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MULTILATERAL EVALUATION MECHANISM (MEM)

INTER-AMERICAN DRUG ABUSE CONTROL COMMISSION (CICAD)

SECRETARIAT FOR MULTIDIMENSIONAL SECURITY (SMS)

Paraguay

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.

Paraguay has the National Anti-Drug Secretariat (SENAD), established in 1991, as the national drug authority, which operates directly under the Office of the President of the Republic, pursuant to Law 108 of 1991 and Regulatory Decree 5279 of 2003 and has an annual budget, which is independent of any other national institution. SENAD coordinates and organizes the areas of demand reduction, supply reduction, integral and sustainable alternative development programs, control measures, drug observatory and international cooperation, but not program evaluation.

The amounts of SENAD's annual budget for the years 2014 – 2018 are as follows:

Year	2014	2015	2016	2017	2018
Annual budget amount (US dollars)	\$11,554,824.84	\$11,754,156.88	\$8,694,375.82	\$8,834,159.58	\$9,001,315.97

The country has a coordination and engagement mechanism between national institutions that deal with the different aspects of the drug problem. The 2017-2022 National Drug Policy in the areas of supply and demand reduction was drafted through this mechanism.

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.

Paraguay has a National Policy on Drugs (PND) for 2017 to 2022, which was approved by the Office of the President of the Republic of Paraguay and includes the areas of institutional strengthening, demand reduction, supply reduction, control measures and international cooperation.

Key actors participating in the implementation, evaluation and updating of the National Policy include the Ministry of Public Health and Social Welfare, the Ministry of the Interior, the Ministry of Justice, the Ministry of Education and Science, the Public Prosecutors' Office, the Supreme Court of Justice, the Secretariat for the Prevention of Money and/or Assets Laundering, Customs, the National Secretariat for Children and Adolescents, the Ministry of Foreign Affairs, the Ministry of Finance, the National Anti-corruption Secretariat, the National Police, the Senate and Chamber of Deputies of the National Legislative Branch, the Central Bank of Paraguay and the Office of the Comptroller General of the Republic, regional and local governments, the scientific community and academia, civil society and other social stakeholders.

The country does not promote territorial management of the national drug policy through wider coordination and distribution of responsibilities between SENAD and local entities. Thus, neither municipalities nor local governments are endowed with devolved powers with respect to drugs and they lack the autonomy needed to take responsibility for and implement actions regarding drugs in coordination with the national drug authority. Within its core structure, SENAD also lacks a functional unit focusing on promoting, coordinating, training and providing technical support to local governments or actors on drug-related matters. Nevertheless, in the area of supply reduction, SENAD does have offices reporting to the General Antidrug Directorate in some of the country's departments.

The PND takes the objectives of the 2030 Agenda for Sustainable Development (ODS) of the United Nations into consideration. It also includes a human rights approach and considers development with social inclusion. However, it does not specifically include a gender perspective.

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.

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.

The 2017-2022 PND and Paraguay's 2011-2016 National Integrated Plan include issues, such as crime prevention, social exclusion and corruption to address the socioeconomic causes and consequences of the drug problem. However, it does not include a gender perspective.

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.

Paraguay has a national observatory on drugs with the required capabilities and financial, human and technological resources. The observatory has a drug information network where a series of government and civil society stakeholders participate.

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		2014
National household surveys (12-64 year olds)		X	
Register of patients in treatment centers		X	
Cross-section survey of patients in treatment centers	X		2014
Survey of patients in emergency rooms		X	
Survey of higher education students		X	
Survey of populations in conflict with the law		X	
Studies on drug-related mortality		X	
Studies on drug-related morbidity		X	
Studies on gender conditions related to drug problems		X	

