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NOTE

From: Spanish regional chair of the Dublin Group
To: Dublin Group
Subject: Regional report on South America

BOLIVIA

1. Background

Since the group's last report was submitted in September 2014 there have been no changes either in the Bolivian legal framework or in the specific national administrative structure for combating drug trafficking. This indicates that there is political and institutional stability in the sector, which facilitates cooperation with partners in the fight against drug trafficking.

The recently appointed Minister for the Interior, Hugo Moldiz, has made several announcements regarding a regional anti-drugs plan for Latin American countries, based on Bolivia's experience. The proposal will be made within the Union of South American Nations (UNASUR) or the Community of Latin American and Caribbean States (CELAC) and aims to 'provide a Southern solution to a problem that cannot be ignored'. The government has not yet issued any information about the regional plan.

In addition, in February 2015 Police Colonel Santiago Delgadillo Villalpando was appointed as the new Director-General of Bolivia's anti-drug agency, the FELCN (*Fuerza Especial de Lucha contra el Narcotráfico*), replacing Police Colonel Mario Centellas Camacho.

With regard to the rationalisation and eradication of coca leaf, the area covered by the 2014 eradication campaign seems to have been similar to that of the preceding four years and could indicate a further net reduction in the area under cultivation. The 2014 monitoring report on coca crops in Bolivia, which will be presented in August 2015, will reveal whether rationalisation and eradication of coca leaf again resulted in a decline in crops in the country in 2014. Although figures for 2014 will not be available until August 2015, net eradication of coca leaf was 12 %, 7 % and 9 % in 2011, 2012 and 2013 respectively.

2. Recent events

The last six months have seen the following important developments in Bolivia's fight against drug trafficking:

(i) In March, Bolivian Police General Óscar Hugo Nina Fernández, having been placed on administrative leave, was arrested in Bolivia for illicit enrichment and the laundering of profits linked to drug trafficking. He served as director of the FELCN in 2009, before taking over as Commander-in-Chief of the Bolivian national police between 2010 and 2011. He was removed from office in March 2011, two weeks after General René Sanabria, ex-director of the FELCN within the Bolivian police, was arrested in Panama by the DEA on charges of trafficking cocaine to the United States. In his statements, ex-Commander-in-Chief Nina implicated other Bolivian government officials.

In October 2014, the FELCN arrested José Cristóbal Delgadillo Valencia ('Cristo'), a key figure in the drug trade between Bolivia and neighbouring countries including Peru, Paraguay and Brazil. (Information from the US International Narcotics Control Strategy Report 2015.)

(ii) On 27 January 2015, the UNODC presented the results of its work to validate information on the incineration and destruction of drugs confiscated in the first half of 2014. The work involved a new verification and advisory process developed by the UNODC, which participated in a representative capacity and verified incinerations. According to the results presented by the UNODC in January 2015, the Bolivian authorities carry out the destruction of controlled substances in full compliance with international standards and national protocols. In 2014, the Bolivian government seized and destroyed 18.26 tonnes of cocaine base, 4.1 tonnes of cocaine hydrochloride, and 12.59 tonnes of marijuana (it should be noted that Bolivia weighs the whole marijuana plant if it is seized intact).

There are insufficient controls on the legal coca markets in the country – Villa Fátima for the Yungas region of La Paz and Sacaba for the Cochabamba Tropics – to be able to identify the end use or end users of the coca leaf sold there. Moreover, according to data from the government of the Plurinational State of Bolivia (DIGCOIN) and UNODC estimates, more than 95 % of the coca leaf produced in the Cochabamba Tropics (Chapare) is not sold at the Sacaba market.

(iii) At the beginning of the new parliamentary term in January 2015, President Evo Morales announced that the legislative framework for combating drug trafficking (Law 1008) would be amended in 2015. It seems that two new laws will be proposed to the Legislative Assembly:

- 1) A general law on coca, including its use, consumption, transportation, specific cultivation areas and commercialisation.
- 2) A law on controlled substances, including a distinction in terms of offences and penalties between the trafficking and micro-trafficking of drugs, updates to lists of controlled substances, the control of chemical precursors, and investigation into illicit profits.

The government has mentioned that it wishes to push forward the law on forfeiture of assets so that it can use the seized assets to combat drug trafficking. Although the law is urgently needed in Bolivia, it is encountering serious difficulties which are delaying its adoption and implementation.

(iv) In March 2015, the Bolivian government presented the second national study on the prevalence and characteristics of drug consumption in Bolivian homes in the capital cities of nine departments and the city of El Alto. The study, financed by the European Union, applies relevant international standards and is based on a survey of 9 600 persons conducted by the Catholic University of Bolivia in 2014. The study reveals the lowest figures among the South American countries and indicates that drug consumption in Bolivia has fallen in relation to the last study conducted in 2007, with the exception of tranquillisers, the prevalence of which has increased by two percentage points (4.62 %).

(v) As the half-yearly report noted in September 2014, illegal air traffic between Peru, Bolivia and Brazil – the so-called 'air bridge' which is used to transport drugs to the consumer countries of the continent's Southern Cone – is a cause of concern. It is worth highlighting the renewed bilateral cooperation on drugs between Bolivia and Peru that followed the Joint Committee meeting in Peru in November 2014. As a result of this meeting, the two countries have increased their cooperation on the exchange of information and intelligence, as well as the number of joint operations targeting drug trafficking by light aircraft.

In this context, FELCN data indicates that 36 light aircraft were seized in 2014 and a number of light aircraft were destroyed on Peruvian territory. Other FELCN operations in recent weeks have included the seizure in Santa Cruz of 27.2 tonnes of ground coca leaf and one tonne of cocaine hydrochloride intended for export to Lebanon (in the Middle East), and the destruction of 74 cocaine hydrochloride laboratories in the Santa Cruz region (up 9 % on 2013). The destruction of 5 306 rural cocaine factories (- 10 %) has also been reported. However, the total number of seizures and arrests was lower in 2014 than in previous reporting periods.

