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MULTILATERAL EVALUATION MECHANISM (MEM)

INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION (CICAD)

SECRETARIAT FOR MULTIDIMENSIONAL SECURITY (SMS)

Colombia

Evaluation Report on Drug Policies

2019



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PREFACE

The Multilateral Evaluation Mechanism (MEM), under the Inter-American Drug Abuse Control Commission (CICAD) of the Secretariat for Multidimensional Security (SMS), measures the progress achieved and challenges to member nations of the Organization of American States (OAS) in implementing the CICAD Hemispheric Plan of Action on Drugs 2016-2020. Mandated by the 1998 Summit of the Americas held in Santiago, Chile, the MEM is the only multilateral tool of its kind in the world.

MEM evaluations are based on information provided by OAS member states, which is then analyzed by the MEM's Governmental Expert Group (GEG), composed of experts from OAS countries. For this round, the GEG performed its work from mid-2018 to mid-2019. The evaluation process was transparent and inclusive in nature, with no experts involved in the evaluation of their own country.

The GEG analyzed the following areas: institutional strengthening, demand reduction, supply reduction, control measures, and international cooperation, and its evaluation is based on the 29 objectives and corresponding priority actions of the CICAD Hemispheric Plan of Action on Drugs 2016-2020. (A few priority actions were not considered, given they are not measurable.) In addition, the seventh round reports include a discussion of member states' progress over time during the seven MEM rounds.

Prior to the GEG's work, the MEM Inter-Governmental Working Group, also composed of representatives from OAS member states, designed the seventh evaluation round instrument during 2017, and the resulting questionnaire was then completed by member states.

The MEM reports focus on key themes important not only to CICAD but to the OAS as a whole, such as human rights, gender, age, culture and social inclusion. The reports also take into account the recommendations of the outcome document of the Special Session of the United Nations General Assembly on the World Drug Problem (UNGASS 2016) and the United Nations' Sustainable Development Goals.

We hope the MEM reports serve as a useful diagnostic tool to improve drug policies and strategies, both at a national and regional level.

This report and all other MEM seventh round evaluation reports are available at <http://www.cicad.oas.org>

INSTITUTIONAL STRENGTHENING

OBJECTIVE 1

ESTABLISH AND/OR STRENGTHEN NATIONAL DRUG AUTHORITIES, PLACING THEM AT A HIGH POLITICAL LEVEL AND PROVIDING THEM WITH THE NECESSARY CAPABILITIES AND COMPETENCIES TO COORDINATE NATIONAL DRUG POLICIES IN THE STAGES OF FORMULATION, IMPLEMENTATION, MONITORING, AND EVALUATION.

The National Narcotics Council (CNE), a body made up of nine national-level agencies, is Colombia's national drug authority. The CNE is chaired by the Ministry of Justice and Law and its Technical Secretariat is located in the Bureau of Drug Policy and Related Activities of the Ministry of Justice and Law.

The CNE, which was established by Law 30 of 1986, coordinates the following areas: demand reduction; supply reduction; alternative, integral and sustainable development programs; control measures; drug observatory; international cooperation and program evaluation.

The CNE has a budget that is part of the Ministry of Justice and Law. The budget amounts for 2014-2018 are given below:

Year	2014	2015	2016	2017	2018
Amount of annual budget (U.S. dollars)	\$3,940,696	\$2,049,102	\$2,049,102	\$1,785,714	\$4,107,143

The CNE is the main body coordinating drug policy and has an organization mechanism among government agencies, in order to implement the national drug plan or strategy.

Decree 1427 of 2017 gives the Ministry of Justice and Law the authority to formulate, adopt, direct, coordinate and execute public policy on drugs, operating through the Bureau of Drug Policy and Related Activities. It coordinates drug policy locally, nationally and internationally. The Technical Secretariat of the CNE has thematic operational teams that coordinate the various components of the drug problem, such as reduction in drug use, supply reduction, associated crimes and others, with the other government agencies.

OBJECTIVE 2

FORMULATE, IMPLEMENT, EVALUATE AND UPDATE NATIONAL DRUG POLICIES AND/OR STRATEGIES THAT WILL BE COMPREHENSIVE AND BALANCED, BASED ON EVIDENCE THAT INCLUDE A CROSS-CUTTING HUMAN RIGHTS PERSPECTIVE, CONSISTENT WITH OBLIGATIONS OF PARTIES UNDER INTERNATIONAL LAW¹ WITH A FOCUS ON GENDER AND EMPHASIZING DEVELOPMENT WITH SOCIAL INCLUSION.

Colombia has a Ten-Year Plan for the Justice System, under three headings: Crosscutting, Vertical and Special. Drug control policy falls under the latter heading, set in place by Decree 979 of 2017. Specific policy papers are developed under this component, such as the Plan for National Health Promotion and Substance Use Prevention and Treatment 2014-2021; Document 3669 of the National Council on Economic and Social Policy (CONPES), which includes the National Policy on Manual Eradication of Illicit Crops and Alternative Development for Territorial Consolidation, and the Final Accord to End the Conflict and Build a Stable and Lasting Peace. These plans are fully in effect, are being implemented and cover the areas of institutional strengthening, demand reduction, supply reduction, control measures and international cooperation. These policies take into account the United Nations Sustainable Development Goals (SDG) of the 2030 Agenda.

In December 2018, the country approved the Comprehensive Policy to Address the Drug Problem: Future Route (*Ruta Futuro*). This Policy defines the principles, approaches, objectives and strategies to address the multiple causes and effects of the drug problem. It is based on five strategic pillars: reduce the consumption and the impact of psychoactive substances; reduce the availability of drugs for internal and external markets; dismantle and affect criminal structures; affect the economies and criminal incomes; and the transformation of territory and transit to licit economies.

The relevant actors in the priority areas that participate in the formulation, implementation, evaluation and updating of these plans are the Ministry of Health and Social Protection, the Ministry of Justice and Law, the Ministry of National Defense, the Ministry of Education, the Ministry of Foreign Affairs, the Ministry of Agriculture and Rural Development, the Office of the Attorney General of the Nation, the National Police, the Office of the Public Prosecutor, the regional and local governments, the scientific community and academia, civil society and other social stakeholders.

Comprehensive Departmental Drug Plans were developed and approved in thirty-two departments and in the nation's capital, with the support of the Bureau of Drug Policy and Related Activities of the Ministry of Justice, which provides technical assistance and promotes the development of public policies on drugs by supporting the formulation and monitoring of departmental and municipal drug plans, and the formation and operations of the Sectional Narcotics Councils, pursuant to the mandate in the National Narcotics Statutes provided for in Law 30 of 1986.

¹ Full respect for international law and the Universal Declaration of Human Rights, observing the principles of sovereignty and the territorial integrity of States, nonintervention in the internal affairs of States, fundamental liberties, inherent human dignity, and equal rights and mutual respect among States.

The country does not have a specific and stable mechanism to finance drug initiatives or projects implemented by municipalities or local governments.

The National Plan on Health Promotion and Substance Use Prevention and Treatment 2014-2021 includes human rights perspective and social inclusion as part of the components of health promotion, peaceful coexistence and treatment. The gender approach to drug policy has been incorporated since the Final Accord to end the Conflict and Build a Stable and Lasting Peace.

OBJECTIVE 3

DESIGN AND COORDINATE NATIONAL DRUG POLICIES AND/OR STRATEGIES WITH OTHER PUBLIC POLICIES AND/OR STRATEGIES THAT ADDRESS FUNDAMENTAL CAUSES AND CONSEQUENCES OF THE DRUG PROBLEM.