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

Supply reduction, trafficking and related offenses			
Information	Available information		Year of most recent information
	Yes	No	
Quantification of illicit crop cultivation, including crops grown indoors		X	
Number of seizures of illicit drugs and raw materials for their production	X		2017
Quantities of illicit drugs and raw materials for their production seized	X		2017
Number of seizures of controlled chemical substances (precursors)	X		2014
Quantities of seized controlled chemical substances (precursors)	X		2014
Number of seizures of pharmaceutical substances	X		2017
Quantity of seized pharmaceutical products	X		2017
Number of persons formally charged with drug use, possession and trafficking	X		2017
Number of persons convicted of drug use, possession and trafficking		X	
Number of laboratories producing illicit plant-based drugs detected and dismantled	X		2017
Number of laboratories producing illicit drugs of synthetic origin detected and dismantled	X		2014
Chemical composition of seized drugs	X		2016
Sale price of drugs (to consumer)		X	
Number of persons formally charged with money laundering	X		2017
Number of persons convicted of money laundering	X		2014
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 other related materials		X	
Number of persons formally charged with diversion of chemical substances	X		2015
Number of persons convicted of diversion of chemical substances		X	

The national survey of high school students, the cross-sectional survey of patients in treatment centers and the data on the number of people arrested for possession and drug trafficking are disaggregated by gender, age, socioeconomic and educational level and ethnic group.

The country does not have studies on demand reduction or information about supply reduction, trafficking and related crimes. It does not have studies to evaluate drug programs or interventions.

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.

Paraguay has Law 1340 of 1988, which provides for the application of alternative measures to incarceration for low-level drug-related offenses committed by drug users, but not for the possession, production, trafficking, holding or marketing of illicit drugs, which are considered major crimes. In addition, gender differences are taken into account. Thus, in the case of women who are pregnant or breastfeeding, Law 1286 of 1998 contemplates the prohibition of issuing precautionary measures for preventive detention.

The country has not developed mechanisms to monitor and evaluate the impact of implementing alternative measures to incarceration for low-level drug offenses.

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.

Paraguay does not have interagency and multisectoral programs that promote the social integration of individuals affected by the drug problem.

OBJECTIVE 7

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

Paraguay's Law 1340 of 1988 provides for exemptions from punishment in cases of persons that are carrying the substances alluded to in this law, which were prescribed by a physician or are exclusively for personal use. The country does not have special courts or tribunals for low-level drug-related offenses.

INSTITUTIONAL STRENGTHENING

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that throughout all seven evaluation rounds (1999-2018), Paraguay has had the same national authority on drugs, coordinating demand reduction, supply reduction, control measures and information center activities, and has an independent annual budget.

CICAD observes that in the first round (1999-2000), Paraguay had a National Antidrug Policy and from the second to the fourth rounds (2001-2006), it was called National Antidrug Plan. The country had no National Antidrug Plan during the fifth round (2007-2009). CICAD is pleased that during the sixth round (2013-2014), steps were taken to address the drug problem within the framework of the 2013-2017 Institutional Strategic Plan, and in the seventh round (2014-2018), within the framework of a National Policy on Drugs (PND) 2017-2022. The PND covers the areas of institutional strengthening, demand reduction, supply reduction, control measures and international cooperation. CICAD notes that the PND includes a human rights perspective and takes into account development with social inclusion, but does not specifically include a gender perspective.

CICAD views with satisfaction that during the seventh round (2014-2018), Paraguay includes, in its PND 2017-2022 and in its Integrated National Plan, crime prevention, social exclusion, corruption and a gender perspective when addressing the socioeconomic causes and consequences of the drug problem.

CICAD ascertains that in the first round (1999-2000), Paraguay lacked a system for collecting and keeping statistics and documentation. However, as of the second round (2001-2002), the country developed an information system. CICAD further notes that in the seventh round (2014-2018), Paraguay has the Paraguayan Observatory on Drugs (OPD) with the required capabilities and financial, human and technological resources, and has made progress in the compilation of data and information in the area of supply reduction, drug trafficking and related crimes. Nevertheless, CICAD notes with concern that priority demand reduction studies are conducted sporadically, as are studies to evaluate the drug programs or interventions envisaged in its PND.

CICAD acknowledges that during the seventh round (2014-2018), Paraguay has legislation that provides for the use of alternative measures to incarceration for low-level drug-related crimes. However, CICAD observes that the country has not developed mechanisms to monitor and evaluate the impact of the use of such alternative measures to incarceration.