3. Recommendations

We propose the following possible new recommendations to the Bolivian government with regard to combating drug trafficking:

(i) The Peruvian anti-drugs czar, Alberto Otálora, has claimed that 85 % of the light aircraft confiscated from drug traffickers are registered in Bolivia. Peru has declared a no-fly zone in the area most frequently used by drug flights and in March the Peruvian parliament will discuss the request from Alberto Otálora's office for the government to authorise light aircraft in the air bridge to be brought down.

In this context, we recommend that Bolivia step up the exchange of intelligence with Peru, and make an in-depth assessment of which technological instruments and other intelligence/surveillance tools will most effectively reduce the threat.

We recommend that the government of Bolivia continue to work with and strengthen its cooperation with Peru and Brazil through joint and trilateral committees, with the aim of implementing joint actions to allow progress to be made towards the elimination of drug-trafficking networks in those three countries, and towards the approval of a joint action plan leading to effective cooperation between the three states.

In the same regional context, we recognise the good work of the training centres – for anti-drugs police ('Garras del Valor') and drug-detection dogs – and recommend that the government of Bolivia begin the 2015 activities programme as soon as possible, and make use of these centres in regional coordination.

(ii) In the light of the public debate on an amendment to the **legal framework** for drug trafficking, the relevant ministries should be encouraged to formulate and discuss these new sectoral policies as a matter of priority, and to speed up the legislative process in order to replace Law 1008 and implement a flexible and effective legal framework in response to the threats currently facing the country.

The current technical difficulties that the FELCN is experiencing in its investigations, especially against the heads of the criminal organisations involved in drug trafficking in Bolivia, warrant comprehensive analysis by the Bolivian government in order to update the legal framework, in the form of supplementary rules, and to make it possible for the police to carry out phone taps, subject to authorisation and judicial review, as part of investigations into drug trafficking and related offences such as money laundering, as has already been successfully implemented in Peru in recent years.

(iii) In the light of the various UNODC reports, we recommend that the Bolivian government assume greater **control over the legal coca leaf markets** at all levels up to end user. In addition, we recommend that the quality and operation of evidence rooms and the chain of custody be improved in order to reinforce the state's control over seized drugs during the period of state custody.

(iv) We request that the entirety of the comprehensive study on the coca leaf in Bolivia be made available to the wider public.

BRAZIL

The electoral period in Brazil at the end of last year and the slow process of forming a government in the early months of 2015 have resulted in a certain paralysis in the fight against drugs at the legislative and executive levels.

However, following consultations between this Representation and the UN Office on Drugs and Crime (UNODC), as well as consultations between our Department of the Interior and the Brazilian police authorities and other resident Embassies, the following developments can be noted with a view to updating the reports submitted in September 2014:

On 18 March 2015, the EU-Brazil Dialogue on Drugs, chaired on the Brazilian side by the State Secretary for Drugs Policy, Vitore André Zílio Maximiano, took place in Vienna. As yet no information has been received on the content of the meeting (the agenda is attached).

With regard to the seizures and operations carried out by the federal police last year, I attach the report drawn up by this Department of the Interior.

- On 29 October 2014, Brazil's federal police officially presented the Intercops project (an international police cooperation project targeting airports), which is to be based at the international airport of São Paulo-Guarulhos. This Representation's Counsellor of the Interior attended the presentation. The choice of the international airport of São Paulo-Guarulhos as the headquarters for the project is due to the particularly high level of criminal activity that occurs both in the state of São Paulo in comparison to the rest of the country, and at São Paulo-Guarulhos airport. The Intercops project aims to become the permanent hub for the exchange of information on the various national and international criminal markets, and would involve an international police presence provided by agencies, institutions, bodies, etc. with an interest in seconding police officers (TWO per country) with experience in the type of crime that takes place in airports (drug trafficking, smuggling, fiscal offences, trafficking in human beings, illegal immigration, fraud, other illicit trafficking, as well as any type of offence committed in airports) for a period of TWO weeks. The project is scheduled to run TEN times per year, so a wide range of international participants is expected, and there will be a possibility for countries to participate again in later cycles.

- The 2014 report by the International Narcotics Control Board notes the following in relation to Brazil:
 - In 2014 Brazil enacted new legislation to ensure the expeditious destruction of illicit crops and seized drugs, with the exception of small samples for forensic analysis and use in the criminal justice process. Discussions on other potential legislation with a possible impact on drug policy have also been initiated.

- Brazil, with its extensive land borders with all three of the major cocaine-manufacturing countries and a long coastline on the Atlantic Ocean, remains an important transit country for cocaine trafficked to West and Central Africa, Europe and South Africa, in addition to being a major destination country for large amounts of cocaine.

There have been no major changes in the overall situation in Brazil with regard to illegal drug trafficking since the report given at the mini Dublin Group meeting on 2 September in Brasilia and which served as the basis for drawing up ST 15007/13 CORDROGUE 102, COLAC 14 of 22 October 2013.

The law enforcement authorities responsible for combating illegal drug trafficking in Brazil believe that **national cocaine consumption has continued to rise** in relation to previous years. There is not necessarily any link between this trend and the latest statistics drawn up by the federal police department for 2014, which show a decrease in the total number of tonnes of cocaine and cannabis seized.

According to the data supplied, **cocaine seizures** amounted to 31 869.23 tonnes in 2014. This is a 23.73 % decrease on the figure (in tonnes) for 2013, when the total was 41 789 tonnes of cocaine. The same trend can be extrapolated for cannabis trafficking, as **cannabis seizures** in 2014 amounted to **193 885.51** tonnes. This is a 12.75 % drop compared with the 222 225 tonnes seized in 2013.

For both types of illegal trafficking, and based on the current results and indicators, the federal police department concludes that Brazil's growing domestic demand, either for internal consumption or for transit to third countries, is not reflected in the decrease in the number of drug seizures in 2014.