In order to address the socio-economic causes and consequences of the drug problem, Colombia conducts multisectoral actions to reduce poverty and marginalization, improve governance and enhance the government's institutional presence, taking control of the areas affected by the drug problem. The country has included these issues as part of the principles and approaches of the Comprehensive Policy to Address the Drug Problem: Future Route (*Ruta Futuro*).

OBJECTIVE 4

ESTABLISH AND/OR STRENGTHEN NATIONAL OBSERVATORIES ON DRUGS (OR SIMILAR TECHNICAL OFFICES) FOR THE DEVELOPMENT OF NATIONAL DRUG INFORMATION SYSTEMS AND FOSTERING SCIENTIFIC RESEARCH IN THIS AREA.

Colombia has a national observatory on drugs with financial, human and technological resources. The country also has a national drug information network that includes universities, health institutions, private consultants, civil society and other social stakeholders, and government agencies that produce information on drugs.

The following are the studies in the area of demand reduction:

Demand reduction			
Studies	Studies carried out and published		Year of most recent study
	Yes	No	
National surveys of secondary school students	X		2016
National household surveys (12-64 years of age)		X	
Registry of patients in treatment centers	X		2018
Cross-sectional survey of patients in treatment centers		X	
Survey of patients in emergency rooms		X	
Survey of higher education students	X		2016
Survey of populations in conflict with the law	X		2016
Studies on drug-related mortality		X	
Studies on drug-related morbidity		X	
Studies on gender conditions related to drug problems	X		2018
Other			
Heroin in Colombia: Production, Use and Impact on Public Health	X		2015

The following is the information in the areas of supply reduction, trafficking and related crimes:

Supply reduction, trafficking and related crimes			
Information	Information available		Year of most recent information
	Yes	No	
Quantification of illicit crop cultivation including crops grown indoors	X		2017
Number of seizures of illicit drugs and raw materials for their production	X		2018
Quantities of illicit drugs and raw materials for their production seized	X		2018
Number of seizures of controlled chemical substances (precursors)	X		2018
Quantities of seized controlled chemical substances (precursors)	X		2018
Number of seizures of pharmaceutical products	X		2018
Quantities of seized pharmaceutical products	X		2018
Number of persons formally charged with drug use, possession and trafficking		X	
Number of persons convicted of drug use, possession and trafficking	X		2018
Number of laboratories producing illicit plant-based drugs detected and dismantled	X		2018

Supply reduction, trafficking and related crimes			
Information	Information available		Year of most recent information
	Yes	No	
Number of laboratories producing illicit drugs of synthetic origin detected and dismantled	X		2018
Chemical composition of seized drugs (heroin)	X		2016
Sale price of drugs (for consumers)		X	
Number of persons formally charged with money laundering		X	
Number of persons convicted of money laundering		X	
Number of persons formally charged with trafficking in firearms, explosives, ammunition and related materials		X	
Number of persons convicted of trafficking in firearms, explosives, ammunition and related materials		X	
Number of persons formally charged with diversion of chemical substances		X	
Number of persons convicted of diversion of chemical substances		X	
Eradication of illicit crops	X		2018

Those studies listed in the table above on demand reduction that include data disaggregated by gender, age, socio-economic and educational level and ethnicity are the registry of patients in treatment centers and the survey of higher education students.

In the area of demand reduction, the country followed up and evaluated National Policy on Reduction of Psychoactive Substance Use and the actions implemented by the National Plan.

OBJECTIVE 5

ENCOURAGE THE DESIGN, ADOPTION AND IMPLEMENTATION OF ALTERNATIVES TO INCARCERATION FOR LOW-LEVEL DRUG-RELATED OFFENSES, WHILE TAKING INTO ACCOUNT NATIONAL, CONSTITUTIONAL, LEGAL AND ADMINISTRATIVE SYSTEMS AND IN ACCORDANCE WITH RELEVANT INTERNATIONAL INSTRUMENTS.

Colombian law does not provide for alternative measures to incarceration for low-level drug offenses. However, the law does provide for a number of legal institutions (responding to the principles of necessity, proportionality and reasonableness) that are designed to avoid incarceration and to modify the terms of the sentences applicable to all offenses.

With respect to alternatives to incarceration for low-level drug-related offenses, Colombian law provides measures for female heads of household and pregnant women that apply to all crimes (Law 750 of 2002 and Law 1709 of 2014).

OBJECTIVE 6

PROMOTE AND IMPLEMENT, AS APPROPRIATE, COMPREHENSIVE PROGRAMS THAT PROMOTE SOCIAL INCLUSION IN ACCORDANCE WITH THE POLICIES, LAWS AND NEEDS OF EACH COUNTRY, ESPECIALLY FOR THOSE VULNERABLE POPULATIONS, WITH DIFFERENT LEVELS AND FORMS OF INVOLVEMENT.

Colombia has inter-agency and multisectoral programs that promote the social integration of individuals affected by the drug problem. The country is thus implementing a Program for Judicial Monitoring of Drug Treatment in the Juvenile Justice System. One of the pillars of this program is the social inclusion of adolescents who have committed crimes as the result of their problem drug use.

Territory-Focused Development Programs (PDETs) have been set up under the Final Accord to end the Conflict and build a Stable and Lasting Peace. These are a means of ensuring that the Comprehensive Rural Reform, called for in Point 1 of the Peace Accords are directed on a priority basis to the territories most affected by the conflict, with higher levels of poverty in which illicit economies and institutional weaknesses have been observed. These programs promote social dialogue and conflict management and resolution, as well as other activities, in order to strengthen peaceful coexistence and build a culture of peace. The country has also instituted a Comprehensive National Crop Substitution Program (PNIS), created by Decree 896 of 2017.

In the Comprehensive Policy to Address the Drug Problem: Future Route (*Ruta Futuro*), the inclusive and differentiated approaches were established as part of the principles. The human rights, public health, citizen security, territorial development, human development and environmental management approaches aim to promote actions at serving populations in vulnerable situations.

OBJECTIVE 7

FOSTER PROPORTIONATE SENTENCING, WHERE APPROPRIATE, THAT ADDRESSES THE SERIOUSNESS OF DRUG OFFENSES AND SAFEGUARDING LEGAL PROCEEDINGS.

Colombia does not have legislation on proportionate sentencing, in particular for low-level drug-related offenses, nor does it have special courts and tribunals for low-level drug-related offenses.

INSTITUTIONAL STRENGTHENING

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that during the first and second rounds (1999-2002), Colombia had a national drug authority. Further, CICAD recognizes that from the third to the seventh rounds (2003-2018), the national drug authority has had a central technical office responsible for carrying out its instructions, which is responsible for coordinating and organizing the areas of demand reduction, supply reduction, alternative, integral and sustainable development programs, control measures, drug observatory, international cooperation and program evaluation. It has an integrated budget that is part of the Ministry of Justice and Law.

CICAD observes that in the first and second rounds (1999-2002), Colombia had national anti-drug plans. In the third round (2003-2004), the country had a National Anti-Drug Strategy, which formed part of the National Development Plan. In the fourth round (2005-2006), the country did not have a National Plan. In the fifth and sixth rounds (2007-2015), the country adopted National Development Plans that established guidelines on drugs. CICAD is pleased to recognize that in the seventh round (2014-2018), the country has a Ten-Year Plan for the Justice System, which includes a component on Counter-Drug Policy, which produces specific policy papers, such as the National Plan for Health Promotion and Prevention and Treatment of Substance Use, 2014–2021; the National Policy on Manual Eradication of Illicit Crops and Alternative Development for Territorial Consolidation; the Final Accord to End the Conflict and Build a Stable and Lasting Peace and the Comprehensive Policy to Address the Drug Problem: Future Route (Ruta Futuro). These plans are current and are being executed. They cover the areas of institutional strengthening, demand reduction, supply reduction, control measures and international cooperation, and include human rights and gender approaches, as well as development with social inclusion. CICAD also notes that these policies take into account the United Nations Sustainable Development Goals (SDG) of the 2030 Agenda. In addition, CICAD notes that in the seventh round, the country did not have a specific stable mechanism to finance drug initiatives or projects implemented by municipalities or local governments.

