on the demand for drugs.	COMPLETE
10	Promote and strengthen training and continuing education of professionals, technicians and others involved in the implementation of demand reduction activities.	MOSTLY COMPLETE



SUPPLY REDUCTION		
11	Adopt and/or improve comprehensive and balanced measures aimed at reducing the illicit supply of drugs.	COMPLETE
12	Adopt and/or improve data collection and analysis mechanisms with a view to carrying out assessments that will facilitate the development of public policies aimed at illicit supply of drugs reduction.	COMPLETE
13	Promote studies and research that contribute to the early identification and monitoring of new and emerging trends that could provide updated information on the illicit supply of drugs.	COMPLETE
14	According to the needs of each country, adopt comprehensive measures, such as integral and sustainable alternative development and law enforcement initiatives.	PARTIALLY COMPLETE
15	Promote actions to reduce the negative impact on the environment caused by the world drug problem, in accordance with national policies.	NOT STARTED
CONTROL MEASURES		
16	Implement programs to prevent and reduce the illicit production of synthetic and plant-based drugs.	COMPLETE
17	Adopt or strengthen control measures in order to prevent the diversion of controlled chemical substances towards illicit activities.	COMPLETE
18	Adopt or strengthen control measures to prevent the diversion of narcotics, psychotropic substances, pharmaceutical products with psychoactive properties and those used in the production of synthetic drugs.	COMPLETE
19	Ensure the adequate availability of narcotics needed for medical and scientific use.	COMPLETE
20	Strengthen national organizations for the control of illicit drug trafficking and related crimes.	MOSTLY COMPLETE
21	Identify new trends and patterns regarding illicit drug trafficking and related crimes.	COMPLETE
22	Promote improvements in information systems on illicit drug trafficking and related crimes.	MOSTLY COMPLETE
23	Adopt measures for effective cooperation in criminal investigations, investigation procedures, collection of evidence, and the exchange of intelligence information among countries, assuring due respect for the various national legal systems.	COMPLETE
24	Adopt or strengthen, as applicable, control measures for the illicit trafficking of firearms, munitions, explosives, and other related materials associated with illicit drug trafficking.	COMPLETE



25	Establish, update, or strengthen legislative and institutional frameworks in matters of prevention, detection, investigation, and prosecution of money laundering.	COMPLETE
26	Create or strengthen, in accordance with national legislation, the competent national organizations for the management of seized and/or forfeited assets, and the disposition of forfeited assets.	COMPLETE
INTERNATIONAL COOPERATION		
27	Reaffirm the principle of cooperation contained in international instruments to address the world drug problem, through actions to ensure compliance and effectiveness.	COMPLETE



GLOSSARY

I. INSTITUTIONAL STRENGTHENING

Relevant actors: includes civil society, scientific community, university based researchers, government at the national, regional and local levels.

II. DEMAND REDUCTION

Alternatives to incarceration: vary from jurisdiction to jurisdiction, but most involve suspension of the judicial process provided the offender volunteers to participate in a monitored drug treatment program.

Available evidence: use of information, from different sources, to support an effect with an adequate degree of confidence, so that it can be used as a basis for a particular recommendation. The quality of the information sources will indicate the level of confidence for the estimate of the effect.

Comprehensive (prevention) system: organizations and programs that provide addiction prevention services, and are interconnected with each other and with several organizations, programs and channels that provide support services.

Indicated prevention programs: a set of actions targeting persons who use drugs.

Public health system: Includes all organizations, institutions and resources whose principal objective is to carry out activities designed to improve health. The majority of national health systems include the public, private, traditional and informal sectors. The four primary functions of a health system include: provision of services, generation of resources, financing and management.

Selective prevention programs: a set of actions targeting a specific segment of the population, which, because of personal, social, family, or socio-cultural and related characteristics, is vulnerable to the diverse risk factors leading to drug use.



Social reinsertion: any social intervention with the aim of integrating former or current problem drug users into the community. The three ‘pillars’ of social reinsertion are (1) housing, (2) education and (3) employment (including vocational training). May also be referred to as “social re-integration.”

Universal prevention programs: a set of preventive actions targeting the entire population independent of risk.

III. SUPPLY REDUCTION

Regulatory framework: the set of established laws and regulations that governs the activities of the institutions responsible for the formulation, development and application of drug supply reduction policies and/or programs.

Risk factors: risk factors are those conditions that contribute to the emergence or strengthening of illicit activities and/or to the neutralization of law enforcement activities.

Social inclusion: a situation which ensures that all citizens, without exception, are able to exercise their rights, use their skills, and take advantage of opportunities available to them.

Vulnerable populations: those sectors or population groups that, due to poverty, ethnic origin, health, age, gender or disability, are unable to develop and improve their circumstances. This vulnerability places such persons at a disadvantage with regard to exercising their full rights and freedoms.

IV. CONTROL MEASURES

Drug characterization and impurity profiling: use of scientific laboratory information in support of law enforcement operation work, aimed at establishing links between drug samples. It consists of the systematic collection and sharing, in a standardized form, of physical and chemical information on a drug seizure, including the analysis and use of trace impurities to link different drug samples.



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