Seizures of **synthetic drugs** rose slightly in 2014. According to the federal police, consumption of synthetic drugs in Brazil may be increasing significantly, with most of the routes into the country originating in the European Union.

Similarly, and directly linked to the drug seizures, there has been an increase in **seizures of 'assets related to drug trafficking'** (real estate, transport vehicles, boats, planes, helicopters, etc.). In this respect, the establishment of offices to freeze assets from drug trafficking continues to be one of the greatest successes, not only in terms of the seizures of immovable property but also the amounts of money seized, which are directly or indirectly linked to the dismantling of the criminal structures that support drug trafficking in Brazil.

It should be borne in mind that these figures were supplied by the federal police alone and do not include those of the civil police of Brazil's states. It is therefore not possible to state with confidence that there is a downward trend in the number of drug seizures throughout the whole country.

In the light of the above, and as has already been mentioned in previous reports by the mini Dublin Group, the **federal police department's investment in human resources devoted to combating drug trafficking** may be delivering the desired results. Nevertheless, we must bear in mind that the allocation of human resources by the federal police in 2014 was influenced by the priority of providing security for the 2014 football World Cup in Brazil, which had an impact on the number of drug seizures.

There have been no new **government measures** adopted for the prevention of cocaine consumption (in any form, especially crack), which means that the strategic plans continue to be reliable tools for raising awareness in Brazilian society of the social scourge of drug consumption.

Nor have there been any developments or modifications in the **federal legislative framework** for the prevention and countering of illegal drug trafficking since the last report.

COLOMBIA

1. Introduction

Colombia is one of the main catalysts behind the discussion on the need to adopt a new approach to combating drugs in South America. Between 2012 and 2014, discussion of this issue took off in political and social media.

At multilateral level, Colombia continues to push for a review of the global model for combating drugs. Specifically, at the 58th General Assembly session of the UN Office on Drugs and Crime (UNODC), the Colombian Minister for Justice, Yesid Reyes, stated that Colombia hoped the UN would carry out an in-depth review of the global strategies and objectives for addressing the problem of drugs. He also pointed out that the State's fight against drug trafficking had been purely repressive, stressing that a new approach should be adopted in which drug consumption was viewed as a public health issue. The importance of education and the social issue of Colombian peasant farmers was highlighted as well.

In that respect, Minister Reyes mentioned Senator Juan Manuel Galán's initiative to legalise the use of marijuana for medical and therapeutic purposes, which was supported by President Santos himself, and reiterated the Colombian government's commitment to continue promoting the regulation of marijuana for medical purposes.

Finally, and on another note, while the talks in Havana had brought the government and the FARC to an agreement on the fourth point of the agenda entitled 'solution to the problem of illicit drugs', under which the FARC committed itself to severing any link it may have had with drug trafficking for the purposes of rebellion, the latest police assessments show that the guerrilla forces have continued to produce coca leaf, increasing the number of hectares under cultivation, and the Colombian security forces have continued their all-out war against drug-trafficking. The latest chapter in the war was the killing of the commander of the FARC's 57th Front, known as 'Becerro', who was considered to be one of the FARC's chief drug traffickers, with numerous links to Central American mafias.

It is important to note that the Colombian criminal scene is made up of many different organisations (FARC, ELN, BACRIM) that fight each other for territorial control or divide it up between them, giving rise to a range of criminal activities (drug trafficking, illegal mining, extortion, etc.). The challenge for the State is to regain control and hold on to it by means of negotiations and/or repressive action.

2. General drug situation in Colombia

Colombia still leads the world in coca growing and cocaine production, along with Peru and Bolivia, although progress in the negotiations with the FARC and the evolving demand for cocaine from the United States and Europe mean that the situation could change rapidly over the short and medium term.

According to crop data, at the end of 2013 the areas under cultivation covered an estimated 48 000 hectares which, with a 1 % increase, is almost the same figure as in 2012.¹ The area covered by coca crops, however, had fallen by 34% from 135 000 ha to 89 215 ha.²

During 2013, some 47 053 ha were sprayed, compared with 55 554 ha in 2014, an increase of 18%.³ Forced manual eradication fell 46 % from 22 056 ha in 2013 to a reported 11 799 ha in 2014.³

In addition, coca cultivation continued in 23 of the 32 departments, and potential cocaine production in 2013 fell to 249-331 tonnes compared with the 262-405 tonnes produced in 2012, a drop of 13 %.¹

With regard to the fight against drug trafficking, 166 686 kg of cocaine hydrochloride were seized, either in Colombia or of Colombian origin, compared with 166 192 kg in 2014, i.e. a decrease of 0.3 %.⁴

¹ Data from the UNODC/SIMCI report of June 2014.

² The area affected represents the geographical sum of the reports of illicit crops based on spraying, manual uprooting and the annual census. UNODC produces the data for these last two, while the spraying report is from DIRAN (Anti-Drugs Directorate).

³ Data from Anti-Drugs Directorate (DIRAN) of the Colombian police.

⁴ Data from the Colombian Drug Observatory.

As to use of illegal drugs, the 2013 national study on the consumption of psychoactive substances in Colombia shows that 13 % of the Colombian population has taken some drug at least once. The peak age group is people aged 18 to 24, and as regards socio-economic strata, the highest consumption is in stratum three (the strata go from one to six, from lowest to highest purchasing power).

The most used drug is marijuana. Some 11.5 % of people have used it at least once. Cocaine comes in second place, with 3.2 % having used it at least once and 0.7 % at least once in the last 12 months.

Throughout the country, some 484 000 people meet abuse or dependency criteria and need some kind of help to cut down or end their consumption. Of each five such people, four are male and one female.

According to the Colombian Drug Observatory, the situation in Colombia falls in the middle of seven South American countries using the same methodology to estimate drug consumption, with figures that are similar to Bolivia's, higher than in Ecuador and Peru and lower than in Argentina, Chile and Uruguay.