CICAD acknowledges that in the seventh round (2014-2018), in order to address the socio-economic causes and consequences of the drug problem, Colombia carries out multisectoral actions to reduce poverty and marginalization, among other things, in order to take control of the areas affected by the drug problem.

CICAD notes that in the first and second rounds (1999-2002), Colombia had a national drug information system to organize, gather and coordinate statistics and other related information. The country made progress between the third and sixth rounds (2003-2014), with the creation of the Observatory on Drugs, and by conducting all of the priority studies in demand reduction and indicators on supply reduction. CICAD views with satisfaction that in the seventh round (2014-2018), Colombia continues to provide the Observatory with the resources it needs to perform its functions. CICAD also notes that the

country has a national drug information network, as well as priority studies on demand reduction and some information on supply reduction, trafficking and related crimes.

CICAD observes that in the seventh round (2014-2018), Colombia does not have laws that provide for alternative measures to incarceration for low-level drug-related offenses. CICAD notes, however, that the country provides for this type of alternative measure in the case of female heads of household and pregnant women.

CICAD recognizes that in the seventh round (2014-2018), Colombia has inter-institutional and multisectoral programs that promote the social integration of individuals affected by the drug problem and to this end, implements the Program for Judicial Monitoring of Drug Treatment in the Juvenile Justice System, territory-focused development programs and the Comprehensive National Program of Substitution of Crops of Illicit Use.

CICAD notes that in the seventh round (2014-2018), Colombia does not have legislation on proportionate sentencing, in particular for low-level drug-related offenses, nor does it have special courts and tribunals for this type of offense.

DEMAND REDUCTION

OBJECTIVE 1

ESTABLISH DEMAND REDUCTION POLICIES WITH A PUBLIC HEALTH FOCUS THAT ARE EVIDENCE-BASED, COMPREHENSIVE, MULTIDISCIPLINARY, MULTISECTORAL, AND RESPECTFUL OF HUMAN RIGHTS, CONSIDERING THE GUIDELINES AND/OR RECOMMENDATIONS OF SPECIALIZED INTERNATIONAL ORGANIZATIONS.

Colombia has demand reduction policies that include programs in the areas of prevention, treatment and social integration. These programs include human rights, intercultural, gender and age differences perspectives. The approaches are included in the “Guidelines for Gender-Focused Treatment, Including LGBTI People, as Part of the National Program for Comprehensive Intervention for Illicit Drug Use, to Reduce the Gaps in Access to the Health Care System.”

The guidelines and recommendations of specialized international organizations are taken into account when developing prevention, treatment and social integration programs.

The country conducts process, intermediate outcome and impact evaluations of the drug abuse prevention program “*Familias Fuertes: Amor y Límites.*”

Coordination mechanisms to develop and implement demand reduction programs in Colombia include the participation of and coordination with civil society and other social stakeholders, and are implemented by means of national task forces on prevention and treatment of psychoactive substance use and intersectoral committees.

Measures aimed at minimizing the adverse public health and social consequences of drug abuse are implemented using the technical guide jointly published by the World Health Organization (WHO), the United Nations Office on Drugs and Crime (UNODC) and the Joint United Nations Program on HIV/AIDS (UNAIDS).

OBJECTIVE 2

ESTABLISH AND/OR STRENGTHEN AN INTEGRATED SYSTEM OF UNIVERSAL, SELECTED AND INDICATED PREVENTION PROGRAMS ON DRUG USE, GIVING PRIORITY TO VULNERABLE AND AT-RISK POPULATIONS, EVIDENCE-BASED AND INCORPORATING A HUMAN RIGHTS, GENDER, AGE AND MULTICULTURAL APPROACH.

Colombia implements prevention programs for the following populations:

Population group	Name of program	Type of program
School children and university students		
<ul style="list-style-type: none"> Elementary/primary 	“Yomi Vida”	Universal
<ul style="list-style-type: none"> Junior high & high school (secondary school) 	“Consentidos”	Universal
	“SanaMente”	Universal
	“Retomemos”	Universal
	“Programa Escolarizado de Prevención del Consumo de Sustancias Psicoactivas (SPA) De la Policía Antinarcóticos”	Universal
	“Leones Educando”	Universal
<ul style="list-style-type: none"> University students 	University guidance areas	Universal
Family	“Familias Fuertes: Amor y Limites”	Universal
Community	“Comunidades que se Cuidan”	Universal
	“Protegidos”	Selective/Indicated
Prison population	Various prevention actions to raise awareness among prisoners to minimize risk factors and build protective factors	Selective/Indicated

However, the country does not implement prevention programs in the following populations: pre-school students, the street population, gender, LGBTI population, indigenous people, migrants and refugees or individuals in the workplace.

OBJECTIVE 3

ESTABLISH AND STRENGTHEN, AS APPROPRIATE, A NATIONAL TREATMENT, REHABILITATION AND SOCIAL INCLUSION SYSTEM FOR PEOPLE WITH PROBLEMATIC DRUG USE, INCLUDING A HUMAN RIGHTS AND GENDER-BASED APPROACH, TAKING INTO ACCOUNT INTERNATIONALLY ACCEPTED QUALITY STANDARDS.

Colombia has a national system of comprehensive treatment and social integration programs and resources for people with problem drug use, guaranteeing non-discriminatory access. The national system includes early intervention (brief intervention, counseling), crisis intervention, dual pathology (co-morbidity), diverse treatment modalities and social integration programs and recovery support services. These programs and resources take into account the International Standards for the Treatment of Drug Use Disorders of the UNODC and WHO. Compliance with the standards is monitored by means of audits of the delivery of services to drug users and authorization of health service providers.

The country has the following mechanisms to facilitate access and ensure the quality of treatment services for those with problematic drug use:

- Law 1566 of 2012;
- Law 1751 of 2015;
- Regulatory resolutions;
- Resolution 2003 of 2014 of the Ministry of Health and Social Protection;
- Resolution 5269 of 2017 of the Ministry of Health and Social Protection; and
- Circular 0002 of 2018 from the Superintendent of Health.

Outpatient and residential services are provided by the public health system, private institutions, non-governmental organizations and religious institutions. A gender perspective is included in the different modalities of treatment, aftercare and support, and guidance is given on how to implement it.

The previously mentioned Resolution 2003 of 2014 includes standards and criteria for actions that should be taken to ensure comprehensive care, including a gender perspective.

Colombia has not established or maintained cooperative relationships with governmental or non-governmental organizations that provide social and community support services with a gender perspective for the social integration of vulnerable populations.

The country has both mechanisms to continually monitor and evaluate the outcomes of care, treatment and social integration programs, as well as mechanisms to facilitate access and ensure the quality of treatment services. Additionally, in the process of verifying compliance of the qualification criteria, the country also ensures these programs comply with human rights and gender perspectives.

Colombia has supervisory mechanisms for establishments that offer treatment and rehabilitation services for those with problematic drug use. The country's territorial entities systematically conduct comprehensive audits of the delivery of health services to ensure that they are meeting the necessary quality standards of care. The country also has mechanisms to protect the rights of people with problem drug use in treatment programs and services.

OBJECTIVE 4 | FOSTER ONGOING TRAINING AND CERTIFICATION OF HUMAN RESOURCES THAT PROVIDE PREVENTION, TREATMENT, REHABILITATION AND SOCIAL REINTEGRATION SERVICES.