CICAD notes that in the seventh round (2014-2018), Paraguay does not have inter-agency or multisectoral programs to foster the social integration of persons affected by the drug problem.

CICAD observes that during the seventh round (2014-2018), Paraguay provides for the exemption from penalties in some drug-related cases, but lacks special courts or tribunals for low-level drug-related offenses.

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.

Paraguay has demand reduction policies that include programs in the areas of prevention, treatment and social integration. These programs incorporate human rights, intercultural, generational and gender approaches.

The guidelines and recommendations of specialized international organizations are taken into account in establishing prevention and treatment demand reduction programs, but not social reintegration programs.

The country has not carried out process, intermediate outcome or impact evaluations of drug abuse prevention programs or other current research studies.

Paraguay implements coordination mechanisms to develop and implement demand reduction programs allowing for the participation of and coordination with civil society and other social stakeholders. The National Addiction Control Center (CNCA) of the Ministry of Public Health and Social Welfare coordinates with treatment communities to provide treatment.

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) as a reference.

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.

Paraguay does not implement prevention programs targeting key populations, but it does have a guide for teachers and directors of educational institutions that contains protocols to be followed when drug use or the presence of drugs is detected in educational establishments, titled “Care Delivery Circuit to Address the Use and/or Presence of Drugs in Educational Institutions.”

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.

Paraguay has a national system for comprehensive treatment and social integration programs and devices for people with problematic drug use, guaranteeing access without discrimination. This national system includes diverse treatment modalities, dual pathology (co-morbidity), social integration and services related to recovery support, but not early intervention (brief intervention, counseling) or crisis intervention. These programs and devices take into account the UNODC and WHO International Standards for the Treatment of Drug Use Disorders, but the country does not ensure compliance with these standards. However, the CNCA holds clinical meetings and update sessions with treatment service professionals.

The country does not have mechanisms to facilitate access and ensure the quality of treatment services for those with problematic drug use disorders, nor does it have mechanisms to protect their rights in treatment programs and services. Furthermore, the country does not have mechanisms to continually monitor and evaluate the results of care, treatment and social integration programs or supervisory mechanisms for the establishments that offer treatment and rehabilitation services.

Paraguay 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.

OBJECTIVE 4

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

Paraguay does not offer ongoing competence-based training in the areas of prevention, treatment and social reintegration, nor does it certify the human resources working in these areas.

OBJECTIVE 5

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

Paraguay has an accreditation process for treatment centers. The institution responsible is the Ministry of Public Health and Social Welfare through the Superintendency of Health.

The country has supervisory mechanisms to ensure that the quality criteria of care and treatment services are met, but not for prevention programs. The Superintendency of Health is the body responsible for supervising care and treatment services. For addictions, a coordinating panel has been formed with the CNCA.

Paraguay has conducted an assessment to determine national care needs and the supply of care and treatment services.

DEMAND REDUCTION

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD views with satisfaction that during the seventh round (2014-2018), Paraguay has demand reduction policies that include programs in the areas of prevention, treatment and social integration. These programs incorporate human rights, intercultural, generational and gender approaches, as well as measures designed to minimize the adverse effects of drug abuse on society and public health under international organization guidelines. These policies are implemented through coordination mechanisms with a range of social stakeholders. However, CICAD notes with concern that the country has not conducted evaluations of drug abuse prevention programs.

CICAD observes that between the fifth and sixth rounds (2007-2014), Paraguay implemented universal prevention programs for university students, but in the seventh round (2014-2018), it does not implement drug abuse prevention programs targeting different key populations. However, the country has a guide for teachers and directors of educational institutions that establishes protocols to follow when drug use or the presence of drugs is detected in educational establishments.

CICAD ascertains that as of the seventh round (2014-2018), Paraguay has a national system for comprehensive treatment and social integration programs and devices for people with problematic drug use, guaranteeing non-discrimination. These programs and devices include diverse treatment modalities, dual pathology (co-morbidity), social integration and services related to recovery support, but not early intervention (brief intervention, counseling) or crisis intervention. CICAD likewise notes that these programs and devices take international standards into account, but the country does not monitor compliance with them. Furthermore, CICAD expresses its concern that Paraguay does not have mechanisms to facilitate access and guarantee the quality of treatment services or mechanisms to protect individuals with problematic drug use in treatment programs and services. The country also does not have mechanisms to continually monitor and evaluate the results of care, treatment and social integration programs or supervisory mechanisms for the establishments that offer treatment and rehabilitation services.