With regard to the university population, according to the comparative studies carried out in the Andean countries, Colombia has the highest consumption levels for the majority of substances.

3. Assessment of the Colombian authorities' anti-drugs strategy within the institutional, production, demand and trafficking framework, including money laundering and chemical precursors

The Colombian authorities continues to have a clear and decisive approach to the fight against all aspects of drug trafficking: **production, consumption, trafficking and money laundering**. The government continues to focus its activities on regionalisation, undertaking integrated local action on economic development, access to justice, education and healthcare, among other things, and making significant investments.

As regards international cooperation, the various programmes mentioned in earlier reports from this group (Ameripol, COPOLAD, UNODC/SIMCI) remain in operation.

4. Conclusions and recommendations

- a) Above all, increase the contribution towards training in the control and prosecution of money laundering, offering international advice on the development of Ecuadorian legislation to combat money laundering, a problem that has not been resolved in a satisfactory manner. The lack of an IT system for analysing unusual transfers undermines the effectiveness of the Financial Intelligence Unit.
- b) Stress the benefits of improved coordination among the member countries of the **Dublin Group** in their contributions and bilateral cooperation with the State of Ecuador, to avoid duplication that would render them less effective. In the specific case of the EU, arrangements for cooperation and coordination should be put in place for the organisation of seminars and courses, etc., with such activities being conducted by specialists from Member States wishing to participate.
- c) **Urge Ecuador to exercise greater control over the country's port infrastructure, especially in the port of Guayaquil** (world leader for the outflow of cocaine) where, despite the rise in seizures in 2014, there are still serious problems of corruption which prevent the interception of significant quantities of drugs, which are subsequently detected in European ports of destination.

PARAGUAY

1. General situation

Despite recent efforts, Paraguay continues to face various challenges in the fight against drug trafficking.

In terms of SUPPLY, it is a producer country. Together with Colombia, Paraguay is the largest marijuana producer in South America, according to the 2014 report by the International Narcotics Control Board. According to UNODC data for 2010-11, Paraguay has an area under cultivation of over 6 000 ha and produces approximately 16 500 tonnes, accounting for around 15 % of world production. The annual yield of the crop at local wholesale prices is in excess of USD 350 million. The main market for Paraguayan cannabis is Brazil, to which 80 % of production is sent.

Over the past few years the National Antidrug Secretariat (SENAD) has stepped up action against marijuana production. Between 2010 and 2014 the number of operations doubled (542 in 2014), increasing almost fivefold the volume of seizures of pressed marijuana (575 000 kg in 2014) and virtually doubling the number of hectares eradicated (1 966 ha in 2014). These figures are supplemented by those resulting from actions by the national police, which amount to a further 150 000 kg in seizures. There are still no initiatives to map crops or to promote alternative land use. Both questions are central to UNODC's National Integrated Plan.

Paraguay is also an important country of transit, particularly for the transport of cocaine from Bolivia, Peru and Colombia to Brazil and other Southern Cone markets, as well as to Europe, Africa, the Middle East and, to a lesser extent, the US. All this is facilitated by the porous nature of its extensive border, the lack of State control and presence at many points, and by the high level of corruption within the police and justice system. It is a trend that may be increasing. In this respect, the Deputy Executive Secretary of SENAD pointed out that there was a growing presence in the country, particularly in border areas (Alto Paraná), of Colombian groups which had moved to Paraguay owing to the increasing police pressure in their country of origin, and were setting up cocaine base paste laboratories and even investing in the construction of greenhouses for the cultivation of marijuana. These groups were apparently bringing in technology used in Colombia for such purposes. As a logical consequence, there has also been a steep increase in cocaine seizures in the past five years, from barely 600 kg in 2009 to more than 3 tonnes in 2013 (although in 2014 the volume of seizures was barely in excess of 1.5 tonnes).

On the DEMAND side, the Paraguayan authorities continue to be concerned about the growing prevalence of the use of base paste, popularly known as "crack", which has devastating effects on the health of those using it, 80 % of whom are minors. The number of doses seized has increased sixfold in the past five years, to almost 30 000 units in 2014.

The policy of demand reduction continues to lack sufficient institutional support. Thus, 70 % of the budget goes to combating supply and only 30 % to reducing demand. Attention should be drawn to the study under way to analyse the base paste and identify its content, as it is treated with many types of chemicals which may affect health in different ways.

There is a serious shortage of treatment and rehabilitation centres. Only one national centre exists, with 30 beds. In addition, there are 42 private centres, which are difficult for persons with few resources and lacking official certification to access. Since 2008 there have been minimum standards for building permits, and an authorisation mechanism for the methods used is currently being worked on. At the same time a farm school was built in Piribebuy in 2014 for treatment and rehabilitation.

2. Institutional framework

Action against drug trafficking is managed and conducted primarily by the National Antidrug Secretariat (SENAD), which is at ministerial level and reports directly to the office of the President of the Republic. The SENAD is making an ongoing effort to reinforce its numbers. In addition to hiring 50 agents in 2014, it plans to take on another 25 in 2015.

Other institutions also involved are: SEPRELAD (Secretariat for the Prevention of Money Laundering), the Anti-Corruption Secretariat, the national police, the armed forces and the prosecution service. As regards the latter, there are currently six prosecutors for all cases connected with drug trafficking, of which there are three per day on average. There is insufficient institutional coordination.

One of the main shortcomings of the Paraguayan institutions is the lack of resources. It is hoped to respond to this with the launch of the CICAD/OAS Seized and Forfeited Asset Management (BIDAL) Project on asset investigation and on the seizure, confiscation, administration and use of assets in connection with money-laundering and related activities. At the end of March a delegation will travel to Asunción to outline its implementation. With BIDAL it is hoped not only to obtain more resources, but also to dispose of all assets accumulated as a result of seizures - including for example, 30 tonnes of sulphuric acid.