Colombia offers and participates in ongoing competency-based training in the areas of prevention, treatment and social reintegration offered by specialized international organizations. Since 2016, the country has been conducting training called "Ser, Saber y Hacer en Prevención". This program seeks to enhance the capacities of the personnel working in the prevention of psychoactive substance use and to support the design of strategies for care and guidance in situations that affect human development by turning risk factors into protective environments for individuals, families and communities. It addresses basic concepts of prevention and of strategic planning in the prevention component, and is geared towards professionals, community leaders and young people working in prevention at the territorial level (departments and municipalities).

Training has been given since 2011 through the Treatnet program for professional staff of drug treatment teams. Treatnet is a training program backed by the United Nations (UN), the UNODC and the WHO.

The country certifies personnel that work in treatment services, but not those that work in prevention or and social reintegration services. The Ministry of Health and Social Protection, as well as the UNODC are responsible for the certification of personnel working in treatment services at the basic, intermediate and advanced levels.

OBJECTIVE 5 | ESTABLISH AND/OR STRENGTHEN GOVERNMENTAL INSTITUTIONAL CAPACITIES TO REGULATE, ENABLE, ACCREDIT AND SUPERVISE PREVENTION PROGRAMS AND CARE AND TREATMENT SERVICES.

Colombia has an accreditation process for treatment centers, given by the Departmental and District Health Agencies. The country also has legal support that is included in Resolution 123 of 2012, which allows the Ministry of Health and Social Protection to periodically modify the standards that make up various components of the Mandatory System to Guarantee Quality of Health Care of the General Social Security Health Care System. This system has the following components or subsystems, as laid out in Decree 1011 of 2006: Single Authorization System, Audit for Quality Improvement, Single Accreditation System and Quality Information System.

The country does not have supervisory mechanisms to ensure that the quality criteria of prevention programs are met. However, it does have Laws 1566 of 2012 and 1751 of 2015, as well as Resolution 2003 of 2012, to assure compliance with the quality standards of care and treatment services. The Office of the Superintendent of Health is the agency in charge of supervision and oversight.

In 2016, Colombia conducted a study on the Assessment and Situational Diagnostic of Treatment Services for Psychoactive Substance Users in Colombia to determine the national needs for care and treatment services offered.

DEMAND REDUCTION

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes with satisfaction that in the seventh round (2014-2018), Colombia had demand reduction policies that include programs in the areas of prevention, treatment and social integration. These programs incorporate human rights, intercultural, age difference and gender approaches, as well as measures to minimize the adverse social and public health consequences of drug use, and take into account the guidelines from international organizations. Colombia is implementing coordination mechanisms with a variety of stakeholders. CICAD is pleased to observe that throughout all of the rounds (1999-2018), the country has been evaluating prevention programs and that in the seventh round, it has conducted an outcome and impact evaluation.

CICAD recognizes that throughout all seven rounds (1999-2018), the country has had universal prevention programs for primary, secondary and university students, family and the community, and selective and indicated prevention programs geared towards the prison population and the community. However, CICAD observes that there are some populations that remain uncovered.

CICAD views with satisfaction that from the first to the seventh rounds (1999-2018), Colombia has had a national system for comprehensive treatment and social integration programs and resources that offers all of the services in the continuum of care, guaranteeing non-discriminatory access. CICAD notes that during the sixth and seventh rounds (2013-2014), the country has adopted mechanisms for program monitoring and evaluation and that in the seventh round (2014-2018), it has supervisory mechanisms for establishments that provide treatment and rehabilitation services, mechanisms to facilitate access and ensure the quality of treatment services for those with problematic drug use and mechanisms to protect the rights of people with problem drug use in treatment programs and services.

CICAD acknowledges that in the fourth and fifth rounds (2005-2009), Colombia offered courses on drug abuse research and recognizes with satisfaction that from the first through the seventh rounds (1999-2018), the country offered a wide variety of training programs, both academic and other courses in the areas of prevention, treatment and social integration. Furthermore, CICAD observes that in the seventh round (2014-2018), Colombia certifies personnel working in treatment services at the basic, intermediate and advanced levels, but does not certify personnel working in prevention or social integration services.

CICAD notes that from the fourth to the seventh rounds (2005-2018), Colombia has had an accreditation process for treatment centers and that from the fifth through the seventh rounds (2007-2018), the country has had supervisory mechanisms in place to ensure that quality of treatment services. However, CICAD views with concern that the country does not have mechanisms to ensure that quality criteria in prevention programs are met. In the seventh round (2014-2018), CICAD expresses its satisfaction that the country has conducted an assessment to determine the national needs for care and treatment services.

SUPPLY REDUCTION

OBJECTIVE 1

DESIGN, IMPLEMENT AND STRENGTHEN COMPREHENSIVE AND BALANCED POLICIES AND PROGRAMS, AIMED AT PREVENTING AND DECREASING THE ILLICIT SUPPLY OF DRUGS, IN ACCORDANCE TO THE TERRITORIAL REALITIES OF EACH COUNTRY AND RESPECTING HUMAN RIGHTS.

In Colombia, the Ministry of Justice and Law, the Post-Conflict High Presidential Council of the Directorate for the Substitution of Illicit Crops of the Presidency of the Republic, the Ministry of Defense and the National Police design, implement and update national policies and programs to prevent and decrease illicit crops and the illicit production of drugs.

The country takes into account traditional licit use when designing and implementing policies and programs to reduce the illicit supply of drugs. Colombia's Constitution recognizes the ethnic and cultural diversity in the country. Consequently, licit and traditional use of the coca plant is accepted, since indigenous peoples have used it through history in a cultural and traditional way.

Colombia includes environmental protection measures in its policies and programs to reduce the illicit supply of drugs. It thus has an Environmental Management Plan that contains a detailed set of measures and activities aimed at preventing, mitigating, correcting or compensating for the impacts and environmental effects generated by the Program of Eradication of Illicit Crops by Terrestrial Spray with the Glyphosate Herbicide.

Drug supply reduction programs implemented by the country are supplemented by drug-related crime prevention initiatives that address social and economic risk factors and include participation by civil society and other social stakeholders. In particular, the Comprehensive National Program for the Substitution of Crops for Illicit Use (PNIS) has, as one of its principles, the joint, participatory and concerted construction of a solution to the problem of crops for illicit use and for overcoming poverty.

OBJECTIVE 2

DEVELOP AND IMPLEMENT MECHANISMS TO COLLECT AND ANALYZE INFORMATION FOR THE DEVELOPMENT OF POLICIES AND ACTIONS AIMED AT DECREASING THE ILLICIT SUPPLY OF DRUGS.

Colombia has mechanisms to collect and analyze information related to the illicit supply of drugs. The institutions participating in these mechanisms are the Colombian Observatory on Drugs, the Ministry of Defense, the Ministry of Justice and Law, the Office of the Attorney General and the National Police.

The country carried out periodic studies and research on the structural and socio-economic factors influencing the illicit supply of drugs situation and conducted a study entitled “Chemical Characterization of Samples of Consumption, Cultivation and Preparations of Cannabis in 2015 and 2016” on medical, scientific and other legal uses for crops containing narcotics or psychotropic substances subject to the international control system.

Regarding the identification of chemical profiles and characteristics of drugs subject to the international control system, Colombia has carried out the following studies: “Characterization of the Process of Coca Leaf Transformation into Cocaine Hydrochloride in Colombia” (2010 and 2015); “Chemical, Taxonomic and Market Characterization of Marijuana Produced and Consumed in the Country” (2016), “Characterization of Market Aspects and the Chemical Composition of Synthetic Drugs and Emerging Substances” (2016), “Characterization of Production Units Associated with the Transformation into Cocaine Hydrochloride and the Identification of Changes in the Methods of Conversion, Chemical Inputs and Infrastructure” (2017) and “Characterization of the Dynamics Associated with Supply (origin) and Demand (destination) Flows of Chemical Substances and Products” (2017).