CICAD views with concern that during the seventh round (2014-2018), Paraguay does not offer training in the areas of prevention, treatment, rehabilitation or social integration, whereas it did so in earlier rounds, mostly in the first (1999-2000), fourth (2005-2006) and sixth (2013-2014) rounds. Likewise, CICAD notes that in the seventh round (2014-2018), the country does not certify personnel working in these areas.

CICAD underscores the fact that during the seventh round (2014-2018), Paraguay has an accreditation process for treatment centers, as well as supervisory mechanisms to ensure compliance with quality criteria in care and treatment services, but not for prevention programs. CICAD likewise recognizes that the country has conducted a diagnostic assessment of the national needs regarding 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 Paraguay, the National Anti-Drug Secretariat (SENAD), with support from the Armed Forces of the Nation and the National Police, designs, implements and updates national policies and programs to prevent and decrease illicit crops and the illicit production of drugs.

Traditional licit uses are not taken into account when designing and implementing policies and programs to reduce the illicit supply of drugs.

Paraguay includes environmental protection measures in its policies and programs to reduce the illicit supply of drugs. Those measures consist of monitoring private and public forest reserves through cooperation agreements with non-governmental organizations (NGOs).

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 from civil society and other social stakeholders.

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.

Paraguay has mechanisms for collecting and analyzing information relating to the illicit supply of drugs. The institutions participating in these mechanisms are SENAD's Paraguayan Drug Observatory and the Antinarcotics Department of the National Police.

The country does not carry out periodic studies or research on the structural and socioeconomic factors influencing the illicit supply of drugs situation, nor does it prepare or update studies or research on medical and scientific uses and other legal use of crops containing narcotic or psychotropic substances subject to the international control system.

Paraguay promotes and implements mechanisms for the identification of new psychoactive substances (NPS).

The country does not promote or implement mechanisms to identify chemical profiles and characteristics of drugs subject to the international control system nor does it use standardized and comparable methodologies to measure illicit crops and drug production.

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.

Paraguay has not designed or implemented integral and sustainable alternative development programs or preventive alternative development programs. However, it exchanges experiences and best practices with other countries in the Hemisphere on the design and implementation of integral and sustainable alternative development programs, including preventive alternative development.

The country does not promote sustainable urban development initiatives in urban populations affected by illicit activities related to drug trafficking and related crimes.

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.

Paraguay carried out satellite monitoring of deforestation in the area occupied by the Atlantic Forest to determine the characteristics and magnitude of the environmental impact caused by activities related to illicit cultivation and illicit drug production. The country also takes steps to monitor private and public forest reserves through cooperation agreements with NGOs.

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.

Paraguay does not have methodologies with territorial and socio-economic approaches to characterize micro-drug trafficking or small-scale drug trafficking and the effects on public health, the economy, social cohesion and citizen security.

In 2017, Paraguay exchanged information on the effects of small-scale drug trafficking or micro-drug trafficking in the health and society sectors with a number of countries and in the economic and security sectors, through bilateral and multilateral agreements signed with countries in the region and through specialized regional forums on drugs.

SUPPLY REDUCTION

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that during the seventh round (2014-2018), Paraguay has national policies or programs to prevent and decrease illicit crops and the illicit production of drugs. CICAD also observes that the programs implemented by the country envisage environmental protection measures and crime prevention initiatives that address social and economic risk factors and include participation by civil society and other social stakeholders.

CICAD highlights that during the seventh round (2014-2018), Paraguay has mechanisms for collecting and analyzing information related to the illicit supply of drugs and promotes and implements mechanisms for the identification of NPS. Nevertheless, CICAD observes that the country does not conduct periodic studies or research on the structural and socioeconomic factors influencing the illicit supply of drugs situation and does not prepare or update studies or research on medical and scientific uses and other legal uses of crops containing narcotic or psychotropic substances.