In parallel, Congress is discussing the draft law on forfeiture of assets. The objective is to obtain immediate availability of the assets associated with a unlawful act, without waiting for a final judgment. At the moment the assets cannot be auctioned until there is a final judgment, which may take as long as five to ten years.

3. International cooperation

The UNODC delegation provided information on the application of the National Integrated Plan (NIP). The SENAD authorities stressed that the NIP had facilitated an improvement in terms of increased coordination and dialogue between the country's various institutions, and better identification of the priorities. Work is currently under way on a medium-term assessment which will nevertheless maintain the broad lines, seeking to develop a cross-cutting approach among the various institutions responsible for each of the three sub-programmes making up the NIP. The current weakness of the NIP lies in its lack of funding. Of the three sub-programmes, all of the first (organised crime and illicit trafficking) and part of the third (drug demand reduction and treatment) currently lack financing, while the second (justice and anti-corruption) is the best funded. For Sub-programme 3, the SENAD has recently earmarked USD 50 000, and Spain has allocated EUR 40 000 from the Fund of Proceeds from Drug Trafficking and Related Offences. Funding prospects have also opened up with Qatar and, perhaps, with the EU. These funding problems are also offset by the initiatives carried out as part of regional programmes, such as those related to chemical precursors and the checking of containers.

The US delegation reported on various ongoing cooperation programmes. As regards the fight against money laundering, a two-year programme with the Treasury Department has been launched. The US carries out training activities in various fields, such as the management of the chemical products seized, combating terrorism, or support for sensitive SENAD units with DEA funds. The US is assisting with the training of dogs and their handlers. In addition, the US is supporting the reforms of the prison system being carried out by the Ministry of Justice.

Japan has examined the possibility of focusing on two drug policy initiatives currently under way. One of the projects, which must be negotiated between the governments, aims to support the planting of sesame and could lead to crop substitution in areas affected by marijuana. The other is a programme to assist rural communities, which would provide funding of up to USD 80-90 000 for projects in cooperation with municipalities, provincial governments and civil society.

The United Kingdom reported on a recent visit to London by the Minister for SENAD, Luis Rojas, during which he held meetings with officials from the National Crime Agency (with which it is working on a project for the seizure of light aircraft) and from the Home Office. An expert from the Defence Academy will be giving a course on strategic leadership, in which SENAD officials will take part.

The EU confirmed that the possibility of contributing to the NIP is being considered; this would complement the financial support that the EU is already giving to regional programmes and to the container programme. The SENAD representatives also drew attention to the positive results of cooperation with COPOLAD, and stated that a delegation had travelled to Paraguay in March 2015 to analyse the results of the EU-Latin America Cooperation Programme on drug policies, with a view to planning the next phase.

Spain underlined the support for UNODC's NIP, reflected in the recent contribution referred to above. It also highlighted the excellent degree of cooperation between the Paraguayan authorities and Spain's Ministry of the Interior in the exchange of operational information and/or intelligence, and reported that the second meeting of the Joint Hispano-Paraguayan Committee on Drugs was under preparation, and that a preparatory video-conference would be held on 23 April.

4. Recommendations

- Improve institutional coordination. Need to increase coordination of the forces responsible for reducing supply, i.e. coordination of intelligence between SENAD, national police, customs service and the narcotics prosecution service.
- Increase the financial and technical resources of SENAD.
- Desirability of providing support to the NIP in the general State budget so that it does not have to rely exclusively on voluntary contributions.
- Map areas of marijuana cultivation and promote alternative crops through international cooperation projects.
- Step up demand reduction work via specialist training of human resources and upgrade the treatment and rehabilitation centres, increasing the coverage of school prevention programmes, with more organised civil society participation, and conducting periodic studies of key populations (such as schools, homes, emergency centres, prisons and treatment centres) with regard to the prevalence of and trends in drug consumption, as well as associated risk factors.
- Increase the staffing of the narcotics prosecution service in order to reinforce judicial investigation of drug trafficking.
- Importance of the entry into force of the law on forfeiture of assets and of the effective implementation of the BIDAL project.
- Monitor new psychoactive substances, which constitute a real threat to public health and are on the rise in Latin America.

PERU

February 2012 saw the adoption of a **new national anti-drugs strategy 2012-2016 (ENLD)**, which sets out the guidelines for the Peruvian State's action to combat drug trafficking. It has now been in force for three years, and is working well. Peru is dedicating more resources and tackling the issue in its own right. There is clear leadership, and the National Commission for Development and Life Without Drugs (DEVIDA) has cemented its role as the lead agency.

The strategy aims to improve results using an integrated approach that addresses all aspects of the problem (eradication, alternative crops, control, rehabilitation and prevention), and establishes precise targets and indicators. Significant progress was made in 2013 and, according to the official UNODC and DEVIDA data, a watershed was reached as the area under coca leaf cultivation fell from 60 400 ha to 49 800 ha. Figures for 2014 are not yet available, although it is known that they have exceeded the targets initially set.⁵

1. Overall situation in the country

1.1. Coca leaf, basic cocaine paste and cocaine hydrochloride

In 2013 dried coca leaf production in Peru fell by 17.5 % in terms of net area. This reduction continues the downward trend begun in 2012 and demonstrates that the political decisions adopted by the Peruvian government are on the right track.

According to UNODC data, potential dried coca leaf production amounted to 121 242 tonnes on 31 December 2013. Potential cocaine production has not been determined, as the conversion factors are not up-to-date. It should be noted that 9 000 metric tonnes of dried coca leaf are chewed in the traditional way, according to data from the National Statistical Institute (INEI).

⁵ (NB. US government figures indicate that coca cultivation increased by 18 % between 2012 and 2013, from 50 500 ha to 59 500 ha.)