The country also implements mechanisms for the identification of new psychoactive substances (NPS).

The country monitors illicit crops through the Integrated System for Monitoring Illicit Crops (SIMCI) of the United Nations Office on Drugs and Crime (UNODC) for illicit coca crops and through the National Police for cannabis and poppy crops. These activities are supplemented by the interpretation of medium-resolution satellite images and by the validation of the data obtained by aerial reconnaissance.

Regarding the standardization criteria that are used to ensure comparability, Colombia monitors the spread and evolution of illicit crops, through the implementation of the Global Illicit Crop Monitoring Program (ICMP).

OBJECTIVE 3

DESIGN, IMPLEMENT AND/OR STRENGTHEN LONG-TERM PROGRAMS WHICH ARE BROAD AND AIMED AT DEVELOPMENT THAT INCLUDES RURAL AND URBAN ALTERNATIVE, INTEGRAL AND SUSTAINABLE DEVELOPMENT PROGRAMS, AND, AS APPROPRIATE, PREVENTIVE ALTERNATIVE DEVELOPMENT, IN ACCORDANCE WITH THE POLICIES, LEGISLATIONS AND NEEDS OF EACH COUNTRY, AS APPROPRIATE.

Colombia has designed and implemented comprehensive and sustainable alternative development programs as part of its strategies to control and reduce illicit coca, cannabis and poppy crops since 1990. The Post-Conflict High Presidential Council of the Directorate for the Substitution of Illicit Crops of the Presidency of the Republic is the national entity that coordinates and evaluates the implementation of these programs.

The PNIS was established for the development of comprehensive plans for crop substitution at the territorial level. The purpose of this program is to promote the voluntary substitution of illicit crops.

The country exchanges experiences and good practices with countries of the region on the design and implementation of comprehensive and sustainable alternative development programs through the PNIS during 2017 - 2018.

Colombia uses the following outcome results indicators to monitor and evaluate the effectiveness of comprehensive and sustainable alternative development programs in the medium and long term: families participating in the PNIS, according to collective agreements; hectares verified by UNODC and technical assistance for the construction of Comprehensive Community and Municipal Crop Substitution and Alternative Development Plans (PISDA) in territories where collective agreements have been signed.

Comprehensive and sustainable alternative development programs are supplemented by public policies that strengthen the government's presence in areas affected by illicit crops. Communities and target groups participate in the processes of design, implementation and supervision of the comprehensive and sustainable alternative development programs by means of joint workshops.

The country promotes sustainable urban development initiatives related to crime prevention, community cohesion, citizen security and protection, stimulation of innovation and entrepreneurship and promotion of employment in urban populations affected by illicit activities related to drug trafficking and related crimes.

According to studies conducted in the country, domestic drug markets are led by organized crime organizations that have the capacity to redirect markets and substances and strategies to attract and retain the loyalty of drug users. The studies also show that many young people are induced to participate in selling drugs. Faced with this problem, the Ministry of Justice and Law developed an intervention handbook, intended to reduce the supply of drugs in the cities, based on two fundamental pillars: control of territories, focusing on drug storage areas and routes, before reaching the local market and social interventions with vulnerable populations affected by crime. The program is currently being implemented in a number of cities in Colombia.

OBJECTIVE 4

DESIGN AND IMPLEMENT PLANS AND/OR PROGRAMS TO MITIGATE AND REDUCE THE IMPACT OF ILLICIT CROPS AND DRUG PRODUCTION ON THE ENVIRONMENT, WITH THE INCORPORATION AND PARTICIPATION OF LOCAL COMMUNITIES, IN ACCORDANCE WITH THE NATIONAL POLICIES OF MEMBER STATES.

Colombia conducted a study entitled “Coca: Deforestation, Pollution and Poverty 2014” to determine the characteristics and extent of the environmental impact caused by the illicit cultivation of crops and illicit drug production.

In Colombia, agents and causes of deforestation have been identified, highlighting, among others, illicit crops. Consequently, a study was prepared describing the principal agents and causes of deforestation at the national level over the 2005-2015 period, a diagnostic report and compilation of available information describing agents of deforestation and a literature review on agent-based simulation.

The country does not design or implement specific plans based on the results of research or studies carried out to mitigate and reduce the negative environmental impact of the illicit cultivation of crops and illicit drug production.

OBJECTIVE 5

ESTABLISH, AS APPROPRIATE, AND BASED ON EVIDENCE THE EFFECTS CAUSED BY SMALL-SCALE DRUG TRAFFICKING ON PUBLIC HEALTH, THE ECONOMY, SOCIAL COHESION AND CITIZEN SECURITY.

Colombia has characterization methodologies with territorial and socio-economic approaches on micro-drug trafficking or small-scale drug trafficking and the effects on public health, the economy, social cohesion and citizen security.

In relation to the characterization and conceptualization of the phenomena of micro-trafficking and local drug sales, the Ministry of Justice and Law (MJD) has developed a methodology based on the theory of risk management, in which interested municipalities can determine more precisely the extent and types of damage that these phenomena cause in terms of governance, lawfulness, community capacity and social capital.

The country exchanges information on the effects of small-scale drug trafficking or micro-drug trafficking in the health, society, economy and security sectors with Argentina and Tajikistan.

SUPPLY REDUCTION

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that in the sixth round (2013-2014), Colombia reported that it had a national regulatory framework that defined policies on reduction of the illicit supply of drugs. CICAD views with satisfaction that during the seventh round (2014-2018), the country designs, implements and upgrades national policies and programs to prevent and decrease illicit crops and the illicit production of drugs. It also notes that Colombia takes into account traditional licit use when designing and implementing policies and programs to reduce the illicit supply of drugs and provides for environmental protection measures in policies and programs to reduce the illicit supply of drugs. CICAD also recognizes with satisfaction that supply reduction programs implemented by the country during the seventh round are supplemented by crime prevention initiatives that address social and economic risk factors and include the participation of civil society and other social stakeholders.

CICAD observes that from the first through to the seventh rounds (1999-2018), Colombia has had policies and programs for measurement and eradication of crops and that from the fifth to the seventh rounds (2007-2018), has had mechanisms to identify the chemical profiles and characteristics of drugs and from the sixth to the seventh rounds (2013-2018), it has had mechanisms to gather information on the illicit supply of drugs and conducted studies and research on the structural and socio-economic factors affecting its situation. Additionally, during the seventh round (2014-2018), the country conducted studies on the medical, scientific and other licit uses of plants containing narcotics or psychotropic substances subject to international control. CICAD is pleased to note that Colombia implements mechanisms for the identification of NPS and used standardized and comparable methodologies for measuring illicit crops and the illicit production of drugs.

CICAD notes with satisfaction that from the first to the seventh rounds (1999-2018), Colombia has designed and implemented alternative, integral and sustainable development programs as part of its strategies to control and reduce illicit coca, cannabis and poppy crops. CICAD also acknowledges that during the seventh round (2014-2018), the country exchanges experiences and good practices with countries of the region on the design and implementation of comprehensive and sustainable alternative development programs. CICAD is also pleased to recognize that Colombia uses indicators of intermediate and final outcomes to monitor and evaluate the medium and long-term effectiveness of its alternative, integral and sustainable development programs. Additionally, CICAD views with satisfaction that alternative, integral and sustainable development programs implemented are supplemented by public policies that strengthen the presence of the State in areas affected by illicit crops and that Colombia's communities and target groups participate in the processes of design, implementation and supervision of the comprehensive and sustainable alternative development programs, by means of joint workshops. CICAD also observes that the country promotes sustainable urban development initiatives on crime prevention, community cohesion, stimulation of innovation and entrepreneurship and promotion of employment in urban areas affected by illicit activities related to drug trafficking and related crimes.