CICAD observes that from the first to the third rounds (1999-2004), Paraguay considered carrying out integral and sustainable alternative development programs. However, CICAD notes with concern that those efforts have not been followed up on during the subsequent four rounds (2005-2018). At the same time, CICAD observes with concern that, during the seventh round (2014-2018), the country does not promote sustainable urban development initiatives in urban populations affected by illicit activities related to drug trafficking and related crimes.

CICAD views with satisfaction that during the seventh round (2014-2018), Paraguay carries out satellite monitoring of deforestation to determine the characteristics and extent of the environmental impact caused by the illicit cultivation of crops and illicit drug production and that it is taking steps to monitor private and public forest reserves.

CICAD notes with satisfaction that during the seventh round (2014-2018), Paraguay exchanges information on the effects of small-scale drug trafficking or micro-drug trafficking, but observes with concern that it does not have methodologies, with a territorial and socio-economic approach, of this phenomenon and the effects on public health, the economy, social cohesion and citizen security.

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.

Paraguay does not have protocols or procedures for detecting, investigating and dismantling laboratories or facilities used for the illicit processing or manufacture of drugs.

The country has programs for detecting and seizing drugs through land, riverine and aerial monitoring, inspections and checkpoints, in keeping with Decree 5213 of 2005.

The use of specialized investigative tools and techniques to prevent and reduce illicit drug trafficking is considered in Law 1340 of 1988, Law 1881 of 2002 and Law 5757 of 2016, which include a human rights perspective.

Paraguay participates in the online training offered by the United Nations Office on Drugs and Crime (UNODC) called GLOBAL E-learning, geared to personnel involved in interdiction operations, regarding laws, processes and procedures related to illicit drug trafficking and related crimes, as well as specialized techniques for investigative and intelligence work.

The country does not produce updated assessments of studies to identify new trends and threats related to illicit drug trafficking and related crimes. Nonetheless, it has the Specialized Forensic Bureau of the National Antidrug Secretariat (SENAD), which is in charge of analyzing chemical substances, precursors and pharmaceutical products, including new psychoactive substances (NPS).

Paraguay participates in continuing training programs, such as the International Cooperation Exercise program (ICE) of the UNODC for personnel involved in analyzing chemical substances, precursors and pharmaceutical products, including the NPS.

OBJECTIVE 2

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

Paraguay has the National Bureau for Health Surveillance of the Ministry of Public Health and Social Wellbeing and the Bureau for Registration and Control of the National Antidrug Secretariat, which are the competent authorities responsible for coordinating the regulation of domestic commerce to prevent the diversion of controlled chemical substances to illicit activities and are governed by Law 1340 of 1988 and Decree 5213 of 2005.

By means of Decree 5213 of 2005, the industry and users in general are informed of applicable controls and ways of cooperation to prevent the diversion of controlled chemical substances.

The country does not perform analyses that includes exchange of information through existing international mechanisms on substances, their analogs and their precursors that pose a threat to public health.

Law 1340 of 1988 and Decree 5213 of 2005 partially incorporate the control measures contained in paragraphs 8 and 9 of Article 12 of the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

Paraguay uses the Pre-Export Notification Online system (PEN Online of the International Narcotics Control Board - INCB) for controlled chemical substances.

The country does not have training programs for drug control personnel or for identifying and handling 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.

Paraguay has an updated registry of the individuals and corporations that handle pharmaceutical products that contain precursor substances, narcotics or psychotropic substances. In addition, it grants licenses to the manufacturers and distributors of those pharmaceutical products for their regulation, but does not perform regular inspections or audits of the establishments of the individuals and businesses that have been authorized to handle those pharmaceutical products.

Law 1340 of 1988 sets forth the criminal, civil and administrative penalties for infractions or violations perpetrated by individuals or corporations that handle pharmaceutical products containing precursor substances, narcotics or psychotropic substances.

OBJECTIVE 4

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

Paraguay has special processes for authorizing the import and export of narcotics or psychotropic substances subject to international control for medical and scientific purposes.