The main coca-growing areas in Peru are still in the Apurímac-Ene-Mantaro river valley or VRAEM (19 167 ha), and the La Convención-Lares (10 843 ha) and Alto Huallaga (4 302 ha) river valleys. Inambari-Tambopata and Bajo Amazonas are also key areas. The VRAEM accounts for 38.5 % of the total area under cultivation in Peru, and 57 % of potential production.

In 2013 the largest reductions achieved through eradication efforts were in Alto Huallaga, where the area under cultivation fell by 54.8 %; eradication was also particularly successful in Palcazú-Pichis-Pachitea, with a drop of 81.6 %. The reductions in La Convención and Lares, however, resulted from the abandonment of crops rather than eradication efforts. By contrast, there has been an increase in the area under cultivation in Aguaytía.

In 2014 eradication actions intensified, with 31 200 ha being eliminated. The target for 2015 is even higher - 35 000 ha.

The average price established for 2013 was USD 4.3 per kilogramme of dried leaf, up 33 % on 2012. With regard to cocaine hydrochloride in Peru, the average price rose by 39 % to USD 1 310/kg, the highest it has been for 15 years.

Recorded seizures improved slightly with respect to 2013 (33 844 kg of drugs seized in 2014, compared with 28 003 in the previous year). It is nevertheless still a very low figure, and it is considered that, since eradication is progressing in a very positive manner, there should be an improvement in seizures. Of the drugs seized, base paste accounts for 11 116 kg, cocaine hydrochloride for 18 699 kg and marijuana for 4 018 kg.

In the last 10 years international drug trafficking has changed its modus operandi. Since 2000, the transportation of drugs from the point of production has essentially been organised and supervised by domestic and foreign traffickers and carried out by groups known as backpackers ("cargachos" or "mochileros"). To that end they use the entire road network and their destinations include intermediate towns, generally in the sierra. Then they go to the coastal towns or border towns, where the shipments contracted by the international cartels are made up.

Drug trafficking currently also uses the sea route (though the creation and use of front export companies, with the "merchandise" being hidden in the numerous containers that leave the country's ports every day).

An extremely worrying phenomenon is drug traffickers' growing use of illegal light aircraft, which operate from increasingly dispersed clandestine airstrips. It is believed that a very considerable proportion of the drugs is currently being smuggled to neighbouring countries, particularly Bolivia, on such illegal flights, and the authorities are considering taking aggressive action to curb the practice.

1.2. Poppy and other opiates

There are no official statistics. The scant data available are not sufficient for a precise analysis of the situation, though the increased supply of heroin in some neighbouring countries suggests that cultivation could be on the rise in Peru.

1.3 Drug consumption in Peru

Not many statistics are available, but according to a 2013 study from CEDRO, the drugs with the greatest lifetime prevalence in Peru are marijuana (7.5 %), basic cocaine paste (2.9 %) and cocaine (2.4 %). The situation is serious, since drugs can be obtained cheaply and from numerous sources. According to DEVIDA, around 106 000 Peruvians who consume illegal drugs need some kind of urgent treatment to tackle their addiction, a problem which clearly requires greater attention from the public authorities.

1.4 Main approaches and results in the fight against drugs

d.1. Eradication: A total of 31 205 ha were eradicated in 2014, exceeding the targets set in the ENLD (30 000 ha). Since the last report in September, the most significant development has been the eradication operations carried out in the Amazon Trapezium, as it is an area with a very limited State presence which there had been a substantial increase in illegal crops. This has now been curbed.

The VRAEM continues to be the major producing region and the most problematic, and that is where efforts should be concentrated. Although the Peruvian government has confirmed its intention to take action, with a new yield-based approach and a greater role for the Ministry of Agriculture, there is no sign to date of a clearly defined strategy. No eradication took place in the VRAEM in 2014, despite the fact that the target of eliminating 5 000 ha had been set.

d.2. Prohibition and seizures: In addition to the seizure of 33 844 kg of drugs, 1 045 maceration pits and 625 cocaine hydrochloride processing laboratories were destroyed. CONABI (the national commission on seized assets) has carried out a number of public auctions. Arrests of drug mules ("burriers") continue to increase, especially at Lima international airport.

2. Institutional framework

2.1. Policy framework

The strategy for 2012-2016 sets the **general strategic objective** of a drastic and lasting reduction in illegal trafficking and consumption of drugs and their adverse social, political, economic, cultural and environmental effects, while integrating those who produce illegal crops into the lawful economy. Within this general objective there are four major strategic aims: **1. Strategic objective of integrated and sustainable alternative development**, by making it more feasible for people to disengage themselves from illegal coca cultivation. **2. Strategic objective on prohibition and punishment**, through a significant reduction in the unlawful production and trafficking of drugs and related offences, dismantling organised crime organisations and bringing them to justice. Increased detection and investigation of money laundering is also proposed. **3. Strategic objective of prevention and rehabilitation**, decreasing drug consumption nationally using preventive and therapeutic measures. 4. The ENLD includes a **strategic objective of overall commitment**, under the principle of shared responsibility.

The strategy establishes **ambitious goals and monitoring indicators**, and if projections hold they will translate into significant achievements by 2016. However, there are some areas in which it has not been made clear what resources the Peruvian authorities plan to use to achieve the proposed aims, and others in which the strategy could be further refined.

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Given the number of entities involved, it is essential for DEVIDA to have sufficient political backing to take effective action as the lead agency and to carry out its coordination role.

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The Peruvian government's commitment to stepping up the fight against drugs can be seen in various legislative measures that have been adopted. In 2013 these included the legislative decree establishing control measures for chemical inputs and controlled products, machinery and equipment used for the production of illegal drugs, together with the associated regulation.

