



ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

THIRTY-EIGHTH REGULAR SESSION
December 6-9, 2005
Washington, D.C.

OEA/Ser.L/XIV.2.38
CICAD/doc.1459/05
5 December, 2005
Original: English

PREPARATORY INTERGOVERNMENTAL WORKING GROUP
(PRE-IWG)

RECOMMENDATIONS



ORGANIZATION OF AMERICAN STATES

INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION

cicad

**PREPARATORY MEETING OF THE
INTERGOVERNMENTAL WORKING GROUP
ON THE MULTILATERAL EVALUATION
MECHANISM (PRE - IWG)
Washington, D.C.**

**Rev.1
15 November 2005
3 - 7 October 2005
Original: English**

PREPARATORY INTERGOVERNMENTAL WORKING GROUP (PRE-IWG) RECOMMENDATIONS

BACKGROUND

Twenty-one CICAD member states met in Washington, D.C., from October 3-7, 2005, to conduct a preparatory review of the following key MEM-related issues, in anticipation of the Intergovernmental Working Group (IWG) tasked with reviewing the MEM Fourth Evaluation Round Process:

- a) MEM Unit proposals regarding MEM Operational Process Issues;
- b) MEM Unit proposal for a MEM Style and Format Manual;
- c) General proposals to Questionnaire of Indicator Sections;
- d) Guidelines for Developing Recommendations/Reiterated Recommendations;
- e) The MEM Fourth Evaluation Round Cycle (2005-2006).

The MEM Unit original proposals can be accessed through the following web page:
<http://www.cicad.oas.org/MEM/ENG/other/ppts.asp>

a) MEM OPERATIONAL PROCESS ISSUE PART I

(Characteristics of the GEG, Functions of the GEG, Characteristics of the Experts, Role of the National Coordinating Entity, Role of the Executive Secretariat/MEM Unit)

The Pre-IWG recommends that the IWG consider for approval the MEM Unit's proposals regarding the MEM Operational Process Issues Part I, with the following additions and observations:

- Ø That within the GEG Plenary an exhaustive effort should be made to reach consensus, and a vote should be considered only in exceptional circumstances;
- Ø That the MEM Unit should prepare the first draft national and follow-up report with the proviso that this text will be of a narrative/ factual nature, and will not contain any evaluation, conclusions, recommendations nor elements of judgment;
- Ø That a mechanism should be established to ensure effective, productive and sustainable participation by all Experts during the entire MEM process;
- Ø That an appropriate and reasonable amount of time should be dedicated within the GEG Plenary to ensure a fair review of each national report. The MEM Unit will develop criteria to determine the order in which country reports are considered by the GEG.

Proposals Raised for Further Consideration by the IWG

Three options were proposed for further consideration by the IWG, to address the issue of consultation with country experts in order to allow questions of clarification during the evaluation process and ensure transparency and accountability of the GEG:

1. That during the evaluation process, country experts may be consulted regarding the information provided by their country.
2. That GEG country experts can be present during the Plenary review of their respective national reports.
3. That during its country evaluations, the GEG should be encouraged to consult - e.g. via teleconference- directly with the respective NCE's to clarify information and reduce the number of notes to country.

The specific functions of Alternate GEG Experts requires clarification and the MEM Unit should draft a proposal for consideration, taking note of the principle of "one country one voice".

Working Groups should review reports on a country-by-country basis and not according to theme.

a) MEM OPERATIONAL PROCESS ISSUE PART II

(Characteristics of the Multilateral Evaluation Mechanism Report, Characteristics of the Recommendation Implementation Follow-up Report, Characteristics of In-Situ Visits during the evaluation process; Characteristics of the Solidarity Fund of the MEM, Role of the Intergovernmental Working Group.)

The Pre-IWG recommends that the IWG consider for approval the MEM Unit's proposals regarding the MEM Operational Process Issues Part II, with the following additions and observations:

Reports:

- Ø That a standardized format be developed by the MEM Unit for the mandatory introductory document (a mandatory document produced by the country to inform the GEG of the reality and context of the domestic drug situation, which will form part of the questionnaire)
- Ø That multilateral evaluation reports of prior rounds shall be considered in developing current evaluation reports.