The country has training and awareness-raising activities for competent national authorities and health professionals concerning adequate access to substances subject to international control solely for medical and scientific purposes. These activities are carried out through continuing training workshops for the associations of medical and pharmaceutical specialties and are provided by the National Bureau of Health Surveillance of the Ministry of Public Health and Social Wellbeing.

Law 1340 of 1988 and Decree 5213 of 2005 govern the acquisition of substances subject to international control for medical and scientific purposes. Those laws have been adopted to improve access to these substances by the medical and scientific communities.

OBJECTIVE 5

STRENGTHEN NATIONAL MEASURES TO ADDRESS THE CHALLENGE OF NEW PSYCHOACTIVE SUBSTANCES AND THE THREAT OF AMPHETAMINE STIMULANTS.

Paraguay has implemented its Early Warning System (SAT), but it has not identified or traced NPS or amphetamine stimulants or other substances subject to international control.

The country does not have regulatory frameworks to identify and address the challenges posted by NPS and amphetamine stimulants, but it does have a department of pharmacosurveillance that is in charge of monitoring and reporting any event that may arise nationally or internationally.

To detect and analyze NPS, Paraguay has incorporated special investigative techniques and updated equipment and new technologies. These include portable and fixed laboratories for detecting NPS using RAMAN spectrometry.

OBJECTIVE 6

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

Paraguay has created and updated the legal and institutional frameworks for countering money laundering stemming from illicit drug trafficking, through Law 3440 of 2009, Law 1160 of 1997, Law 1340 of 1988 and Law 357 of 1972.

Operational Plan 2017 of SENAD's Bureau on Financial Crimes and Offenses (DICDF) allows the authorities to pursue financial and asset investigations parallel to investigations into illicit drug trafficking.

The country has mechanisms that facilitate interinstitutional coordination and cooperation to prevent and control money laundering.

The Secretariat for Prevention of Money and Asset Laundering (SEPRELAD) is the country's financial intelligence unit, which was established by Law 1015 of 1997 and operates as an autonomous agency under the Executive Branch.

Paraguay has mechanisms for analyzing the risks of money laundering, as per the recommendations of the Financial Action Task Force (FATF). To that end, the National Risk Assessment is performed, which was approved by Decree 4779 of 2016.

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.

Paraguay has Law 5876 on the Administration of Seized and Forfeited Assets of 2017 and Decree 8668 of 2018, as well as other specific measures, in keeping with the relevant international treaties and conventions, to facilitate accountability and transparency in the administration, seizure and forfeiture of assets, instruments or proceeds from illicit drug trafficking and related crimes.

Paraguay has the National Secretariat for the Administration of Seized and Forfeited Assets (SENABICO), the competent authority that is established under Law 5876 and participates in specialized training programs on the administration and disposal 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.

Paraguay does not have national information gathering mechanisms to exchange intelligence information to detect routes and methods used by drug trafficking criminal organizations, nor a national information system on this subject.

CONTROL MEASURES

Drug Policy Evaluation throughout the MEM Process: 1999-2018

CICAD notes that in the seventh round (2014 -2018), Paraguay has programs for detecting and seizing drugs through overland, riverine and aerial monitoring, inspections and checkpoints, and implements and participates in continuing training programs on these issues. In addition, CICAD recognizes that the country has regulations that consider the use of specialized investigative tools and techniques to prevent and reduce illicit drug trafficking. In addition, CICAD observes with satisfaction that Paraguay has an institution in charge of analyzing chemical substances, precursors and pharmaceutical products, including NPS, and participates in continuing training programs for the personnel involved in this analysis. Nonetheless, CICAD observes with concern that in the sixth and seventh rounds (2013-2018), Paraguay has not had protocols or procedures for detecting, investigating and dismantling laboratories or facilities for the illicit processing or manufacture of drugs, and that it does not produce updated assessments or studies to identify new trends and threats related to illicit drug trafficking and related crimes.