CICAD notes with satisfaction that during the seventh round (2014-2018), Colombia has conducted research and studies to determine the characteristics and extent of the environmental impact caused by the illicit cultivation of crops and illicit drug production. However, CICAD observes that the country does not design or implement specific plans based on the results of research or studies to mitigate and reduce the negative environmental impact of the illicit cultivation of crops and illicit drug production.

CICAD is pleased to recognize that during the seventh round (2014-2018), Colombia has methodologies that use a territorial and socio-economic approach to characterize small-scale drug trafficking or micro trafficking, and the effects on public health, the economy, social cohesion and citizen security, and that the country also exchanges information on the effects of micro-trafficking on the health, societal, economic and security sectors.

CONTROL MEASURES

OBJECTIVE 1

ADOPT AND/OR STRENGTHEN COMPREHENSIVE AND BALANCED PROGRAMS AIMED AT PREVENTING AND REDUCING DRUG TRAFFICKING, IN ACCORDANCE WITH THE TERRITORIAL REALITIES OF EACH COUNTRY AND RESPECTING HUMAN RIGHTS.

Colombia has protocols and operating procedures to detect, investigate and dismantle laboratories or facilities for the illicit processing or manufacture of drugs.

The country has programs and strategies to detect and seize drugs, through monitoring, inspections or checkpoints covering land, riverine, air and sea routes.

Colombia produced a report on new destinations used by cocaine hydrochloride traffickers in order to identify new trends and threats in drug trafficking and related crimes.

The country has regulations providing for the use of specialized investigative tools and techniques to prevent and reduce drug trafficking.

The National Institute of Legal Medicine and Forensic Sciences, the Office of the Attorney General and the National Police of Colombia are the agencies responsible for analyzing chemical substances, precursors and pharmaceuticals, including new psychoactive substances (NPS).

Colombia trains its personnel involved in the analysis of chemical substances, precursors and pharmaceutical products, including NPS.

OBJECTIVE 2

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

Colombia, pursuant to Resolution 0001 of 2015 of the National Narcotic Drugs Council, Resolution 0002 of 2018 of the National Narcotic Drugs Council and Decree 585 of 2018 of the Ministry of Justice and Law, has designated the Office of the Deputy Director for the Control and Monitoring of Chemical Substances and Narcotic Drugs of the Ministry of Justice and Law and the Antinarcotics Directorate of the National Police as the competent authorities responsible for controlling domestic trade to prevent diversion of controlled chemical substances towards illicit activities. Additionally, the country carries

out regular inspections and audits of the establishments of individuals and corporations authorized to handle controlled chemical substances.

A voluntary cooperation agreement between the private sector and the central and regional authorities was signed as a means of informing industry and users in general of applicable controls and forms of cooperation to prevent the diversion of controlled chemical substances. To do so, the Information System for the Control of Chemical Substances and Products (SICOQ) is used.

The country does not carry out analyses that include the exchange of information through existing international mechanisms regarding substances, their analogs and precursors that pose a threat to public health.

The following legislation in Colombia incorporates the control measures contained in paragraphs 8 and 9 of Article 12 of the 1988 United Nations Convention to prevent diversion of controlled chemical substances toward illicit activities:

- Decision 602 of 2004, Andean Regulation for the Control of Chemical Substances;
- Law 30 of 1986, National Statutes on Narcotic Drugs;
- Decree 2272 of 1991;
- Ley 785 de 2002 establishing the seizure of controlled substances;
- Decree Law 19 of 2012;
- Resolution 0001 of the National Narcotic Drugs Council of 2015;
- Decree 585 of 2018 of the Ministry of Justice and Law;
- Decree 2530 of 2009 of the Ministry of Commerce, Industry, and Tourism;
- Decree 3990 of 2010 of the Ministry of Commerce, Industry and Tourism;
- Decree 0925 of 2013 of the Ministry of Commerce, Industry and Tourism; and
- Resolution 0002 of 2018 of the National Narcotic Drugs Council.

Colombia uses the Pre-Export Notification (PEN Online System of the International Narcotics Control Board-INCB) with respect to controlled chemical substances.

Colombia has training programs for drug interdiction personnel and for the identification and handling of controlled chemical substances.

OBJECTIVE 3

ADOPT AND/OR STRENGTHEN CONTROL MEASURES TO PREVENT DIVERSION TOWARDS ILLICIT ACTIVITIES OF PHARMACEUTICAL PRODUCTS CONTAINING PRECURSOR SUBSTANCES OR THOSE CONTAINING NARCOTIC DRUGS AND/OR PSYCHOTROPIC SUBSTANCES, ENSURING THE ADEQUATE AVAILABILITY AND ACCESS SOLELY FOR MEDICAL AND SCIENTIFIC PURPOSES.

Colombia has an up-to-date register of all individuals and corporations handling pharmaceutical products containing precursor substances, narcotics and psychotropic substances. Furthermore, the country issues licenses to manufacturers and distributors of such products.

The country carries out regular inspections and audits of the establishments of individuals and corporations authorized to handle pharmaceutical products containing precursor substances, narcotics or psychotropic substances.

Colombia has criminal, civil and administrative penalties for infractions or violations by individuals or corporations that handle pharmaceutical products containing precursor substances, narcotics or psychotropic substances, pursuant to the following regulations:

- Law 30 of 1986;
- Law 599 of 2000 of the Criminal Code;
- Resolution 1478 of 2006 of the Ministry of Health and Social Protection;
- Law 1787 of 2016;
- Decree 780 of 2016;
- Decree 613 of 2017;
- Decree 2891 of 2017 of the Ministry of Health and Social Protection; and
- Resolution 2892 of 2017 of the Ministry of Health and Social Protection.

OBJECTIVE 4

ENSURE ADEQUATE AVAILABILITY AND ACCESSIBILITY OF SUBSTANCES SUBJECT TO INTERNATIONAL CONTROL SOLELY FOR MEDICAL AND SCIENTIFIC PURPOSES, PREVENTING THEIR DIVERSION.

Colombia has special processes for issuing import and export authorizations for substances subject to international control for medical and scientific purposes.

The country has training and awareness activities for competent national authorities and health professionals on the proper access to substances subject to international control solely for medical and scientific purposes.

Since Law 1787 was enacted in 2016, Colombia has had a regulatory framework to govern secure, informed access to cannabis and its derivatives solely for medical and scientific purposes throughout the country.

The following regulatory framework in the country governs the acquisition of substances subject to international control for medical and scientific purposes:

- Law 30 of 1986;
- Law 599 of 2000 of the Criminal Code;
- Resolution 1478 of 2006 of the Ministry of Health and Social Protection;
- Law 1787 of 2016;
- Decree 780 of 2016;
- Decree 613 of 2017;
- Resolution 2891 of 2017 of the Ministry of Health and Social Protection;
- Resolution 2892 of 2017 of the Ministry of Health and Social Protection;
- Resolution 577 of August 8, 2017 of the Ministry of Justice and Law;
- Resolution 578 of August 8, 2017 of the Ministry of Justice and Law;
- Resolution 579 of August 8, 2017 of the Ministry of Justice and Law, Ministry of Health and Social Protection, and Ministry of Agriculture and Rural Development; and
- Decree 631 of April 9, 2018.

OBJECTIVE 5 | STRENGTHEN NATIONAL MEASURES TO ADDRESS THE CHALLENGE OF NEW PSYCHOACTIVE SUBSTANCES AND THE THREAT OF AMPHETAMINE-TYPE STIMULANTS.

Colombia has early warning systems to identify and trace NPS, amphetamine-type stimulants and other substances subject to international control. At the international level, the information is reported to the United Nations Office on Drugs and Crime (UNODC). Domestically, it is remitted through various channels to supervisory authorities in the health care and other sectors.