In-Situ Visits:

- Ø That before being presented to CICAD, the Report on in-situ visits should be sent to the country visited and then the GEG;
- Ø That the GEG Coordinator should be consulted on which experts should form part of an in-situ visit;
- Ø That the GEG should use the in-situ visit reports as an element to be considered in the drafting of the national report, and include any appropriate comments on the impact of the visit.

Promotional Visits:

- Ø That promotional visits must first be authorized by the country to be visited;
- Ø That the CICAD Country Commissioners should play an integral role in the promotional visits to their individual country.

Solidarity Fund:

- Ø All countries should be encouraged strongly to provide resources to the Solidarity Fund, however modest they may be, in accordance with the possibilities of each country, and as a demonstration of commitment to the MEM process.

b) FORMAT & STYLE MANUAL

The Pre-IWG recommends that the IWG consider for approval the MEM Unit's proposed Format & Style Manual, based on the outline presented to the Pre-IWG for said document with the following additions and observations:

- Ø That a mechanism be developed to record the style and/or substantive agreements reached by the GEG for the drafting of reports.

c) QUESTIONNAIRE OF INDICATOR SECTIONS

The Pre-IWG recommends that the IWG consider for approval the MEM Unit's general proposals regarding the questionnaire except that:

- Ø The purpose of each indicator be maintained, and that the Executive Secretariat ensure clarity between the purpose and the indicator.

Furthermore there was an agreement to clarify, simplify and reduce the number of indicators, where appropriate, subsequently streamlining the questionnaire to ensure the relevancy of indicators as they pertain to the mandate of the MEM. The MEM Unit will present this revised package of MEM Indicators for the Fourth Evaluation Round to the IWG for review and final approval by the CICAD Commission, integrating the various suggestions received by the Pre-IWG and member states.

1. Demand Reduction Indicators:

There is consensus on the need to:

- Ø Standardize terminology as much as possible to accommodate country concerns;
- Ø Find a means of classifying groups “at risk for drug use”, and describing different professions and educational levels in a country-neutral way;
- Ø Include a question on “incidence”;
- Ø Make provision throughout the questionnaire for countries that collect data at a State or Provincial level.

The pre-IWG recommends that the IWG give further consideration regarding the need to retain indicator # 19 on morbidity. For those few countries where injecting drug use is a serious problem, the MEM questionnaire should provide a place for them to report it and the measures they are taking to deal with it; on the other hand, it is recognized as a problem that does not yet affect the majority of member states.

2. Supply Reduction Indicators:

There is consensus on the need to:

- Ø Standardize, simplify and clarify the terminology, formulae for calculations, units of measure, and tables found in these indicators.
- Ø Separate indicators regarding chemical substances from those dealing with pharmaceutical products.
- Ø Re-examine and possibly merge those indicators that distinguish between the Civil and Common law legal systems, using legal system neutral terminology such as “formally charged” and ‘convicted”, deleting the question on number of persons arrested.
- Ø Modify certain questions within indicators on information exchange/judicial cooperation/extradition (45-48), to clarify their meaning in an effort to improve their relevance, and to eliminate questions which are found to be irrelevant.

Proposals Raised for Further Consideration by the IWG

- Ø Re-examining and possibly eliminating questions related to the measures to evaluate effectiveness.
- Ø The elimination of “existence” questions with respect to cases where information had been provided in previous rounds.
- Ø Inclusion of a question related to maritime traffic control in the MEM questionnaire.

- Ø Describing levels of typology (e.g. a country's stage of development in terms of overall drug control programs) of drug control country efforts in the hemispheric report.
- Ø Consider the inclusion of an indicator on 'internet sales' of pharmaceutical products and other drugs.

3. Corruption and Firearms Indicators:

- Ø The discussions produced no clear consensus about whether to keep or remove specific indicators related to corruption and firearms. An intermediate approach to "polishing" the indicators was proposed. In a number of cases modifications to individual indicators are required that would involve the deletion and/or modification of questions within indicators, some to simplify the indicator, and others to clarify meaning. In all cases this would be performed with a view to enhancing the indicators' relevance.
- Ø Countries manifested a willingness to work together on the foregoing. In cases where it had been argued that information in relation to indicators on these subjects was being collected by other bodies with a more concentrated focus on the subject-matter, a determination would need to be made as to whether that information should still be reported in the MEM and, if so, whether the information should continue to be collected in accordance with MEM procedures and practices. This determination would always include weighing, as a key consideration, the degree of relevance of the information being included in the MEM (such as explosives) to the goals and objectives of the evaluation exercise.