CICAD views with satisfaction that during the seven rounds (1999-2018), Paraguay has had competent authorities responsible for regulating domestic commerce to prevent the diversion of controlled chemical substances to illicit activities. In addition, CICAD observes that from the first to the seventh rounds (1999-2018), the country has used the Pre-Export Notification Online system (PEN Online of the INCB) for controlled chemical substances. Similarly, CICAD notes that in the seventh round (2014-2018), Paraguay has mechanisms for informing the industry and users in general about applicable controls and ways of cooperating that make it possible to prevent the diversion of controlled chemical substances. Nonetheless, CICAD expresses its concern that the country does not perform analyses that include the exchange of information, through existing international mechanisms, on substances, their analogs and their precursors that pose a threat to public health and that it does not have training programs for drug control personnel or to identify and handle controlled chemical substances.

CICAD is pleased to observe that from the fourth to the seventh rounds (1999-2018), Paraguay's legislation has included criminal, civil and administrative penalties for infractions and violations perpetrated by individuals or businesses that handle pharmaceutical products that contain precursor substances, narcotics or psychotropic substances. Similarly, CICAD ascertains that in the seventh round (2014-2018), the country has an updated registry of the individuals and businesses that handle these products and also grants licenses to the manufacturers and distributors who have been authorized to handle them. Nonetheless, CICAD views with concern that Paraguay does not perform regular inspections or audits of the establishments that handle such products.

CICAD notes that in the seventh round (2014-2018), Paraguay has special procedures for authorizing the import and export of substances subject to international control for medical and scientific purposes. CICAD also acknowledges that the country has training or awareness-raising activities offered

to competent national authorities and health professionals regarding adequate access to substances subject to international control solely for medical and scientific purposes. In addition, Paraguay has a regulatory framework that governs the acquisition of substances subject to international control for medical and scientific purposes.

CICAD ascertains that in the seventh round (2014-2018), Paraguay has an early warning system to identify and trace NPS and amphetamine-type stimulants, as well as for all other substances subject to international control. In addition, the country has new special investigative techniques, updated equipment and new technologies acquired and used to detect and analyze new psychoactive substances. Nonetheless, CICAD views with concern that Paraguay does not have regulatory frameworks or guidelines to identify and address the challenges posed by those substances.

CICAD is pleased to note that in the seven rounds (1999-2018), Paraguay has had legal frameworks for countering money laundering stemming from illicit drug trafficking. In addition, CICAD observes that in the seventh round (2014-2018), the country has protocols that enable the authorities to pursue an investigation into illicit drug trafficking parallel to financial and asset investigations. Similarly, Paraguay has mechanisms that make possible interinstitutional coordination and cooperation to prevent and control money laundering with a financial intelligence unit and mechanisms that allow for an analysis of risks of money laundering, as per the recommendations of the FATF.

CICAD acknowledges that in the seventh round (2014-2018), Paraguay has a competent authority for the administration of forfeited assets related to money laundering, as well as legislation, regulations and procedures to facilitate the seizure and forfeiture of assets, instruments or proceeds stemming from illicit drug trafficking and related crimes. CICAD also indicates that the country has provisions that facilitate accountability and transparency in the administration of seized and forfeited assets. In addition, CICAD is pleased to note that the country participates in specialized training programs for the administration and disposal of seized and forfeited assets.

CICAD observes with concern that in the seventh round (2014-2018), Paraguay does not have national information gathering mechanisms to exchange intelligence information to detect routes and methods used by criminal drug trafficking organizations, nor a national information system on this topic.

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.

Paraguay carries out technical assistance and horizontal cooperation activities among member states of the Organization of American States (OAS), third States and relevant international organizations.

The country exchanges technologies with foreign counterparts on the systematization of regulations, studies, research and bibliographic material produced by countries and international organizations. There are also secure communication channels for the exchange of intelligence information on drug interdiction and control. Paraguay promotes the exchange, with foreign counterparts, of best practices on training, specialization and professional development of personnel responsible for implementing its national drug policies. During bilateral meetings, law enforcement authorities have shared best practices on supply reduction, demand reduction, alternative development and forensic laboratories.