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International cooperation has continued to support various programmes, particularly in the areas of alternative development, environmental conservation and the restoration of damaged ecosystems. Examples include the work of **UNODC**, as well as funding from the **US** government (which pledged USD 72.18 million in 2014 to combating drugs in Peru), from the **EU** (a support project is under way worth EUR 32.2 million, including EUR 24 million earmarked for sectoral budget support, and EUR 6 million for a technical support programme to assist the Peruvian government in implementing its national anti-drugs strategy 2012-2016; there is also an alternative development programme for Satipo worth EUR 10.2 million, of which EUR 8 million has been provided by the EU and EUR 2.2 million by the Peruvian government), and from various member states. More specifically, Japan has been focusing on community development projects, whilst Canada has been funding initiatives by the Organisation of American States (OAS) that benefit Peru and providing direct support, such as training for the Peruvian national police by the Canadian mounted police. The OAS provides support through the Inter-American Drug Abuse Control Commission (CICAD) for the "institutional strengthening" programme supporting national drug commissions in Latin America, which receives financial support from Spain.

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4. Recommendations

1. **The Group congratulates the Peruvian government on the successful implementation thus far of the national anti-drug strategy 2012-2016**, and on the achievement of a number of its goals, particularly on eradication, and welcomes the fact that the country is dedicating substantial resources to combating drug trafficking. The Group considers that the work should continue along the same lines so that a real, positive impact can be achieved in future in the fight against drug trafficking in Peru; this is feasible if current trends continue.

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16. In accordance with the principle of shared responsibility, and bearing in mind the success of the national strategy and the fact that Peru's status as a producer country means that it remains an important factor in global drug trafficking, the Group considers that **the member countries should continue their international cooperation with Peru on this issue**. The Group also congratulates Peru on its increasing international cooperation with neighbouring countries in the fight against drug trafficking.

URUGUAY

1. General situation

From a regional perspective, **Uruguay is not an important country in terms of production** of drugs, though its geographical location does make it **attractive as a base and transit country for drug trafficking**. The trends in such trafficking remain: cocaine from the Andean region bound for Europe and, to a lesser extent, Asia and Oceania, is the main substance passing through the country. Africa remains a key transit point.

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Although the government maintains that Uruguay **has not yet seen the 'cartelisation'** of groups involved in drug trafficking, the presence of Mexican and Colombian organisations is compounded by concerns about the arrival of organisations from Russia and Brazil.

Uruguayans are continuing to link the trafficking and consumption of illegal substances, especially cocaine base paste, to the **increasing lack of public safety**. Forms of violence that were previously unknown in the country, such as contract killings and settling of scores, and the control by local gangs over certain areas of Montevideo, have persisted.

The '*Strategy for Life and Coexistence*' (June 2012) continues to provide the framework for the actions undertaken by the government to curb, in a comprehensive manner, the increase in criminality.

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There are an estimated 30 000 regular **marijuana** users and 100 000 occasional users of the drug.

According to the UNODC World Drug Report, the **prevalence of cocaine consumption** in Uruguay is very high; it is the country with the tenth highest figure worldwide in percentage terms, and the third highest in Latin America after Argentina and Chile. The national authorities remain concerned about the rise in consumption over the period from 2005 to 2011 in the 13-17 age group.

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The rise in consumption of **synthetic drugs** and the development of a new consumer market remain worrying. Trafficking in these substances occurs along the western coast of Uruguay, across the border bridges between Uruguay and Argentina.

Uruguay is also one of the countries that has reported a rise in the **use of NPSs** (new psychoactive substances), such as ketamine, though consumption is still well below the levels seen in North America and Europe.

2. Institutional framework

The recently appointed President, Dr Tabaré Vázquez, has said he supports and will maintain the principles and instruments of the national strategy on drugs initiated by the previous government.

Since the entry into force of the Regulation implementing the **Law on the regulation, trading and consumption of marijuana** and the establishment of the **Institute for Cannabis Regulation (IRCA)**, registration of marijuana home growers has started (with around 3 000 applications having been received), and a dozen or so cannabis clubs have begun to process the documents needed to set up their operations. The tendering procedure for production by private businesses is taking longer, as are the arrangements needed for selling the substance through the pharmacy network. A Scientific Advisory Committee has also been set up to evaluate the application of the Law and its implementing regulation.

In order to increase the **decentralisation and deconcentration** of drug operations, all departments (regions) in the country now have drugs boards with a role in the coordination of regional and national policies.

Reform of the regulatory framework for establishments specialising in the care and treatment of problem drug users is being consolidated. In this context, the **Ciudadela project** on information, advice and referral for drug users now has 12 centres, and a further six will be set up between 2015 and 2016; each department in the country will then have one of these bodies, which may refer problem drug users to the **national care and treatment centre (RENADRO)**.

Following the incorporation of the PRELAC project into COPOLAD II, Uruguay intends to follow the approach of the former project by setting up its own system for monitoring **chemical precursors**, with a view to extending controls to the domestic market in finished products. It is hoped that a special budget will be secured following the 2015 accountability report in order to boost this activity in the course of 2016.

August 2012 saw the adoption of the **National Strategy and Action Plan** against money laundering and financing of terrorism, and work continues on application of the FATF and IMF recommendations. Uruguay will be evaluated in 2019. Whilst it is recognised that the authorities are doing some good work in this area, particularly in terms of legislation, Uruguay remains vulnerable to such money laundering and financing activities.

The National Drugs Board intends to bolster the **Confiscated Property Fund** during this parliamentary term so that it can work more effectively and allocate resources to the different areas covered by the National Strategy.

3. International cooperation

The National Drugs Board's international cooperation objectives include strengthening national capacities in order to take an integrated approach to a 'global and transnational issue', managing offers of technical and financial cooperation which support the national strategy, and ensuring it is represented in scientific and institutional exchanges.

Examples of international cooperation projects include: the SAVIA project by CICAD/OAS to develop regional cooperation and local initiatives for drug demand reduction; the COPOLAD Programme (Latin America/European Union); the subregional drug information and research project (UNODC, CICAD/OAS); support for the fight against money laundering in the countries of Latin America and the Caribbean (European Union/GAFISUD project); the UNODC Brazil and Southern Cone project on drug abuse prevention in the workplace and the family; the UNODC Global SMART programme (Canada); and the Agreement between Ecuador and Uruguay in the framework of political dialogue and technical cooperation in the areas of demand reduction and supply control.