The new special investigative techniques, updated equipment and new technology acquired and used by the country to detect and analyze NPS are as follows:

- Imports of benchmark chemicals certified for the detection and chemical identification of synthetic drugs and NPS; and
- Workshops conducted on the chemical identification of cannabinoids, synthetic drugs and NPS.

The country does not have regulatory frameworks or guidelines to identify and address the challenges posed by NPS and amphetamine-type stimulants.

OBJECTIVE 6 | ESTABLISH, UPDATE AND STRENGTHEN, AS APPROPRIATE, THE LEGISLATIVE AND INSTITUTIONAL FRAMEWORKS TO COUNTER MONEY LAUNDERING DERIVED FROM DRUG TRAFFICKING.

In Colombia, the National Directorate of the National Prosecutor's Office Specializing in Anti-Drug and Anti-Money Laundering Activities issued Directive 001 of 2016, updating and strengthening the legislative and institutional frameworks to counter the laundering of assets derived from drug trafficking and enabling the authorities to conduct financial and asset investigations parallel to drug trafficking investigations.

The country has an Inter-Agency Coordination Commission for Monitoring Money Laundering (CCICLA), which is in charge of inter-agency coordination and cooperation in the area of preventing and controlling money laundering.

Colombia has a Financial Information and Analysis Unit (UIAF), which is a special technical and administrative unit of the Colombian State, with separate legal status and administrative and financial autonomy, attached to the Ministry of Finance and Public Credit. The UIAF is Colombia's financial intelligence body, established by Law 526 of 1999 and regulated by enabling Decree 1068 of 2015, to prevent, detect and combat money laundering and terrorist financing.

The country has a framework of the competencies of the agencies related to the financial system that implement mechanisms for analyzing risks, in accordance with the Financial Action Task Force (FATF) recommendations.

OBJECTIVE 7

ESTABLISH AND/OR STRENGTHEN AGENCIES FOR THE ADMINISTRATION AND DISPOSITION OF SEIZED AND/OR FORFEITED ASSETS IN CASES OF DRUG TRAFFICKING, MONEY LAUNDERING AND OTHER RELATED CRIMES.

Colombia has Law 1708 of 2014, which enacted the Asset Forfeiture Code, and Law 1849 of 2017, which amended and supplemented it. Other provisions were enacted, in accordance with international conventions and treaties, to facilitate the seizure and forfeiture of assets, instruments or products deriving from drug trafficking and other related crimes.

The country has the Special Assets Society (SAE), a competent authority responsible for the administration of seized and forfeited assets, and also responsible for accountability and transparency in the administration of those assets, in accordance with the following legislation:

- Decree 2136 of 2015, regulating Chapter VIII of Title 111 of Book 111 of Law 1708 of 2014;
- Law 1849 of 2017, amending and supplementing Law 1708 of 2014, Asset Forfeiture Code, and containing other provisions;
- Law 1708 of 2014, containing the Code on Asset Forfeiture; and
- Law 1712 of 2014.

The purpose of the SAE is to administer special assets that are in the process of being forfeited or that have been declared forfeited.

Colombia participates in specialized training programs on the administration and disposition of seized and forfeited assets.

OBJECTIVE 8

STRENGTHEN NATIONAL INFORMATION-GATHERING SYSTEMS AND MECHANISMS FOR EXCHANGING INTELLIGENCE INFORMATION TO DETECT ROUTES AND METHODS USED BY CRIMINAL DRUG TRAFFICKING ORGANIZATIONS.

Colombia works with the European Police Office (EUROPOL) and the Police Community of the Americas (AMERIPOL) to gather and exchange intelligence information to detect routes and methods used by criminal drug trafficking organizations.

The country has the European Multidisciplinary Platform against Criminal Threats (EMPACT) as its national information system on drug trafficking and related crimes.

Since it has nation-wide coverage, the Colombian National Police is aware through its administrative records of criminal acts, violations, police services and the time, place and form of other behaviors, which are collected in the system on statistical, criminal, violations and operational information of the National Police (SIEDCO).

CONTROL MEASURES

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that from the sixth to the seventh rounds (2013-2018), Colombia has had protocols and operating procedures to detect, investigate and dismantle laboratories or facilities for the illicit processing or manufacture of drugs. CICAD observes that in the seventh round (2014-2018), Colombia has programs and strategies to detect and seize drugs through monitoring, inspections and checkpoints covering land, riverine, air and sea routes, and implements and participates in ongoing training programs on these subjects. CICAD also recognizes that Colombia has regulations providing for the use of specialized investigative tools and techniques to prevent and reduce illicit drug trafficking. Furthermore, the country conducts up-to-date assessments and studies to identify new trends and threats in drug trafficking and related crimes. CICAD views with satisfaction that the country has an agency responsible for analyzing chemical substances, precursors and pharmaceuticals, including NPS, and that it also has and participates in ongoing training for the personnel involved in these analyses.

CICAD views with satisfaction that from the first to the seventh rounds (1999-2018), Colombia has had a competent authority responsible for controlling domestic trade to prevent diversion of controlled chemical substances into illicit activities. Additionally, CICAD observes that from the fifth to the seventh rounds (2007-2018), the country has used the pre-export notification system (INCB PEN Online) with respect to controlled chemical substances. CICAD notes that in the seventh round (2014-2018), Colombia has mechanisms to inform the industry and users in general of applicable controls and cooperation methods to prevent the diversion of controlled chemical substances. Additionally, the country has training programs for drug interdiction personnel and for the identification and handling of controlled chemical substances. However, CICAD observes with concern that Colombia does not carry out analyses that include the exchange of information through existing international mechanisms regarding substances, their analogs and precursors that pose a threat to public health.

CICAD notes with satisfaction that from the first through to the seventh rounds (1999-2018), Colombian law has provided for criminal, civil and administrative penalties for infractions or violations by individuals or corporations that handle pharmaceutical products that contain precursor substances, narcotics or psychotropic substances. CICAD also observes that in the seventh round (2014-2018), the country has an up-to-date register of all individuals and corporations handling such products, issues licenses to manufacturers and distributors and carries out regular inspections and audits of the establishments of individuals and corporations that have been authorized to handle these products.

CICAD acknowledges that in the seventh round (2014-2018), Colombia has special processes for issuing import and export authorizations for substances subject to international control for medical and scientific purposes. CICAD also recognizes that the country has training and awareness activities for competent national authorities and health professionals on the proper access to substances subject to international control solely for medical and scientific purposes. Additionally, CICAD observes that

Colombia had a regulatory framework to govern the acquisition of substances subject to international control for the same purposes.

CICAD observes that in the seventh round (2014-2018), Colombia has an early warning system to identify and trace NPS, amphetamine-type stimulants and other substances subject to international control. CICAD is also pleased to note that the country has new special investigative techniques, updated equipment and new technologies acquired and used to detect and analyze NPS. However, CICAD views with concern that Colombia does not have regulatory frameworks or guidelines to identify and address the challenges posed by such substances.

CICAD expresses its satisfaction that in all of the seven rounds (1999-2018), Colombia has had regulatory frameworks to counter money laundering derived from drug trafficking. Similarly, CICAD observes that in the seventh round (2014-2018), Colombia has protocols that enable authorities to conduct financial and asset investigations parallel to drug trafficking investigations. CICAD also notes that Colombia has mechanisms allowing for inter-agency coordination and cooperation in the area of prevention and control of money laundering, as well as a financial intelligence unit. Furthermore, the country has mechanisms for analyzing money laundering risks in accordance with the recommendations of the Financial Action Task Force (FATF).