Paraguay 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. The country plays an active role in the meetings or activities of the South Cone Common Market (MERCOSUR) Working Group on Firearms and in meetings of agencies specializing in investigating and preventing money laundering, such as the Financial Action Task Force of Latin America (GAFILAT). There are bilateral mechanisms for coordination and collaboration with other countries focused on the dismantling of 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.

Paraguay has updated its 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. Law 5582 of 2016 is the pertinent law, which approves the amendment to the memorandum of understanding of GAFILAT and the bilateral agreements signed with other countries on money laundering. GAFILAT evaluated by the country in 2008.

The country has mechanisms and procedures enabling the competent authorities to undertake expeditious actions in response to mutual legal assistance requests on investigation and forfeiture of assets derived from drug trafficking and related crimes. Said mechanisms are outlined in Laws 5876 of 2017, 1160 of 1997 and 1340 of 1988, which amends and updates Law 357 of 1972 and Law 4575 of 2015. Paraguay’s competent authorities have legal powers to exchange information on money laundering investigations, including the 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. The country is a member of the Egmont Group.

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

Paraguay enacted Law 5876 of 2017 to improve the implementation of obligations set forth within international legal instruments regarding the world drug problem, respecting human rights and gender equality.

The country is party to the following international legal instruments:

Conventions and protocols		Yes	No
United Nations Conventions	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;	X	
	Convention against Transnational Organized Crime, 2000		
	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	
	The Single Convention on Narcotic Drugs, 1961	X	
	Convention on Psychotropic Substances, 1971	X	
Inter-American Conventions	Convention against Corruption, 2003	X	
	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.

Paraguay has established bilateral and regional international cooperation agreements for mutual legal or judicial assistance with regard to the control of drug trafficking and related crimes. The country also has laws and other legal provisions that permit the provision of mutual legal or judicial assistance to third States in judicial investigations, trials and legal proceedings relating to drug trafficking and related crimes.

Law 1340 of 1988 permits extradition for drug trafficking and related crimes, and there are extradition agreements with various countries of the Hemisphere. The country's laws and regulations allow the extradition of their nationals.

INTERNATIONAL COOPERATION

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CICAD is pleased to note that in the seventh round (2014-2018), Paraguay carries out technical assistance and horizontal cooperation activities with OAS member states, third States, and relevant international agencies. From the fourth to the seventh rounds (2006), the country has had a center to promote or facilitate the exchange of information and cooperation among the national authorities responsible for controlling drug trafficking with other countries. CICAD views with satisfaction that in the seven rounds (1999-2018), Paraguay has had mechanisms for the secure and effective exchange of intelligence information in the investigation of cases involving illicit drug trafficking and related crimes. Additionally, during the seventh round (2014-2018), the country participates in training programs on the sharing of intelligence information in the investigation of cases relating to those issues.

CICAD views with satisfaction that in the seventh round (2014-2018), Paraguay updated its 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. CICAD also observes that the country has mechanisms and procedures authorizing competent authorities to expedite responses to requests for mutual legal assistance regarding investigations and forfeitures of assets derived from drug trafficking and related crimes, as well as mechanisms for exchanging information regarding investigations into money laundering, including the identification and tracing of instruments relating to that crime.

CICAD acknowledges that from the first to the seventh rounds (1998-2014), Paraguay has issued several legal and regulatory norms relating to the drug problem, such as money laundering; firearms, ammunition and explosives; and the diversion of pharmaceutical products, among others, which provide for criminal, civil and administrative sanctions for a number of offenses that help to improve the country's compliance with its obligations under international legal instruments. CICAD also observes that during the seven rounds (1999-2018), the country has ratified all the conventions and protocols of the United Nations and conventions of the OAS regarding the world drug problem.

CICAD observes with satisfaction that from the third through the seventh rounds (2003-2018), Paraguay has entered into bilateral and regional international cooperation agreements on mutual judicial assistance, related to drug trafficking control and related crimes. It also has had laws and other regulatory provisions that permit assistance to third States in investigations, processes and judicial proceedings relating to drug trafficking and related crimes. In addition, the country has had rules and bilateral extradition agreements with other countries, as well as laws that allow extradition for the aforementioned crimes, including nationals.

CICAD recognizes Paraguay 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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