It is also worth recording that Uruguay co-chairs the EU-CELAC Coordination and Cooperation Mechanism on Drugs and hosted the XVII High-Level Meeting in February 2015.

Uruguay actively supports the establishment of a network of Drug Observatories in UNASUR member countries in order to create a stronger regional vision in this area. In February 2015, Uruguay and UNASUR signed an agreement to that effect.

Uruguay has declared its intention to play an active role in shaping consensus positions at regional level with a view to UNGASS 2016.

4. Recommendations

- The progress made on cooperation between departments and decentralisation and on strengthening institutions and technical training in the police and judicial spheres should continue.
- Recognising Uruguay's efforts on money laundering, we recommend that it follow the recommendations of the IMF and FATF and take them into account when drafting its five-year plan and preparing for the 2019 evaluation.
- Efforts and international cooperation on control of chemical precursors, with a view to preventing their diversion to other countries, should be maintained.
- As regards the draft law on regulating the marijuana market, we recommend more dialogue with international specialist bodies that have expressed doubts about the new rules and their compatibility with relevant international law. The UN International Narcotics Control Board's scheduled visit to Uruguay before the end of 2014 could provide an ideal opportunity.
- At the same time, it would be helpful to analyse the regulations adopted and to monitor their implementation and effects on Uruguayan drug use. This could provide some useful input for the United Nations General Assembly Special Session (UNGASS) on drugs in 2016.

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2. Institutional framework

The recently appointed President, Dr Tabaré Vázquez, has said he supports and will maintain the principles and instruments of the national strategy on drugs initiated by the previous government.

Since the entry into force of the Regulation implementing the **Law on the regulation, trading and consumption of marijuana** and the establishment of the **Institute for Cannabis Regulation (IRCA)**, registration of marijuana home growers has started (with around 3 000 applications having been received), and a dozen or so cannabis clubs have begun to process the documents needed to set up their operations. The tendering procedure for production by private businesses is taking longer, as are the arrangements needed for selling the substance through the pharmacy network. A Scientific Advisory Committee has also been set up to evaluate the application of the Law and its implementing regulation.

In order to increase the **decentralisation and deconcentration** of drug operations, all departments (regions) in the country now have drugs boards with a role in the coordination of regional and national policies.

Reform of the regulatory framework for establishments specialising in the care and treatment of problem drug users is being consolidated. In this context, the **Ciudadela project** on information, advice and referral for drug users now has 12 centres, and a further six will be set up between 2015 and 2016; each department in the country will then have one of these bodies, which may refer problem drug users to the **national care and treatment centre (RENADRO)**.

Following the incorporation of the PRELAC project into COPOLAD II, Uruguay intends to follow the approach of the former project by setting up its own system for monitoring **chemical precursors**, with a view to extending controls to the domestic market in finished products. It is hoped that a special budget will be secured following the 2015 accountability report in order to boost this activity in the course of 2016.

August 2012 saw the adoption of the **National Strategy and Action Plan** against money laundering and financing of terrorism, and work continues on application of the FATF and IMF recommendations. Uruguay will be evaluated in 2019. Whilst it is recognised that the authorities are doing some good work in this area, particularly in terms of legislation, Uruguay remains vulnerable to such money laundering and financing activities.

The National Drugs Board intends to bolster the **Confiscated Property Fund** during this parliamentary term so that it can work more effectively and allocate resources to the different areas covered by the National Strategy.

3. International cooperation

The National Drugs Board's international cooperation objectives include strengthening national capacities in order to take an integrated approach to a 'global and transnational issue', managing offers of technical and financial cooperation which support the national strategy, and ensuring it is represented in scientific and institutional exchanges.

Examples of international cooperation projects include: the SAVIA project by CICAD/OAS to develop regional cooperation and local initiatives for drug demand reduction; the COPOLAD Programme (Latin America/European Union); the subregional drug information and research project (UNODC, CICAD/OAS); support for the fight against money laundering in the countries of Latin America and the Caribbean (European Union/GAFISUD project); the UNODC Brazil and Southern Cone project on drug abuse prevention in the workplace and the family; the UNODC Global SMART programme (Canada); and the Agreement between Ecuador and Uruguay in the framework of political dialogue and technical cooperation in the areas of demand reduction and supply control.

It is also worth recording that Uruguay co-chairs the EU-CELAC Coordination and Cooperation Mechanism on Drugs and hosted the XVII High-Level Meeting in February 2015.

Uruguay actively supports the establishment of a network of Drug Observatories in UNASUR member countries in order to create a stronger regional vision in this area. In February 2015, Uruguay and UNASUR signed an agreement to that effect.

Uruguay has declared its intention to play an active role in shaping consensus positions at regional level with a view to UNGASS 2016.

4. Recommendations

- The progress made on cooperation between departments and decentralisation and on strengthening institutions and technical training in the police and judicial spheres should continue.
- Recognising Uruguay's efforts on money laundering, we recommend that it follow the recommendations of the IMF and FATF and take them into account when drafting its five-year plan and preparing for the 2019 evaluation.
- Efforts and international cooperation on control of chemical precursors, with a view to preventing their diversion to other countries, should be maintained.
- As regards the draft law on regulating the marijuana market, we recommend more dialogue with international specialist bodies that have expressed doubts about the new rules and their compatibility with relevant international law. The UN International Narcotics Control Board's scheduled visit to Uruguay before the end of 2014 could provide an ideal opportunity.

- At the same time, it would be helpful to analyse the regulations adopted and to monitor their implementation and effects on Uruguayan drug use. This could provide some useful input for the United Nations General Assembly Special Session (UNGASS) on drugs in 2016.
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