CICAD is pleased to note that throughout the seven rounds (1999-2018), Colombia has had a competent authority responsible for the administration of forfeited assets related to money laundering. Additionally, CICAD observes with satisfaction that in the third, sixth and seventh rounds (2003-2018), Colombia has had specialized training programs on the administration and disposition of seized and forfeited assets. CICAD also observes that in the seventh round (2014-2018), Colombia has legislation, regulations and procedures, in accordance with international treaties and conventions, to facilitate the seizure and forfeiture of assets, instruments or products deriving from drug trafficking and other related crimes. The country also has regulations to facilitate the accountability and transparency of the administration of seized and forfeited assets.

CICAD notes that in the seventh round (2014-2018), Colombia has national information-gathering mechanisms for exchanging intelligence information to detect routes and methods used by criminal drug trafficking organizations. CICAD further notes that the country had a national information system on drug trafficking and related crimes, including alerts on changing behaviors and modus operandi of criminal organizations.

INTERNATIONAL COOPERATION

OBJECTIVE 1

PROMOTE AND STRENGTHEN COOPERATION AND COORDINATION MECHANISMS TO FOSTER TECHNICAL ASSISTANCE, IMPROVE EXCHANGE OF INFORMATION AND EXPERIENCES, AND SHARE BEST PRACTICES AND LESSONS LEARNED ON DRUG POLICIES AND RELATED CRIMES.

Colombia carries out technical assistance and horizontal cooperation activities with member states of the Organization of American States (OAS), third States through joint commissions and with pertinent international organizations.

The country has exchanged technologies with its counterparts on the systematization of regulations, studies, research, and bibliographic material, and has exchanged technical-scientific academic research products. There also are established secure communications channels for the exchange of intelligence information on drug interdiction and control. Colombia promotes the exchange with its foreign counterparts of good practices in training, specialization and professional development of staff responsible for implementing its national drug policies through joint drug commissions and training events at the Andean Regional Counter-drug Intelligence School (ERCAIAD) of the Inter-American Drug Abuse Control Commission (CICAD) of the OAS.

Colombia also participates in regional coordination activities to prevent crimes related to drug trafficking, such as firearms trafficking, extortion, kidnapping, money laundering and corruption, among others. Moreover, the country carries out activities that allowed the coordination and collaboration between authorities in order to dismantle criminal groups linked to drug trafficking and related crimes.

OBJECTIVE 2

STRENGTHEN THE MULTILATERAL COOPERATION AND COORDINATION MECHANISMS IN THE AREA OF FORFEITURE AND MANAGEMENT OF ASSETS DERIVED FROM DRUG TRAFFICKING AND RELATED CRIMES.

Colombia has updated the regulatory and procedural frameworks allowing for effective cooperation mechanisms with other countries and relevant international organizations on forfeiture and management of assets derived from drug trafficking, money laundering and other related crimes, through Law 906 of 2004 on the Code of Criminal Procedure, and Law 1708 of 2014 on Asset Forfeiture. The Financial Action Task Force of Latin America (GAFILAT) evaluated Colombia in 2018.

The country has competent authorities, such as the Office of the Public Prosecutor, the National Police and the Financial Intelligence Unit, with legal powers to exchange information on money laundering investigations, including identification and tracing of the instruments associated with this offense, through information exchange networks such as the International Criminal Police Organization (INTERPOL) and the Regional Asset Recovery Network (RRAG) of GAFILAT, among others.

OBJECTIVE 3 | STRENGTHEN INTERNATIONAL COOPERATION AS DEFINED IN THE INTERNATIONAL LEGAL INSTRUMENTS RELATED TO THE WORLD DRUG PROBLEM, WITH RESPECT FOR HUMAN RIGHTS.

Colombia has enacted legislation and has adopted administrative measures and actions to improve implementation of the obligations entered into in the international juridical instruments on the world drug problem in respect of human rights and gender equality. In the context of the peace process between the National Government and the Revolutionary Armed Forces of Colombia (FARC), the Final Accord to end the Conflict and Build a Stable and Lasting Peace, signed in 2016.

The country is party to the following international legal instruments:

Conventions and protocols		Yes	No	
United Nations Conventions	Convention against Transnational Organized Crime, 2000	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	X	
		Protocol against the Smuggling of Migrants by Land, Sea and Air		X
		Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition		X
	Single Convention on Narcotic Drugs, 1961		X	
	Convention on Psychotropic Substances, 1971		X	
	Convention against Corruption, 2003		X	
Inter-American Conventions	Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and other Related Materials (CIFTA), 1997		X	
	Convention against Corruption, 1996		X	
	Convention on Mutual Assistance in Criminal Matters, 1992		X	

OBJECTIVE 4

PROMOTE COMMON UNDERSTANDING OF NATIONAL LEGAL NORMS, REGULATIONS, AND INTERNAL PROCEDURES FOR THE IMPLEMENTATION OF HEMISPHERIC JUDICIAL COOPERATION MECHANISMS AND MUTUAL LEGAL OR JUDICIAL ASSISTANCE RELATED TO DRUG TRAFFICKING AND RELATED CRIMES.

Colombia has bilateral and regional international cooperation agreements for mutual legal or judicial assistance on the control of drug trafficking and related crimes. The country also has laws and other legal provisions to provide mutual legal or judicial assistance to third-party States in investigations, trials and legal proceedings on drug trafficking and related crimes.

The country has laws and other legal provisions that permit extradition for drug trafficking and related crimes. Likewise, Colombia has bilateral extradition agreements for drug trafficking and related crimes and has laws and other legal provisions that permit extradition of nationals for said crimes.

INTERNATIONAL COOPERATION

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD expresses its satisfaction that from the first to the seventh round (1999-2018), Colombia has been conducting coordination, technical assistance and horizontal cooperation activities with OAS member states, third States, through joint commissions, and with relevant international organizations on topics related to drug trafficking and related crimes. CICAD is further pleased to observe that from the second to the seventh round (2001-2018), the country has been exchanging operational information with other countries on the drug issue and has established secure communications channels for the exchange of intelligence information on drug interdiction and control.

CICAD observes that in the seventh round (2014-2018), Colombia updated its regulatory and procedural framework to allow for effective cooperation mechanisms with other countries and with relevant international organizations on the forfeiture and administration of assets derived from drug trafficking, money laundering, and other related crimes. CICAD views with satisfaction that from the second to the seventh round (2001-2018), the country has had mechanisms and procedures enabling the competent authorities to undertake expeditious action to respond to mutual legal assistance requests regarding investigation and forfeiture of assets derived from drug trafficking and related crimes. Likewise, in the seventh round (2014-2018), the competent authorities of Colombia exchange information on investigations into money laundering and related crimes.

CICAD views with satisfaction that from the first through to the seventh rounds (1999-2018), Colombia has enacted legislation and has adopted administrative measures and actions on the control of drug trafficking, money laundering, firearms and the diversion of controlled chemical substances. Likewise, CICAD recognizes that the country has ratified a number of international juridical instruments related to the world drug problem. However, CICAD expresses its concern that in the seventh round (2014-2018), Colombia has not ratified the Protocol against the Smuggling of Migrants by Land, Sea and Air, or the Protocol against the Illicit Manufacturing and Trafficking in Firearms, their Parts and Components and Ammunition of the Convention against Transnational Organized Crime of 2000.

CICAD is pleased to note that from the second to the seventh round (2001-2018), Colombia has established bilateral and regional cooperation agreements for mutual judicial assistance on the control of drug trafficking and related crimes. The country also has laws and other legal provisions that permit the extradition of persons for drug trafficking and related crimes, as well as the extradition of their nationals.

CICAD recognizes Colombia for the continued participation and commitment during the seventh evaluation round of the Multilateral Evaluation Mechanism (MEM). In accordance with its national situation, the country is encouraged to fully implement the Plan of Action (2016-2020) of CICAD's Hemispheric Drug Strategy (2010).



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