4. Money Laundering Indicators:

There is a convergence towards acceptance of the proposal to eliminate some questions within the indicators related to money laundering and to have the Secretariat use the indicators to produce a table of contents and guidelines (to be approved by the IWG) for the GEG to use to determine what key information should be imported from authoritative alternative sources of information (OAS, UNODC, GAFIC, GAFISUD, FATF, World Bank and IMF documents).

- Ø A second option for consideration by the IWG would be to eliminate all indicators related to money laundering while still including a section on money laundering in the report as it pertains to drug trafficking, using an approved format and using authoritative alternative official sources of information including the FATF and its subsidiary bodies as well as those organizations mentioned in the previous paragraph.

5. Transnational Organized Crime/Displacement Indicators:

- Ø There is consensus to eliminate these indicators as proposed.

6. Institution Building:

- Ø There is consensus to have the Secretariat simplify the institution-building indicators and to provide additional clarification on the indicators related to data collection and the observatory (# 6 and 7).

7. Displacement:

- Ø There is consensus to delete this indicator, on the grounds that similar information can be obtained or inferred from answers to other indicators.

Proposals Raised for Further Consideration by the IWG

That the MEM Unit draft a proposal to establish a transition mechanism to address the question of follow-up on the implementation of recommendations that are linked to indicators that are eliminated.

To utilize the information obtained from the national observatories.

That there is a need to strike a balance in terms of parity in the number of indicators and their relative weight in the context of the four main categories of MEM indicators.

d) GUIDELINES FOR DRAFTING RECOMMENDATIONS

The Pre-IWG recommends that the IWG consider for approval the MEM Unit's proposal that it develop guidelines for drafting recommendations with the following caveats:

There is consensus on the following:

- Ø That the GEG should take into consideration the particular situation of each country in making recommendations;
- Ø That, in determining the number of recommendations, the GEG should keep in mind that the evaluation process should be seen by the evaluated country as constructive;
- Ø That the MEM Unit should develop guidelines for addressing reiterated recommendations.

Proposals Raised for Further Consideration by the IWG:

- Ø Establishing a maximum number of recommendations.
- Ø Handling reiterated recommendations in instances where a country has clearly stated that for domestic policy reasons it does not intend to implement the recommendation. The MEM Unit will draft a proposal for IWG consideration to address this issue drawing on the comments of the delegations.
- Ø That recommendations should be accompanied by a clear rationale explaining the reasons for the recommendation and how this recommendation will assist in advancing the country's efforts in response to a particular indicator.
- Ø That continuous dialogue should be carried out with countries regarding recommendations, especially reiterated recommendations.

e) THE MEM CYCLE FOR THE FOURTH EVALUATION ROUND (2005-2006)

No clear consensus emerged from the Pre-IWG on how the Cycle should be modified. The MEM Unit will develop new possible alternatives for the Fourth Evaluation Round Cycle 2005-2006 to be presented to the IWG for consideration, based on options 3 and 4, and the following observations by delegates:

The need for:

- Presentation of an annual publication to the OAS General Assembly*;
- An appropriate start date for the Fourth Round process;
- Reasonable time for NCEs to complete the questionnaire;
- Realistic time for countries to implement recommendations;
- An appropriate number of GEG meetings for the recommendation Follow-up phase;
- Adjustment of activities in 2008 to make full use of time available.

The MEM Unit will work with the countries that proposed the following variants to examine their impact:

- Annual evaluation of determined themes (e.g. Demand Reduction and Institution Building in year one, Supply Reduction and Control Measures in year two);
- Annual evaluation of half of each of the four sections.

* Annual MEM publications over a three-year period might include, for example, Country Reports in the first year, A Hemispheric Report in the second Year and reports on implementation of recommendations in the third year.